

**ZONING BOARD OF ADJUSTMENT**  
**APRIL 17, 2017**  
**SPENCER, IOWA**

The Zoning Board of Adjustment of the City of Spencer, Iowa, met in Regular Session on the 17th day of April, 2017, 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 Chairperson Don Baxter, and the roll being called, there were present:

PRESENT: Baxter, Waller, Harper, Feldman

ABSENT: Lykke, Peterson, Vacant

It was moved by Board Member Waller, seconded by Board Member Harper, to approve the minutes of the Zoning Board of Adjustment meeting of November 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 **Bill Muller**, 900 South Grand Avenue, Spencer, Iowa, who was present to speak. The request was for a variance to construct an 18' x 10' **loading dock** up to the north property line (50' minimum in the C-2 Highway Commercial Zoning District) at **1019 South Grand Avenue**; Block 7, Green Acres Addition. Paul Rekow, 2110 370<sup>th</sup> Street, a volunteer at Many Hands Market was also present to help explain the project. There were no other comments. The hardship is that this building was constructed prior to when the current set-backs were established, which leaves very little remaining buildable area. It was moved by Board Member Waller, seconded by Board Member Harper to approve the request with the condition that 5' be added to the length of the ramp.

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

AYES: Baxter, Waller, Harper, Feldman

NAYS: None

The motion was declared carried. The Police Chief will be contacted regarding the possibility of having no parking posted on the south side of 10<sup>th</sup> Avenue SW from 1<sup>st</sup> to 2<sup>nd</sup> Streets SW.

The Board reviewed a request from **Luke Arnold**, **100 East 2<sup>nd</sup> Street, Spencer, Iowa**, who was present and spoke to the Board. The request was for a variance to construct a 12' x 12' **wood deck addition** up to within 4' of the east property line (6' minimum in the Central Business District) located at 100 East 2<sup>nd</sup> Street; Lot 9, Block 1, Original Plat. There were no other comments. It was moved by Board Member Harper, seconded by Board Member Waller to approve the request as presented with the hardship being a lack of buildable area on a corner lot.

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

AYES: Baxter, Waller, Harper, Feldman

NAYS: None

The motion was declared carried.

The Board reviewed two requests from **Todd Krukow, representing 1713 McNaughton Way LLC, 1501 35<sup>th</sup> Avenue West**. Kellie Beneke, 2012 22<sup>nd</sup> Ave. W., also with 1713 McNaughton Way LLC, was present to speak on Todd's behalf. Planning Director Kirby Schmidt explained the moving routes.

The first request was for a **moving permit** to move a 45' x 90' light manufacturing building having a loaded height of 25' from 1713 McNaughton Way to **1410 35<sup>th</sup> Avenue West**. The proposed route starts at 1713 McNaughton Way, thence west on West 18<sup>th</sup> Street to 35<sup>th</sup> Avenue West, thence south on 35<sup>th</sup> Avenue West to 1410 35<sup>th</sup> Avenue West; Lot 3, Block 1, Corn Belt Industrial Park Subdivision #2. There were no other comments. It was moved by Board Member Harper, seconded by Board Member Waller to approve the request.

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

AYES: Baxter, Waller, Harper, Feldman

NAYS: None

The motion was declared carried.

The second request was for a **moving permit** to move a 25' x 50' storage building having a loaded height of 22' from 1401 4<sup>th</sup> Avenue West (former Midstates building at the Clay County Fairgrounds) to **3816 West Milwaukee Street**. The proposed route starts at Gate E, on the west side of the Clay County Fairgrounds, thence north on 11<sup>th</sup> Avenue West to West 18<sup>th</sup> Street, thence west on West 18<sup>th</sup> Street to 38<sup>th</sup> Avenue West, thence south on 38<sup>th</sup> Avenue West to West Milwaukee Street, thence west on West Milwaukee Street to 3816 West Milwaukee Street; Lot 7, Corn Belt Industrial Park Subdivision #3. There were no other comments. It was moved by Board Member Waller, seconded by Board Member Feldman to approve the request.

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

AYES: Baxter, Waller, Harper, Feldman

NAYS: None

The motion was declared carried.

**Items for future agendas:**

- Park Department will be moving a gazebo from North School Park to the Aquatic Center

It was moved by Board Member Harper, seconded by Board Member Feldman to adjourn the meeting of the Zoning Board of Adjustment at 8:54 o'clock A.M. The motion was declared carried when all Board Members present voted aye on voice call vote.

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Chairperson, Don Baxter

ATTEST:

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Theresa Reardon, City Clerk  
Secretary