

Posting Date: July 31, 2013

**NOTICE OF A MEETING
BONDURANT BOARD OF ADJUSTMENT**

August 13, 2013

Meeting 13-03

NOTICE IS HEREBY GIVEN that a meeting of the Board of Adjustment will be held at 6:00 p.m., on Tuesday, August 13, 2013, 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 Board of Adjustment Minutes of May 14, 2013
- 5) **PUBLIC HEARING** – For consideration of a request for a variance to the Code of Ordinances of the City of Bondurant, Iowa, 2002, Chapter 177.15, Home Occupations (4a, 4d)
RESOLUTION NO. BA 13-03 – A Resolution granting / denying a conditional use permit to Bo Carpenter, 802 9th Court, Southeast, Bondurant, Iowa, to conduct a gun repair and sales business at 802 9th Court, Southeast, Bondurant, Polk County, Iowa
- 6) Adjournment

CITY OF BONDURANT
Board of Adjustment Meeting

August 13, 2013

Meeting 13-03

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 August 2013, at 6:00 p.m.

Present: Board Chair Leo Kolo
 Board Member Greg Hanson
 Board Member Dave McGrath
 Board Member Brian Wells
 City Administrator Mark Arentsen
 Deputy City Clerk Michelle Wells

Absent: Board Member Kris Klinker

Notice of the meeting was posted at the Bondurant City Center, Casey's General Stores, Legacy Bank and the United States Post Office on July 31, 2013. All proceedings hereafter shown were taken while the convened meeting was open to the public.

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

Motion made by Board Member Wells, seconded by Board Member Hanson, to approve the agenda, as presented. Roll call: Ayes: 4. Nays: 0. Motion carried.

Motion made by Board Member Hanson, seconded by Board Member Wells, to approve the minutes of May 14, 2013. Roll Call: Ayes: 4. Nays: 0. Motion carried.

Board Chair Kolo announced the next agenda item was a **PUBLIC HEARING** to consider a request for a variance to the Code of Ordinances of the City of Bondurant, Iowa, 2002, Chapter 177.15, Home Occupations (4a, 4d) of the Zoning Code.

Bo Carpenter, 802 9th Court, Southeast, Bondurant, Iowa, stated that he would like to do a gun repair and sales business part-time in the basement of his home. His intentions are to mainly repair guns for law enforcement and for people who hunt for recreation. It will be a drop off / pick up business without a store front. There will be minimal machining of small parts in the garage. The FBI inspected his home and discussed the documentation with him and instructed him on the mandatory paperwork

for this type of business. The FBI will randomly visit the home for inspections. The guns will always be locked up and when they leave his business they will have trigger locks.

Board Member Wells asked if he will have a website. Mr. Carpenter: For right now repair / sales will be just by word of mouth. Board Member Wells asked if he will stock a large supply of ammunition because this will be a large concern for our fire department. Mr. Carpenter: For right now stock will be minimal, as it is very hard to come by and stock will be stored in a fire proof safe. Board Member Wells stated that variances are usually granted if there is a hardship and asked what that is? Mr. Carpenter: He looked at buildings and property and it is a lot of money. The bank wants to see work in progress and that income will be made. Within a year he would like to have a storefront. There are nine gun repair / sales businesses operating out of their homes currently in the area.

Terry Cloke, 800 9th Court, Southeast, said he lives next door to the Carpenters and asked the Board's clarification on what the Zoning Code allows for regarding home occupations, adding that he was okay with Mr. Carpenter's variance request.

Board Member McGrath drove by the area and is concerned about the traffic flow in the cul-de-sac, limited parking and the location couldn't be poorer for more traffic. Mr. Carpenter: I would be willing to add on to the driveway for additional parking.

Board Member McGrath asked how the business can be controlled to not outgrow the neighborhood? Mr. Carpenter: The FBI had him set certain hours for business and some of the hours are by appointment only so drop-ins will be minimal. Board Member McGrath said he is having trouble getting past the retail end of it. He felt every boundary is being stretched.

Teresa Waulke, 805 9th Court, Southeast, said she is concerned about the safety of the kids with the extra traffic. The kids ride their bikes on the sidewalk and she is worried about what the kids are going to see riding by the Carpenter's garage.

Board Member Wells asked Mrs. Waulke if she was more concerned about the safety of the kids with the increased traffic or the guns? Mrs. Waulke: Both.

City Administrator Arentsen suggested setting some sort of time limit for the permit.

Board Chair Kolo suggested a motion for approving a permit for one or two years and then Mr. Carpenter could come back and reapply if there had been no problems.

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Board Member Wells said two years is too short. Board Member McGrath said two years is too long and it is not a retail area.

Motion made by Board Member Wells, to grant a conditional use permit for a period of two years to Bo Carpenter, 802 9th Court, Southeast, Bondurant, Iowa, to conduct a gun repair and sales business at said address. Motion died for lack of a second.

Motion made by Board Chair Kolo, seconded by Board Member Wells, to grant a conditional use permit for a period of one year to Bo Carpenter, 802 9th Court, Southeast, Bondurant, Iowa, to conduct a gun repair and sales business at said address. Roll Call: Kolo-Yes, Wells-Yes, Hanson-Yes, McGrath-No. Motion carried.

Mr. Carpenter requested new "No Parking" signs be installed in front of his residence.

Motion made by Board Chair Kolo, seconded by Board Member McGrath, to adjourn the meeting. Roll Call: Ayes: 4. Nays: 0. Motion carried. Board Chair Kolo declared the meeting adjourned a 6:45 p.m.

Michelle Wells, Deputy City Clerk

ATTEST:

Leo Kolo, Board Chair