## BOARD OF ADJUSTMENT MINUTES May 9, 2016 City of Waverly, Council Chambers, City Hall, 200 1<sup>st</sup> St. NE, Waverly, Iowa

## A. Call to Order: 7:05

1. Members Present: Pete Lampe, Chair; Linda Brandt; Vern Gidley

Members Absent: Al Charlson; Karla Shea, Vice-Chair

Staff Present: Ben Kohout, Zoning Specialist, Secretary; Tim Kangas, Council Liaison

2. Motion By: Gidley Seconded By: Brandt

Move that the agenda be approved as printed.

Yes: 3 No: 0 Absent: 2

B. Approval of Previous Minutes:

Motion By: Gidley Seconded By: Brandt

Move that the minutes of the September 14, 2015, Board of Adjustment meeting be approved.

Yes: 3 No: 0 Absent: 2

C. Communications:

Planning and Zoning Commission –April 7, 2016 PZ Commission Meeting Minutes; April 7, 2016 Res. District Committee Workshop Discussion; May 5, 2016 PZ Commission Agenda

- D. <u>Regular Business:</u>
  - 1. Case # 20160501, Variance governing the size requirements for a new detached accessory use storage building at 810 17<sup>th</sup> Avenue SE, Waverly.
    - a. The Applicant's Requested Zoning Variance:

Wayne Lageschulte, property owner at 810 17<sup>th</sup> Ave. SE, Waverly, Iowa, is requesting a variance to the zoning regulations governing the size requirements for a proposed 20 foot by 21 foot (420 square foot) metal sided shed on his property. The variance requested is from The existing 4,672 square feet of detached accessory building area, inclusive of barns, to the proposed 5,092 square feet.

b. The Zoning Regulations State:

Per City Code, the requirements call for all accessory use structures within the City limits be no greater than 2,000 square feet for properties greater than one acre. See Code of Ordinances Section 100.4.06, Accessory Building and Breezeway Requirements.

c. Interested Property Owners:

Mr. Kohout confirmed for the Board no correspondence was received on this request.

d. Discussion:

Mr. Lampe opened the public hearing.

Mr. Kohout presented the Waverly aerial and zoning maps of the property and gave the Board an overview of what is being requested. Mr. Kohout confirmed the zoning on the property is A-1, Agricultural and farming operations are permitted, but the amount of accessory use storage is limited in this size property to 2,000 square feet. Mr. Kohout explained this is the case when a residence is on the same property as the requested accessory building and he interprets the zoning ordinance in this fashion and the structure proposed would be accessory to the residential structure use on the property.

Mr. Wayne Lageschulte, property owner and applicant, addressed the Board. Mr. Lageschulte explained he is seeking a variance to the regulations governing storage for his property due to a need to store agriculture based equipment. Mr. Lageschulte explained he raises beef cattle and requires additional space to store equipment as the current structure on the adjacent property to the south will no longer be available to him as that property is being sold. Mr. Lageschulte stated the proposed location would be east of the current detached garage located south of the residence on his property. Mr. Lageschulte confirmed for the Commission the other buildings on the property are currently set up to house livestock and the farming operation usage, not necessarily for storage he is seeking. Mr. Lageschulte could not confirm for the Board future plans for the current accessory use structures on the south adjacent property.

Member Brandt confirmed the A-1 zoning district standards and accessory size standards applicable to this property with Mr. Kohout.

Member Gidley stated support of the request due to the agricultural nature of the storage space being requested. Mr. Gidley stated he believes the nature of the request fits with the hardship criteria set forth in that the request is for accessory storage dedicated to housing agricultural based equipment and not further increasing livestock housing space.

Member Lampe stated the history of this area of the community and noted the agricultural usage which used to be done on the adjacent south and west properties.

*e. Motion by the Board:* 

Motion By: Brandt

Seconded By: Lampe

Move to allow for the new accessory structure to be constructed at 20 feet by 21 feet and to bring total accessory buildings up to 5,092 square feet.

Yes: 3 No: 0 Absent: 2

- E. Old Business:
- 1. The Board discussed election of officers as the Code requires the first meeting in the even years the time and place to determine officers. The Board decided to conduct the election when the others were present and the next Board of Adjustment meeting to be the time and place to determine officers.
- F. <u>New Business:</u>
- 1. Mr. Lampe stated the ISU Extension conducted a training session in which members of the Planning and Zoning Commission and Secretary Kohout attended which was well-received and would invite others to attend in the future.
- G. Adjournment:

Motion By: GidleySeconded By: BrandtThat the Board of Adjustment meeting be adjourned.Yes: 3No: 0Absent: 2Meeting adjourned at 7:25 pm.Respectfully Submitted,Ben Kohout, Secretary