

CITY OF BONDURANT
Board of Adjustment Meeting

November 12, 2013

Meeting 13-05

A regular meeting of the City of Bondurant Board of Adjustment was held in City Hall at the Bondurant City Center on the 12th day of November 2013, at 5:00 p.m.

Present: Board Chair Leo Kolo
 Board Member Greg Hanson
 Board Member Kris Klinker
 Board Member Dave McGrath
 Board Member Brian Wells
 City Administrator Mark 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 October 30, 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 5:00 p.m. Roll call was taken and a quorum was declared.

Motion made by Board Member Klinker, seconded by Board Member Wells, to approve the agenda, as presented. Roll call: Ayes: 5. Nays: 0. Motion carried.

Motion made by Board Member McGrath, seconded by Board Member Klinker, to approve the minutes of October 08, 2013. Roll Call: Ayes: 5. Nays: 0. Motion carried.

Board Chair Kolo announced the next agenda item was a **PUBLIC HEARING** to consider a request for a variance for the construction of a 12' x 26' metal carport shelter, at 142 Paine Street, Southeast, Bondurant, Polk County, Iowa.

Scott Mitchell, 142 Paine Street, Southeast, Bondurant, Iowa, said at the beginning of last year he had two smaller structures that he was storing things in and during the first snowfall they were damaged and both collapsed. He requested to put another one up that is bigger and stronger and sits on a concrete pad at the rear of his garage in his

backyard. One of the purposes for the structure is to store an old car he is restoring, a couple of cars he uses for parts and a show car.

Board Members Wells said he is struggling with what the hardship might be except the extra storage he wants. Mitchell: If I store everything I want in the garage there isn't room to park the car. I need this to catch the overflow.

Wells asked if he had discussed with the Building Department other options, like expanding his existing garage, putting up a larger one or renting off-site storage. Mitchell: No. This would suffice and it is cheaper.

City Administrator Arentsen: I received a notice today that the structure is already put up. Is this correct? Mitchell: Yes, but I can take it down.

Board Member McGrath asked if he had already poured the concrete? Mitchell: Yes.

Arentsen: If your request is not approved, you'll take it down correct? Mitchell: Yes, I'll be happy to.

Wells: The reason we have building codes is to prohibit this type of thing and I really struggle with the lack of hardship.

Board Member Hanson: With a canvas roof what happens if we get a lot of snow? Mitchell: I'd take the roof down and let it snow inside the structure.

Wells: We have two issues here. You can't have more than one secondary structure on the premises and the secondary structure that he has doesn't meet our building code requirements.

Board Chair Kolo: Mark, does this make a difference because the structure is temporary? Arentsen: Not in my mind, because what is temporary, five minutes or 50 years? Kolo: Well, he can take it down. Wells: That's not his intention though. His intention is to leave it up as a permanent structure. The first two you had were against City code. You got by with it but they weren't according to code five years ago. Mitchell: If it would have been brought to my attention, I never would have done it. Wells: I can understand that and there may be more of them around.

McGrath: You mention walls or no walls, what is that? Mitchell: There is a canvas kit you can add to it. McGrath: I drove by and thought wow somebody already has one up and then realized it was yours. Are there others that have been permitted? Arentsen: Not that I know of. McGrath: I have a bad feeling about the location in the yard. It's

very tight, a good place for things to accumulate and nested in there very close to the existing property line and building. I think this would set a precedence if allowed.

Board Member Klinker: I have concerns about the closeness to other buildings and that it is a potential fire hazard.

Motion made by Board Member Wells, seconded by Board Member Klinker, to deny the variance request. Wells-Yes to deny, Klinker-Yes to deny, Hanson-Yes to deny, McGrath-Yes to deny, Kolo-No. Motion carried

City Administrator Arentsen instructed Mr. Mitchell to take down the structure. Mr. Mitchell agreed, adding he wasn't mad at anybody.

Motion made by Board Member Wells, seconded by Board Member Hanson, to adjourn the meeting. Roll Call: Ayes: 5. Nays: 0. Motion carried. Board Chair Kolo declared the meeting adjourned at 5:25 p.m.

Michelle Wells, Deputy City Clerk

ATTEST:

Leo Kolo, Board Chair