



CITY OF INDIANOLA BOARD OF ADJUSTMENT MEETING

February 1, 2023

6:00 PM

City Council Chambers

Agenda

- 1. Call to Order**
- 2. Roll Call**
- 3. Agenda Approval**
 - A. Approval of February's meeting agenda.
- 4. Minutes Approval**
 - A. Approval of January's meeting minutes.
- 5. New Business**
 - A. Consider request from Scott Huston for a rear-yard setback variance for a property located at 1313 Stephen Ct
 - B. Election of Officers
- 6. Comments**
- 7. Adjourn**



MEMORANDUM

To: Board of Adjustment
From:
Date: February 1, 2023
Subject: Approval of February's meeting agenda.

Recommendation:

Attachments: None



CITY OF INDIANOLA BOARD OF ADJUSTMENT MEETING

January 4, 2023

6:00 PM

City Council Chambers

Minutes

1. Call to Order

The meeting was called to order at 6:00 PM.

2. Roll Call

Board members present: Amy Mitchell, Bill Mettee, Jane Whalen, Rene Soldwisch, Lee Bash

Staff present: Charlie Dissell, Emily Rizvic, Miranda Chadwick

Community member present: Jeff Brown

3. Agenda Approval

A. Approval of the January 2023 agenda.

Rene Soldwisch made a motion to approve the agenda

Amy Mitchell seconded the motion.

Motion passed.

4. Minutes Approval

A. Approval of October's meeting minutes.

Rene Soldwisch made a motion to approve the minutes from the October meeting.

Amy Mitchell seconded the motion.

Motion is passed.

5. New Business

A. 2023 Election of Officers

Jane Whalen made a motion to retain Bill Mette as Chair and Amy Mitchell as Vice-Chair.

Lee Bash seconded the motion.

Motion passed.

B. Consider request from 1 Source Solar, on behalf of Jeff and Amy Brown, for a variance to allow a ground mounted solar energy system to be located in the in the front and side yard at 1017 South Y Street

Rene Soldwisch made a motion to approve the request.

Lee bash seconded the motion.

The motion was passed.

C. Consider request from 1 Source Solar, on behalf of Jeff and Amy Brown, for a Special Use Permit for a ground mounted solar energy system located at 1017 South Y Street

Amy Mitchell made a motion to approve the request.
Jane Whalen seconded the motion.
The motion was passed.

D. Approval of the 2023 Calendar

Jane Whalen made a motion to approve the 2023 calendar.
Lee Bash seconded the motion.
Motion was passed.

6. Comments

7. Adjourn

Lee Bash made a motion to adjourn the meeting.
Jane Whalen seconded the motion.
The meeting was adjourned at 6:17.



COMMUNITY DEVELOPMENT

110 N. First Street, Indianola IA 50125-0299 • www.indianolaiowa.gov
(515) 961-9430 • comdev@indianolaiowa.gov

STAFF REPORT

BOARD OF ADJUSTMENT

Date of Meeting: February 1, 2023

Agenda Item: 5.A Consider request from Scott Huston for a rear-yard setback variance for a property located at 1313 Stephen Ct

Application Type: Variance

Applicant: Scott Huston

Property Owner: Scott and Mary Huston

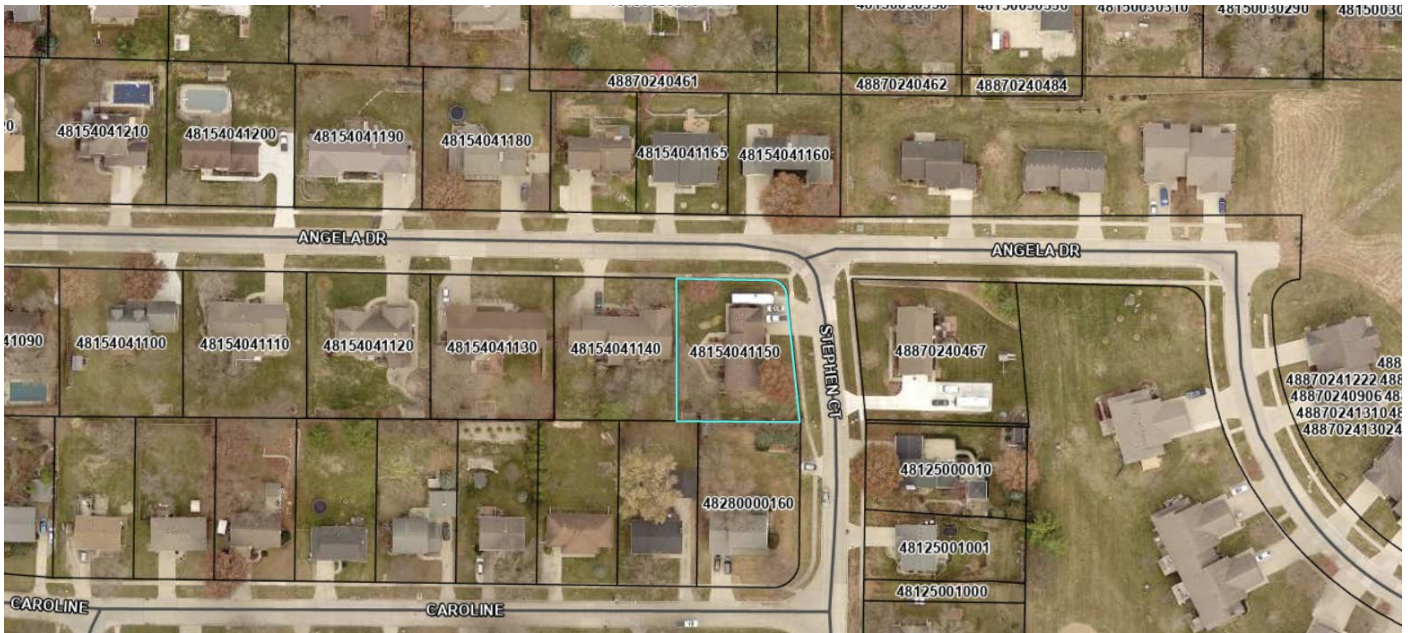
Property Address/Parcel: 1313 Stephen Ct ([Parcel #481/5404-1150](#))

Zoning: R-1, Single-Family Residential Detached Zoning District

Application Summary

Scott Huston is requesting a variance for a property located at 1313 Stephen Ct. The request is for a variance to the minimum rear yard setback to allow for an addition to the existing single-family dwelling, located in the R-1 Single-Family Residential Detached Zoning District, which establishes a minimum rear setback of 35-feet. The proposed setback is 29-feet, requiring a variance of 6 feet from the required 35-feet.

AERIAL MAP



APPLICABLE CODE SECTIONS

The following code sections of the Code of Ordinances of Indianola, Iowa apply to this request:

165.03 DEFINITIONS

Corner lot: A lot located at the intersection of two or more streets and having the street right-of-way abut the front lot lines of the lot.

Yard: An open space on the same lot with a building or structure unoccupied and unobstructed by any portion of a structure from thirty (30) inches above the general ground level of the graded lot upward; provided however, fences, walls, signs, poles, posts, and other customary yard accessories, ornaments, and furniture more than thirty (30) inches in height may be permitted in any yard subject to requirements limiting obstruction of visibility and other provisions of the Zoning Regulations.

Yard, rear: A yard extending across the full width of the lot and measured between the rear lot line and the building.

165.02(3)(B) POWERS AND DUTIES OF THE BOARD OF ADJUSTMENT. The Board of Adjustment has the following powers and duties:

3. Variances: Conditions Governing Applications; Procedures. To authorize upon appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest where, owing to the special conditions, a literal enforcement of the provisions of this chapter would result in unnecessary hardship. A variance from the terms of this chapter shall not be granted by the Board of Adjustment unless and until:

A. A written application of a variance is submitted demonstrating:

- (1) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;

- (2) That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter;
- (3) That the special conditions and circumstances do not result from the actions of the applicant;
- (4) That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of land, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

B. Notice of public hearing shall be given as in subsection 2(B) above.

C. The public hearing shall be held. Any party may appear in person, or by agent or by attorney.

D. The Board of Adjustment shall make findings that the requirements of paragraph A of this subsection have been met by the applicant for a variance.

E. The Board of Adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

F. The Board of Adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this chapter, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this chapter. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter and punishable under Section 165.23 of this chapter. Under no circumstances shall the Board of Adjustment grant a variance to allow a use not permissible under the terms of this chapter in the district involved, or any use expressly or by implication prohibited by the terms of this chapter in said district.

165.04(1) General Provisions

F. Lot and Yard regulations.

(1) Corner Lots. For corner lots, the front yard regulation shall apply to each street side of the corner lot. The Zoning Administrator shall designate the rear yard of a lot which shall generally be that portion of yard opposite the narrow street side.

(2) Projecting Overhang or Structure. The ordinary horizontal projection from buildings including eaves, sills, fascia, parapets, cornices, bay windows, or other similar architectural features, except for gutters and downspouts, may not project or extend more than three (3) feet into a required yard, provided no part of a building is closer than 5 feet to a lot line.

ANALYSIS

Subject Property

Scott Huston is requesting a variance for their property located at 1313 Stephen Ct to reduce the rear-yard setback. The proposed setback is 29-feet, requiring a variance of 6-feet from the required 35-feet. The applicant is requesting the variance to allow for an addition to the existing single-family dwelling that was built in 1991.

The subject property is located on a corner lot, zoned for the R-1 '*Single-Family Residential Detached*' zoning district. In addition to a dwelling, the property contains an attached garage and a detached accessory structure used for storage. The property is identified as Lot 115 of the Country Club Heights Plat 4 Subdivision, which was platted in the late 70's.

The subject property takes access off of Stephen Ct, a paved local street that is publically owned. In 1998, the Iowa Department of Transportation (IDOT) estimated the average annual daily traffic for Stephen Ct was 640 vehicles.



Figure 1. Street view of the Subject Property (June 2021)

Future Land Use

According to the “Elevate Indianola” Comprehensive Plan, the future land use of this area is designated as Low-Density Residential. The low-density land use designation guides for 2-5 dwellings per gross acre, single-family detached dwellings, accessory dwelling units (not included in the density calculation), innovative/non-traditional single-family forms if compatible, civic uses and places of worship, and lastly, parks, open spaces, and trails.

The proposed addition would be a primary use, connected to the existing single-family dwelling located on the property. The addition would allow for a 24’x16’ room with full basement and a covered deck. The request would not increase the number of dwellings per gross acre.

FINDINGS OF FACT

According to Section 165.02.3.B.(3)b. of Indianola’s Zoning Code, in deciding whether to grant a variance request, the Board of Adjustment shall consider all the following legal principles. **All legal principles shall be satisfied in order for the Board of Adjustment to grant a variance.**

- i. **That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;**

Staff Comment: This finding of fact asks for the Board to find whether special conditions or circumstances exist which are peculiar to the land and which are not applicable to other lands in the R-1 ‘Single-Family Residential Detached’ Zoning District. The subject property is located on a corner lot. The north property line (front property line #1) is measured on the subdivision plat as 80.7’ and the east property line (front property line #2) is measured at 116.33’. The corner radius is shown as 20’. The corner lot containing the single-family dwelling oriented towards the east property line. According to the Warren County Assessors Office, the one-story dwelling contains a Gross Living Area (GLA) of 1,400

square feet, contains 3 bedrooms and an attached two-car garage (627 sq. ft.). The orientation of the dwelling on the lot, coupled with the lot being a corner lot, could be seen favorably as a special condition or circumstance that exists to this lot.

Applicant Comment: In the Country Club Heights Plat, there is only 1 lot smaller than my lot 115. My lot 115 and lots 105 and 12 are different than all the other 20 lots in that, our backyards face the adjoining lot's side yards. In my case, my adjoining neighbor's house has zero windows facing the part of property I am requesting the variance.

- ii. **That literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter.**

Staff Comment: Staff finds that this finding of fact may be answered favorably as lot characteristics and building orientation limit the site.

Applicant Comment: 17 of the 23 lots are 135' in depth or more. Mine 115' on the south lot line and 80' on the north lot line. Thus, my backyard is shorter than "most" and the defined 35' setback limits/lessens my building options more than other lots in the plat.

- iii. **That the special conditions and circumstances do not result from the actions of the applicant;**

Staff Comment: Special conditions and circumstances occurring on the subject property are not a result of any actions from the applicant and are outside of the applicant's control. For this reason, staff feels that this finding of fact can be answered favorably.

Applicant Comment: This request for variance is not the result of any land or building modifications by me or others that would make the proposed construction additions necessary. The additions are simply to expand out house into a retirement home and add the ability to host a growing families gatherings.

- iv. **That granting the variance request will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of land, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.**

Staff Comment: No special privilege would be granted to the applicant that is otherwise denied to other lands, structures, or buildings within the same zoning. Lot characteristics and building orientation currently limit the property owner. Staff finds that this finding of fact can be found favorably.

Applicant Comment: I will not be mis-using my property or adjoining properties for any special privileges or non-conforming use designated by zoning codes.

COMMENTS FROM THE GENERAL PUBLIC

Notification letters were mailed to surrounding property owners regarding the variance request the week of January 16, 2022. No comments were received at the time of the writing of this report.

ALTERNATIVES

The City of Indianola Board of Adjustment may consider the following alternatives:

- 1) **The City of Indianola Board of Adjustment approves the variance request, as submitted.**
- 2) The City of Indianola Board of Adjustment approved the variance request, with conditions.
- 3) The City of Indianola Board of Adjustment denies the variance request.
- 4) The City of Indianola Board of Adjustment remands the variance request back to the applicant and/or staff for further review and/or modifications and directs staff to place this item on a future Board of Adjustment agenda.

RECOMMENDATION

Staff recommends that the Indianola Board of Adjustment move alternative 1, to approve the variance request, as submitted.

BOARD OF ADJUSTMENT APPLICATION

Community Development

110 North 1st Street, Indianola, Iowa 50125-0299
(515) 961-9430 • comdev@indianolaiowa.gov



PROPERTY OWNER

(Last Name) HUSTON
(First Name) SCOTT
(Address) 1313 STEPHEN CT
(City) INDIANOLA (State) IA (Zip) 50125
(Phone) 515-229-5483 (Email) schuston327@gmail.com

APPLICANT (if not Property Owner)

(Last Name) _____
(First Name) _____
(Address) _____
(City) _____ (State) _____ (Zip) _____
(Phone) _____ (Email) _____

APPEAL

Submittal Requirements:

*All submittal requirements must be completed.
Incomplete applications will not be considered*

- ☐ Completed Application
- ☐ Filing Fee: \$150 per request
- ☐ Written narrative indicating where it is alleged there is error in any order, requirement, decision, or determination made by the Administrative Officer in the enforcement of this Code of Ordinances of Indianola, Iowa.
- ☐ Other Information as required by Director

SPECIAL USE PERMIT

Submittal Requirements:

*All submittal requirements must be completed.
Incomplete applications will not be considered*

- ☐ Property Address: _____
- ☐ Completed Application
- ☐ Filing Fee: \$150 per request
- ☐ Site Plan and Elevations as outlined in 165.06
- ☐ Written narrative indicating the special use permit sought and response to the criteria outlined in Section 165.02(3)(B)(3)(c)(v) of the Code of Ordinances of Indianola, Iowa
- ☐ Other Information as required by Director



VARIANCE

Submittal Requirements:

*All submittal requirements must be completed.
Incomplete applications will not be considered*

- ☐ Property Address: 1313 STEPHEN CT
- ☒ Completed Application
- ☒ Filing Fee: \$150 per request
- ☒ Site Plan and Elevations
- ☒ Written narrative indicating justification for proposed variance and response to the criteria outlined in Section 165.02(3)(B)(3)(b) of the Code of Ordinances of Indianola, Iowa
- ☐ Other Information as required by Director

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that in filing this application I am acting with the knowledge, consent and authority of the owner(s) of the property. Pursuant to said authority, I hereby permit City officials to enter upon the property for the purpose of inspection related to this application.

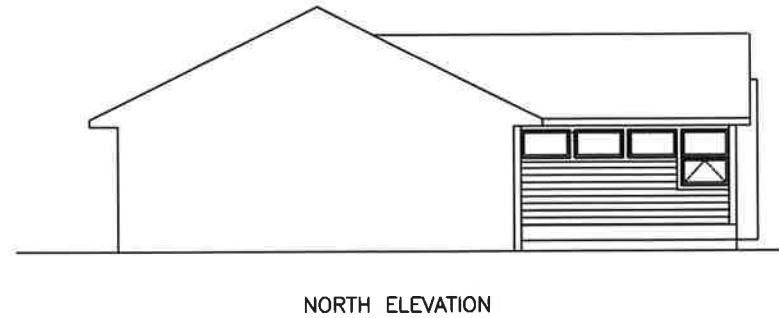
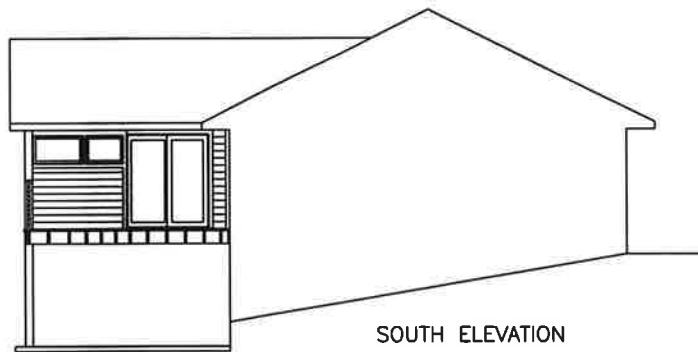
Signature Scott E Huston
Name (printed) SCOTT E HUSTON

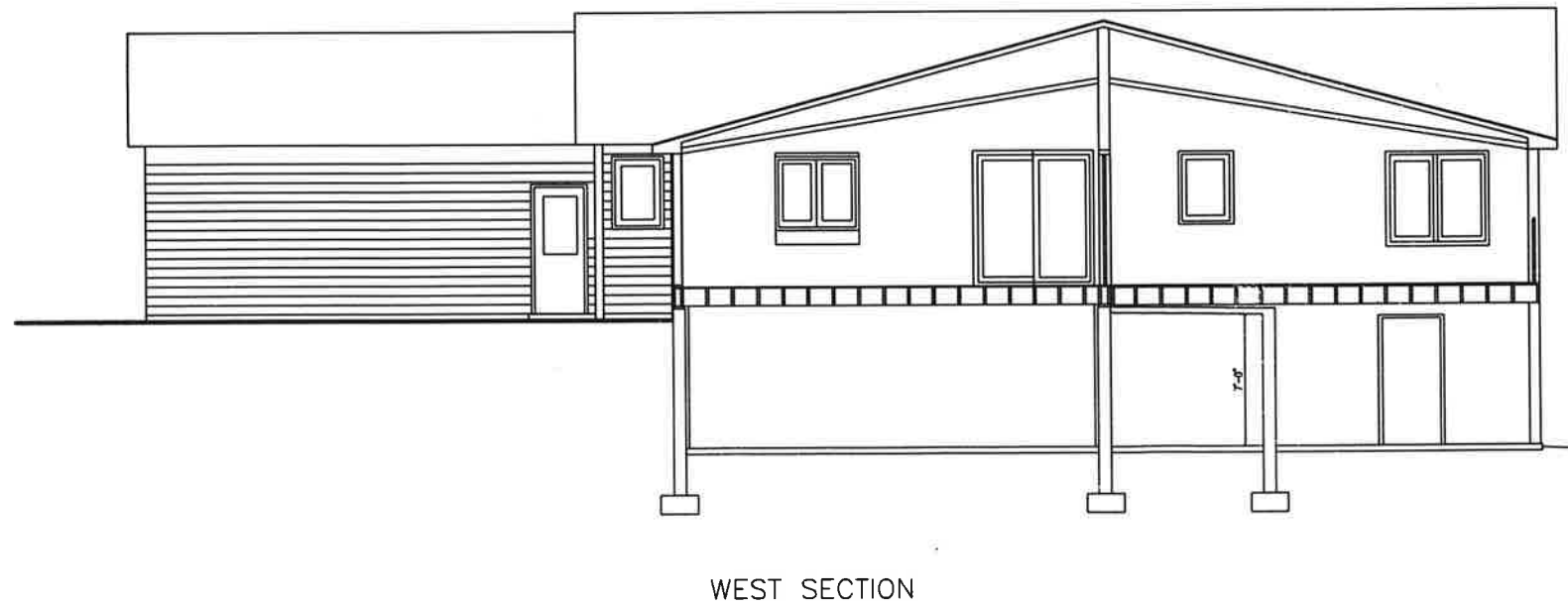
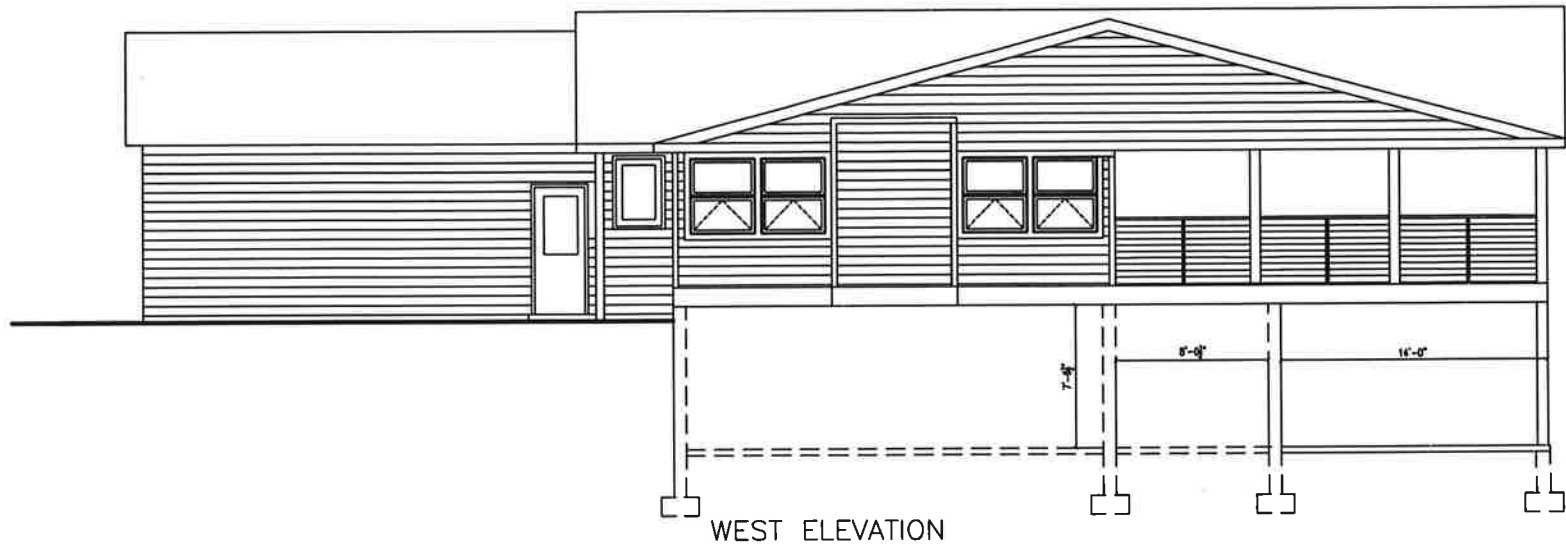
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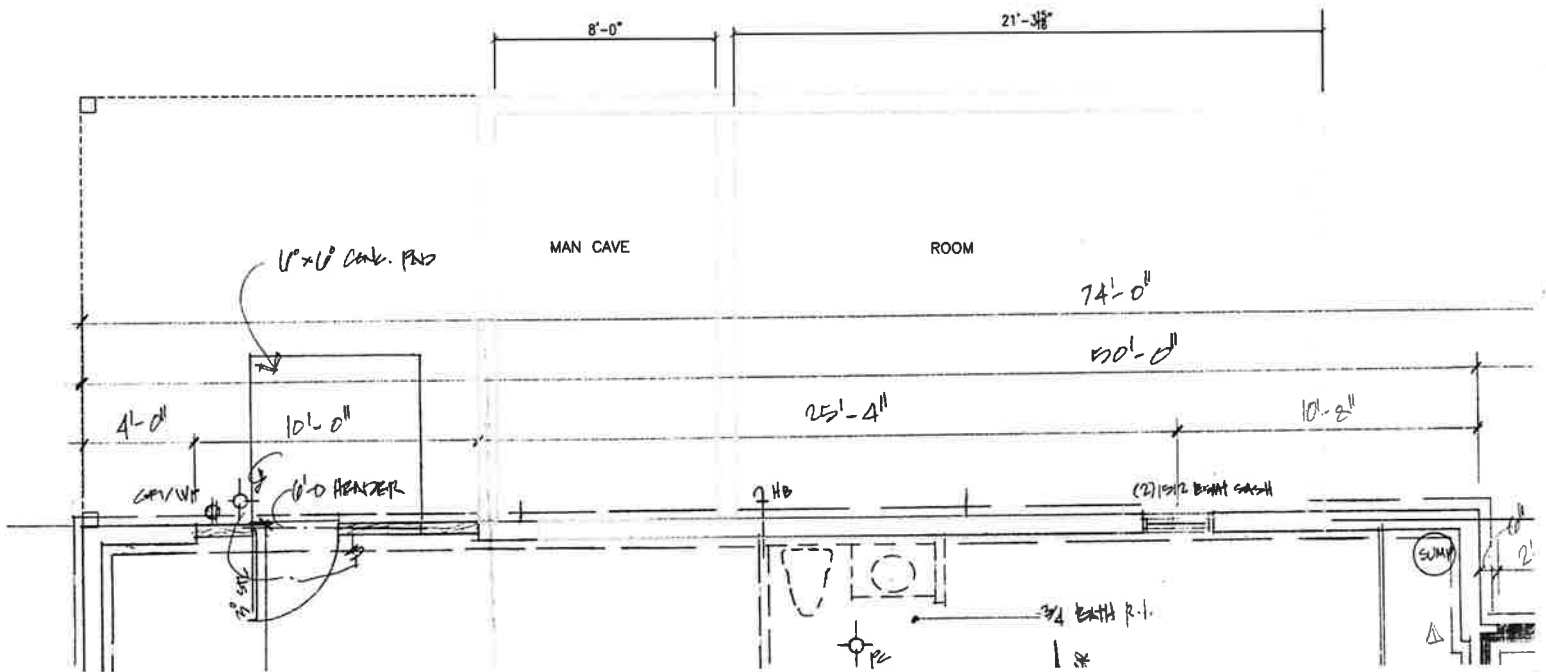
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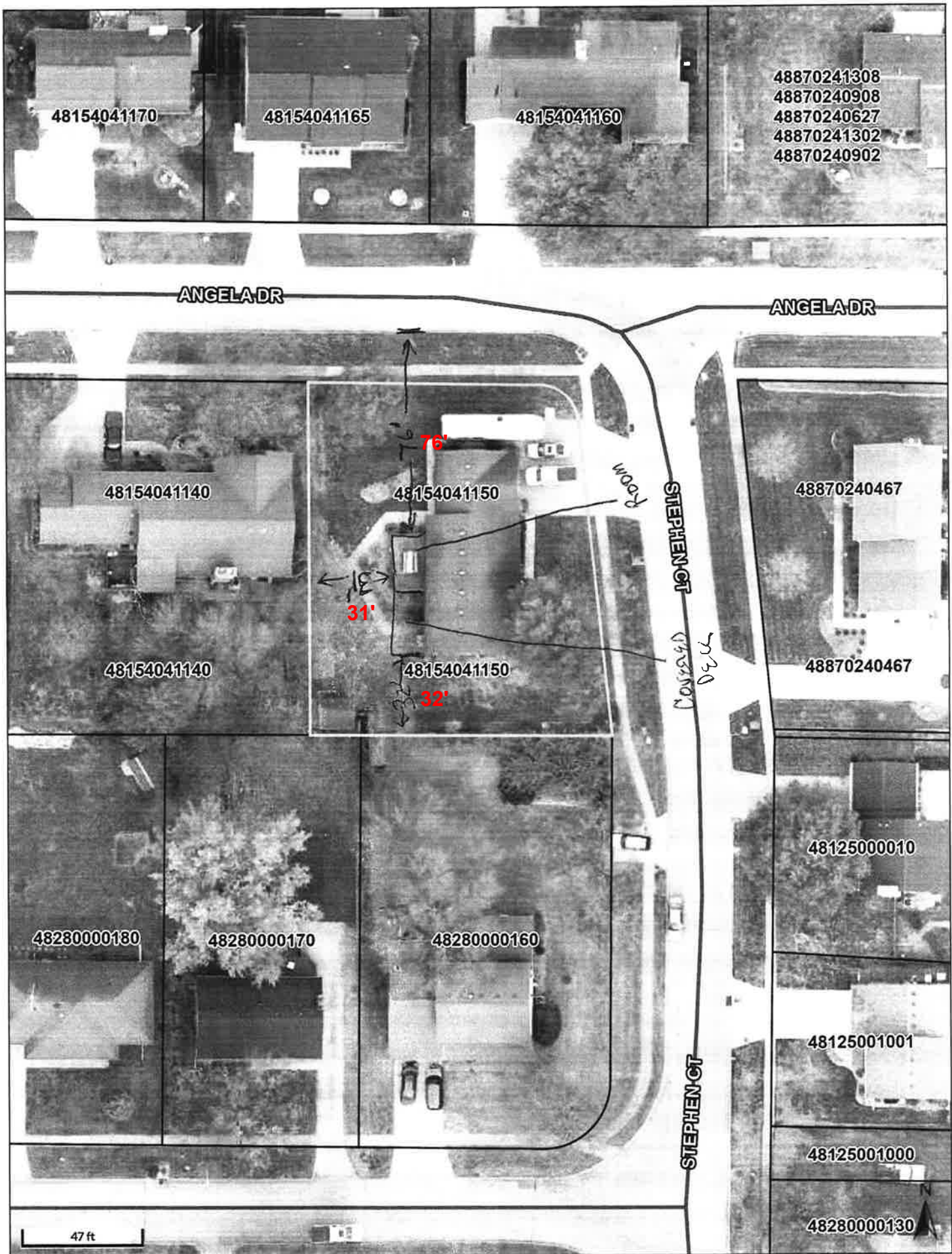
Code to 45180

Date Received: _____
Receipt No: _____
Receipt Amount: _____
BOA Agenda Date: _____







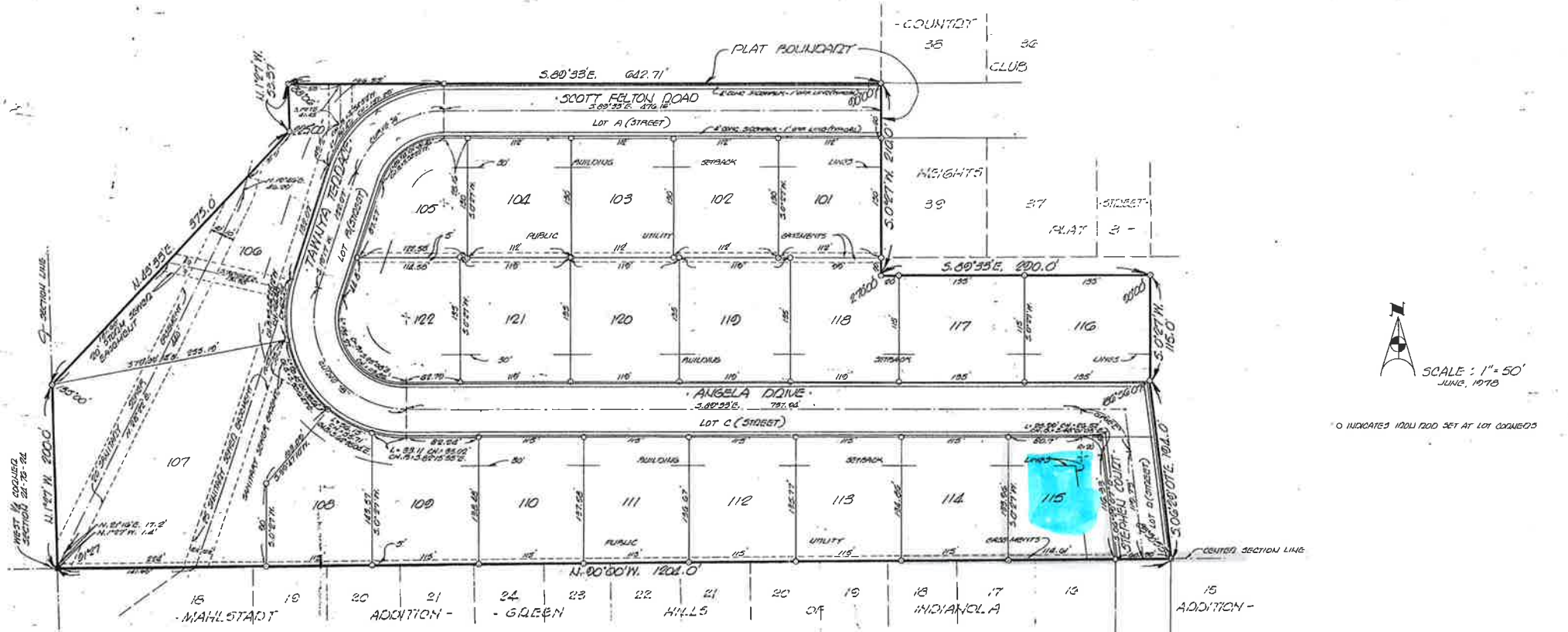


COUNTRY CLUB HEIGHTS PLAT

LEGAL DESCRIPTION

BEING AN OFFICIAL PLAT OF THE FOLLOWING DESCRIBED REAL ESTATE:
 BEGINNING AT THE WEST 1/4 CORNER OF SECTION 34, TOWNSHIP 20 NORTH, RANGE 22 WEST OF THE 5TH PLAT, OF
 INDIANOLA, MADISON COUNTY, IOWA; THENCE N. 11° 17' 11" E., ALONG THE WEST SECTION LINE OF SAID SECTION 34
 100.0 FT.; THENCE N. 85° 55' 52" E., 370.0 FT.; THENCE N. 11° 17' 11" E., 55.21 FT.; THENCE S. 60° 15' 11" E., 642.71 FT., TO THE S.W.
 CORNER OF LOT 35, COUNTRY CLUB HEIGHTS PLAT 2, AND S.D.P.; THENCE S. 0° 0' 0" E., ALONG THE WEST PLAT LINE AND THE
 WEST PLAT LINE EXTENDED 300 FT., OF SAID PLAT 2, S.D.P.; THENCE S. 0° 0' 0" E., ALONG A LINE EAST 300 FT. OR
 MORE PARALLEL TO THE SOUTH LINE OF SAID PLAT 2, S.D.P.; THENCE S. 0° 0' 0" E., 105.0 FT.; THENCE S. 0° 0' 0" E.,
 105.0 FT. TO THE NORTH PLAT LINE OF GREEN HILLS OF INDIANOLA ADDITION, AND S.D.P. (ALSO BEING THE WEST-NEST
 CURVED SECTION LINE OF SAID SECTION 34); THENCE N. 80° 0' 0" E., ALONG THE NORTH PLAT LINE OF SAID GREEN HILLS
 OF INDIANOLA ADDITION, AND THE NORTH PLAT LINE OF ANGLEHURST ADDITION, AND S.D.P. AND THE EAST-NORTH-EAST
 SECTION LINE OF SAID SECTION 34, 100.0 FT., TO THE POINT OF BEGINNING.
 ALL ON THE ABOVE LOTS PLATS 2 AND 3 AND FORMING A PART OF THE N. 11° 17' 11" E. ON SECTION 34, TOWNSHIP 20 NORTH,
 RANGE 22 WEST OF THE 5TH PLAT, CITY OF INDIANOLA, MADISON COUNTY, IOWA, AND CONTAINING 11.7556
 ACRES MORE OR LESS.

105°5'
 418°54'
 7° 11' 33"
 100.0'
 100.0'



SCALE: 1" = 50'
 JUNE, 1970

0 INDICATES 1000 FOOT SET AT LOT CORNERS

CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAT WAS PREPARED BY
 AN UNDER MY DIRECT PERSONAL SUPERVISION AND THAT
 A CULY DESIGNATED PROFESSIONAL ENGINEER AND LAND
 SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

Frank F. Buehl		June 29, 1970	
FRANK F. BUEHL, P.E.		DATE	
FINAL PLAT: COUNTRY CLUB HEIGHTS PLAT			
INDIANOLA, MADISON COUNTY, IOWA			
SCALE: 1" = 50'	APPROVED BY:	DRAWN BY: J.E.	
FRANK F. BUEHL, P.E.		DATE	
303 WEST LINCOLN AVENUE		INDIANOLA, IOWA	
TELEPHONE: 331-2223			



January 17, 2023

I, Scott E Huston and my wife Mary E Huston, had Downing Construction build our house at 1313 Stephen Ct in 1991 and have resided there since. I am applying for a 6' variance in my back yard, west side of my residence. I am referring to the Country Club Heights Plat, lot 115 on the southwest corner of Stephen Court and Angela Drive. In the past year, I had a site visit by Tim Little and several communications with Emily Rizvic in preparation for this request so I can best understand the zoning code and the variance application process. The current coded requires a 35' setback in my back yard. I currently have a 24' wide and 16' deep cedar deck that I will be tearing off if this application is approved. My plans are to build a room with full basement that would roughly mimic the current deck dimensions. I have measured from the lot line and this would amount to a 6' variance deviation from the edge of the roof/soffit or, only a 4' variance if measuring from the new addition exterior wall to the lot line. The new addition wall will be 31' from the lot line. In addition to this new room, I am also planning on a covered deck directly to the south on the same level as the house's main level. The property slopes down on the southwest corner to an existing lower walkout this will be retained. Under part of the deck, I intend to build a "man cave" roughly 10' wide but 16' deep. This man cave will only have electricity, ethernet/internet and gas and will technically not be part of the house. The new room addition will also have these same 3 utilities. I have employed Bob Ormsby (with SVPA Architects privately) to draw up blueprints for this construction to ensure there are no design or structural faults. Both the new room and covered deck will be covered by a single gable roof extending west. This gable roof addition will be a few feet lower than existing roof peak and thus not visible from Stephen Court. Part of the basement design will also include either pre-stressed concrete ceiling or a poured ceiling. The feature along with a steel door from the existing basement will create a safe room for tornadoes, home invasion and even fire protection if, residence would catch fire as result of tornado or such. I have engaged (already employed) Buresh Home Solutions in Clive, IA as the general contractor. Cement work and excavation will be a local contractor, hoping Jeremiah Sage can work this into his schedule. Heating for the basement and man cave will be in floor radiant heat. The new room will have a mini split and fireplace. The house's current 3 year old geo thermal is not sized for these new additions.

The following are my written narratives to satisfy Code of Ordinance Section 165.02(3)(B)(3)(b).

- That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same district.

RESPONSE: In the Country Club Heights Plat, there is only 1 lot smaller than my lot 115. My lot 115 and lots 105 and 122 are different than all the other 20 lots in that, our back yards face the adjoining lot's side yards. In my case, my adjoining neighbor's house has zero windows facing the part of property I am requesting the variance.

- That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.

RESPONSE: 17 of the 23 lots are 135' in depth or more. Mine 115' on the sloth lot line and 80' on the north lot line. Thus my backyard is shorter than "most" and the defined 35' setback limits/lessens my building options more than other lots in the plat.

- That the special conditions and circumstances do no result from the actions of the applicant

RESPONSE: This request for variance is not the result of any land or building modifications by me or others that would make the proposed construction additions necessary. The additions are simply to expand our house into a retirement home and add the ability to host a growing families gatherings.

- That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district. No nonconforming use of neighboring lands, structures or buildings in other districts shall be considered grounds for issuance of a variance.

RESPONSE: I will not be mis-using my property or adjoining properties for any special privileges or non-conforming use designated by zoning codes.

To subsidize this request, I am providing a copy of the plat, exterior architect plans and a copy of an affidavit I will be seeking from all my neighbors within 200 feet. I will submit these affidavits at later date than this application and before the board of review.

Please contact me with any questions, issues or concerns.

Respectfully,

Scott E Huston
515-229-5483
sehuston327@gmail.com

A handwritten signature in black ink that reads "Scott E. Huston". The signature is written in a cursive, flowing style with a long horizontal line extending from the end.

I, _____, have discussed with Scott Huston residing at 1313 Stephen Ct, his desires to replace the existing 24'x16' cedar deck on the west side of his residence with a permanent addition (room with full basement) of the same approximate dimensions. This addition will also include a covered deck attached on the south side of this addition (but still on the west side of the house). All of this new construction will be covered by a single west facing gable roof.

I have viewed architect plans of this proposed addition.

Scott has explained the existing deck is not considered a permanent structure and thus does not have to conform to the defined 35' setback per current zoning code.

Thus, I do not have any concerns with this new permanent structure and would encourage the Board of Adjustments to agree with this request for a 6' variance on the west side of the residence.

Name: John Asenbarger

Address: 1005 Angela Indiana, La 50125

Date: 1/24/2023

I, DENNIS BELL, have discussed with Scott Huston residing at 1313 Stephen Ct, his desires to replace the existing 24'x16' cedar deck on the west side of his residence with a permanent addition (room with full basement) of the same approximate dimensions. This addition will also include a covered deck attached on the south side of this addition (but still on the west side of the house). All of this new construction will be covered by a single west facing gable roof.

I have viewed architect plans of this proposed addition.

Scott has explained the existing deck is not considered a permanent structure and thus does not have to conform to the defined 35' setback per current zoning code.

Thus, I do not have any concerns with this new permanent structure and would encourage the Board of Adjustments to agree with this request for a 6' variance on the west side of the residence.

Name: Dennis Bell

Address: 1312 STEPHEN CT,

Date: 1/24/23

I, HUGH LICKISS, have discussed with Scott Huston residing at 1313 Stephen Ct, his desires to replace the existing 24'x16' cedar deck on the west side of his residence with a permanent addition (room with full basement) of the same approximate dimensions. This addition will also include a covered deck attached on the south side of this addition (but still on the west side of the house). All of this new construction will be covered by a single west facing gable roof.

I have viewed architect plans of this proposed addition.

Scott has explained the existing deck is not considered a permanent structure and thus does not have to conform to the defined 35' setback per current zoning code.

Thus, I do not have any concerns with this new permanent structure and would encourage the Board of Adjustments to agree with this request for a 6' variance on the west side of the residence.

Name: _____



Address: 1310 STEPHEN CT.

Date: _____

1/24/2023

I, Scott Downard, have discussed with Scott Huston residing at 1313 Stephen Ct, his desires to replace the existing 24'x16' cedar deck on the west side of his residence with a permanent addition (room with full basement) of the same approximate dimensions. This addition will also include a covered deck attached on the south side of this addition (but still on the west side of the house). All of this new construction will be covered by a single west facing gable roof.

I have viewed architect plans of this proposed addition.

Scott has explained the existing deck is not considered a permanent structure and thus does not have to conform to the defined 35' setback per current zoning code.

Thus, I do not have any concerns with this new permanent structure and would encourage the Board of Adjustments to agree with this request for a 6' variance on the west side of the residence.

Name: Scott Downard

Address: 1006 Angela Dr.

Date: 1/24/23

I, Donna Kreamer, have discussed with Scott Huston residing at 1313 Stephen Ct, his desires to replace the existing 24'x16' cedar deck on the west side of his residence with a permanent addition (room with full basement) of the same approximate dimensions. This addition will also include a covered deck attached on the south side of this addition (but still on the west side of the house). All of this new construction will be covered by a single west facing gable roof.

I have viewed architect plans of this proposed addition.

Scott has explained the existing deck is not considered a permanent structure and thus does not have to conform to the defined 35' setback per current zoning code.

Thus, I do not have any concerns with this new permanent structure and would encourage the Board of Adjustments to agree with this request for a 6' variance on the west side of the residence.

Name: Donna Kreamer

Address: 1000 Angela Dr.

Date: 1-24-2023

I, Dave DeArute, have discussed with Scott Huston residing at 1313 Stephen Ct, his desires to replace the existing 24'x16' cedar deck on the west side of his residence with a permanent addition (room with full basement) of the same approximate dimensions. This addition will also include a covered deck attached on the south side of this addition (but still on the west side of the house). All of this new construction will be covered by a single west facing gable roof.

I have viewed architect plans of this proposed addition.

Scott has explained the existing deck is not considered a permanent structure and thus does not have to conform to the defined 35' setback per current zoning code.

Thus, I do not have any concerns with this new permanent structure and would encourage the Board of Adjustments to agree with this request for a 6' variance on the west side of the residence.

Name: Dave DeArute

Address: 1004 Angela Drive

Date: 1-24-2023

I, MIKE COFFMAN have discussed with Scott Huston residing at 1313 Stephen Ct, his desires to replace the existing 24'x16' cedar deck on the west side of his residence with a permanent addition (room with full basement) of the same approximate dimensions. This addition will also include a covered deck attached on the south side of this addition (but still on the west side of the house). All of this new construction will be covered by a single west facing gable roof.

I have viewed architect plans of this proposed addition.

Scott has explained the existing deck is not considered a permanent structure and thus does not have to conform to the defined 35' setback per current zoning code.

Thus, I do not have any concerns with this new permanent structure and would encourage the Board of Adjustments to agree with this request for a 6' variance on the west side of the residence.

Name: MIKE COFFMAN 

Address: 1306 STEPHEN CT.

Date: 1-24-23



MEMORANDUM

To: Board of Adjustment

From:

Date: February 1, 2023

Subject: Election of Officers

Recommendation:

Attachments: None