

REGULAR BOARD OF ADJUSTMENT MEETING 02-18-2020

Call to order

The Regular Meeting of the Norwalk Board of Adjustment was held Tuesday, February 18, 2020, at Norwalk City Hall, 705 North Avenue, Norwalk, Iowa. Chairperson Brent Hinders called the meeting to order at 6:00 p.m. Members present at roll call were: Chad Stevens, Dennis Cassady, and Rachel Parker. Absent: Brandon Foldes

City Staff present were Luke Parris, Community Development Director, Elliot Klimowski, City Planner and Hillarie Ramthun, Community Development Coordinator.

(Foldes arrived at 6:01 p.m.)

Approval of Agenda – 20-01

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

Approval of Minutes – 20-02

Motion by Stevens and seconded by Parker to approve the December 17, 2019 minutes. Approved 5-0

Welcome of Guests

Chairperson Hinders welcomed the 11 guest present. With no one wishing to speak, the business portion of the meeting was opened.

Old Business

Remove from Table the variance request from Fareway Stores, Inc. for the allowance of increased building signage on property located at 1711 Sunset Drive—20-03

Motion by Cassady to remove item from Table and seconded by Parker

Discussion and vote on a variance request from Fareway Stores, Inc. for the allowance of increased building signage on property located at 1711 Sunset Drive—20-04

This previously tabled item is a request to vary from the existing allowable sign size for a building. Applicant Matt Sherwood, Vice President of Engineering at Fareway Stores submitted a zoning variance application on November 4, 2019 to vary from the City's Sign Ordinance for the storefront of 1711 Sunset Drive. The item was tabled at the request of the applicant who was unable to attend. At present, a Sign Ordinance amendment has passed the first reading at City Council and after two more readings, approval would no longer be necessary by the Board of Adjustment for Fareway to continue with the requested change to the storefront signage.

Matt Sherwood, 3348 N Fernwood, Cumming, IA spoke and answered questions.

Foldes made a motion to deny the request with a recommendation to be passed along to City Council to waive the 3rd reading to allow for Fareway to begin work on the updated storefront signage, Parker seconded.

Denied 5-0

Remove from Table the variance request from Carlye Satterwhite to allow for the construction of an accessory structure in the front yard of property located at 9089 42nd Lane—20-05

Motion by Foldes and seconded by Stevens to remove item from Table

Discussion and vote on a variance request from Carlye Satterwhite to allow for the construction of an accessory structure in the front yard of property located at 9089 42nd Lane—20-06

This previously tabled item is for the variance request received in November 2019 to allow for the construction of an accessory structure in the front yard of 9089 42nd Lane. The item was tabled at the December 17, 2019 meeting due to the Boards request for additional information from the applicant. Information requested: provide elevations of the structure, stormwater information and diagrams of septic system, height of the building and to minimize the size of the building. Per the Zoning Ordinance code 17.04.270, no accessory building or structure shall be erected in a required yard other than a rear and side yard. The property is on a corner lot; therefore, it has two front yards.

Staff recommendation would be to grant the request due to the utility and grade constraints and to include setback requirements 20' from Orilla Rd and 80' from 42nd Lane. Staff and City Engineer as well as the Public Works Director went over the stormwater situation and discussed that more than just the Satterwhite property will need to be addressed in the future because the stormwater issues extend beyond the site of the proposed building. The existence of the proposed building would not change the flow of water to through the Satterwhite property or change the amount or direction of stormwater.

Applicant, Carlye Satterwhite, provided elevations which showed both the aesthetics of the structure as well as the decrease in size by 25%, also included was diagrams of septic system in the rear/side yard. Gregory Pierce, 1430 E. 20th, RDG Engineer spoke on behalf of the project. Two guests spoke in favor of the project: David Rewerts, 8589 Arthur Trail and Daniel Wright, 8592 Arthur Trail. Two spoke that are opposed to the structure Kygan Hill and Jordyn Hill, 8988 42nd Lane.

Foldes made a motion to approve the construction of an accessory structure in the front yard of 9089 42nd Lane with recommendations of the setback requirements of 20' of Orilla Road and 80' of 42nd Lane, the height restriction of the building to be at 15' and to allow the decorative feature (cupola) of the structure be allowed to exceed the 15' of height limit. Stevens seconded. Approved 5-0

Next meeting date

April 21, 2020

Adjournment – 20-07

Motion by Cassady and seconded by Parker to adjourn meeting at 6:55 p.m. Approved 5-0

Brent Hinders, Chairperson

Elliot Klimowski, City Planner