

REGULAR BOARD OF ADJUSTMENT MEETING 08-17-2016

Call to order

The Regular Meeting of the Norwalk Board of Adjustment was held Wednesday, August 17, 2016 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: Dennis Cassady, Chad Stevens, Brent Hinders, Rachel Parker, and Christin Grant. Absent: None.

City Staff present were Luke Parris, City Planner and Luke Nelson, City Manager.

Approval of Agenda – 16-01

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

Approval of Minutes – 16-02

Motion by Stevens and seconded by Hinders to approve the minutes from the August 11, 2015 meeting. Approved 4-0; abstain - Cassady

Welcome of Guests

Chairperson Grant welcomed everyone and with no guests wishing to speak, the business portion of the meeting was opened.

Public Hearing and consideration on a variance request from Eagle Sign Company, on behalf of Dollar Tree, to increase the allowed building sign size from 5% of the building façade to 8.5% of the building façade – 16-03

Chairperson Grant opened the public hearing at 6:02 p.m.

Mr. Parris presented to the Board the staff report. Staff received a variance application regarding property located at 1120 Sunset Drive. The request was submitted by Eagle Sign Company on behalf of Dollar Tree. The request is for a variance to allow the building sign to be larger than the allowed sign per code. The property is currently zoned C-2, Community Commercial. The request is to vary from the required 5% of the building façade for the size of the sign. The proposed sign would be 8.5% of the front façade. Staff presented facts related to the size of existing building signs at 1120 Sunset Drive and the percent of façade those signs utilized. Staff identified that the issue was if the buildings distance from the street created an undue hardship related to the visibility of the sign and business. The staff opinion was that there was no undue hardship because the main purpose of the building sign is not to notify passing motorists, there is a proposed monument sign for the business that is located along the highway, and that the existing Ace Hardware business in the same building has a building sign that meets code.

Joe Phillips with Eagle Sign Company, 605 SW 37th Street, Grimes, Iowa. Eagle Sign has been contracted to install the sign by Jones Sign, who requested that Eagle Sign apply for the variance. Jones Sign would like a 30 inch letter and would like to know how the sign is measured. Parris answered that each word is considered a box for measurement purposes. Mr. Phillips didn't disagree with the staff assessment but would like to request a 30 inch letter versus a 36 inch letter that was proposed in the variance application. Parris stated that the 30 inch letter would match the size of the existing Ace Hardware sign, but that they would still exceed the 5% requirement.

Chairperson Grant closed the public hearing at 6:10 p.m.

No motion was made and the request was denied due to lack of motion.

Public Hearing and consideration on a variance request from Ryan Wiederstein, Silverado JV15, to set front setbacks of lots 14, 18, and 19 of Silverado Ranch Estates to 50' – 16-04

Chairperson Grant opened the public hearing at 6:16 p.m.

Mr. Parris presented to the Board the staff report. Staff received a variance application regarding property located at 1033 Silverado Drive, 1121 Silverado Drive, and 1127 Silverado Drive. These lots were zoned RE-1 Rural Estates Residential. The request was submitted by the owner of the lots, Ryan Wiederstein with Silverado JV15. The request was for a variance to reduce the front setback of these lots to 50 feet. The request is specifically for:

- A variance from the platted front setback line at 1033 Silverado Drive (lot 14), which was set at 110 feet, and reduce the front setback to the 50' required in the City Zoning Ordinance.
- A variance from the platted front setback line at 1121 Silverado Drive (lot 18), which was set at 79 feet, and reduce the front setback to the 50' required in the City Zoning Ordinance.
- A variance from the platted front setback line at 1127 Silverado Drive (lot 19), which was set at 88 feet, and reduce the front setback to the 50' required in the City Zoning Ordinance.

Staff presented facts related to the front yard setback of the three lots. Staff noted that the setbacks for the three lots were set at distance greater than 50 feet to accommodate the curvature of streets. The request is to change the platted setback to the original 50 feet that would typically be required under the Zoning Ordinance. Staff noted that the change back to 50 feet would still match the character of the existing neighborhood. Staff noted that changing back to the 50 foot setback would also still provide ample width for a home to meet the required side yard setbacks.

Ryan Wiederstein, 987 Tulip Tree Lane, West Des Moines, IA, provided information on the marketability of the lots and concerns over increased costs to fill in areas of the lots to meet the current platted setbacks. Changing the setback to 50 feet allows a buyer the ability to decide to locate closer to the street if desired. There would be additional cost associated with filling in the lots to create building pads if the setbacks remained as platted.

Brad Kuehl, Civil Design Advantage, 3405 SE Crossroads Drive, Grimes, Iowa, spoke to the Board. Mr. Kuehl confirmed that significant additional grading would be needed for these lots. The main problem was due to lots on the curved road that were large but had a small street frontage which made achieving the appropriate lot width difficult. Mr. Kuehl confirmed that there would be no impact on drainage by changing the front setback.

Chairperson Grant closed the public hearing at 6:30 p.m.

Motion by Hinders and seconded by Cassady to approve a variance request to set front setbacks of lots 14, 18, and 19 of Silverado Ranch Estates Plat 2 to 50 feet. Approved 5-0.

Adjournment – 16-05

Motion by Cassady and seconded by Parker to adjourn meeting at 6:39 p.m. Approved 5-0.

Christin Grant, Chairperson

Luke Parris, City Planner