

SPECIAL BOARD OF ADJUSTMENT MEETING 8.30.2022

Call to order

The special Meeting of the Norwalk Board of Adjustment was held Tuesday, August 30, 2022, 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, Rachel Parker and Nicole McGlothlin. Absent: Brandon Foldes

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

Approval of Agenda – 22-01

Motion by Parker and seconded by Thorson to approve the agenda. Approved 4-0

Approval of Minutes – 22-02

Motion by Parker and seconded by Thorson to approve the December 21, 2021 minutes.

Approved 4-0

Welcome of Guests

Chairperson Hinders welcomed the 6 guests present.

Public hearing and vote on a variance request from Joe Driscoll to allow for the construction of a shed in the northern front setback of the property at 728 Sycamore Drive—22-03

Public hearing opened at 6:04 p.m.

Staff received an application on August 14, 2022 from Joe Driscoll regarding the construction of an accessory structure and the desire to vary from setback requirements on a corner lot.

An unpermitted, dilapidated shed existed in the location of the proposed accessory structure. It was discovered upon permit and site plan submittal that the accessory structure was out of compliance with the current ordinance.

Applicable code 175A.29 states that “no accessory building shall be erected in any required yard other than a rear and side yard, and shall not extend past the front face of the principal building”...“on a corner lot or double frontage lot, the setback regulations for each street frontage shall apply”.

Adjoining landowners as well as the Des Moines Register were notified of the public hearing August 19, 2022. Three letters were received in favor of the project from parents of those attending daycare at 728 Sycamore Drive.

Applicant, Joe Driscoll, spoke about potential hardships of his lot: grading/elevation, daycare children placed closer to busy roadway and bike trail, and additional difficulties for his spouse with in-home daycare equipment placement.

Linda and James Fehl, 727 Aspen Drive, spoke in favor of variance. (Linda-twice)

Jenny Ring, 720 Sycamore Drive, spoke in favor of variance. (Twice)

Kim Driscoll, 728 Sycamore Drive, spoke as homeowner and in-home daycare provider expressing concerns of relocation of shed and displacing children and play equipment.

Public hearing closed at 6:41 p.m.

Deliberation—Board discussed extraordinary circumstances with lot and the safety of children.

Motion by Parker to approve the allowance for the construction of an accessory shed in the northern front set back of the property at 728 Sycamore Drive, Thorson seconded. Parker then inquired about amending the motion to add specifics.

Amended: Parker motioned to approve the allowance for the construction of an accessory shed in the northern front setback of the property at 728 Sycamore Drive and that it is consistent with the rear and side separation requirements, Thorson seconded the amended motion.

Approved 4-0

Adjournment – 22-04

Motion by Parker and seconded by Thorson to adjourn meeting at 6:50 p.m. Approved 4-0