

Notice is hereby given that the Board of Adjustment for the City of Grinnell will conduct a public hearing at 12:00 p.m. on Friday, October 9, 2020.

This meeting will be held remotely on zoom and can be accessed by visiting the following link

<https://zoom.us/j/98262279351?pwd=RDNzS3FObUpPcHZITjJWWDg5VHBIdz09>

Meeting ID: 982 6227 9351 Passcode: 12345

Board of Adjustment Agenda

October 9, 2020

12:00 Noon

Roll Call: Grant _____, Hatting _____, Burnell _____, Johnson _____, Hammen _____.

APPROVAL OF AGENDA:

APPROVAL OF MINUTES: January 24, 2020 Meeting Minutes

COMMUNICATIONS:

NEW BUSINESS:

1. Review an application from Myron and Kimberly Herzberg of 1605 Reed St to the Board of Adjustment to approve a variance to the rear yard requirement. The applicant requests the rear yard setback be reduced from 35' to 21' to allow for an addition onto the existing dwelling.

ADJOURN:

P. S. Please let us know at 236-2600 if you cannot attend so we can be sure we have a quorum.

Notice is hereby given that the Board of Adjustment for the City of Grinnell will conduct a public hearing in the City Council Chambers, 520 4th Avenue, Grinnell, Iowa at 12:00 Noon, Friday, January 24, 2020.

MINUTES OF THE BOARD OF ADJUSTMENT

Special-Use Permit 20-1

January 24, 2020

The meeting was called to order by Chairperson Grant at 12:14pm.

Roll Call: Hatting A, Van Tomme P, Johnson A, Hammen P

Also present: Tyler Avis. Jamison Brus.

APPROVAL OF AGENDA:

VanTomme motioned to approve the agenda. Hammen seconded the motion. The Agenda was approved unanimously.

APPROVAL OF MINUTES:

Grant asked if any changes were needed of the minutes. None were observed. Hammen made a motion to approve the minutes, VanTomme seconded the motion. The Minutes were approved unanimously.

COMMUNICATIONS:

Grant requested if there were any communications. Avis explained that that the Planning and Zoning Commission made a recommendation to the Board to disapprove the Special-Use Permit request. Avis provided the Board with copies of the minutes of the Commission meeting and read the staff report as written.

NEW BUSINESS:

1. Election of Officers– Chair, Vice Chair, and Secretary to be decided at first meeting of the year.

Election of Chairperson: Hammen nominated Grant as Chair. VanTomme seconded the motion. Motion passed unanimously.

Election of Vice-Chairperson: VanTomme nominated Hammen. Grant seconded the motion. Motion passed unanimously.

Election of Secretary. The Board elected to maintain Tyler Avis as the Board Secretary.

2. Review the recommendation from the Planning and Zoning Commission of a request from Jim & Darlis Hawkins of 2006 Jewel Drive to approve the construction of a telecommunication tower at 2006 Jewel Drive, and make a decision to either approve, or not, a special-use permit for a telecommunications tower at this site. The

telecommunication tower is intended to be utilized for private use and not general broadcasting.

Chairperson Grant asked if anyone would like to speak either for or against the request.

Karen Schmidt stated she was at the Commission meeting and that she was representing the Homeowner Association of the interior lots and that her and 20 other owners were opposed to the special-use permit being granted.

Dave VanderLinden stated that he had confirmed with the owners of the 28 exterior lots and the majority of them also expressed they are in opposition to the request.

Julie Gosselink stated that she was also against the request.

Jim Hawkins, stated that the diameter of the pole is less than what was anticipated, roughly the same size as a flag pole, and that it could be placed closer to the house and also be shorter as an option if the Board was willing to consider.

Mr. Hammen stated that because of the opposition in the neighborhood as well as the recommendation from the Commission to deny the request, he feels that the Board should strongly consider the input being provided, and that this may not be a location where a telecommunications tower is appropriate.

Mr. Hammen motioned to deny the request for a special-use permit at 2006 Jewel Dr for a telecommunications tower to be installed. Ms. VanTomme seconded the motion. Roll call vote was as follows: Grant Yes, Van Tomme Yes, Hammen Yes. The motion was passed unanimously.

3. Review a variance request from Jim & Darlis Hawkins of 2006 Jewel Drive to permit a telecommunications tower located on the property to be 30' tall, which exceeds the maximum height allowed of an accessory structure located at this property based on the height of the principal building.

Chairperson Grant stated that since the special-use permit was denied, no variance is possible.

ADJOURN: VanTomme moved to adjourn the meeting. Hammen seconded the motion. The motion was passed unanimously at 12:30 p.m.

TERESE GRANT, CHAIR

ATTEST:



TYLER AVIS, SECRETARY

MEMORANDUM TO THE BOARD OF ADJUSTMENT

September 17, 2019

12:00 p.m.

Approval of January 24, 2020 Meeting Minutes

OLD BUSINESS:

None

NEW BUSINESS:

1. Review an application from Myron and Kimberly Herzberg of 1605 Reed St to the Board of Adjustment to approve a variance to the rear yard requirement. The applicant requests the rear yard setback be reduced from 35' to 21' to allow for an addition onto the existing dwelling.

Findings of Staff

1605 Reed St is a fully developed lot within a fully developed neighborhood and is zoned as R-1: Single Family. The applicants submitted an application for a building permit that was denied because the proposed porch addition, which would tie into the west side of the existing structure, would reduce the rear yard setback from the minimum of 35' to 21'. The applicants were informed that they may seek a variance to the rear yard setback and they then completed the appeal form and the meeting was scheduled for the request to be heard by the Board.

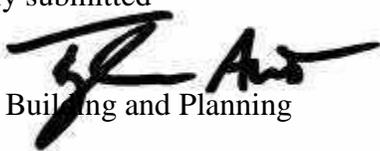
You are further notified that the time and place of the public hearing will be Friday October 9, 2020 at 12:00 p.m.

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Meeting ID: 982 6227 9351 Passcode: 12345

Respectfully submitted

Tyler Avis
Director of Building and Planning



APPEAL TO THE
BOARD OF ADJUSTMENTS

Appeal # _____
Date: 08.03.2020

I (We), Myron and Kimberly Herzberg of 1605 Reed Street
Name Address

respectfully request that a determination be made by the Board of Adjustment on the following appeal, which was denied by the Enforcing Officer on 7.30, 20 20.

It is an interpretation.

It is an appeal for an interpretation of Section _____ of the ordinance or map.

It is a special use permit required under Section _____ of the ordinance on which the Board of Adjustment is required to act.

It is a request for a variance relating to the _____ use, _____ area, _____ frontage, _____ yard or _____ as required by Section _____ of the ordinance.

Remarks: We request a variance to add a 14x20' screened porch to the west side of the garage.

The premises affected are located at 1605 Reed Street in Zone District R-1 Single Family.
Legal description of property involved in this appeal: Stokers 1st Lot 1 Block 11

Has any previous application or appeal been filed in connection with these premises? no

What is the applicant's interest in the premises affected? owners

What is the approximate cost of the work involved? \$20,000

Explanation of purpose to which property will be put: personal use

Plat plan attached Yes _____ No.

Ground plan and elevations attached _____ Yes No. If no, explain: Once we know we are permitted to add a porch to our property, we will pursue the details with the contractor.

A variance from the zoning chapter will not be granted unless: (Check Boxes)

- 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; and
- 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; and
- That the special conditions and circumstances do not result from the actions of the applicant; and
- 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 lands, structures, or buildings in other districts shall be considered to be grounds for the issuance of a variance.

I (We) further state that if this request is granted, I (we) will proceed with the actual construction in accordance with the plans herewith submitted within six months from date of filing this appeal; will complete work within 1 1/2 year(s) from said date; and that I am able from a financial, legal, and physical basis.

Myim D. Higley
Kimberly Herzberg
Signature(s) of Applicant(s)

FOR USE OF BOARD OF ADJUSTMENT ONLY

Date hearing advertised 8/6/2020 ; Date of hearing 8/21/2020

Fee paid (\$25.00) – Receipt No. 00410188

Decision of the Board of Adjustment _____

Reasons:

1. _____

Other remarks:

BOARD OF ADJUSTMENT

Note: In no way is this to imply that the Board of Adjustment will grant the variance, or special use asked for.

BY: _____
Secretary

Parcel Lines may be up to 6' off

1610

1611

82

1604

1605

90

134.5

11TH AVE



BUILDING PERMIT APPLICATION

City of Grinnell, Iowa

Applicant to complete numbered spaces only.

1. JOB ADDRESS 1605 Reed Street					
LEGAL DESCR Stokers	LOT NO. 1st Lot 1	BLK. 11	TRACT		
2. OWNER Myron and Kimberly Herzberg		MAILING ADDRESS 1605 Reed Street		PHONE (515) 290.1534	
3. CONTRACTOR Dwight Keenan		MAILING ADDRESS 3268 E. 140th Street N Grinnell, IA 50112		PHONE (641) 990.0684	
4. ARCHITECT OR DESIGNER N/A		MAILING ADDRESS		PHONE	
5. USE OF BUILDING: personal					
6. CLASS OF WORK: <input type="checkbox"/> NEW <input checked="" type="checkbox"/> ADDITION <input type="checkbox"/> ALTERATION <input type="checkbox"/> REPAIR <input type="checkbox"/> MOVE <input type="checkbox"/> REMOVE					
7. DESCRIBE WORK: 14x20 screened porch added to west side of garage.					
8. VALUATION OF WORK \$20,000		PLAN CHECK FEE		PERMIT FEE	
TYPE OF CONSTRUCTION Wood		SIZE OF BUILDING (TOTAL SQ. FT.) 280 sq. ft.		USE ZONE	
OCCUPANCY GROUP family - Herzberg		NO. OF STORIES N/A		OFF STREET PARKING SPACES N/A	
9. SIGNATURE OF OWNER OR AUTHORIZED AGENT Kimberly Herzberg				DATE	
<p>The above signed acknowledges City Council approval is needed Prior to construction for any Urban Revitalization Tax Exemption.</p> <p>SITE PLAN (Dimensions from property line to Foundation)</p> <p style="font-size: 1.2em;"><i>herz home w/ lawn kitchen net</i></p>					
WHEN PROPERLY VALIDATED (IN THIS SPACE) THIS IS YOUR PERMIT					
PERMIT FEE	ADD. FEES & PENALTIES	TOTAL FEES	VALIDATION	DATE	RECEIPT #



September 17, 2020

Re: Board of Adjustment Meeting

I want to let you know that a Board of Adjustment meeting has been set for Friday, October 9, 2020 at 12:00 p.m.

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The Board will review an application from Myron and Kimberly Herzberg of 1605 Reed St to the Board of Adjustment to approve a variance to the rear yard requirement. The applicant requests the rear yard setback be reduced from 35' to 21' to allow for an addition onto the existing dwelling.

Please let me know as soon as possible if you will not be able to attend this meeting since we want to be sure to have a quorum.

Sincerely,

Tyler Avis
Director of Building and Planning

CITY OF GRINNELL
520 Fourth Avenue
Grinnell, Iowa
50112-1947
Phone: 641-236-2600
Fax: 641-236-2626

MAYOR

DAN F.
AGNEW
dagnew@grinnelliowa.gov

CITY COUNCIL

BYRON HUEFTLE-WORLEY
At-Large

JIM WHITE
At-Large

JULIE HANSEN
1st Ward

JO WRAY
2nd Ward

RACHEL BLY
3rd Ward

SONDRA BURNELL
4th Ward

ADMINISTRATION

RUSSELL L.
BEHRENS
City Manager
RBehrens@
grinnelliowa.gov

P. KAY CMELIK
City Clerk/Finance Director
Kcmelik@grinnelliowa.gov

WILLIAM J.
SUEPPEL
City Attorney
billjs@mearndonlaw.com

Visit us at
www.grinnelliowa.gov



September 17, 2020

Dear Property Owner:

CITY OF GRINNELL
520 Fourth Avenue
Grinnell, Iowa
50112-2043
Phone: 641-236-2600
Fax: 641-236-2626

MAYOR

Dan Agnew
mayor@grinnelliowa.gov

CITY COUNCIL

BYRON HUEFTLE-WORLEY
At—Large

JIM WHITE
At—Large

JULIE HANSEN
1st Ward

JO WRAY
2nd Ward

RACHEL BLY
3rd Ward

SONDRA BURNELL
4th Ward

ADMINISTRATION

RUSSELL L.
BEHRENS
City Manager
citymanager@
grinnelliowa.gov

WILLIAM J.
SUEPPEL
City Attorney
billjs@mearndonlaw.com

P. KAY
CMELIK
City Clerk
cityclerk@grinnelliowa.gov

Visit us at
www.grinnelliowa.gov

An application from Myron and Kimberly Herzberg of 1605 Reed St to the Board of Adjustment to approve a variance to the rear yard requirement has been received. The applicant requests the rear yard setback be reduced from 35' to 21' to allow for an addition onto the existing dwelling.

You are receiving this notice because you are located within 200 feet of the property this special use permit application pertains to.

The meeting regarding this application will be discussed at the Board of Adjustment meeting at 12:00 p.m., on Friday, October 9, 2020.

This meeting will be held remotely on zoom and can be accessed by visiting the following link

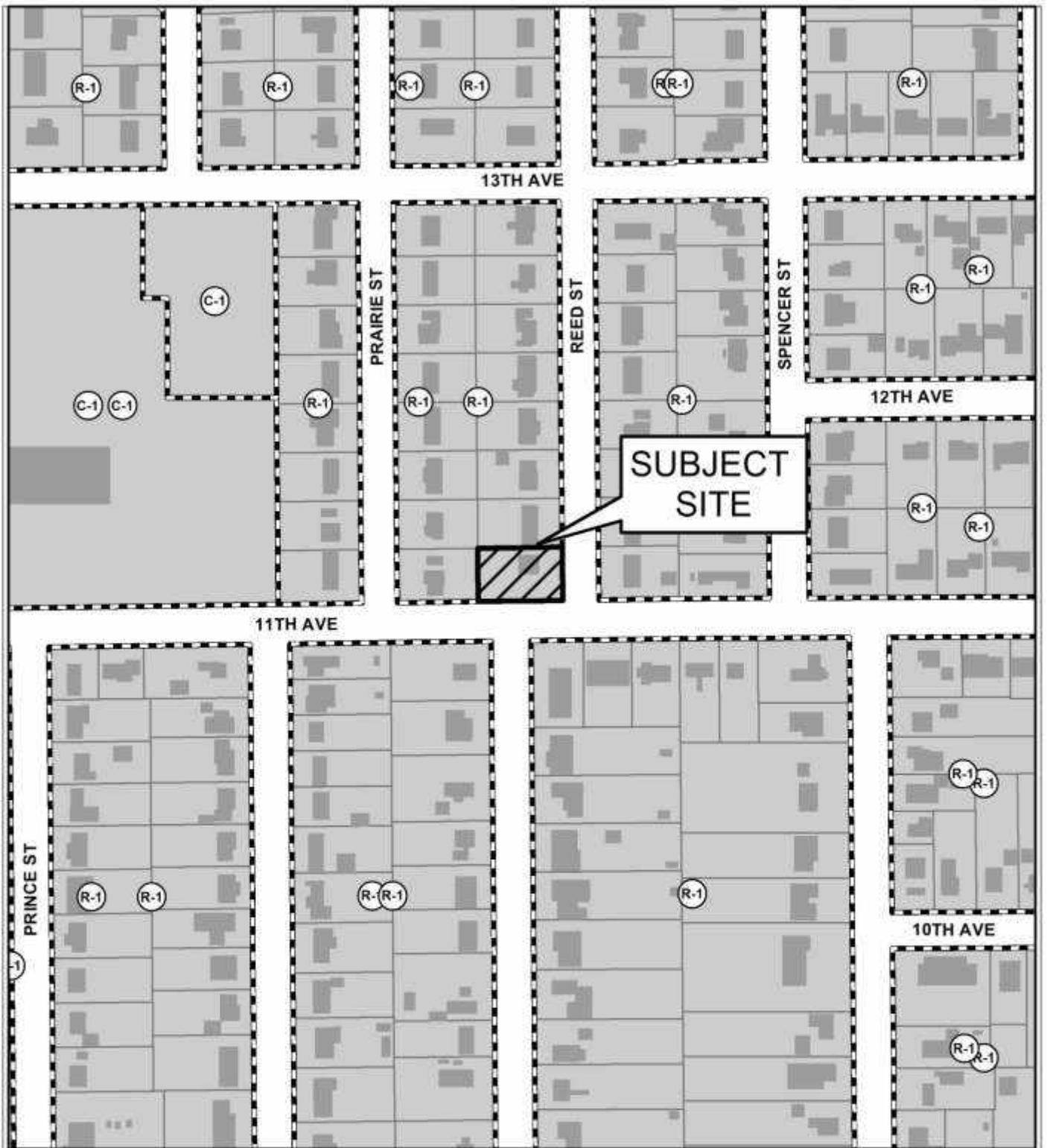
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You may submit your views on this application in person, by letter, or by a representative at the meeting.

Sincerely,

Tyler Avis
Planning and Zoning Commission Secretary
Director of Building and Planning



Herzberg Variance Request



Parcels
 Building Footprint

City of Grinnell Zoning



Parcel Data Source: Poweshiek County Assessor
 Created By: The City of Grinnell - Building & Planning Department: TA

Date: 08/04/2020



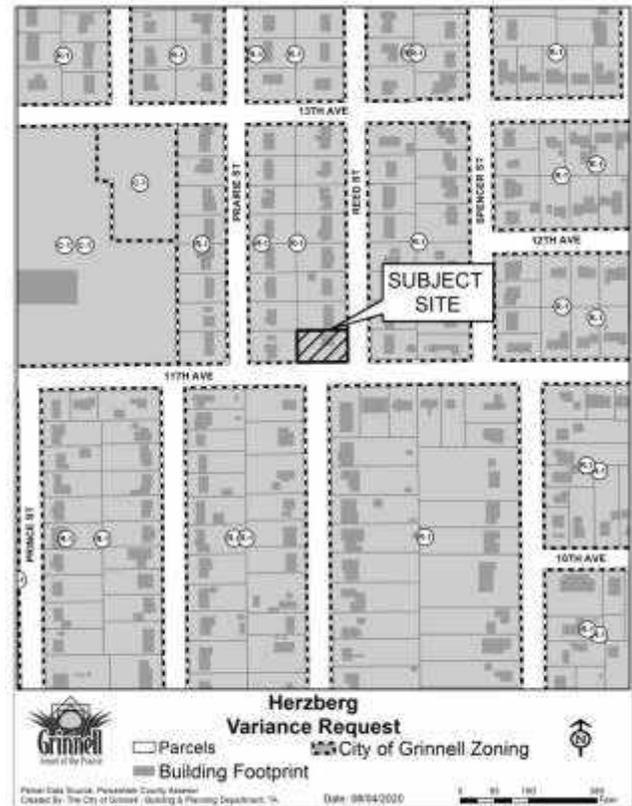
**BOARD OF ADJUSTMENT
NOTICE OF PUBLIC HEARING**

Notice is hereby given that an application has been received from Myron and Kimberly Herzberg of 1605 Reed St to the Board of Adjustment to approve a variance to the rear yard requirement. The applicant requests the rear yard setback be reduced from 35' to 21' to allow for an addition onto the existing dwelling.

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Tyler Avis
Director of Building & Planning

Legal Notice
Publish: 9-21-2020



<https://zoom.us/j/98262279351?pwd=RDNzS3FObUpPcHZITjJWWDg5VHBIIdz09>

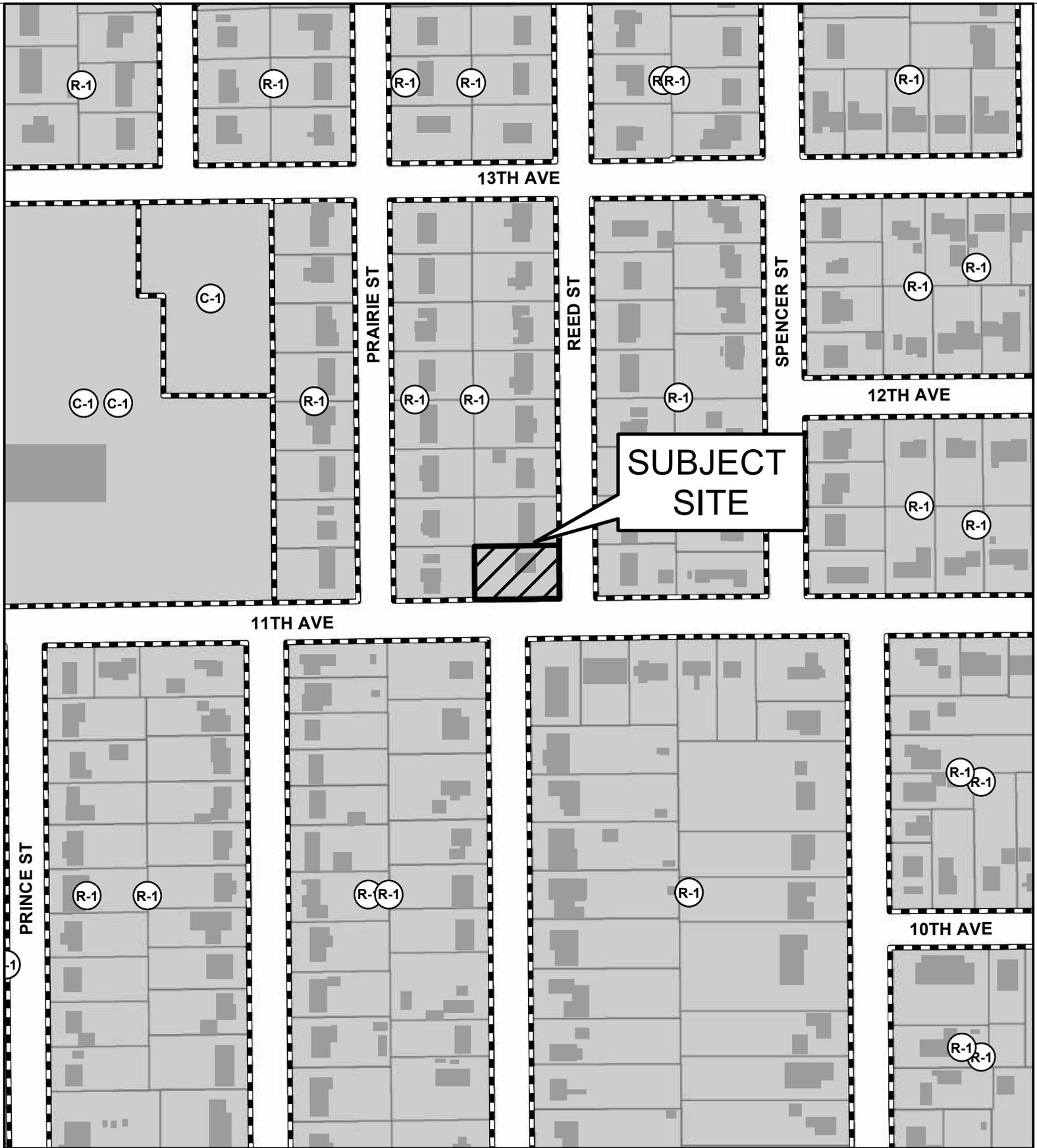
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PUBLIC NOTICE

The Board of Adjustment of the City of Grinnell will meet on October 9, 2020 at 12:00 p.m. to review an application from Myron and Kimberly Herzberg of 1605 Reed St to the Board of Adjustment to approve a variance to the rear yard requirement. The applicant requests the rear yard setback be reduced from 35' to 21' to allow for an addition onto the existing dwelling. The meeting will be held on zoom and can be accessed here:

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Herzberg Variance Request

- Parcels
 - City of Grinnell Zoning
- Building Footprint

