

REGULAR BOARD OF ADJUSTMENT MEETING 10-21-14

Call to order

The Regular Meeting of the Norwalk Board of Adjustment was held Tuesday, October 21, 2014 at Norwalk City Hall, 705 North Avenue, Norwalk, Iowa. Chairperson Christin Grant called the meeting to order at 6:00 pm. Members present at roll call were: Chad Stevens, Brent Hinders, Dennis Cassady, Rachel Parker and Christin Grant.

City Staff present were Luke Parris, City Planner and Shelley Heisdorffer, Development Services Assistant.

Approval of Agenda – 14-10

Motion by Stevens and seconded by Hinders to approve the agenda. Approved 5-0.

Approval of Minutes – 14-11

Motion by Cassady and seconded by Stevens to approve the minutes from the June 16, 2014 meeting with the following change: Motion 14-07 was a 3-2 vote. Approved 5-0.

Welcome of Guests

Chairperson Grant welcomed the guests present and asked for public comment on any topic not related to the agenda. With no one wishing to speak, the business portion of the meeting was opened.

Public Hearing for Variance Request – 9060 Golden Valley Drive – 14-12

The public hearing was opened at 6:02 p.m.

Mr. Parris informed the Board that the City received a variance application regarding property located at 9060 Golden Valley Drive. The permit was submitted by Emily Miller and Thomas Miller. Emily Miller is the current resident at 9060 Golden Valley Drive and Thomas Miller, her father, is the current title holder of the property.

The property is currently zoned R-1(60) – Single Family Residential. The adjoining landowner of the identified property was notified of the request and a notice of the public hearing was published.

The request is to vary from the required side setbacks to build an attached garage onto the existing home. The request is specifically to reduce side setback from 7 feet to 3 feet on the north property line.

Mr. Parris handed out to each board member an email from the adjoining landowner in opposition of the variance request.

Mr. Parris further informed the Board that under our zoning ordinance since the accessory structure would be part of the principal structure the required side setbacks in the R-1(60) zoning district would be 7 feet (total of both sides must be 15 feet).

Mr. Parris noted the following facts: the rear yard of 9060 Golden Valley Drive has 12 foot of fall throughout the backyard; the current driveway is along the northern edge of the property; the northern side of the house is currently 17 feet from the northern side lot line; the neighboring house at 9040 Golden Valley Drive is 10 feet from the lot line.

The topographical issues in the rear yard limit the placement of a garage, leaving only the side yard as an option. For a detached garage, the structure would need to be 10 feet from the principal structure. There is not enough room in the side yard to space a detached garage from the principal structure, however garages may be attached to the principal structure. If attached it would require a 7 foot side yard setback. This requirement prohibits the location of an attached garage.

The house at 9040 Golden Valley Drive also must follow the 7 feet side yard setback requirement. If the setback at 9060 Golden Valley Drive was reduced to 3 feet, then a separation between structures on the two properties would be at least 10 feet. This is consistent with the requirement that an accessory structure must be 10 feet from any principal structure. Additionally, the reduction of the setback to 3 feet would not restrict the use/construction of any structure at 9040 Golden Valley Drive in the future.

Tom Miller, Corning, Iowa spoke to the Board. Mr. Miller is the property owner requesting the variance. His daughter and her children live at 9060 Golden Valley Drive and he would like to make their life a little better by adding a garage. Mr. Miller thought they had spoken with the adjoining landowner and that he didn't have a problem with the garage addition, but he now realizes it was not actually the owner of the property but the renter. Mr. Miller has been fixing up the house and making several improvements and he will use the same materials on the garage addition as he did on the house. He would like the house to look nice and retain its value.

Emily Miller, 9060 Golden Valley Drive, is the resident of 9060 Golden Valley Drive. Ms. Miller spoke with the resident at 9040 Golden Valley Drive, and also thought he was the owner. She now realizes Mr. Grecko is not the owner, but he did not have any issues with the garage addition. Trent Roberts is the contractor who would be doing the work. Ms. Miller noted that the stonework that is on the house would be continued in the garage they would build.

The Public Hearing was closed at 6:15 p.m.

Motion by Cassady and seconded by Stevens to approve Variance at 9060 Golden Valley Drive reducing the sideyard setbacks from 7 feet to 3 feet on the north property line. Approved 5-0.

Adjournment – 14-13

Motion by Stevens and seconded by Hinders to adjourn meeting at 6:19 p.m. Approved 5-0.

Christin Grant, Chairperson

Luke Parris, City Planner