

CITY OF BONDURANT

Board of Adjustment Meeting

April 08, 2014

Meeting 14-01

A regular meeting of the City of Bondurant Board of Adjustment was held in City Hall at the Bondurant City Center on the 08th day of April 2014, at 5:00 p.m.

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

Absent: Board Member Dave McGrath

Notice of the meeting was posted at the Bondurant City Center, Casey's General Stores, Legacy Bank and the United States Post Office on March 26, 2014. 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: 4. Nays: 0. Motion carried.

Motion made by Board Member Hanson, seconded by Board Member Wells, to approve the minutes of December 10, 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 Chapter 177.04 of the Zoning Code to construct a 30' x 33' detached garage at 302 2nd Street, Northwest, Bondurant, Polk County, Iowa.

Since purchasing the property at 302 2nd Street, Northwest, in 2012, Paul Hutchison made many improvements. He replaced all of the windows, installed a privacy fence and cleaned up the lot. The brick home was built in 1965. He plans to tear down the 650 square foot existing garage and replace it with a 990 square foot post frame building with colored metal siding and trim, that would match the color of his brick home. He requested a variance because the proposed metal pole-barn style structure does not comply with the requirement that accessory buildings exceeding 160 square feet be constructed of similar materials to the principal building (the house). The location of the proposed structure doesn't comply with the six feet distance into the rear yard from the house. The submitted site plan showed it located in the side yard.

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Board Chair Kolo pointed out that one of the issues was the placement of the garage as it appeared on the site plan. Mr. Hutchison said the actual location will be in the rear yard, six feet from the house. He contacted all of the surrounding neighbors including residents across the street and no one objected to his request.

Board Member Klinker asked if this stipulation was something new to the Zoning Code because there are other homes in town with detached garages that are not made of the same material as the house, or are they grandfathered in?

Board Member Wells said his concern is about the word structure. Is structure the siding, the foundation, the side walls and the roof? He wasn't as much concerned about the material of the garage but questioned the need for footings, for safety reasons. Footings are not required for accessory buildings under 1,000 square feet. He asked if we have any type of code that excludes pole buildings? City Administrator Arentsen said it depends on the size and he isn't aware of anything that says you can't build a pole building in the City.

Board Member Hanson asked the distance from the property line and was told five feet six inches.

Board Member Klinker asked if the City had a position on the request? City Administrator Arentsen said he personally didn't object to it and the neighbors seemed okay with it.

Motion made by Board Member Klinker, seconded by Board Chair Kolo, to approve Resolution No. BA 14-01, a Resolution granting a variance to construct a 30' x 33' detached garage at 302 2nd Street, Northwest, Bondurant, Polk County, Iowa. Roll Call: Klinker-Yes, Kolo-Yes, Wells-No, Hanson-Yes. Motion carried.

Motion made by Board Member Hanson, seconded by Board Member Klinker, to adjourn said meeting. Roll Call: Ayes: 4. 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