

Posting Date February 29, 2012

NOTICE OF A MEETING
BONDURANT BOARD OF ADJUSTMENT
March 13, 2012

Meeting 12-01

NOTICE IS HEREBY GIVEN that a meeting of the Board of Adjustment will be held at 6:00 p.m., on Tuesday, March 13, 2012, in the Bondurant City Center at 200 Second Street, Northeast, Bondurant, Polk County, Iowa. Said meeting is open and the public is encouraged to attend.

AGENDA

- 1) Call to Order
- 2) Roll Call
- 3) Perfecting and Approval of the Agenda
- 4) Approval of the Minutes of April 12, 2011
- 5) **PUBLIC HEARING** – For consideration of a request for a variance to Chapter 178, Section 178.03(4) of the Zoning Code, to construct two duplexes at the property adjacent to 510 – 2nd Street, Southeast, Bondurant, Polk County, Iowa
RESOLUTION NO. BA 12-01 – A Resolution granting a variance for the construction of two duplexes at the property adjacent to 510 – 2nd Street, Southeast, Bondurant, Polk County, Iowa
- 5) Adjournment

CITY OF BONDURANT

Board of Adjustment Meeting

March 13, 2012

Meeting 12-01

A regular meeting of the City of Bondurant Board of Adjustment was held in City Hall at the Bondurant City Center on the 13th day of March 2012, at 6:00 p.m.

Present: Board Chair Jerry Pritchard
Board Member Greg Hanson
Board Member Kris Klinker
Board Member Leo Kolo
Board Member Brian Wells
City Administrator Mark J. Arentsen
Deputy City Clerk Michelle Wells

Absent: None

Notice of the meeting was posted at the Bondurant City Center, Casey's General Stores, Legacy Bank and the United States Post Office on February 29, 2012. All proceedings hereafter shown were taken while the convened meeting was open to the public.

Board Chair Pritchard called the meeting to order at 6:00 p.m. Roll call was taken and a quorum was declared.

Motion made by Board Member Kolo, seconded by Board Member Klinker, to approve the agenda, as presented. Roll call: Kolo-Yes, Klinker-Yes, Wells-Yes, Hanson-Yes, Pritchard-Yes. Motion carried.

Motion made by Board Member Hanson, seconded by Board Member Kolo, to approve the Board of Adjustment Minutes of April 12, 2011. Roll call: Hanson-Yes, Kolo-Yes, Wells-Yes, Klinker-Yes, Pritchard-Yes. Motion carried.

Board Chair Pritchard announced the next agenda item was a **PUBLIC HEARING** to consider a variance to Zoning Code Chapter 178 Section 178.03(4), to construct two duplexes at the property adjacent to 510 – 2nd Street, Southeast, Bondurant, Polk County, Iowa.

Andy Rowland, 5514 Aspen Drive, West Des Moines, Iowa, and Bruce Lefkow, 130 E 3rd, Des Moines, Iowa, presented their proposed project to build two duplexes on the

Board of Adjustment Meeting

March 13, 2012
Page Two

lot adjacent to 510 2nd Street, Southeast, Bondurant, Iowa, with a 25' front setback and with the overhangs on the building overhanging one foot in both the front and the rear. The property would face east and the duplexes would have a rear access with the garages at the back of the property. There will be one owner and no division of the property, so no need to split the lots up. The duplexes will be rental property consisting of two bedrooms and no basement.

Board Member Wells stated that the Board of Adjustment's purpose is to address a request for a variance due to a hardship and asked if there was a hardship other than not meeting the setback requirements of the zoning? There was none. Board Member Wells asked if there was any other design they could build that would fit the setback requirements and Mr. Rowland said this is the design they have built multiple times, have had success with it and prefer it.

Emmett Skelton, 510 2nd Street, Southeast, Bondurant, Iowa, had the following comments: Bought the property one year ago and wouldn't have bought the property if he had known that two duplexes could be built next to him with parking 20' from his property line. Four families with multiple vehicles will create more parking issues. Inquired about the drainage plan because his backyard ponds every year and he has two sump pumps in his basement. Asked if builder would be willing to put up a privacy fence? Rental property will decrease his property value. Opposed to the project because there are too many red flags.

Lonnie Mullihan, 509 2nd Street, Southeast, Bondurant, Iowa, had the following comments. Asked if Mr. Rowland and Mr. Lefkow were the owners of the property? All for someone building a house across the street from him but not two sets of duplexes. Gave up twelve foot of front yard when the City widened the street and parking and traffic will be a problem. Would be in favor of one duplex facing the street. Nothing against renters, but we have two duplexes on the street now and they don't care about trash cans sitting out in the street all week and trash blowing around. When you don't own your land people don't care about upkeep and how it looks. Said he was also speaking for Mike Paris, 507 2nd Street, Southeast, Bondurant, Iowa, who was home recuperating from surgery.

David Higgins, 1006 Grant Street, South, Bondurant, Iowa, had the following comments: Understands the request for variances on the setbacks but questioned if the density is greater than R-2 allows? Thinks this is more of an issue for rezoning than a variance issue. It has already been stated once that a variance request is for hardships. The only hardship I see here is more money in your pocket. Thinks this is

Board of Adjustment Meeting

March 13, 2012
Page Three

an issue for rezoning for City Council. Not sure it will make the requirements for the distance between the buildings either.

Larry Hostetler, 601 2nd Street, Southeast, Bondurant, Iowa, had the following comments: Concerned about drainage problems.

Motion made by Board Member Wells, seconded by Board Member Klinker, to deny the variance request to construct two duplexes at the property adjacent to 510 2nd Street, Southeast, Bondurant, Polk County, Iowa. Roll Call: Wells-Yes, Klinker-Yes, Kolo-No, Hanson-Yes, Pritchard-No. Motion carried.

Motion made by Board Member Hanson, seconded by Board Member Klinker, to adjourn the meeting. Roll Call: Ayes: 5. Nays: 0. Motion carried. Board Chair Pritchard declared the meeting adjourned a 6:15 p.m.

Michelle Wells, Deputy City Clerk

ATTEST:

Jerry Pritchard, Board Chair