

ZONING BOARD OF ADJUSTMENT
June 5, 2023
SPENCER, IOWA

8:15 o'clock A.M.
Council Chambers, City Hall
101 West 5th Street, Spencer, Iowa

AGENDA

MANWARREN
PRENTICE

WALLER (chair)
BENEKE

MECHLER
BAXTER

MCALPINE (Vice Chair)

Pledge of Allegiance

ROLL CALL

1. MOTION ADOPTION

[Approve Minutes](#)

April 3, 2023

2. OLD BUSINESS

3. NEW BUSINESS

A. Request for Variance:

[USFPCO](#)

4706 Broadway, Suite 240

Kansas City, MO 64112

1. A variance to develop a lot that is 0.946 Acres (41,200 SF; 206 ft W x 200 ft D) that is less than minimum Zone F size and dimensions (5 acres req).
2. A variance to construct a new 92'-4"W x 114'-4"D x 25'-8" H commercial retail building up to within 10.3 ft to E (side) property line (50 ft req) & 25.8 ft to the N (rear) property line (50 ft req).

(Ref 9-7A-3) Development Regulations:

- A. *Minimum lot area: Five (5) acres.*
- B. *Maximum height: One hundred twenty feet (120').*
- C. *Front, side and rear yard setback: Fifty feet (50').*

At 425 W 18th St, Lot 1, Family Dollar First Addition to the City of Spencer, Clay County Iowa.
(Subject to approval by Planning & Zoning Commission 5-10-2023 & City Council Approval 5-15-2023)

B. Request for Variance:

**[Cheryl Woolery](#)
620 E 18th St
Spencer, IA 51301**

1. A variance to construct a new 8'-0"W x 6'-0"D porch within the front yard setback along E 10th St up to within 16 ft 8 inches to N (front) property line (25 ft req).
2. A variance to construct a new 8'-0"W x 6'-0"D porch within the front yard setback along 4th Ave E up to within 9 ft to W (front) property line (25 ft req).

(Ref 9-3-3) Development Regulations:

*D. Front Yard Setback: Twenty five feet (25') except as provided below:
On residential properties abutting North Grand Avenue north of Eleventh Street (11th Street) and south of Eighteenth Street (18th Street), the front yard setback shall be seventy five feet (75').*

OR

(Ref 9-2-2) Definitions:

YARD, FRONT SETBACK: The required space, unobstructed to the sky, open for the whole width of the lot extending from the nearest part of any building of the lot to the front lot line excluding cornices, eaves, gutters or chimneys projecting not more than thirty inches (30"), steps, bay window or similar features not extending through more than one story and which do not aggregate more than one-third (1/3) of the width of the frontage of the building, and vestibules not more than one story in height and extending not more than three feet (3') beyond the front wall of the principal building.

At **400 E 10th St, Lot 6, Block 8, College Addition** to the City of Spencer, Clay County Iowa.

4. OTHER BUSINESS

5. ITEMS FOR FUTURE AGENDAS

6. MOTION TO ADJOURN

XC: Dan Gifford, City Manager
Brian Weuve, Finance Dir/City Clerk
Mayor, Steve Bomgaars
Don Hemphill, City Attorney
Mary Beth Breidinger, Dep. City Clerk
Mark White, Public Works Dir.
Mark Krieg, Assistant PW Director

Dane Ross, Building Services Official
Spencer Municipal Utilities
Mediacom Cable
KUYR Radio
Daily Reporter
KICD/KIGL

Please call City Hall 580-7200 if
you are unable to attend the
meeting.

Adam Severson, Planning Director
Anna Harmon, Building Code Official

Note: Some members may participate by telephone, per Section 21.8 of the Code of Iowa