

**CITY OF PELLA, IOWA
BOARD OF ADJUSTMENT MINUTES
JUNE 15, 2020**

CALL TO ORDER BY THE CHAIRPERSON AND ROLL CALL

Chairperson Vander Meiden called the Board of Adjustment to order at 6:00 p.m. in the Public Safety Complex. Members present were: Jim Corbett (via phone), Vince Nossaman (via phone), Susan Reiter (via phone), Lyle Vander Meiden, Mike Vander Wert, and Corey Westra. Absent: Jaci Nunnikhoven and Merlan Rolffs. Staff present: Planning and Zoning Director Matthew Lepke and Deputy City Clerk Cynthia Vaske. Due to heightened public health risks associated with the COVID-19 pandemic, accommodations were made to broadcast this meeting via conference call. Three members of the public were in attendance.

CHAIRPERSON’S COMMENTS

Approval of the Tentative Agenda

Motion by Vander Wert, second by Reiter to approve the tentative agenda. Motion carried 6-0.

APPROVAL OF MINUTES

Motion by Reiter, second by Westra to approve the May 18, 2020 minutes. Motion carried 6-0.

NEW BUSINESS/PUBLIC HEARINGS

Consider a Variance Request to Locate an Accessory Building Within 10 Feet of Another Structure at 506 E. 13th Street

Stan Eysink has submitted a variance application to construct an accessory building within 10 feet of another structure on his property at 506 E. 13th Street. He requests relief from the requirements of 165.30.3.G, which state:

“G. Separation from Other Buildings. No accessory building shall be placed within ten feet of any other building on its own property or any adjacent properties except that for any lot or plot of official record as of September 29, 1976, a separation distance of only two feet is required.”

The property is located on the corner of E. 13th St. and E. Union St. The E. 13th St. side is the front of the property, and the E. Union St. side is a street side yard. Furthermore, 165.30.3.(A and D) restrict the location of an accessory building to the rear yard:

“A. Side Yards. An accessory building may be located a minimum of two feet (2') from the side lot line of the property if it is located between the rear building line of the principal building and the rear property line. In no case, shall an accessory building be located

between the front building line and the rear building line of the principal building. No accessory building shall be located in any easement or right-of-way.”

“D. Street Yards. No accessory building shall be located within twenty feet (20') from any street right-of-way line.”

The applicant has indicated that an easement runs along the rear property line, and trees in the southeast corner of the property further inhibit the location of an accessory building; utility maps show an electric line running from the northeast corner of the property toward the house. The applicant proposes a 140-square foot building. Regardless of the Board’s decision to approve or deny, the accessory building remains subject to applicable zoning code standards.

While Staff finds that the property is unique in comparison to others proximate, the construction of an accessory building is a matter of convenience, not a right. However, because the variance would allow construction closer to the house, rather than by reducing a perimeter setback, granting the variance should not pose a burden or diminish the value of adjacent properties. Staff recommends denial of the variance request, solely because all seven findings are not satisfied.

Convened **Public Hearing** on the variance request. No written comments were received.

Stan and Carla Eysink were present to speak in favor of the variance request and to answer questions from the Board.

Reiter asked whether the applicant has looked into adding a third stall to the existing garage. Planning and Zoning Director Matthew Lepke explained that the home’s setbacks would not allow for an attached third garage stall. In response to a question from Corbett, S. Eysink stated that the proposed accessory structure would be placed on skids on top of a rock base.

Motion by Vander Wert, second by Reiter to close the **Public Hearing** as no further comments were received. Motion carried 6-0.

Motion by Nossaman, second by Vander Wert to approve the variance as presented. Motion carried 6-0.

NEW BUSINESS

None.

OTHER BUSINESS/PUBLIC FORUM

The next meeting is scheduled for July 20, 2020.

Nossaman thanked Lepke for addressing his questions about building height for minor modifications, which he brought forth at the May 18, 2020 Board meeting.

Adjourned at 6:29 p.m.