CITY OF INDIANOLA BOARD OF ADJUSTMENT MEETING
October 1, 2025
6:00 PM
City Council Chambers
Agenda

1. **Call to Order**
2. **Roll Call**
3. **Agenda Approval**
   A. Approval of the October 1, 2025 agenda.
4. **Minutes Approval**
   A. Approval of the September 3, 2025 meeting minutes.
5. **New Business**
   A. Consider Variance Request from Marshall Hildreth at 902 West Clinton Avenue to permit an accessory structure that would not meet required setbacks.
   B. Consider Variance Request from Sandquist Investments, LLC at 203 South D Street to permit an accessory structure that would not meet required setbacks.
   C. Consider Variance Request from Clinton Beneke at 101 Apple Circle to permit an accessory structure that would not meet required setbacks and to permit a driveway expansion that exceeds maximum allowable width.
6. **Comments**
7. **Adjourn**

CITY OF INDIANOLA BOARD OF ADJUSTMENT MEETING
September 3, 2025
6:00 PM
City Council Chambers
Minutes

1. Call to Order

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

2. Roll Call

Members present: Rene Soldwisch, Lee Bash, Deidre Hoover.

Members not present: Jane Whalen.

Staff members present: Bill Mettee, Tim Little, Tara Bosteder.

3. Agenda Approval

A. Approval of the September 3, 2025 agenda.

Soldwisch made a motion to approve the agenda.
Hoover seconded the motion.
Motion was passed with a unanimous vote.

4. Minutes Approval

A. Approval of the July 2, 2025 meeting minutes.

Soldwisch made a motion to approve the meeting minutes.
Hoover seconded the motion.
Motion was passed with a unanimous vote.

5. New Business

A. Consider Variance Request from Randy and Sue Edwards at 800 and 802 East Trail Ridge Place to permit an accessory structure on a lot with no principal structure.

Mettee presented the variance request and related staff report.

The applicants do not plan on having the abstract updated to include both lots so that each lot may be sold individually in the future.

The structure will be built off site and in a way that it will be movable in the future if desired.

Soldwisch made a motion to approve the variance request as submitted.
Hoover seconded the motion.
Motion was passed with a unanimous vote.

B. Consider Variance Request from IVC Properties, LLC at 2201 North Jefferson Way to permit placement of a shipping container in the C-2 district that doesn't adhere to building design standards.

Mettee presented the variance request and related staff report.

Little provided that the structure was elected considering its non-combustible life safety standpoint. He also added that it's already in place behind some screening in the form of evergreens, with more screening planned in the near future.

Hoover made a motion to approve the variance request as submitted.
Soldwisch seconded the motion.
Motion was passed with a unanimous vote.

C. Consider Variance Request from 1306 North 9th Street to permit an accessory structure that would not meet required setbacks.

Mettee presented the variance request and related staff report.

No pool house will be constructed. The pool heater will be located outside next to the exterior wall of the house.

Soldwisch made a motion to approve the variance request as submitted.
Hoover seconded the motion.
Motion was passed with a unanimous vote.

D. Consider Variance Request from Gary and Lynn Ripperger at 1208 South H Street to permit construction of a secondary gravel driveway.

Mettee presented the variance request and related staff report.

Soldwisch made a motion to approve the variance request as submitted.
Hoover seconded the motion.
Motion was passed with a unanimous vote.

E. Consider Request from Spirit Holdings Company at 112 East Detroit Avenue that the Board of Adjustment make a rule or make findings that changing from one nonconforming use of a structure to another is equally appropriate.

Mettee presented the request and related staff report.

Applicant Mack Rankin spoke and confirmed they are looking to utilize the building as it is now for Indianola IV & Wellness and a charcuterie business. He included that their initial agreement with Simpson on this property is for 5 years, with the hope that in the future they'd be able to work out a purchase with them.

Hoover made a motion to approve the request as submitted.
Soldwisch seconded the motion.
Motion was passed with a unanimous vote.

6. Comments

There were no comments.

7. Adjourn

Soldwisch made a motion to adjourn the meeting.
Hoover seconded the motion.
The meeting was adjourned at 6:32 PM.

COMMUNITY DEVELOPMENT DEPARTMENT
110 North 1st Street
Indianola, IA 50125

STAFF REPORT

TO:	Board of Adjustment	**PREPARED BY**:	Bill Mettee, Senior Planner
RE:	902 West Clinton Avenue	**DATE:**	September 26, 2025

GENERAL INFORMATION:

Applicant / Owner: Marshall Hildreth

Requested Action(s) Variance from §165.04 of the Indianola Municipal Code which states that "Accessory buildings and structures within 10' of any principal structure must meet the setback standards required of the principal structure." The applicant is requesting the variance to permit an accessory structure attached to the principal structure that will not meet the required setbacks.

Location and Size: Addressed as 902 West Clinton Avenue, property legally described as Homedale Lot 6 Block 8, which is located north of West Clinton Avenue and west of North G Street, containing 0.26-acres.

Land Uses and Zoning:

Location	Existing Land Use	Comprehensive Plan	Current Zoning
Property in Question	Single Family Residential	Low-Density Residential	R-1
North	Single Family Residential	Low-Density Residential	R-1
South	Single-Family Residential	Low-Density Residential	R-1
East	Single-Family Residential	Low-Density Residential	R-1
West	Single Family Residential	Low-Density Residential	R-1

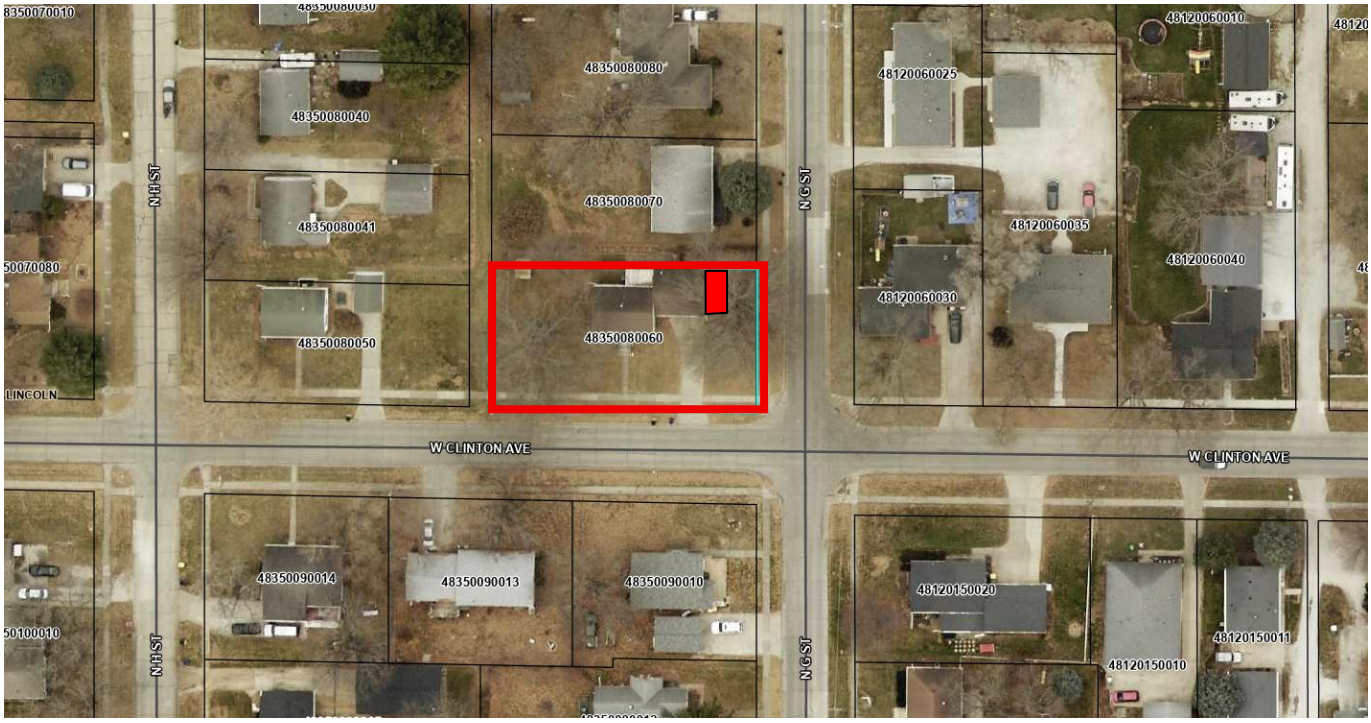
BACKGROUND:

The subject property is located at the intersection of West Clinton and North G Street. The property is approximately 78' x 144', 11,232 sf and 0.26-acres in area. The owner wishes to place a carport on the east side of the property attached to the existing garage. When accessory structures are attached to, or within 10' of the principal structure, that accessory structure must then adhere to the same setbacks as the principal structure. This property currently requires the following setbacks: Front 30', Rear 35', Side 8' minimum, 18' total. This property is a corner lot so front yard setbacks are applicable on the North G Street side, as opposed to the side yard requirements. Furthermore, the existing house and garage do not meet the required 35' rear yard setback.

The applicant is proposing a 12' x 24' carport that will have a front yard setback of approximately 15' and a rear yard setback of approximately two (2) feet. The applicant is seeking variances of approximately 15' and 33' according to the site plan provided.

CODE SECTIONS RELATED TO THE REQUESTED VARIANCE:

§**165.04** Accessory Buildings and Structures. "Accessory buildings and structures within 10 feet from any principal structure must meet the setback standards required of the principal structure."



ABOVE: Site plan of the property showing the requested accessory structure variance. The **RED** square shows the location of the proposed carport.

ANALYSIS:

Variances are designed to grant relief from the Ordinance, which if strictly imposed would deny a property owner reasonable use of the land and would therefore create undo hardship. An applicant is required to prove that a hardship exists by demonstrating that the overall integrity of the area will not be diminished, a reasonable use cannot be made, the situation is unique, and the hardship is not self-imposed. Marshall Hildreth, the property owner, has submitted the attached Board of Adjustment application form dated August 29, 2025, stating arguments in favor of the requested variance. Notice of the proposed variance request was mailed to surrounding property owners within a 200-foot radius on Friday September 19, 2025. At the time this report was written, staff received one call requesting information about the request, without any opinion for or against the request.

Hardship

In order to prove that a hardship exists and is not self-imposed, the applicants must prove that a literal interpretation of the provisions of the Ordinance deprive the applicants' rights commonly enjoyed by other properties in the same district. While the lot is of conforming size, its placement as a corner lot and its development with the north property line as the rear lot line, nothing would ever be able to be built and meet the required setbacks.

Uniqueness

In order to prove that the requested variance is unique to the property, the applicants must indicate proof of special

conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings. The house was built in 1954, prior to any existing setback requirements. The house is a legally nonconforming structure. Increasing the nonconformity by attaching an accessory structure is not permitted by code. Applicant noted that a dying tree has been removed in anticipation of installing the carport.

Public Interest and Integrity

The applicant has noted that the granting of the variance will not be contrary to the public interest or overall neighborhood integrity. The only concern staff has is making sure the carport is secure enough that in the case of a major wind event, additional damage isn't caused by the carport blowing off the property.

General findings of fact:

- The applicant wishes to construct a 12' x 24' carport on the east side of the existing structure.
- The applicant's site plan indicates the carport would have a front yard setback of approximately 15' and a rear yard setback of approximately 2-feet.
- The property was developed in 1954 and is now a legally nonconforming structure.

Staff Recommendation

Staff recommends **approval** of the variance request as presented.

If there is information related to the application that has not been included with the packet that you feel would be beneficial to have available to you at the meeting, please contact me with those items and I will attempt to arrange for their availability.

CITY OF INDIANOLA
Bill Mettee
Senior Planner

Attachments

I. Completed Board of Adjustment Application – Dated 08/29/2025
II. Public Notice sent by City – 09/19/2025

BOARD OF ADJUSTMENT APPLICATION

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

PROPERTY OWNER

(Last Name) Hildreth
(First Name) Marshall
(Address) 902 W Clinton Ave
(City) Indianola (State) IA (Zip) 50125
(Phone) 515-205-1637 (Email) hildreth1954@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: $300 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: $300 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 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: 902 W Clinton Ave
- ☒ Completed Application
- ☒ Filing Fee: $300 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 Marshall Hildreth

Name (printed) Marshall Hildreth **Date** 8/29/25

FOR OFFICE USE ONLY: Code to 45180

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

Marshall Hildreth

902 W Clinton Ave, Indianola, IA 50125

Variance Request

I am requesting the variance to attach a carport to the east side of my garage. The carport will not extend beyond the side of the garage. The carport will be 9'-10' height at the garage side and 7'-8' finished height on the street side.

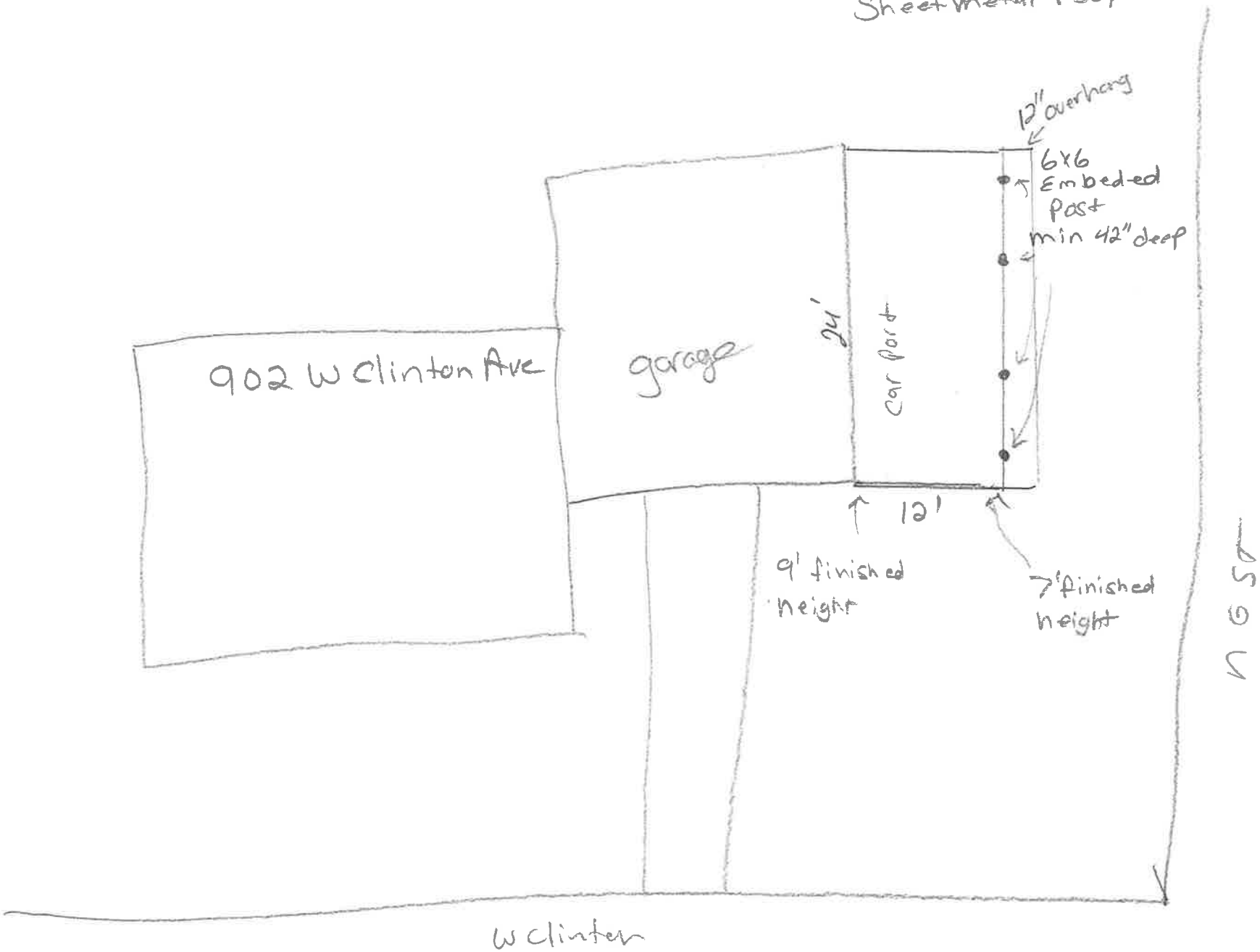
This will be a new construction as there has been no prior carport attached to the garage. Previously the partial area of ground had a pin oak tree with a 12' diameter rooted base with a height of approximately 100'. The tree was dying and had multiple limbs that were splitting. The tree has been removed to protect surrounding areas.

Construction of the carport will be in compliance with Chapter 165 Zoning Regulations.

Marshall Hildreth

Date: 8/29/2025 Marshall Hildreth

2x10 stringers 16" O.C.
2x12 beam knotched on post
Sheetmetal roof



NOTICE OF PUBLIC HEARING

September 18, 2025

Re: Proposed Variance – 902 West Clinton Avenue

Dear Property Owner:

The City of Indianola has received a variance application from Marshall Hildreth, property owner of 902 West Clinton Avenue, which is located at the intersection of West Clinton Avenue and North G Street. The owner has filed for a variance from §165.04(2)(D)(7) of the Indianola Municipal Code which states that "Accessory buildings and structures within 10 feet from any principal structure must meet the setback standards required of the principal structure." The applicant is requesting the variance to permit a carport that would not meet the side yard, front yard, or rear yard setbacks.

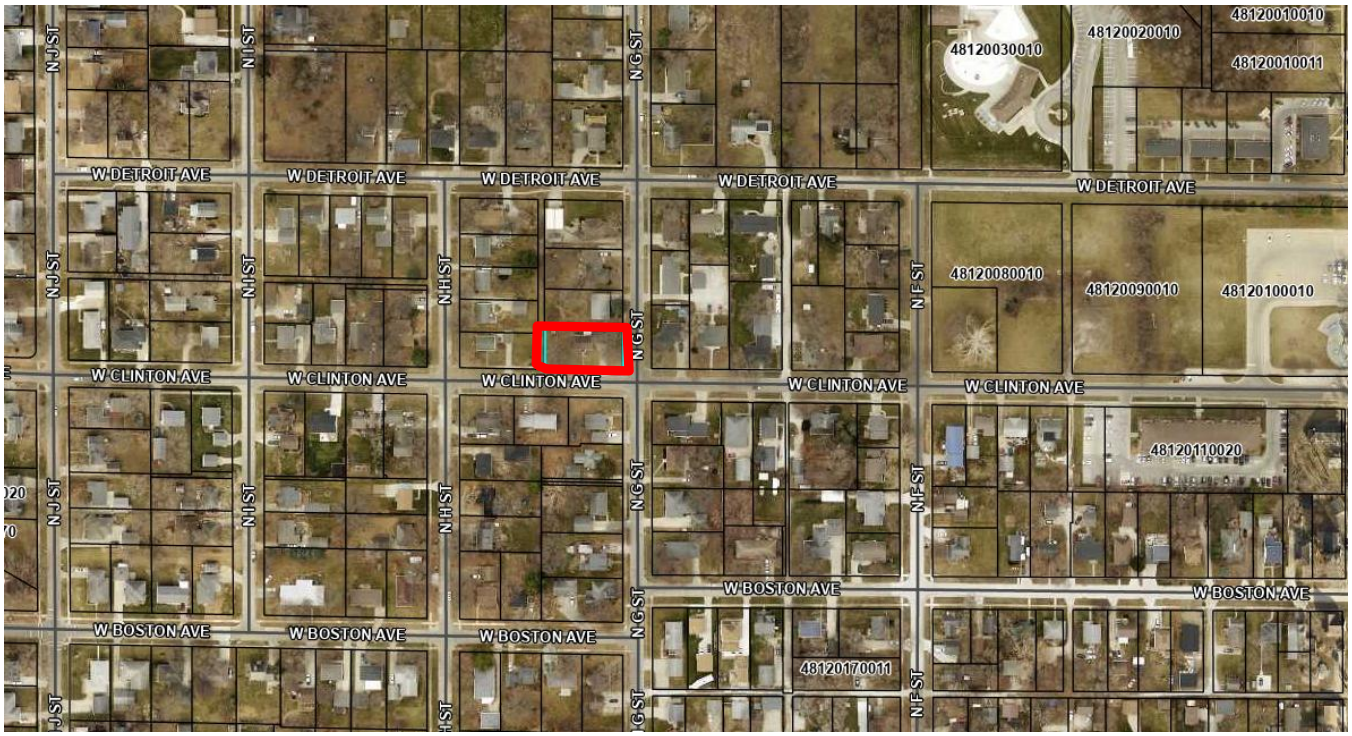
The Indianola Board of Adjustment will hold a public hearing at ***6:00 p.m., Wednesday, October 1, 2025, at Indianola City Hall, City Council Chambers, 110 North 1st Street, Indianola, IA.***

§165.02 of the Indianola Municipal Code states that the Board of Adjustment has the power to "To grant a variance from the terms of the Zoning Ordinance when a property owner can show that the owner's property was acquired in good faith and where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property, or where by reason of exceptional topographical conditions or other extraordinary or exceptional situation, the strict application of the terms of the Zoning Ordinance actually prohibits the use of such property in a manner reasonably similar to that of other property in the same district, and where the Board is satisfied under the evidence before it that a literal enforcement of the provisions of the Zoning Ordinance would result in unnecessary hardship; provided, however, all variations granted under this clause shall be in harmony with the general purpose and intent of the Zoning Ordinance.." Such a variance cannot be granted unless it meets certain criteria.

All interested parties are invited to attend the public hearing and express their opinions pro or con. Any written comments received on or before this date by the City Zoning Administrator will be considered to be part of the hearing as well. If you have any questions concerning the application or if you would like additional information, please call the Community Development Department at 515-961-9430.

Sincerely,

Bill Mettee
Senior Planner



ABOVE: Subject property (outlined in **RED**).

COMMUNITY DEVELOPMENT DEPARTMENT
110 North 1st Street
Indianola, IA 50125

STAFF REPORT

TO: Board of Adjustment	**PREPARED BY**: Bill Mettee, Senior Planner
RE: 203 South D Street	**DATE:** September 26, 2025

GENERAL INFORMATION:

Applicant / Owner: Sandquist Investments, LLC

Requested Action(s) Variance from §165.04 of the Indianola Municipal Code which states that "Accessory buildings and structures within 10' of any principal structure must meet the setback standards required of the principal structure." The applicant is requesting the variance to permit an accessory structure that will not meet the required setbacks.

Location and Size: Addressed as 203 South D Street, which is located on the west side of South D Street between West 1st Avenue and West 2nd Avenue, containing 0.17-acres.

Land Uses and Zoning:

Location	Existing Land Use	Comprehensive Plan	Current Zoning
Property in Question	Single Family Residential	Low-Density Residential	R-2
North	Single Family Residential	Low-Density Residential	R-2
South	Single-Family Residential	Low-Density Residential	R-2
East	Single-Family Residential	Low-Density Residential	R-2
West	Single Family Residential	Low-Density Residential	R-2

BACKGROUND:

The subject property is located mid-block on the west side of North D Street between West 1st Avenue and West 2nd Avenue. The property is approximately 80' x 140' and 0.26-acres in area. The applicant is seeking approval to construct a detached accessory structure placed within 10' of the principal structure. The garage is approximately 21' x 24' with a notch cut out to accommodate the small extension from the house. Because the garage is 4' from the house, the setbacks required for the principal structure must be met. The garage is proposed to be located approximately 4' from the north property line and 2' from the west property line. The setbacks required would be 8' and 35', respectively.

CODE SECTIONS RELATED TO THE REQUESTED VARIANCE:

§**165.04** Accessory Buildings and Structures. "Accessory buildings and structures within 10 feet from any principal structure must meet the setback standards required of the principal structure."

ABOVE: Site plan of the property showing the requested accessory structure variance. The **RED** square shows the location of the proposed garage.

ANALYSIS:

Variances are designed to grant relief from the Ordinance, which if strictly imposed would deny a property owner reasonable use of the land and would therefore create undo hardship. An applicant is required to prove that a hardship exists by demonstrating that the overall integrity of the area will not be diminished, a reasonable use cannot be made, the situation is unique, and the hardship is not self-imposed. Sandquist Investments, LLC, the property owner, has submitted the attached Board of Adjustment application form dated September 11, 2025, stating arguments in favor of the requested variance. Notice of the proposed variance request was mailed to surrounding property owners within a 200-foot radius on Friday September 19, 2025. At the time this report was written, staff has not received any correspondence for or against the request.

Hardship

In order to prove that a hardship exists and is not self-imposed, the applicants must prove that a literal interpretation of the provisions of the Ordinance deprive the applicants' rights commonly enjoyed by other properties in the same district. The applicant has noted that he owns the property to the north and the garage would abut his own property. The lot meets the minimum size requirement for a single-family residence but was constructed that today does not meet the rear yard setback. The front yard setback is approximately 40', where 30' is required. If the house simply met the front yard setback, the proposed garage would be more than 10' away from the principal structure.

Uniqueness

In order to prove that the requested variance is unique to the property, the applicants must indicate proof of special

conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings. The home was built in 1949, well before current setback regulations were in place. The current structure exceeds the front yard setback by approximately 10' and does not meet the rear yard setback by approximately 15 feet. If these setbacks were reversed, the variance likely isn't needed.

Public Interest and Integrity

The applicant has noted that the granting of the variance will not be contrary to the public interest or overall neighborhood integrity. Staff's primary concern with this variance is its proximity to the adjacent two lots and the affect the additional pavement would have on stormwater runoff. The applicant would need to ensure that water does not run onto adjacent parcels, even the one he owns.

Staff Recommendation

Staff recommends **approval** of the variance request as presented.

General findings of fact:

- The applicant wishes to construct a 13' x 24' garage at the northwest corner of the property.
- The structure will be 4' from the principal structure, triggering the setback requirements for the principal structure.
- The accessory structure would not meet the required setbacks for standard accessory structures. The structure is proposed to be located 2' and 4' from the property lines, where 5' is required.
-

If there is information related to the application that has not been included with the packet that you feel would be beneficial to have available to you at the meeting, please contact me with those items and I will attempt to arrange for their availability.

CITY OF INDIANOLA
Bill Mettee
Senior Planner

Attachments

I. Completed Board of Adjustment Application – Dated 09/11/2025
II. Public Notice sent by City – 09/19/2025

BOARD OF ADJUSTMENT APPLICATION

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

PROPERTY OWNER

(Last Name) Sandquist Investments
(First Name) Russ Sandquist
(Address) 10409 95th Ave
(City) Indianola (State) IA (Zip) 50125
(Phone) 5157073232 (Email) sandquistinv@msn.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: $300 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: $300 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 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: 203 S D St
- ■ Completed Application
- ■ Filing Fee: $300 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.

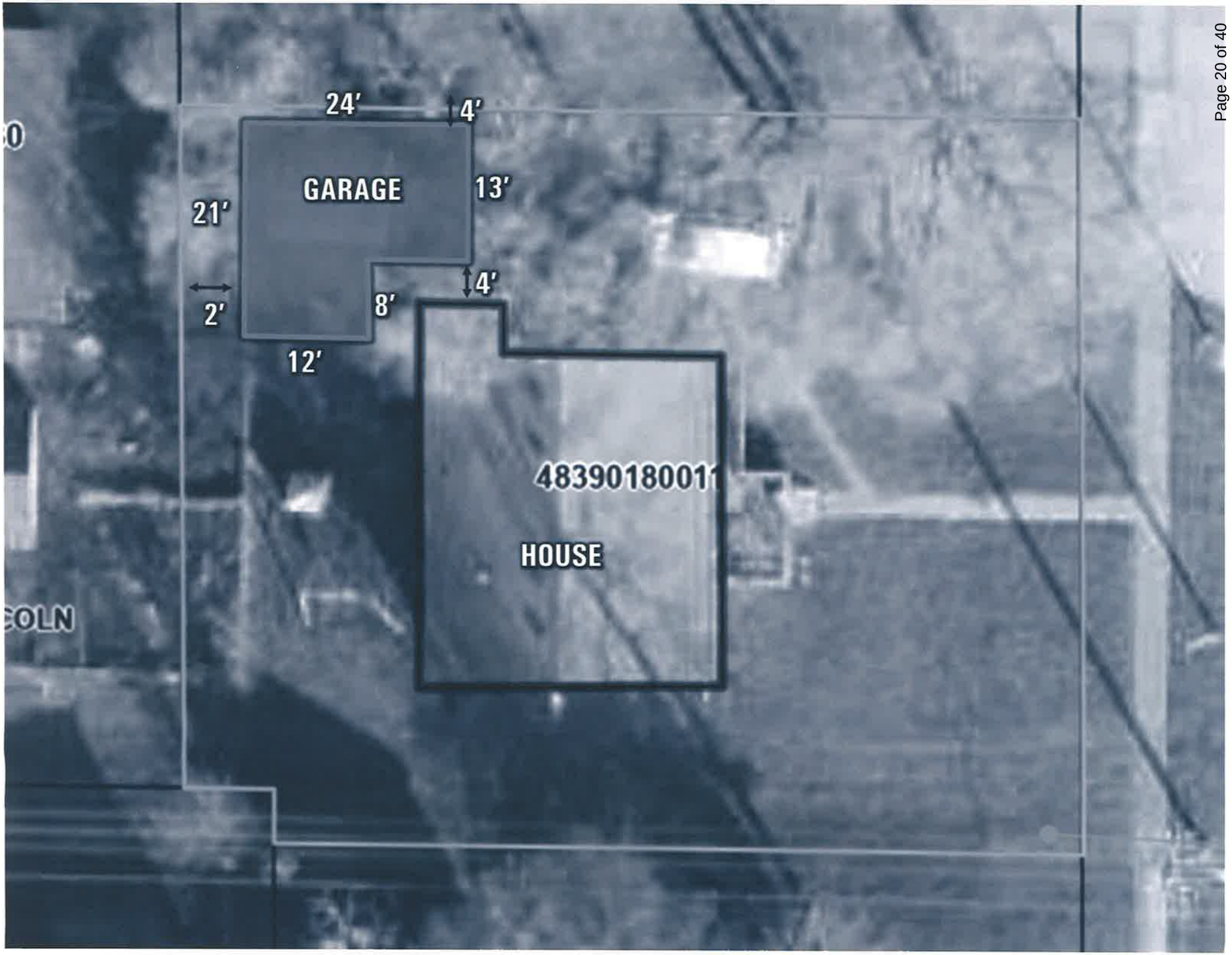
Signature _____
Name (printed) RUSS SANDQUIST Date 9-11-25

FOR OFFICE USE ONLY: Code to 45180

Date Received: 9/11/2025
Receipt No: _____
Receipt Amount: 300
BOA Agenda Date: 10/1/25

Sandquist Investments, LLC owns the property located at 203 S D Street (parcel #48390180011) in Indianola, IA and is requesting a variance to construct a garage of 24' by 13', with a 8' by 12' extension on the northwest corner of the home. The garage will have 4' clearance from the north property line, a 2' clearance to the west property line, and 4' clearance from the north side of the home to the south side of the garage. Site plan attached.

It should be noted that Sandquist Investments, LLC owns the property that sites adjacent to the north of 203 S D Street, which is 501 W 1st Ave (parcel 48390180010).


24'
4'
GARAGE
13'
21'
4'
2'
8'
12'
48390180011
HOUSE

NOTICE OF PUBLIC HEARING

September 18, 2025

Re: Proposed Variance – 203 South D Street

Dear Property Owner:

The City of Indianola has received a variance application from Sandquist Investments, LLC, property owner of 203 South D Street, which is located north of West 2nd Avenue on the west side of South D Street. The owner has filed for a variance from §165.04(2)(D)(7) of the Indianola Municipal Code which states that "Accessory buildings and structures within 10 feet from any principal structure must meet the setback standards required of the principal structure" and §165.04 of the Indianola Municipal Code which states that accessory structures shall not encroach any closer than 5' to any lot line The applicant is requesting the variance to permit the construction of a detached garage that is within 10' of the primary structure and would not meet the rear yard setbacks.

The Indianola Board of Adjustment will hold a public hearing at ***6:00 p.m., Wednesday, October 1, 2025, at Indianola City Hall, City Council Chambers, 110 North 1st Street, Indianola, IA.***

§165.02 of the Indianola Municipal Code states that the Board of Adjustment has the power to "To grant a variance from the terms of the Zoning Ordinance when a property owner can show that the owner's property was acquired in good faith and where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property, or where by reason of exceptional topographical conditions or other extraordinary or exceptional situation, the strict application of the terms of the Zoning Ordinance actually prohibits the use of such property in a manner reasonably similar to that of other property in the same district, and where the Board is satisfied under the evidence before it that a literal enforcement of the provisions of the Zoning Ordinance would result in unnecessary hardship; provided, however, all variations granted under this clause shall be in harmony with the general purpose and intent of the Zoning Ordinance.." Such a variance cannot be granted unless it meets certain criteria.

All interested parties are invited to attend the public hearing and express their opinions pro or con. Any written comments received on or before this date by the City Zoning Administrator will be considered to be part of the hearing as well. If you have any questions concerning the application or if you would like additional information, please call the Community Development Department at 515-961-9430.

Sincerely,

Bill Mettee
Senior Planner

ABOVE: Subject property (outlined in **RED**).

COMMUNITY DEVELOPMENT DEPARTMENT
110 North 1st Street
Indianola, IA 50125

STAFF REPORT

TO: Board of Adjustment	**PREPARED BY**: Bill Mettee, Senior Planner
RE: 101 Apple Circle	**DATE:** September 26, 2025

GENERAL INFORMATION:

Applicant / Owner: Clinton and Rebecca Beneke

Requested Action(s) Variance from §165.04 and §165.07 of the Indianola Municipal Code which states that "Accessory buildings and structures within 10' of any principal structure must meet the setback standards required of the principal structure" and "One additional wing-style parking space no greater than 10-feet in width may be added to the edge of a driveway." The applicant is requesting the variance to permit an accessory structure that will not meet the required setbacks and to add a second wing to the driveway.

Location and Size: Addressed as 101 Apple Circle, property legally described as Lot 34 of Apple Valley Estates Plat 2, which is located south of Orchard Avenue and west of North Jefferson Way, containing 0.32-acres.

Land Uses and Zoning:

Location	Existing Land Use	Comprehensive Plan	Current Zoning
Property in Question	Single Family Residential	Low-Density Residential	R-1
North	Single Family Residential	Low-Density Residential	R-1
South	Single-Family Residential	Low-Density Residential	R-1
East	Single-Family Residential	Low-Density Residential	R-1
West	Single Family Residential	Low-Density Residential	R-1

BACKGROUND:

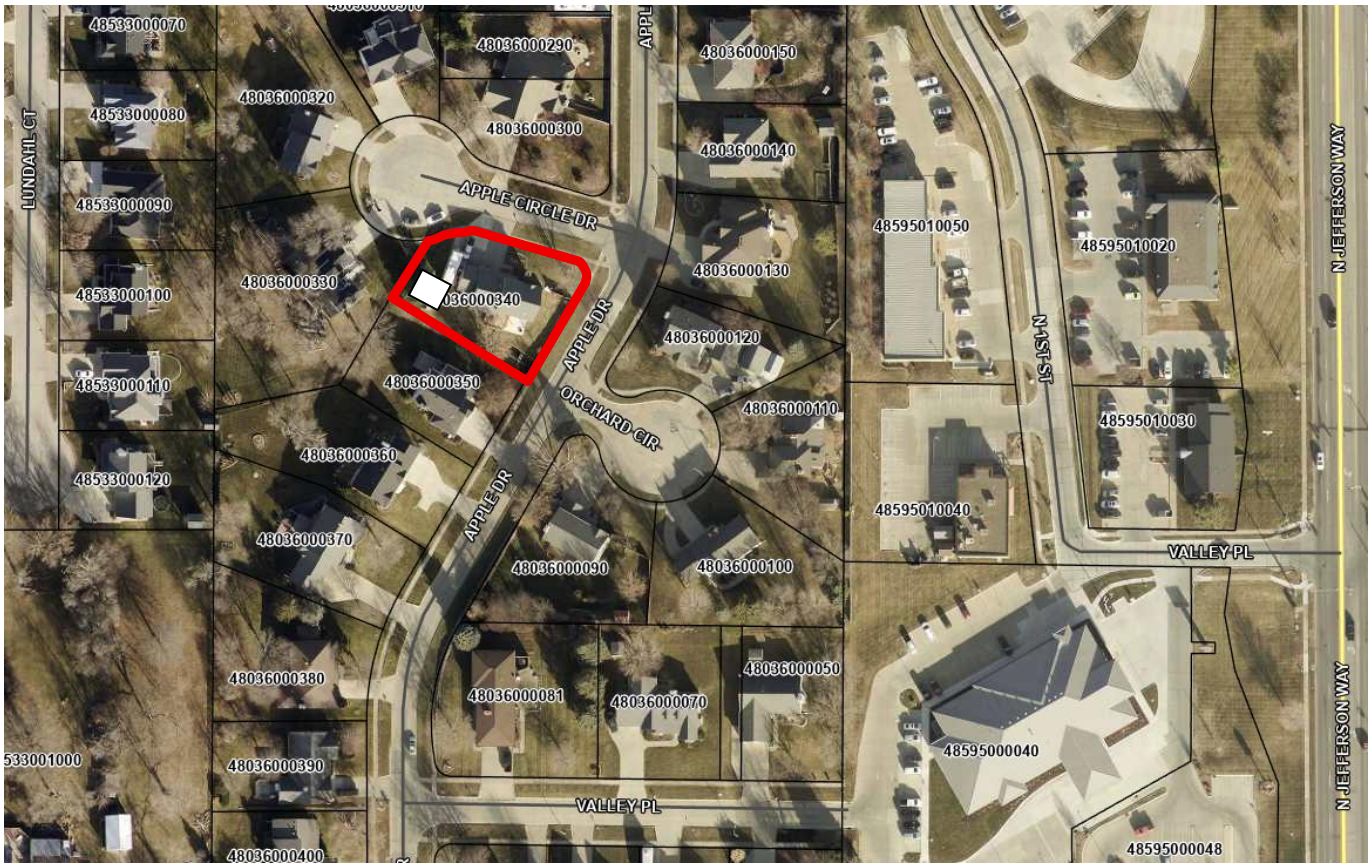
The subject property is located at the southwest corner of Apple Circle and Apple Drive. The property is approximately 98' x 140' and is an irregular shaped corner lot. The lot is 13,720 square feet and currently has a single-family dwelling and attached 3-car garage. At some point, a paved wing was added to the west side of the drive to accommodate additional vehicles. The current width of the driveway opening at the street is approximately 31 feet and the full width of the driveway inside the property is approximately 47 feet. Also on the property is a detached accessory structure that was installed in 2021 and is 140 square feet.

The applicant wishes to remove the existing shed and construct a detached garage structure that is 948 square feet and install an additional 432 square feet of pavement to access the garage. The garage would be approximately 6' from the principal structure and 5' from both the rear and side lot lines.

CODE SECTIONS RELATED TO THE REQUESTED VARIANCE:

§**165.04** Accessory Buildings and Structures. "Accessory buildings and structures within 10 feet from any principal structure must meet the setback standards required of the principal structure."

§**165.07** Off-Street Parking Regulations. "One additional wing-style parking space no greater than 10-feet in width may be added to the edge of the driveway."



ABOVE: Site plan of the property showing the requested accessory structure variance. The **WHITE** square shows the location of the proposed garage.

ANALYSIS:

Variances are designed to grant relief from the Ordinance, which if strictly imposed would deny a property owner reasonable use of the land and would therefore create undo hardship. An applicant is required to prove that a hardship exists by demonstrating that the overall integrity of the area will not be diminished, a reasonable use cannot be made, the situation is unique, and the hardship is not self-imposed. Clinton Beneke, the property owner, has submitted the attached Board of Adjustment application form dated September 19, 2025, stating arguments in favor of the requested variance. Notice of the proposed variance request was mailed to surrounding property owners within a 200-foot radius on Friday September 19, 2025. At the time this report was written, staff has received one email against the request, one email requesting information and one letter in favor of the request. All correspondence has been attached to the report for the Board's review.

Hardship

In order to prove that a hardship exists and is not self-imposed, the applicants must prove that a literal interpretation of the provisions of the Ordinance deprive the applicants' rights commonly enjoyed by other properties in the same district. The applicant has stated that due to the irregular shape and corner positioning of my lot on a cul-de-sac, the standard zoning requirements create a hardship in optimizing functional use of the property. The existing garage cannot accommodate my primary truck or two classic trucks that are family heirlooms causing us to pay for storage for the two classics and keep our primary truck outside. The proposed accessory garage/workshop is essential to safely store and maintain these vehicles. The additional driveway width is necessary for maneuverability and access, especially given the lot's layout and turning radius constraints.

Uniqueness

In order to prove that the requested variance is unique to the property, the applicants must indicate proof of special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings. The applicant has noted that this property's configuration is not typical of standard residential lots. Its cul-de-sac location and irregular dimensions limit placement options for accessory structures and driveways. The proposed accessory building (948 sq ft) and driveway expansion (432 sq ft) are designed to fit within these constraints while maintaining functionality and safety. Additionally, two separate properties in the neighborhood have accessory buildings located within 10 feet of their primary structures. One features a breezeway connecting the accessory building to the main house, while the other includes a third structure positioned within 10 feet of its accessory building – demonstrating a clear precedent for reduced separation in this zoning district.

Public Interest and Integrity

The applicant has noted that the proposed changes will not negatively impact neighboring properties or the character of the neighborhood. I am actively working with adjacent neighbors to mitigate visual impact by installing landscaping (e.g. bushes) to screen the accessory building from direct view. Additionally the accessory building will be constructed to match the style and color of the primary residence, ensuring architectural consistency and visual harmony with the existing home and surrounding properties. The structure will be professionally built and comply with all safety and drainage standards. The reduced separation maintains fire safety and access requirements.

Staff Recommendation

Staff recommends **approval** of the variance request as presented.

General findings of fact:

- The applicant wishes to construct a detached accessory structure that is 948 square feet and an additional paved wing to access the garage.
- The accessory structure will be within 10' of the primary structure, triggering the setbacks of the primary structure. The additional pavement does not comply as only one wing is permitted.
- The accessory structure will match the color and style of the primary structure.
- The existing shed will be removed and replaced with the new garage.

If there is information related to the application that has not been included with the packet that you feel would be beneficial to have available to you at the meeting, please contact me with those items and I will attempt to arrange for their availability.

CITY OF INDIANOLA
Bill Mettee
Senior Planner

Attachments

I. Completed Board of Adjustment Application – Dated 09/19/2025
II. Public Notice sent by City – 09/19/2025

BOARD OF ADJUSTMENT APPLICATION

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

PROPERTY OWNER

(Last Name) Beneke
(First Name) Clinton
(Address) 101 Aplle Cir
(City) Indianola (State) IA (Zip) 50125
(Phone) 515-316-8116 (Email) clintbeneke@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: $300 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: $300 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 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: 101 Apple Cir, Indianola, IA. 50125
- ■ Completed Application
- ■ Filing Fee: $300 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 _____

Name (printed) Clinton M. Beneke **Date** 23 Sep 2025

FOR OFFICE USE ONLY: Code to 45180

Date Received: _____
Receipt No: _____
Receipt Amount: Chk # 2885
BOA Agenda Date: _____

Applicant: Clinton M. Beneke
Property Address: 101 Apple Circle, Indianola, IA
Parcel ID: 48036000340
Zoning Classification: R – Residential

Lot Dimensions: 98' x 140' (Irregular corner lot on a cul-de-sac)

Requested Variance

I am requesting two variances:

1. To exceed the allowable concrete driveway width adjacent to the garage (current width: 15 feet; code allows 10 feet) and add concrete to access the accessary building.
2. To reduce the required separation between the principal structure and a proposed accessory building from 10 feet to 6 feet.

Justification Based on Section 165.02(3)(8)(3)(b) Criteria

1. Unnecessary Hardship

Due to the irregular shape and corner positioning of my lot on a cul-de-sac, the standard zoning requirements create a hardship in optimizing functional use of the property. The existing garage cannot accommodate my primary truck or two classic trucks that are family heirlooms causing us to pay for storage for the two classics and keep our primary truck outside. The proposed accessory garage/workshop is essential to safely store and maintain these vehicles. The additional driveway width is necessary for maneuverability and access, especially given the lot's layout and turning radius constraints.

2. Unique Circumstances

This property's configuration is not typical of standard residential lots. Its cul-de-sac location and irregular dimensions limit placement options for accessory structures and driveways. The proposed accessory building (948 sq ft) and driveway expansion (432 sq ft) are designed to fit within these constraints while maintaining functionality and safety. Additionally, two separate properties in the neighborhood have accessory buildings located within 10 feet of their primary structures. One features a breezeway connecting the accessory building to the main house, while the other includes a third structure positioned within 10 feet of its accessory building—demonstrating clear precedent for reduced separation in this zoning district.

3. Preservation of Public Interest

The proposed changes will not negatively impact neighboring properties or the character of the neighborhood. I am actively working with adjacent neighbors to mitigate visual impact by installing landscaping (e.g., bushes) to screen the accessory building from direct view. Additionally, the accessory building will be constructed to match the style and color of the primary residence, ensuring architectural consistency and visual harmony with the existing home and surrounding properties. The structure will be professionally built and comply with all safety and drainage standards. The reduced separation still maintains fire safety and access requirements.

4. Minimum Necessary Relief

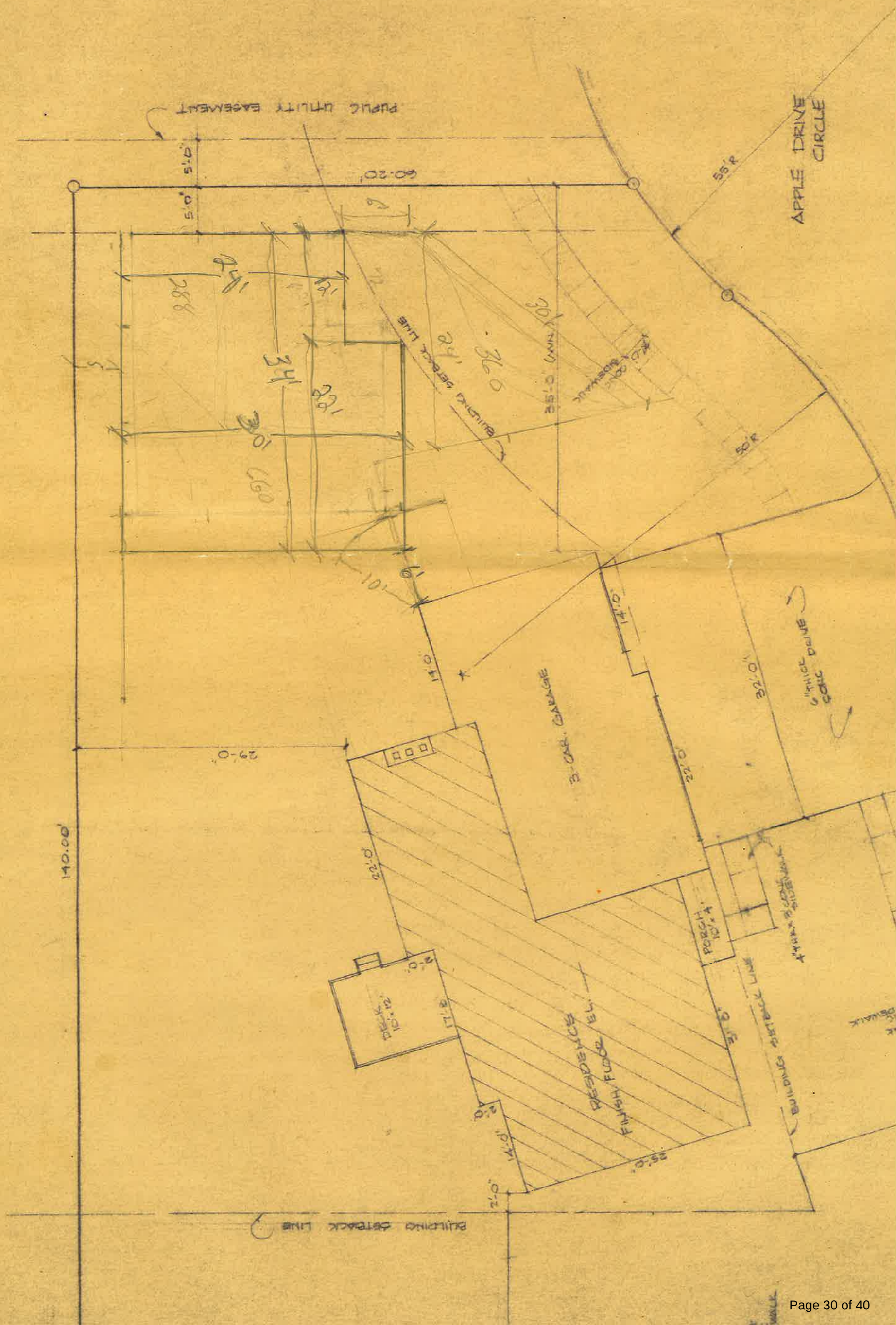
This request reflects the minimum deviation needed to achieve reasonable use of the property. The 6-foot separation allows for a deeper garage that meets my vehicle storage needs without encroaching on setbacks or neighboring lots. The driveway width is limited to what is necessary for safe access and turning, not excessive or ornamental.

5. Consistency with the Spirit of the Ordinance

The intent of the ordinance is to promote orderly development, safety, and neighborhood harmony. My proposal aligns with these goals by enhancing property usability while respecting the surrounding environment. The accessory garage/workshop will be used for personal vehicle storage and maintenance, consistent with residential use. The improvements will be visually and functionally integrated into the property and neighborhood.

Summary

This variance request is rooted in practical necessity, shaped by unique lot constraints, and guided by a commitment to neighborhood compatibility. The presence of similar structures in the area, including two separate properties with less than 10 feet of separation—further supports the reasonableness of this request. I respectfully ask the Board of Adjustment to consider this proposal in light of the demonstrated hardship, thoughtful design, and alignment with the spirit of the zoning ordinance.


PUBLIC UTILITY EASEMENT
APPLE DRIVE
CIRCLE
55'R
50'R
60.20'
5'-0"
5'-0"
BUILDING SETBACK LINE
35'-0" (MIN.)
SIDEWALK
140.00'
29'-0"
22'-0"
3-CAR GARAGE
22'-0"
14'-0"
14'-0"
32'-0"
6" THICK DRIVE CONC.
PORCH 10'x4'
4'x4'x4" SIDEWALK
BUILDING SETBACK LINE
RESIDENCE
FINISH. FLOOR EL.
DECK 10'x12'
17'-2"
14'-0"
25'-0"
2'-0"
BUILDING SETBACK LINE

Beacon - Warren County, IA

beacon.schneidercorp.com/Application.aspx?AppID=9&LayerID=35&PageTypeID=1&PageID=964&KeyValue=48036000340

Home | Remedy | myPay | 132d Wing - Home | DISS | ePEX | Calendars - 168th C... | chilton | AF EPR Bullets by A... | RMFKS | AROWS | LeaveWeb | Department of Defe... | PSA Division | https://intelshare.int... | PIEE | ATAAPS | JIRA | ABC-C

Beacon™ Warren County, IA

Log In | Search | search...

Layers | Map | Search | Comp Search | Results | Comp Results | Parcel Report | Soil Report | Pictometry Imagery | Apply for a Permit | Tax Estimator

Layer List | Legend

Quick Links:

- Property Search
- View Map

Layers:

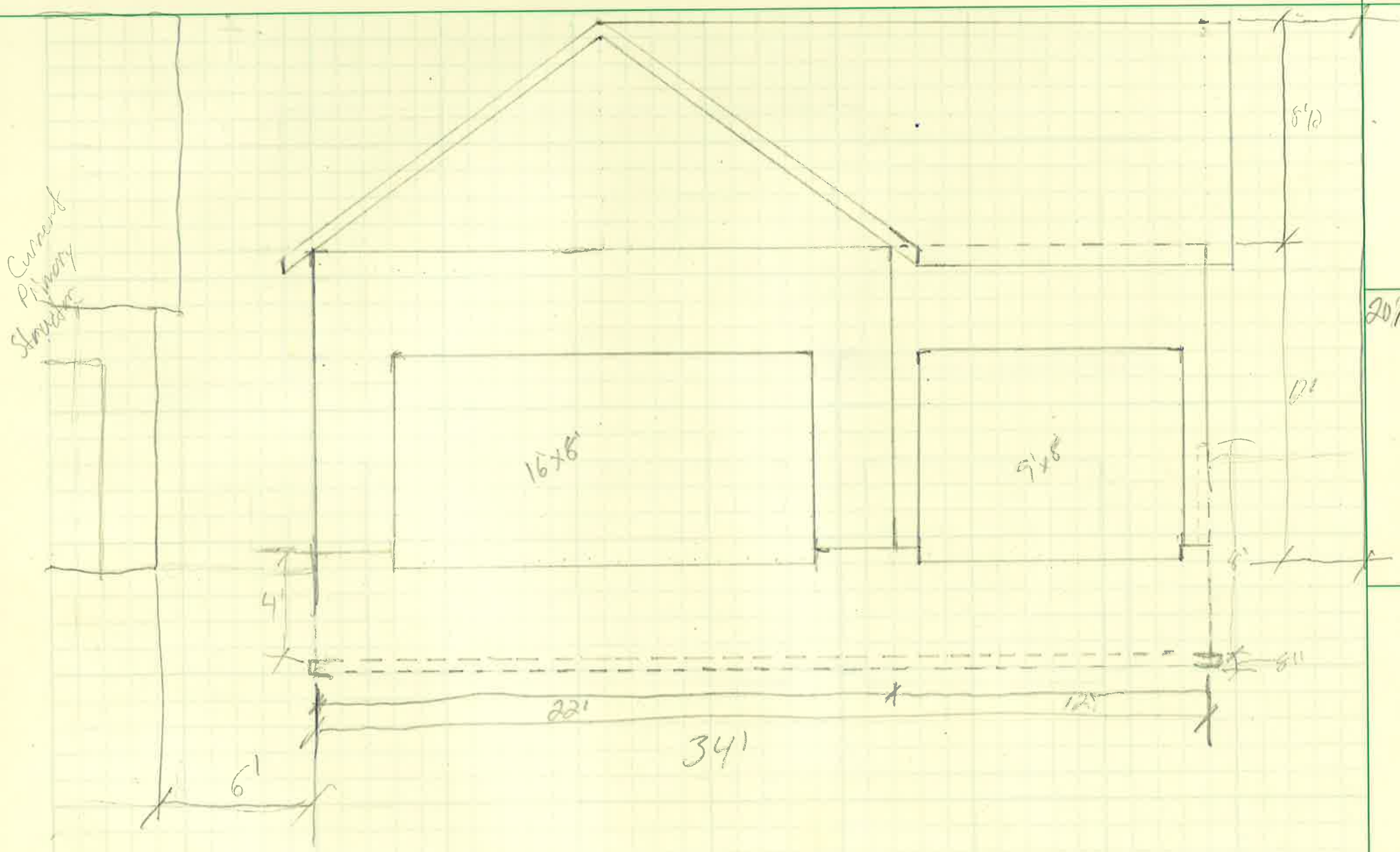
- PLS Corners
- Road Dimensions
- Parcel Dimensions
- Lot Dimensions
- Roads
- Corporate Limits
- Parcels
- Right-of-Way
- Political Townships
- Site Structure
- Township
- Sections
- Quarters
- USPLS Townships
- Quarter-Quarters
- Plat of Surveys
- Lots
- Subparcels
- Subdivisions
- Blocks
- Bridges
- Railroads
- Major Roads
- Zip Codes
- School Districts
- Carlisle Zoning
- Indianola Zoning
- Martensdale Zoning
- Norwalk Zoning
- Zoning
- Cemeteries
- Map Areas
- Voter Precincts 2024

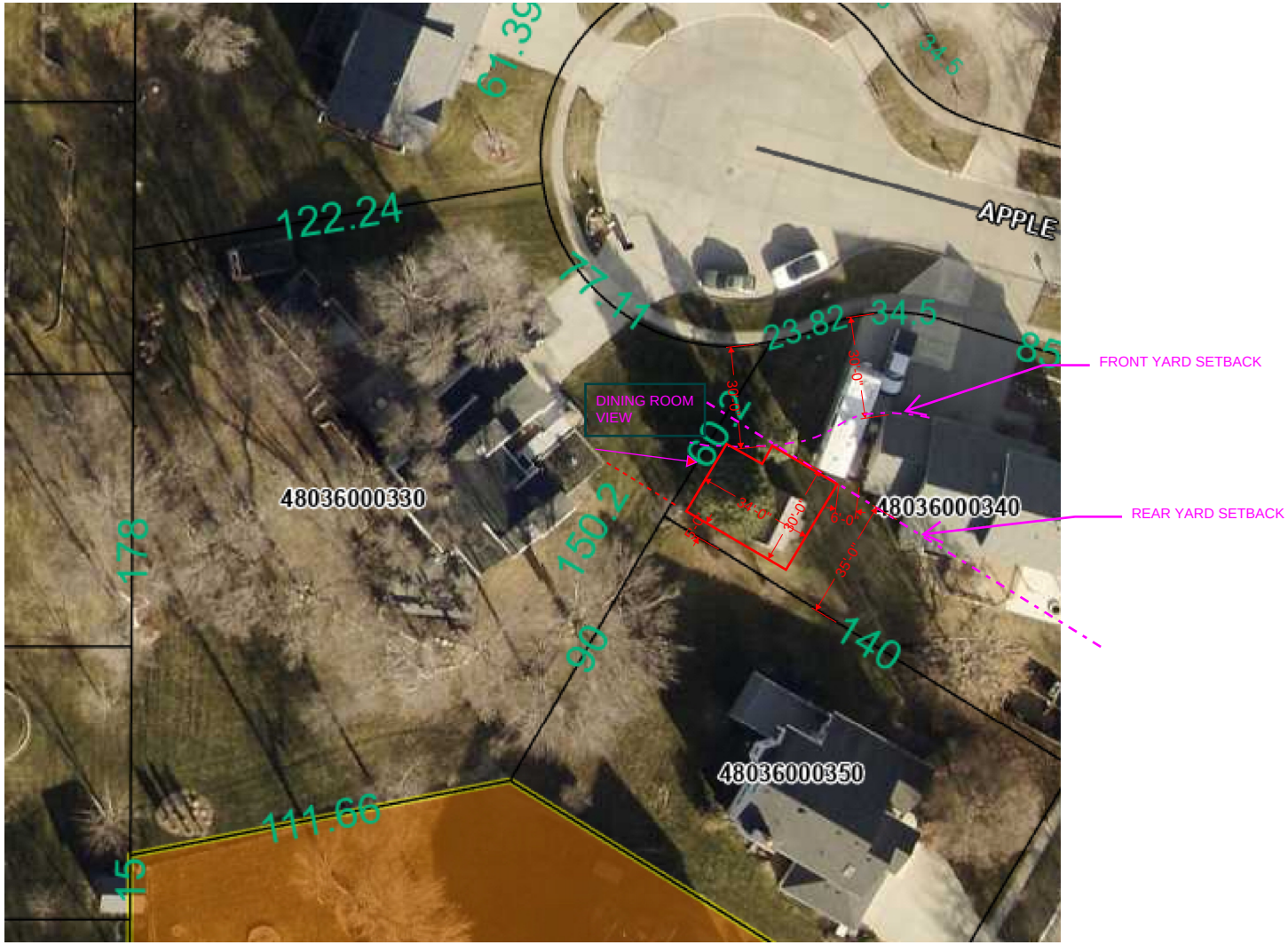
Results:

Parcel ID - 48036000340
Address - 101 APPLE CIR DR
Owner - BENEKE, CLINTON M/REBECCA (Deed)
View: Parcel Report | Soil Report | Pictometry Imagery | Apply for a Permit | Google Maps

Parcel ID	48036000340	**Alternate ID**	n/a	**Owner Address**	BENEKE, CLINTON M/REBECCA
Sec/Twp/Rng	n/a	**Class**	R		101 APPLE CIRCLE DR
Property Address	101 APPLE CIR DR INDIANOLA	**Acreage**	n/a		INDIANOLA, IA 50125
District	48300				
Brief Tax Description	24-76-24 APPLE VALLEY ESTATES PLAT 2 LOT 34 (Note: Not to be used on legal documents)				

National® Brand
13-762 500 SHEETS, FILLER 5 SQUARE
42-381 50 SHEETS EYE-EASE® 5 SQUARE
42-382 100 SHEETS EYE-EASE® 5 SQUARE
42-389 200 SHEETS EYE-EASE® 5 SQUARE
42-392 100 RECYCLED WHITE 5 SQUARE
42-399 200 RECYCLED WHITE 5 SQUARE
Made in U.S.A.




APPLE
122.24
61.39
77.11
23.82
34.5
85
60.2
150.2
178
90
140
111.66
15
48036000330
48036000340
48036000350
DINING ROOM VIEW
FRONT YARD SETBACK
REAR YARD SETBACK
24'-0"
30'-0"
6'-0"
35'-0"

The Resident of 1502 Apple Dr
Indianola, IA 50125

Date: [Insert Date] 18 Sep 2025

To: Board of Adjustment City of Indianola 110 N 1st Street Indianola, IA 50125

Subject: Support for Variance Request – 101 Apple Circle

Dear Members of the Board,

I am writing as the resident of 1502 Apple Dr to express my support for the variance request submitted by my neighbor, Clinton Beneke, regarding their property at 101 Apple Circle.

I understand that the request includes:

- An increase in the allowable concrete driveway width adjacent to the garage that allows access to the accessory building.
- A reduction in the required separation between the primary residence and a proposed accessory garage/workshop from 10 feet to 6 feet.

I have reviewed the proposed changes and have no objections. I believe the improvements will be beneficial to the property and will not negatively affect the character or aesthetics of our neighborhood. I appreciate that Clinton Beneke is taking steps to minimize visual impact, including installing landscaping to screen the accessory building from view.

I support their efforts to make practical use of their property and respectfully ask the Board to consider approving the requested variance.

Sincerely,

John N Poe Sylvia A. Poe

[Signature]
Printed Name John Poe Sylvia Poe
Resident of 1502 Apple Dr

Bill Mettee

From: Barb Ramos <barb.ramos@simpson.edu>
Sent: Tuesday, September 23, 2025 8:27 AM
To: Bill Mettee; Rich Ramos
Subject: Proposed Variance 101 Apple Circle

Importance: High

> You don't often get email from barb.ramos@simpson.edu. Learn why this is important

Bill,

We sent this to you because you sent the notice of the proposed variance letter to our house. If this needs to be sent to someone else, please let us know.

We reside at 1409 Apple Drive and received a letter that our neighbors at 101 Apple Circle have requested a variance to build a detached garage. We oppose this variance. The property has a three-car garage, which was present when the current owners moved in. Since then, they have added an additional driveway and a very large shed. Additionally, they permanently store a large camper, a very large trailer, and a smaller trailer with 5-6 kayaks outside on their property. Our property sits higher than theirs and we already have installed a screen on our deck and planted fast growing evergreens to limit the view. We believe that an additional structure on the property will negatively impact our views and furthermore could negatively impact the sale of our home in the near future. If you would like to contact us for additional information, we can be reached by email at barb.ramos@simpson.edu or richoramos@gmail and by text or phone at 515-491-4648 or 515-238-8237. Thank you for considering our viewpoint.

Sincerely,
Barb and Rich Ramos

BARB RAMOS (she/her/hers)
Professor of Teacher Education
Director of Student Teaching
Dunn Library 123/Teacher Education
O: 515-961-1488
C: 515-491-4648
barb.ramos@simpson.edu

Bill Mettee

From: Robert T. Ormsby <B-Ormsby@svpa-architects.com>
Sent: Wednesday, September 24, 2025 1:00 PM
To: Bill Mettee; Tim Little
Subject: RE: Neighbor modification inquiry

Bill,

I assume the intent of the variance is to allow him to access his current drive extension where the RV is parked, since he is not allowed to extend paving beyond 10 feet west of his garage-please confirm.
What is the "x" on the aerial indicating? I hope he isn't thinking he can extend paving here, since this would not be allowed-correct? This garage is much bigger than 600 SF also (996 SF based on his plan). As I understand, it can't be bigger than 600 SF, which is the maximum size, correct?
We are strongly opposed to this for multiple reasons, which I will send a letter to you before the meeting Wednesday.

Bob

Robert T. Ormsby
Principal

SVPA ARCHITECTS

1466 28th Street, Suite 200 • West Des Moines, Iowa 50266
r-ormsby@svpa-architects.com
direct 515-280-2405 **office** 515.327.5990 **cell** 515-418-8220
twitter | facebook | linkedin | svpa-architects.com

From: Bill Mettee <bmettee@indianolaiowa.gov>
Sent: Wednesday, September 24, 2025 12:06 PM
To: Robert T. Ormsby <B-Ormsby@svpa-architects.com>; Tim Little <tlittle@indianolaiowa.gov>
Subject: RE: Neighbor modification inquiry

Hi Bob,

Thanks for reaching out. The existing shed will be removed to allow for this structure to be installed. Attached are the site plans provided. Let us know if you have other questions. Thanks.

CITY OF INDIANOLA EST. 1849

Bill Mettee
Senior Planner
Phone 515-962-5276 | bmettee@indianolaiowa.gov
110 North 1st Street, Indianola, IA 50125

From: Robert T. Ormsby <B-Ormsby@svpa-architects.com>
Sent: Tuesday, September 23, 2025 7:55 AM

To: Tim Little <tlittle@indianolaiowa.gov>; Bill Mettee <bmettee@indianolaiowa.gov>
Subject: RE: Neighbor modification inquiry

Bill and Tim,

I received the Notice of Public Hearing for the variance being requested for 101 Apple Circle.
Has the owner shared any of their proposed plans? If so, can you share them? Does the owner plan on keeping the shed? If so, is it being relocated? Answers to these questions will help me define my position on the variance request for the upcoming meeting.
Thanks,

Bob

Robert T. Ormsby
Principal

SVPA ARCHITECTS

1466 28th Street, Suite 200 • West Des Moines, Iowa 50266
r-ormsby@svpa-architects.com
direct 515-280-2405 **office** 515.327.5990 **cell** 515-418-8220
twitter | facebook | linkedin | svpa-architects.com

From: Robert T. Ormsby
Sent: Wednesday, September 3, 2025 9:51 AM
To: Tim Little <tlittle@indianolaiowa.gov>
Subject: RE: Neighbor modification inquiry

Tim,
I found the max size: 600 SF. If he was to pursue a variance to be 5' from house, zoning code states any accessory structure within 10' of the primary structure requires accessory building to follow same setbacks as house, which is 8' side yard and 35' rear yard. If that would be the case, he would not have hardly any room to construct the garage, correct? (see attached) Also, what seems odd is his house looks like it is within 35 of the rear yard.

Robert T. Ormsby
Principal

SVPA ARCHITECTS

1466 28th Street, Suite 200 • West Des Moines, Iowa 50266
r-ormsby@svpa-architects.com
direct 515-280-2405 **office** 515.327.5990 **cell** 515-418-8220
twitter | facebook | linkedin | svpa-architects.com

From: Robert T. Ormsby <B-Ormsby@svpa-architects.com>
Sent: Tuesday, September 2, 2025 7:51 PM
To: Tim Little <tlittle@indianolaiowa.gov>
Subject: Re: Neighbor modification inquiry

Thank you Tim! I think the variance would help give more side yard to the west. What is the maximum structure size he is allowed to build? I will plan on attending the BOA meeting. Will we have the chance to see his plans before the meeting?

Thanks again,
Bob

Get Outlook for iOS

From: Tim Little <tlittle@indianolaiowa.gov>
Sent: Tuesday, September 2, 2025 5:00:30 PM
To: Robert T. Ormsby <B-Ormsby@svpa-architects.com>
Subject: RE: Neighbor modification inquiry

Bob, I have instructed Mr. Beneke to bring his request to the Board of Adjustment for the consideration of a variance. There are too many variables involved in what he is wanting to do such as the size of structure, proximity to property lines, setback from primary structure and the amount of frontage taken up by concrete.
Since the 10' separation distance between dwelling and accessory structure comes from our zoning ordinance and not building code, I suggested he could ask for a variance from that setback requirement by moving the accessory structure closer to the dwelling which will increase the setback distance from the west property line by approximately 5'. This option will of course require the north and east facing walls to have a fire resistance rating of 1hr, rated for exposure from both sides and constructed behind the primary building line, but I think this will be a more favorable variance because it provides a greater side yard setback and pushes the structure further to the south which will keep it behind that primary building line. This option will also allow the existing driveway wing to be utilized for access to the accessory structure, therefore, additional concrete won't be necessary.

Notice of his request for variance will be sent out to all neighbors within 200' so if there is anything you disagree with, I encourage you to attend the BOA meeting on October 1st, 2025.

And lastly, I have informed Mr. Beneke that he cannot begin any work until he has approval of his variance request from the Board of Adjustment so please let me know if he commences any work beyond moving string lines.

Thanks Bob!

Respectfully,

Tim Little
Building & Zoning Official
Phone: O: 515.962.5278 | **C:** 515.829.0122
Email: TLittle@IndianolaIowa.Gov
Address: 110 N. 1st Street, Indianola, IA 50125

From: Robert T. Ormsby <B-Ormsby@svpa-architects.com>
Sent: Monday, September 1, 2025 7:31 PM

NOTICE OF PUBLIC HEARING

September 18, 2025

Re: Proposed Variance – 101 Apple Circle

Dear Property Owner:

The City of Indianola has received a variance application from Clinton and Rebecca Beneke, property owners of 101 Apple Circle, which is located west of North Jefferson Way and south of East Orchard Avenue. The owner has filed for a variance from §165.04(2)(D)(7) of the Indianola Municipal Code which states that "Accessory buildings and structures within 10 feet from any principal structure must meet the setback standards required of the principal structure." The applicant is requesting the variance to permit the construction of a detached garage that is within 10' of the primary structure and would not meet the rear yard setbacks.

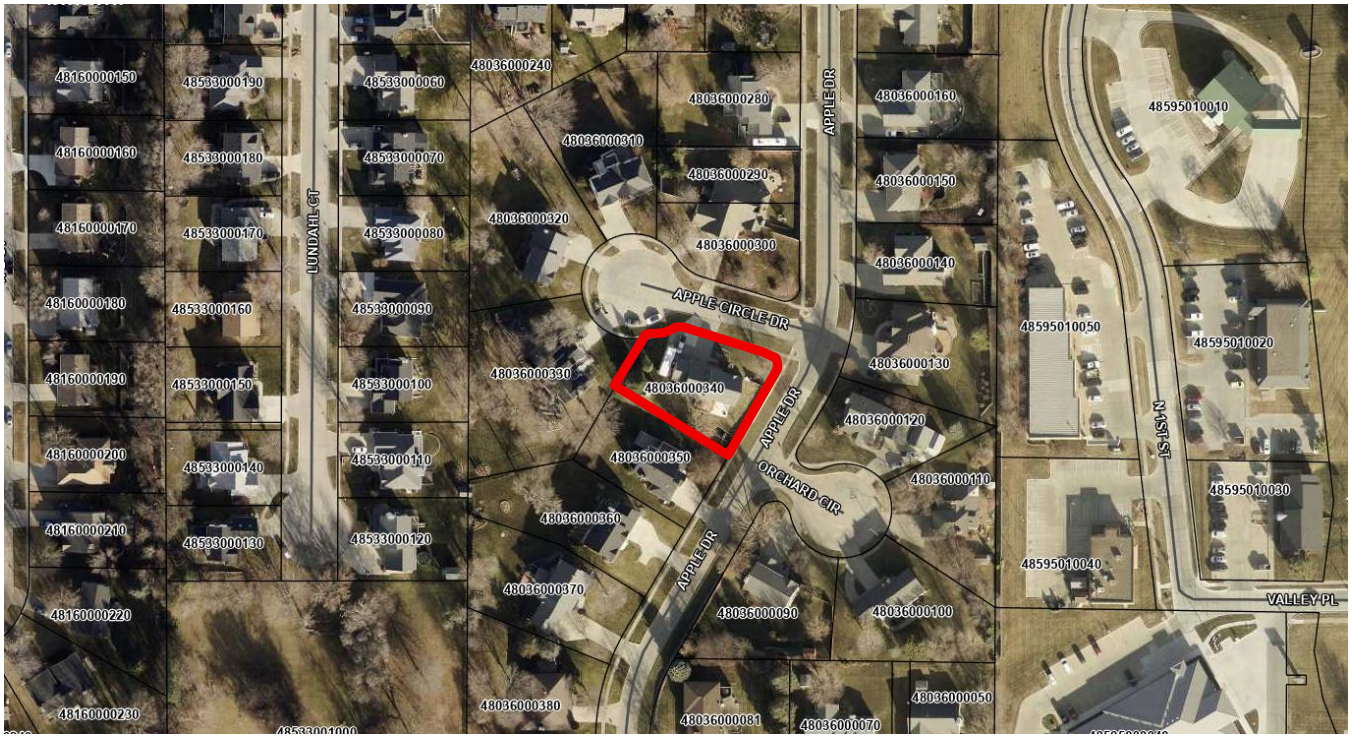
The Indianola Board of Adjustment will hold a public hearing at ***6:00 p.m., Wednesday, October 1, 2025, at Indianola City Hall, City Council Chambers, 110 North 1st Street, Indianola, IA.***

§165.02 of the Indianola Municipal Code states that the Board of Adjustment has the power to "To grant a variance from the terms of the Zoning Ordinance when a property owner can show that the owner's property was acquired in good faith and where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property, or where by reason of exceptional topographical conditions or other extraordinary or exceptional situation, the strict application of the terms of the Zoning Ordinance actually prohibits the use of such property in a manner reasonably similar to that of other property in the same district, and where the Board is satisfied under the evidence before it that a literal enforcement of the provisions of the Zoning Ordinance would result in unnecessary hardship; provided, however, all variations granted under this clause shall be in harmony with the general purpose and intent of the Zoning Ordinance.." Such a variance cannot be granted unless it meets certain criteria.

All interested parties are invited to attend the public hearing and express their opinions pro or con. Any written comments received on or before this date by the City Zoning Administrator will be considered to be part of the hearing as well. If you have any questions concerning the application or if you would like additional information, please call the Community Development Department at 515-961-9430.

Sincerely,

Bill Mettee
Senior Planner



ABOVE: Subject property (outlined in **RED**).