

REGULAR BOARD OF ADJUSTMENT MEETING 2.16.2021

Call to order

The regular Meeting of the Norwalk Board of Adjustment was held Tuesday, February 16, 2021, 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: Kathryn Thorson and Rachel Parker. Absent: Dennis Cassady and Brandon Foldes

City Staff present were Elliot Klimowski, City Planner and Hillarie Ramthun, Community Development Coordinator; also attending Ed Kuhl, City Council Liaison.

Approval of Agenda – 21-01

Motion by Thorson and seconded by Parker to approve the agenda. Approved 3-0

Approval of Minutes – 21-02

Motion by Parker and seconded by Thorson to approve the December 1, 2020 minutes. Approved 3-0

Welcome of Guests

Chairperson Hinders welcomed the approximately two guests present. With no one wishing to speak, the business portion of the meeting was opened.

Public hearing and vote on a special use permit request from Jana Rector to construct an accessory dwelling unit at 8181 45th Lane—21-03

Public hearing opened at 6:06 p.m.

City staff received a special use permit application from the property owner, Jana Rector, located at 8181 45th Lane, regarding the possible construction of an accessory dwelling unit on the property to accommodate relatives when they visit.

Klimowski delivered the staff presentation. Applicable Zoning Ordinance code for the property located at 8181 45th Lane zoned A-R, Agricultural Reserve, are recognized as 175A.05 & 175B.02 which discuss the definition of an “accessory living quarter” and the regulations set forth for A-R Zoning. A-R districts, at this time, are the only districts that will allow for additional accessory dwelling located on a property where a residential dwelling already exists; with that allowance it very specifically states that the sole use is for persons fully employed on the premises.

Public and surrounding properties were notified of the request with no opposition from neighbors. Planning & Zoning reviewed the proposed special use and expressed no issue with the request. Board of Adjustment Member Brandon Foldes was not in attendance but wanted to express that he had no issue with the request. City Staff recommended the issuance of the special use permit because the intended purpose is a compatible use for the area.

Applicant Jana Rector spoke and was available for questions. Public did not have any comment.

Public hearing was closed at 6:27 p.m.

Members of the Board discussed the matter and were caught on the specific verbiage in the code.

Parker made a motion to deny the request due to the nature of the accessory dwelling unit not meeting the sole use of persons fully employed on the premises, Thorson seconded that denial. Vote 3-0 for the **denial** of the special use permit request

Next meeting date

April 20, 2021

Adjournment – 21-04

Motion by Parker and seconded by Thorson to adjourn meeting at 6:38 p.m. Approved 3-0

Brent Hinders, Chairperson

Elliot Klimowski, City Planner