

**CITY OF PELLA, IOWA
BOARD OF ADJUSTMENT MINUTES
JULY 17, 2023**

CALL TO ORDER BY THE CHAIRPERSON AND ROLL CALL

Chairperson Westra called the Board of Adjustment to order at 6:00 p.m. in the Public Safety Complex. Members present were: Kristi Kious, Vince Nossaman, Jaci Nunnikhoven, Susan Reiter, Lyle Vander Meiden, Mike Vander Wert, and Corey Westra; absent: none. Staff present: Planning and Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, and the Deputy City Clerk. Two members of the public attended the meeting.

CHAIRPERSON'S COMMENTS

Approval of the Tentative Agenda

Motion by Vander Wert, second by Kious to approve the tentative agenda. Motion carried 7-0.

APPROVAL OF MINUTES

Motion by Reiter, second by Nunnikhoven to approve the minutes from June 19, 2023. Motion carried 7-0.

PUBLIC HEARINGS

**Consider a Variance Request from Dave and Brenda Van Vark to Construct a Carport
Within the Side Yard Setbacks of 1200 Franklin St.**

Dave and Brenda Van Vark submitted a variance application for their property located at 1200 Franklin St. The applicants have requested a variance to permit a carport in the interior side yard setback. City Code Table 165.12-2 indicates that all properties in the Two-Family Residential (R2) District have a 7-foot interior side yard setback for single story buildings. Should the variance be approved, the interior side setback would become 2' 4".

While staff understands the desire for the addition and the reasoning for placing vehicles under a roof, staff does not believe the variance request meets all seven of the criteria required. Staff believes the request particularly fails to meet the requirements of criteria one, four, and seven; ergo, staff believes this request fails to justify a hardship and meet all seven criteria required in the City's zoning code and, therefore, recommended denial of the variance.

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

The applicants, Dave and Brenda Van Vark, were present to speak in favor of the variance and to answer questions from the Board. In response to a question from Vander Meiden, the Van Varks explained that a previous variance for the home had been approved by the Board a number

of years ago to add an addition to the east side of the home. The applicants explained that their current garage is too narrow to comfortably park two vehicles inside and would like to utilize existing pavement alongside their garage for the carport.

Motion by Reiter, second by Nunnikhoven to close the **Public Hearing** as no further comments were received. Motion carried 7-0.

Nossaman said that while adding onto the garage might have an increase in cost, the applicants would not need to build as close to the property line as they would with the proposed carport. The applicants were advised that they could apply for a minor modification for a nine-foot addition to their garage, which does not have the hardship requirement that a variance does.

Motion by Reiter, second by Nossaman to deny the variance request. Motion carried 7-0.

Next Meeting Date

The next meeting is scheduled for August 21, 2023.

Adjourned at 6:21 p.m.