

## ZONING BOARD OF ADJUSTMENT

APRIL 4, 2016

SPENCER, IOWA

The Zoning Board of Adjustment of the City of Spencer, Iowa, met in Regular Session on the 4<sup>th</sup> day of April, 2016, at 8:15 o'clock A.M., in the Council Chambers, City Hall, Spencer, Iowa, pursuant to law, to adjournment and to the rules of said Zoning Board of Adjustment.

The meeting was called to order by Vice Chairperson Steve Waller, and the roll being called, there were present:

PRESENT: Lykke, Waller, Harper, Peterson, Feldman

ABSENT: Baxter, Green

It was moved by Board Member Lykke, seconded by Board Member Peterson, to approve the minutes of the Zoning Board of Adjustment meeting on March 21, 2016, as printed and mailed. The motion was declared carried when all Board Members present voted aye on voice call vote.

The Board reviewed a request from **William Muller, 900 South Grand Avenue, Spencer Iowa**, with Mr. Muller present to speak to the Board. The request was for approval of a moving permit to relocate a 32' x 46' single story commercial building having a loaded height of 18.5' from 715 South Grand Avenue to 35 West 1<sup>st</sup> Street. The proposed route will exit 715 South Grand to 7<sup>th</sup> Street SW, thence east to South Grand Avenue, then north to West 2<sup>nd</sup> Street, thence west to the parking lot of General Machine Works near the intersection of 1<sup>st</sup> Avenue West, then south across the parking lot and alley to 35 West 1<sup>st</sup> Street, and locate at 35 West 1<sup>st</sup> Street; the East 68 feet of Lot 8, Auditor's Plat Number 2. There were written comments in favor of the project from Gene Wood owner of General Machine Works (see on file), and a Statement of Holdings from Farmers Bank (see on file). There were no other comments. It was moved by Board Member Lykke, seconded by Board Member Harper to approve the request as presented with route change of 7<sup>th</sup> Street SW, thence west to 1<sup>st</sup> Avenue SW, thence north to 4<sup>th</sup> Street SW, thence east to South Grand Avenue, thence north to West 2<sup>nd</sup> Street, thence west to General Machine Parking Lot, thence south to 35 West 1<sup>st</sup> Street, as requested by the applicant.

Upon roll call vote, the vote thereon was as follows:

AYES: Lykke, Waller, Harper, Peterson, Feldman

NAYS: None

The motion was declared carried.

The Board reviewed two requests from **Bill Caskey, 1701 2<sup>nd</sup> Avenue East, Spencer Iowa**, with Mr. Caskey present to speak to the Board. Both requests were for his property at 601 East 1<sup>st</sup> Street. Lot 9 and the West 5' of Lot 10, Block 4, Burgin's Addition.

The **first request** was for approval of a **moving permit** to relocate a 24' - 4" X 22' - 8" detached garage having a loaded height of 16' from 715 South Grand Avenue to 601 East 1<sup>st</sup> Street. The proposed route will exit 715 South Grand to 7<sup>th</sup> Street SW, thence west to 1<sup>st</sup> Avenue SW, thence north to 4<sup>th</sup> Street SW, thence east to South Grand Avenue, thence north to East Park Street, thence east to 6<sup>th</sup> Avenue East, thence north to 601 East 1<sup>st</sup> Street. Abutting property owners were present to address their concerns. Bill Muller, 900 South Grand Avenue, addressed the soundness of the garage structure. Karen Swancutt, 605 East 1<sup>st</sup> Street, had concerns about drainage issues, water pooling on property and where snow will accumulate onto her property, as well as the history of Caskey property being vacant & not well maintained. She was concerned about how long this project will take to complete, and at this time, would not be in favor of the move. She asked him to cover a hole near the house and it hasn't been done. There were no other comments. It was moved by Board Member Lykke, seconded by Board Member Harper to approve the request as presented subject to: Bill Caskey will make arrangements for any necessary tree trimming/pruning along the route with the approval of Park & Recreation

Director Del Bredehoeft; there will be a roof gutter installed on the east side of the garage, with drainage to the west; and the garage project (including concrete base, siding, gutter & landscaping) to be completed by July 1, 2016.

Upon roll call vote, the vote thereon was as follows:

AYES: Lykke, Waller, Harper, Peterson, Feldman

NAYS: None

The motion was declared carried.

The **second request** was for a variance to place a detached garage up to within 3' of the east property line (6' minimum in the A Residential zoning district), and up to within 17' - 6" of the west property line (25' minimum). There were no other comments. The hardship was determined to be the restriction in buildable area; corner lot. It was moved by Board Member Harper, seconded by Board Member Lykke to approve the request as presented.

Upon roll call vote, the vote thereon was as follows:

AYES: Lykke, Waller, Harper, Peterson, Feldman

NAYS: None

The motion was declared carried.

The Board reviewed a request from **Jeremy & Jennifer Jensen, 106 West 16<sup>th</sup> Street, Spencer Iowa**, with Mr. & Mrs. Jensen present to speak to the Board. The request was for a variance to construct a 14' X 13' - 7" garage addition up to within 5' of the west property line (6' minimum in the A Residential zoning district), and up to within 18' - 5" of the rear property line (20' minimum) at 106 West 16<sup>th</sup> Street. West 50 feet of Lot 1, Block 12, Cranston's Subdivision. There were written comments from Harriet Shriner, 106 West 16<sup>th</sup> Street (see on file). There were no other comments. The hardship was determined to be restricted buildable area on small lot. It was moved by Board Member Harper, seconded by Board Member Feldman to approve the request as presented.

Upon roll call vote, the vote thereon was as follows:

AYES: Lykke, Waller, Harper, Peterson, Feldman

NAYS: None

The motion was declared carried.

It was moved by Board Member Harper, seconded by Board Member Feldman to adjourn the meeting of the Zoning Board of Adjustment at 9:04 o'clock A.M. The motion was declared carried when all Board Members present voted aye on voice call vote.

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Vice Chairperson, Steve Waller

ATTEST:

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Theresa Reardon, City Clerk  
Secretary