

# CITY OF GRIMES

## Board of Adjustment

May 18, 2022

Agenda

Meeting Held Electronically due to COVID-19

5:30 P.M.

### Electronic Meeting as Provided Under Iowa Code, Chapter 21\*

\*Please note that this Grimes Board of Adjustment Meeting will be an electronic meeting pursuant to Iowa Code Section 21.8 due to the national health emergency that makes it impossible or impractical for an in-person meeting.

The public is welcome and encouraged to attend and participate in this meeting by either internet or phone as follows:

1. Internet- Meeting attendance may be obtained by “Join Zoom Meeting”. Simply enter the following internet address and ID:

#### Join Zoom Meeting

<https://us06web.zoom.us/j/86079434869?pwd=M09sb0ZndU9QRldkKQk9waDZ1OTNHZz09>

Meeting ID: 860 7943 4869

Passcode: 1234

2. By Phone: 877 853 5257 US Toll-free.

Hearing Assistance: If you are deaf or hard of hearing, Grimes will provide a sign language communicator on the internet Zoom meeting video presentation upon request. Please contact the Grimes City Clerk Rochelle Williams by email at [rwilliams@grimesiowa.gov](mailto:rwilliams@grimesiowa.gov) to request this service.

For any additional assistance or questions in attending the meeting, please call 515-986-3036 from 8 a.m. to 5 p.m., or contact the Grimes City Clerk Rochelle Williams by email at [rwilliams@grimesiowa.gov](mailto:rwilliams@grimesiowa.gov).

For any additional assistance or questions in attending the meeting, please call 515-986-3036 from 8 a.m. to 5 p.m. Monday-Friday.

Meetings will be recorded

### AGENDA

#### **I. GENERAL AGENDA ITEMS.**

1. Roll Call
2. Approval of the Agenda
3. Approval of Minutes from previous meeting

#### **II. PUBLIC AGENDA ITEMS.**

1. Application for Variance: Request to Reduce the 30-foot Front Setback by 3 Feet – 3000 SE Keystone Drive

2. **Application for Variance: Request to Allow Aggregate Surface for Outdoor Storage and Heavy Equipment  
– 1200 SE 25<sup>th</sup> Street**

### **III. ADJOURNMENT**



**BOARD OF ADJUSTMENT MINUTES  
APRIL 20, 2022**

DEVELOPMENT SERVICES  
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Grimes, Iowa 50111  
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**LETSCH CALLED THE MEETING TO ORDER AT 5:30 P.M.**

**BOARD MEMBERS PRESENT: LETSCH, MORAN, STRUTT**

**BOARD MEMBERS ABSENT:**

**STAFF PRESENT: PFALTZGRAFF, MARTIN, MANNEL, GREVING**

**I. APPROVAL OF THE AGENDA**

MOVED BY MORAN, SECONDED BY STRUTT – AYE: UNANIMOUS

**II. APPROVAL OF MINUTES – AS AMENDED**

MOVED BY STRUTT, SECONDED BY MORAN – AYE: UNANIMOUS

**III. PUBLIC AGENDA ITEMS**

Public Hearing Appeal #2-22 request to reduce fence setback along the sidewalk at 603 SE Dolan Drive

Staff member, Martin, provided a staff report to the Board of Adjustment. The original fence was built before the current zoning ordinance was in effect, and the new fence is requested to be placed in the same place. The zoning ordinance states that fences are required to be ten feet from sidewalks, and the request is to allow the owner to place the fence five feet from the sidewalk. Regardless of the variance being granted or not, the fence line will need to be brought in on the west side due to a water main easement. Two neighbors emailed to state their support of the requested fence.

Two neighbors spoke and stated their support of the requested fence.

The Board discussed the request and asked questions of the applicant and staff regarding the tree at the north west corner of the lot. If the fence line were to move in, it may damage the tree’s root system.

**Board Action Ref: #2-22**

MOVED BY MORAN TO APPROVE TO REDUCE FENCE SETBACK ALONG THE SIDEWALK AT 603 SE DOLAN DRIVE, SECONDED BY STRUTT  
AYE: UNANIMOUS

**IV. ADJOURNMENT**

Meeting adjourned at 6:23 pm

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Signature

# Planning & Zoning Staff Report



TO: Board of Adjustment Members  
FROM: Molly Mannel, Assistant Planner  
DATE: May 18, 2022  
RE: 3000 SE Keystone Drive - Variance request to reduce the 30-foot front setback by 3 feet

## GENERAL INFORMATION:

**Applicant:**

Allison King

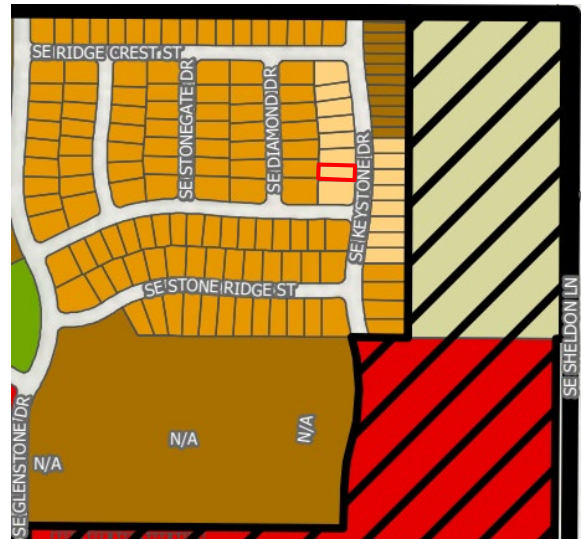
**Requested Action**

Variance request to reduce the 30-foot front setback by 3 feet

## SUPPORTING INFORMATION:



Location Map



Zoning Map

**LAND USES & ZONING:**

<b>Location</b>	<b>Existing Land Use</b>	<b>Land Use Plan Designation</b>	<b>Current Zoning</b>
Subject Site	Residential	Low Density Residential	R2-60
North	Residential	Low Density Residential	R2-60 and R2-70
South	Residential	Low Density Residential	R2-70
East	Residential	Low Density Residential and Medium Density Residential	R2-60 and R-3
West	Residential	Low Density Residential	R2-70

**BACKGROUND:**

The applicant is requesting a variance to build a front porch extension, three feet beyond thirty-foot front building setback line. The site is located at 3000 SE Keystone Drive, and resides within the R2-60 zoning district. The proposed porch will have a gable roof and pergola, and be approximately 10' in depth, and 12' wide.

**ANALYSIS:**

Based upon the approved ordinance, the Board of Adjustment may grant a Variance provided the Board can make a finding on the following factors:

1. A showing of good and sufficient cause; and
2. A determination that a literal enforcement of the ordinance would result in a substantial hardship to the applicant; and
3. A determination that the hardship is not self-imposed; and
4. A determination that the granting of the variance will not be contrary to the public interest or neighborhood integrity; and
5. A determination that the granting of a variance is the minimum necessary to afford relief from this Code of Ordinances while preserving the spirit of the zoning ordinance.

Notice of the variance request was mailed to surrounding property owners within a 250-foot radius.

Based on a detailed analysis of the application, staff has the following comments to offer concerning this variance request:

**GOOD AND SUFFICIENT CAUSE**

The applicant states that in order to obtain a usable space, it will be required for the applicant to request a variance to extend an additional three-feet passed the thirty-foot front building setback, towards SE Keystone Drive.

**SUBSTANTIAL HARDSHIP**

The applicant believes that the current ordinance does not allow for their desired amount of living space.

**SELF-IMPOSED HARDSHIP**

The applicant does not believe the hardship is self-imposed, as the current ordinance does not allow building less than the 30' setback. Due to the current front porch being 31' from the sidewalk, the applicant is unable to shift the house or sidewalk in order stay within the 30' setback line.

**PUBLIC INTEREST**

The applicant does not believe that granting the variance will be contrary to the public interest or neighborhood integrity because the proposed project adds to the aesthetic of the neighborhood and will not pose any detriment to the neighboring properties.

Staff asks the Board to consider that a negative precedent may be established if the variance is granted. Granting a variance could allow other properties flexibility within their building setbacks. Staff would ask that the Board consider what may be unique about this property compared to others.

**ALTERNATIVES TO VARIANCE REQUEST**

1. In order to have the desired square footage, the applicant has considered extending the portico to the north instead of the east, to remain within the ordinance.

**SUMMARY**

The applicant is requesting a variance to build a front porch extension 3-feet beyond the 30-foot front building setback line.

**CITY OF GRIMES**

Molly Mannel  
Assistant Planner



