



BOARD OF ADJUSTMENTS MEETING

November 4, 2020

6:00 p.m.

City Council Chambers

Agenda

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes for 10/07/2020
5. New Business
 - A. Consider request from Jake Vice for a variance at 2500 West 2nd Avenue to permit construction of a commercial structure that would not be in conformity to Section 165.09 (Special Requirements for Self-Service Storage Facilities in the C-2 Highway Commercial Zoning District) which states that the maximum building height shall be eighteen (18) feet.
6. Adjourn
7. Comments

Board of Adjustments

4.

Meeting Date: 11/04/2020

Subject

Approval of Minutes for 10/07/2020

Information

Attachments

10/07/2020 Meeting Mins



BOARD OF ADJUSTMENT

Minutes October 7th, 2020

The meeting was called to order at 6:02pm by Chairperson James Sullivan and on roll call the following members were present:

Amy Mitchell
Bill Mettee
James Sullivan

Members not present: Wes Sharp, Rene Soldwisch

Staff Present: Cortney Marmon, Tim Little, Charlie Dissell

Public Present: Corbin Rinard 3102 W 4th Ave Indianola, IA 50125, Jamie Morawski 110 Buxton Pl Indianola, IA 50125, Jim Rundahl 106 Buxton Pl Indianola, IA 50125, Ben Carpenter 208 N B Indianola, IA 50125, Tim McFarland 1708 W Euclid Indianola, IA 50125

The agenda of the October 7th, 2020 meeting was approved on a motion by Rene Soldwisch seconded by Amy Mitchell. On voice vote: All ayes.

The minutes of the September 2nd, 2020 meeting were approved on a motion by Amy Mitchell On voice vote: All ayes

Consider request from Steve Meyer of 1708 East Detroit Place for a variance to permit construction of a driveway to be constructed that would not be in conformity to Section 165.10.12.D of the Code of Ordinances, Indianola, Iowa.

Tim Little provided an overview

Motion was made by Board Member Bill Mettee to approve the request from Steve Meyer of 1708 East Detroit Place for a variance to permit construction of a driveway to be constructed that would not be in conformity to Section 165.10.12.D of the Code of Ordinances, Indianola, Iowa. This motion was seconded by Board Member Amy Mitchell.

On voice vote: All ayes. Motion to approve was carried unanimously.

Consider request from Corbin Rinard of 3102 West 4th Avenue for variance to permit construction of an accessory building that would not be in conformity to Section 165.10.2 of the Code of Ordinances, Indianola, Iowa

Corbin Rinard provided overview

Tim Little said would only be in the side yard a little

Corbin Rinard stated he put the house back farther from the street when built and the building will match the house

Jim Sullivan asked if pushing it towards center of the yard

Corbin Rinard said yes

Amy Mitchell asked if it would cause any obstructions

Tim Little stated that Corbin lives on a corner lot

Corbin said there is a berm next to him on the other side

Motion was made by Board Member Amy Mitchell to approve the request from Corbin Rinard of 3102 West 4th Avenue for variance to permit construction of an accessory building that would not be in conformity to Section 165.10.2 of the Code of Ordinances, Indianola, Iowa. This motion was seconded by Board Member Bill Mettee.

On voice vote: All ayes. Motion to approve was carried unanimously.

Consider request from David and Jamie Morawski of 110 Buston Place for a variance to permit construction of driveway to be constructed that would not be conformity to Section 165.10.12.D of the Code of Ordinances, Indianola, Iowa.

Jamie Morawski provided an overview

Jim Sullivan asked if going along the corner of the house

Jamie Morawski said just up to the corner of the house

Jim Sullivan asked about obstructions

Tim Little said there are none

Bill Mettee asked about sloping

Tim Little said none it slopes back onto their property

Jim Rundahl's wife said no parking is available on the street

Jim Rundahl asked about Bed and breakfasts and sorority parking code

Jim Rundahl's wife said there is no room on the road and traffic is dangerous

Charlie Dissell said that is something that the Board could not change

Bill Mettee said asked if there was a setback requirement for driveways

Charlie Dissell said no

Jim Rundahl wants shrub barrier to block the driveway from view

Motion was made by Board Member Bill Mettee to approve the request from David and Jamie Morawski of 110 Buston Place for a variance to permit construction of driveway to be constructed that would not be conformity to Section 165.10.12.D of the Code of Ordinances, Indianola, Iowa with the stipulation that the groundwater be forced back on to the homeowners property. This motion was seconded by Board Member Amy Mitchell.

On voice vote: All ayes. Motion to approve was carried unanimously.

Consider request from Ben Carpenter for a variance at 506 and 508 W 2nd Ave to permit construction of three two-family dwellings to be constructed that would not be conformity to Section 165.09 (r-2 Single and Two-Family Residential_ of the Code of Ordinances, Indianola, Iowa.

Ben Carpenter provided an overview.

Jim Sullivan asked about the side yard setback

Ben Carpenter said there is a 9-foot setback on the property line

Jim Sullivan asked if the sewer system would carry

Ben Carpenter said yes

Bill Mettee asked what variances are needed

Charlie Dissell said setback, width, and lot size

Bill Mettee asked if you could combine all the lots

Charlie Dissell said you can't build duplexes on a single lot and stated this is the last D and D lot to be sold

Amy Mitchell asked if there was an alley on the East

Ben Carpenter said yes

Charlie Dissell said the house on the west side has setbacks of 7 to 8 feet

Tim Little asked if each would have their own driveway

Ben Carpenter said yes 20-foot driveway

Bill Mettee asked about issues backing onto highway 92

Ben Carpenter said he is working with the DOT on that

Charlie Dissell said there is nothing in our code against that

Motion was made by Board Member Bill Mettee to approve the request from Ben Carpenter for a variance at 506 and 508 W 2nd Ave to permit construction of three two-family dwellings to be constructed that would not be conformity to Section 165.09 (r-2 Single and Two-Family Residential_ of the Code of Ordinances, Indianola, Iowa. This motion was seconded by Board Member Amy Mitchell.

On voice vote: All ayes. Motion to approve was carried unanimously.

Consider request from Tim McFarland of 1708 West Euclid Avenue for a variance to permit construction of an accessory building that would not be in conformity to Section 165.10.2 of the Code of Ordinances, Indianola, Iowa.

Tim McFarland provided an overview

Tim McFarland said there are houses in town that are similar with approved variances

Bill Mettee asked how far it would be from the sidewalk

Tim McFarland said at least 25 feet

Bill Mettee asked about the foundation

Tim McFarland said it would have footings under it

Bill Mettee asked about objections from neighbors

Tim McFarland said there are none

Charlie Dissell said other homes have structures in the said yards this one is in the front yard

Motion was made by Board Member Bill Mettee to approve the request Tim McFarland of 1708 West Euclid Avenue for a variance to permit construction of an accessory building that would not be in conformity to Section 165.10.2 of the Code of Ordinances, Indianola, Iowa. This motion was seconded by Board Member Amy Mitchell.

On voice vote: Bill Mettee ayes. Amy Mitchell and Jim Sullivan nay. Motion to approve was denied.

The meeting was adjourned on a motion by Amy Mitchell seconded by Bill Mettee. On voice vote: All ayes.

Meeting adjourned at 6:45pm

Wes Sharp, Chairperson

Charlie E. Dissell

Board of Adjustments**5. A.****Meeting Date:** 11/04/2020

Subject

Consider request from Jake Vice for a variance at 2500 West 2nd Avenue to permit construction of a commercial structure that would not be in conformity to Section 165.09 (Special Requirements for Self-Service Storage Facilities in the C-2 Highway Commercial Zoning District) which states that the maximum building height shall be eighteen (18) feet.

Information

A variance is requested to allow a commercial self-service storage facility to be constructed at a height of 21 feet, that would not be in conformity to Section 165.09(Special Requirements for Self-Service Storage Facilities in the C-2 Highway Commercial Zoning District) which states that the maximum building height shall be 18 feet.

Attachments

Application
Staff Report

BOARD OF ADJUSTMENT APPLICATION

Community Development

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



PROPERTY OWNER

(Last Name) JAKE VICE
(First Name) JAKE
(Address) 2500 W 2ND AVE
(City) INDIANOLA (State) IA (Zip) 50125
(Phone) 515-422-6402 (Email) JAKE@VICECONCRETE.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 EXCEPTION

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
- ☐ Written narrative indicating the Section of Chapter 165 of the Code of Ordinances of Indianola, Iowa under which the special exception is sought and stating the grounds on which it is requested.
- ☐ Other Information as required by Director

☒ VARIANCE

Submittal Requirements:

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

- ☐ Property Address: 2500 W 2ND AVE
- ☐ 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 165.35(3)(A) 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 Jake Vice
Name (printed) JAKE VICE

Date 10-21-2020

FOR OFFICE USE ONLY:

Code to 45180

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



10/21/2020

To Whom it may concern,

In reference to the City's site plan review comment #7 regarding the current code which limits the mean building height to 18' high; I am requesting approval of this variance to allow a mean building height for our new building of approximately 21'. This building is being built for indoor climate-controlled RV Storage which is not available anywhere here in the surrounding area of Indianola and is in high demand. A 16' wall height is required for proper header construction to allow for a 14' tall overhead door.

We currently have customers who have reserved storage bays upon completion of the building whose RV's/trucks require a 14' tall overhead door. The building was designed with a 4/12 roof pitch which is a standard low-slope roof to reduce snow/rain run-off speeds as well as keep the roof peak height as minimal as possible. Please consider the necessity of this variance approval for the construction of our building to help resolve the demand for these indoor storage units in the area.

Sincerely,

A handwritten signature in blue ink that reads 'Jake Vice'. The signature is fluid and cursive, with the first name 'Jake' being more prominent than the last name 'Vice'.

Jake Vice - Owner
Vice Construction
2500 W 2nd Ave. Suite 1
Indianola, IA 50125
515-962-5194
Jake@viceconcrete.com



Community Development

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

Staff Report

Board of Adjustment

Date of Meeting: November 4th, 2020

Agenda Item: 5.A. Consider request from Jake Vice for a variance at 2500 West 2nd Avenue to permit construction of a commercial structure that would not be in conformity to Section 165.09 (Special Requirements for Self-Service Storage Facilities in the C-2 Highway Commercial Zoning District) which states that the maximum building height shall be eighteen (18) feet.

Application Type: Variance

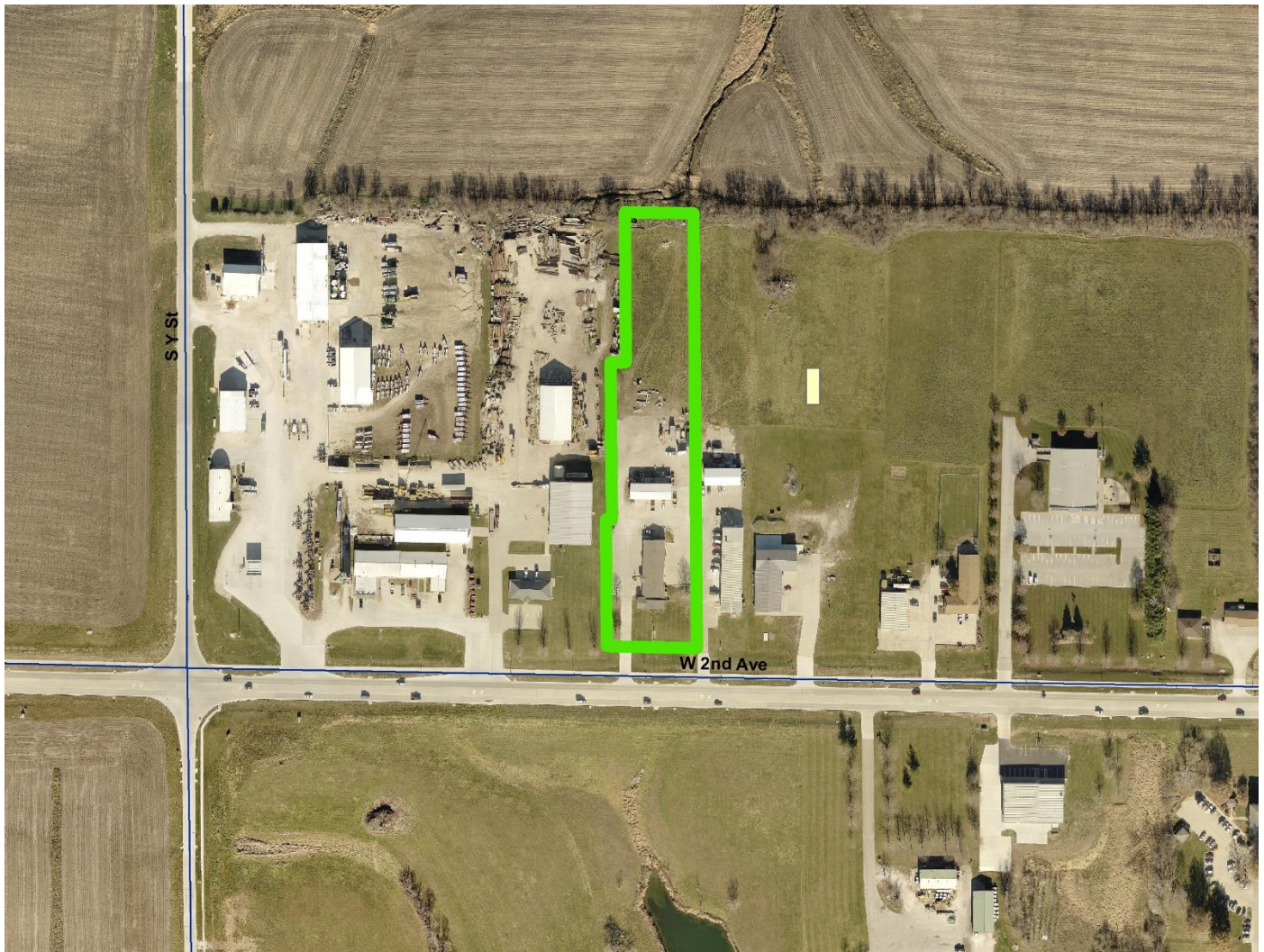
Applicant: Jake Vice

Property Address: 2500 West 2nd Avenue

Current Zoning: C-2, Highway Commercial Zoning District

Application Summary: A variance is requested to allow a commercial self-service storage facility to be constructed at a height of 21 feet, that would not be in conformity to Section 165.09(Special Requirements for Self-Service Storage Facilities in the C-2 Highway Commercial Zoning District) which states that the maximum building height shall be 18 feet.

AERIAL MAP



APPLICABLE CODE SECTIONS

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

165.35 POWERS AND DUTIES OF THE BOARD OF ADJUSTMENT. The Board of Adjustment has the following powers and duties:

3. Variances: Conditions Governing Application; 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 for 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.

165.09 SCHEDULES OF DISTRICT REGULATIONS.

The following schedules of district regulations are hereby adopted and declared to be a part of this chapter:

C-2	HIGHWAY COMMERCIAL	C-2
SPECIAL REQUIREMENTS FOR SELF-SERVICE STORAGE FACILITIES		
1. The maximum lot area shall be three (3) acres. 2. The maximum building height shall be eighteen (18) feet. 3. The maximum area per unit shall be six hundred (600) square feet. 4. When a self-service storage facility is adjacent to an A-1, R-1, R-2, R-3, R-4, R-5 or R-6 zoning district, the exterior of the building and landscaping shall be compatible to the rest of the residential area, and the facility shall use no wire fencing. 5. All areas subject to traffic shall have a hard surface. 6. The storage of radioactive materials, explosives, and flammable or hazardous chemicals is prohibited. 7. 7. The exterior storage of all kinds is prohibited. - (Ord. 1387 – Feb. 08 Supp.)		

ANALYSIS

On September 25, 2020, a site plan was submitted to add a 9,960 square foot self-service storage facility at 2500 West 2nd Avenue. The proposed facility is being built as an indoor climate-controlled building for the storage of recreational vehicles. As noted by the applicant, this type of storage facility is in demand as there is not such a type of storage facility in Indianola. As this building will store larger vehicles, a 16' sidewall is required to allow for a 14' overhead door. The proposed facility will have a 4/12 roof pitch, which will put the proposed building at a height of 21'.

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 approves 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 City of Indianola Board of Adjustment move alternative 1, approving the variance request as submitted.