



**City of Oskaloosa
Board of Adjustment
Council Chambers
City Hall, 220 S. Market Street
Oskaloosa, IA 52577
Agenda
July 28, 2015
5:00PM**

1. Call to Order/Roll Call

Chair
Murry _____
Members
Campbell _____
Sparks _____
Hansen _____
Phillips _____

2. Approval of Minutes

A. Approval of the minutes for the June 23, 2015 meeting

Documents: [BOA MIN 6-23-2015.DOCX](#)

3. Communications (Oral Or Written Information In Regard To The Meeting)

4. New Business

A. Consider a variance request for the property located at 1404 15th Avenue West to allow the building of a garage addition 27 feet 7 inches from the front yard property line.

Documents: [1404 15TH AVE W AGENDA.DOC](#), [1404 15TH AVE W APPLICATION.PDF](#), [1404 15TH AVE W VARIANCE.PDF](#), [RESOLUTION_1404 15TH AVE W.DOCX](#), [RESOLUTION_1404 15TH AVE W-DENIED.DOCX](#), [TABLE 17.08C.PDF](#)

B. Consider a variance request for the property located at 716 South M Street to allow the building of an attached garage 18 feet 3 inches from the front yard property line.

Documents: [716 SOUTH M STREET AGENDA.DOC](#), [716 SOUTH M ST APPLICATION.PDF](#), [RESOLUTION_716 SOUTH M ST.DOCX](#), [RESOLUTION_716 SOUTH M ST- DENIED.DOCX](#), [TABLE 17.08C.PDF](#)

5. Adjournment

NOTICE: If you require special accommodations, please contact the City

Manager's Office at least 24 hours prior to the meeting at (641) 673-9431

CITY OF OSKALOOSA
MINUTES OF THE BOARD OF ADJUSTMENTS MEETING
June 23, 2015

The meeting of the Board of Adjustments for the City of Oskaloosa was called to order at 5:02 pm on Tuesday, June 23, 2015 by Chairperson Perry Murry at the City Hall Council Chambers 220 S. Market St. Oskaloosa, Iowa.

BOARD MEMBERS PRESENT: Perry Murry, Russell Sparks, James Hansen and Wyndell Campbell; BOARD MEMBERS ABSENT: Lloyd Phillips; CITY STAFF PRESENT: Wyatt Russell, Amie Roberts; PUBLIC PRESENT: applicant; Jennifer Sheets.

Minutes from the April 28, 2015 Board of Adjustment meeting. Hansen moved and Sparks seconded to approved the minutes of the April 28, 2015 Board of Adjustment meeting as presented.

Vote: YES: Murry, Hansen, Campbell and Sparks; NO: None; ABSTAIN: None; ABSENT: Phillips.

Unfinished Business Item: Consider a Conditional Use Permit request to construct a convenience storage located at 132 Pella Avenue

The Board reviewed the application for the conditional use permit request. Russell explained the stipulations that the applicant was requesting. Board members discussed that the site plan should have been included in the agenda packet, discussed that not a lot of properties don't have concrete drives. The flow of traffic going in and out of the storage units and storage unit facilities in the area are full and the fact that vehicles are sitting on properties that could be in storage units was also discussed. With no further discussion, Campbell made a motion to approve the stipulations as on the agenda and reiterate the waiver of requirements for the buffer zone from the East & Northeast side of the property Hansen Seconded the motion;

Vote: YES: Murry, Sparks, Hansen, Campbell; NO: None; ABSTAIN: None; ABSENT: Phillips

With no further business, Campbell made a motion to adjourn the meeting at 5:17 PM.

Minutes by Amie Roberts



Board of Adjustment Commission
Meeting Date: July 28, 2015
Requested By: Public Works Dept.

Item Title:

Consider a variance request for the property located at 1404 15th Avenue West to allow the building of a garage addition 27 feet 7 inches from the front yard property line.

Explanation:

Mr. Stephen & Sheryl Stam have submitted a variance request application to build a garage addition 27 feet 7 inches from the front yard property line located at 1404 15th Avenue West. The property is zoned Single- Family Residential (R-1) District. This is a request for a variance of the Oskaloosa Municipal Code Table 17.08C Summary of Site Development Regulations. In an R-1 District, the minimum front yard setback is 30 feet.

STAFF RECOMMENDATION:

Staff recommends that the Board of Adjustment Deny the variance request

ALTERNATIVE ACTIONS:

1. Approve the requested variance.
2. Other actions as determined by the Board of Adjustment

Budget Consideration:

\$100.00 for application fee

Attachments:

Application, Resolution, Location Map, Oskaloosa Municipal Code Table 17.08C

VARIANCE REVIEW AND DETERMINATION OF HARDSHIP
FOR BOARD OF ADJUSTMENT

APPLICANT: Stephen and Sheryl Stam

ADDRESS: 1404 15th Avenue West, Oskaloosa, IA 52577

VARIANCE REQUESTED: Request that the proposed garage addition be built even with the existing garage which is 27' 7" from the front property line.

1) Do special conditions or circumstances exist which are peculiar to this building, lot, or structure which are not applicable to others in the area?

A) Topography	<u>YES</u>	<u>NO</u>
1) Ravines/Hills	___	<u>X</u>
2) Rock Outcroppings	___	<u>X</u>
3) Waterways	___	<u>X</u>
4) Soil Type	___	<u>X</u>
5) Shape of Lot (applicable if lot platted before 1973)	___	<u>X</u>
B) Significant Trees or Shrubs	___	<u>X</u>
C) Other (list) _____		

2) Does literal interpretation of the Ordinance deprive applicant of rights commonly enjoyed by other properties in the area?

X

A) Is requested variance of this type common to others in area?

X ___

3) Do special conditions exist which do not result from actions of the applicant?

A) Was applicant the original builder of the structure?

___ X

B) Has the applicant sold parcels of property from original parcel or otherwise Altered the property to create the special condition?

___ X

C) Is an alternate construction site available on lot or property owned?

___ X

D) Was a variance granted for original structure?

___ X?

4) Would granting of the variance confer special privileges previously denied to others?

A) Is requested variance common to others in the area?

? ___

B) Has requested variance been denied to others in the same district?

___ ___ ?

5) Any extenuating circumstances or findings must be listed on the back of this form.

NOTICE OF APPEAL
And
APPLICATION FOR VARIATION

TO THE BOARD OF ADJUSTMENT OF THE CITY OF OSKALOOSA, IOWA:

You are hereby notified that the undersigned owner(s) of the following described premises situated in the City of Oskaloosa, Iowa, to-wit:

Legal Description: The West One-half of Lots Three and Four of Whitlatch's
Second Addition to the City of Oskaloosa, Iowa

Street Address: 1404 15th Avenue West, Oskaloosa, IA 52597

do(es) hereby appeal from the denial by the Building Inspector of Oskaloosa, Iowa, of his/her application for a building permit filed with said Building Inspector on the 8th day of June, 2015, under which the undersigned seek(s) permission to:

build a garage addition 27' 7" from the front property
line which would make the new garage stall addition
even with the existing garage.

and do(es) hereby apply for a variation in the regulations applicable to said premises under the Oskaloosa Zoning Ordinance which would permit the issuance of a permit for the purpose above set forth. The variation requested involves the provisions of Section 17, Paragraph _____, Sub-paragraph Table 17.08C of said Ordinance which requires that

In an R-1 district the minimum front yard
setback is 30 feet

In support of said application the undersigned state(s) that either or both of the following grounds for variation exists:

The depth, width, shape or topographical condition of the property or other extraordinary or exceptional situation prohibits the use of said property in a manner reasonably similar to that of other property in the district.

(explain) Apparently, our house was built before the 30' from the front property line ordinance was in effect. We would like our new garage addition to be even with our existing garage so that our house will look like the other houses on our street, which, with one exception, have two car garages, none of which have off set garage doors.

Denial of a permit will work a hardship on the undersigned.

(explain) A denial would mean the loss of nearly two and a half feet of garage space which in this modest addition would make a tight fit for our truck. Because the garage addition narrows to 8' on the south end, we would have 17' to park our nearly 17' long truck.

WHEREFORE, the undersigned request(s) that the Board fix the date and place for hearing upon this appeal and application for variation and that upon said hearing the decision of the Building Inspector be reversed or revised and that the variation applied for be granted and that the issuance of said building permit be ordered.

Date this 2nd day of July, 2015.

Stephen Stam

General Information

The Board of Adjustment meets on Tuesday, following the 4th Monday of each month. The Board shall provide no less than 4 days and no more than 20 days notice of public hearing on any question before it. Appeals must be filed at least two weeks prior to the public hearing date.

An appeal fee of \$100.00-residential and \$200.00-commercial shall be paid to the City prior to filing the appeal. This fee is non refundable.

Written testimony or evidence (such as affidavit of person knowing material facts) shall be attached to and filed with Notice of Appeal and Application for Variation.



City of Oskaloosa

Engineering/Building Department

BUILDING PERMIT APPLICATION

Wyatt Russell
Building Official
wyatt.russell@oskaloosaiowa.org
City of Oskaloosa, Iowa
Phone 641-673-7472
Fax 641-673-3733

Job Site Address: 1404 15th Ave. W, Oskaloosa Date of Application 6-08-15

Owner's Name: Stephen + Sheryl Stam Phone Number: 673-3907 / cell: 641-670-1060

Owner's Address: 1404 15th Ave. W., Oskaloosa

Valuation of Work: \$ 76,800

Description of Work: Add 24' x 16' addition to back of house. Attach new 12' x 16' deck to new addition with 10' x 10' gazebo on SE corner of deck. Add 11' 4" addition on east side of house to add 2nd garage stall, widen driveway.

Contractor Information:

General Contractor: Name Same as Below Lic. # _____

Address: ↓ Phone # _____ Exp. Date: _____

Carpenter: Name Kent Johannes Lic. # _____

Address: 1605 Edmundson Dr. Phone # 641-455-9691 Exp. Date: _____

Electrician: Name Wade Francis Lic. # _____

Address: _____ Phone # _____ Exp. Date: _____

Plumber: Name N/A Lic. # _____

Address: _____ Phone # _____ Exp. Date: _____

HVAC: Name Brynd Johnson Lic. # _____

Address: _____ Phone # 641-673-0888 Exp. Date: _____

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of the laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any State or local law regulating construction or the performance of construction.

Signature of Applicant Stephen Stam Date: 6-08-15

Print Name: Stephen Stam

This permit becomes null and void if work is not commenced within 120 days, or if the work is suspended or abandoned for a period of 120 days at any time after work is commenced.

ADMINISTRATION ONLY

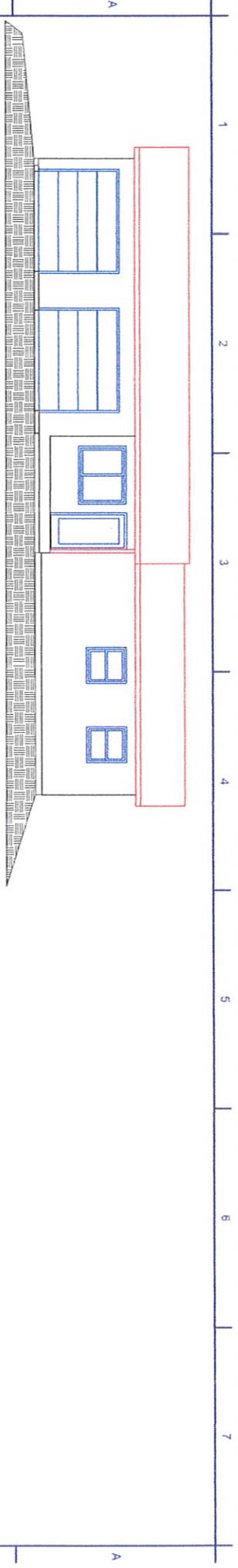
Received By: AR Date: 6/8 Reviewed By: _____ Date: _____

Plan Review Fee: _____ Permit Fee: _____ Paid - Check #: _____ Date: _____

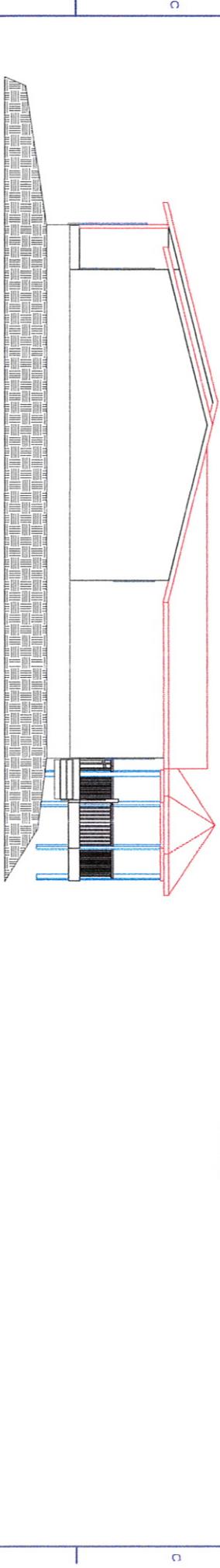
Permit Number: _____

Building Official

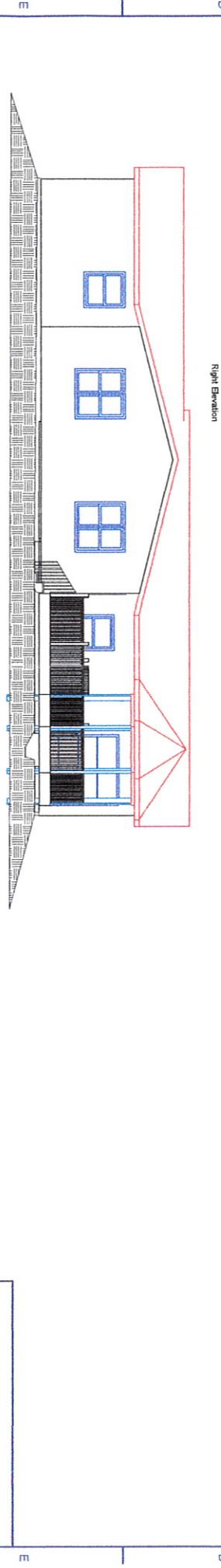
Date



Front Elevation



Left Elevation

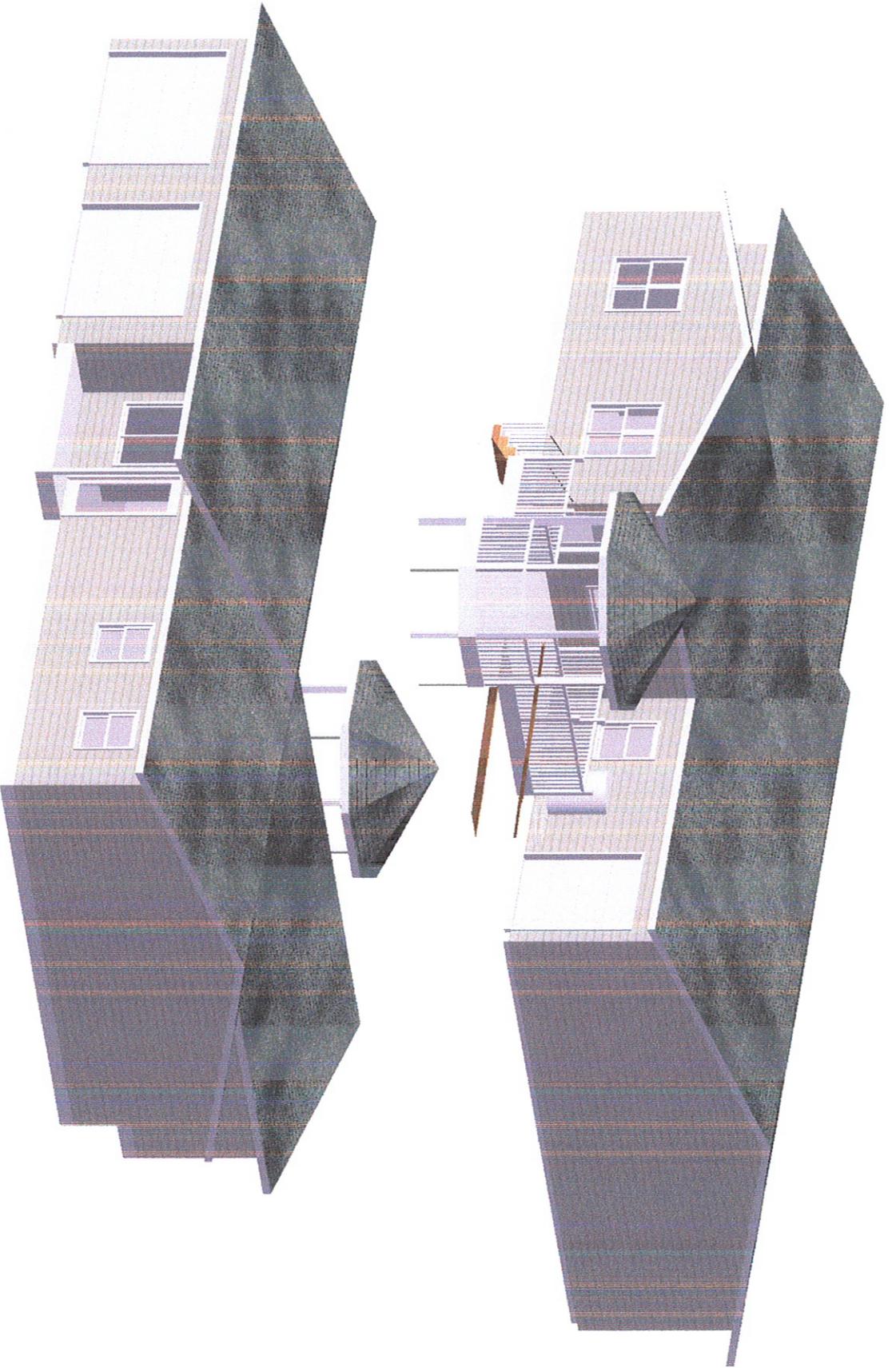


Right Elevation



Back Elevation

Johannas Construction
Elevations
Date 05-18-15



Johanna
Perspect
Date 05-

struction

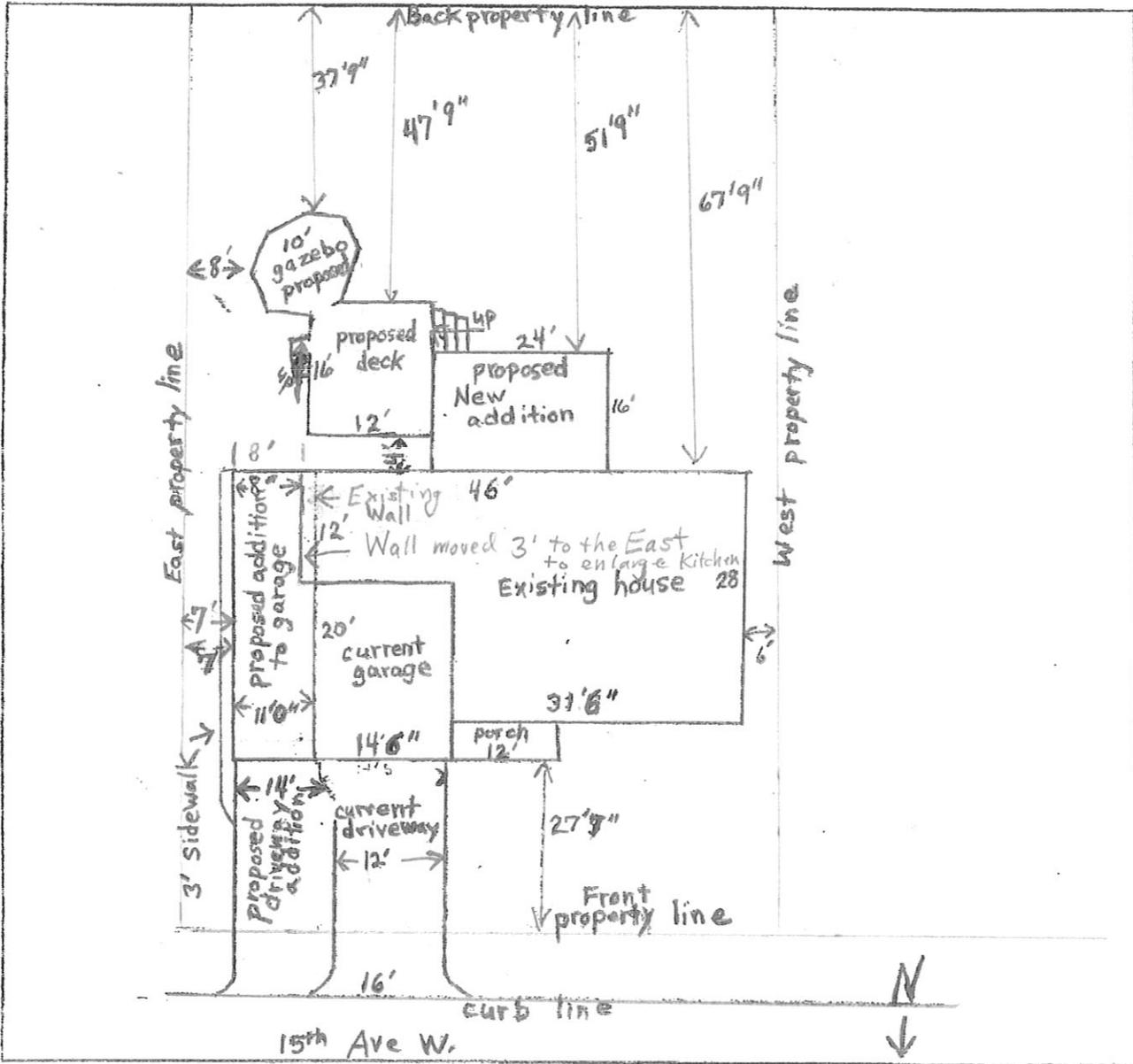
1 2 3 4 5 6 7

City of Oskaloosa
 Engineering/Building Department
 Plot Plan Form

Date Submitted: 6-08-15

Property Address: 1404 15th Ave. W., Oskaloosa

NOTE: All items referenced on second page must be shown on submitted Plot Plan.



I certify that the above Plot Plan is a true representation of this lot and accurately shows all dimensions, easements and proposed and existing structures on said lot. Any deviation from this approved Plot Plan may void the Building Permit and/or zoning approvals.

SIGNATURE OF OWNER/CONTRACTOR: Stephen Stam, Sheryl Stam

See Second Page for Plot Plan Sample

Variance Request for 1404 15th Avenue West

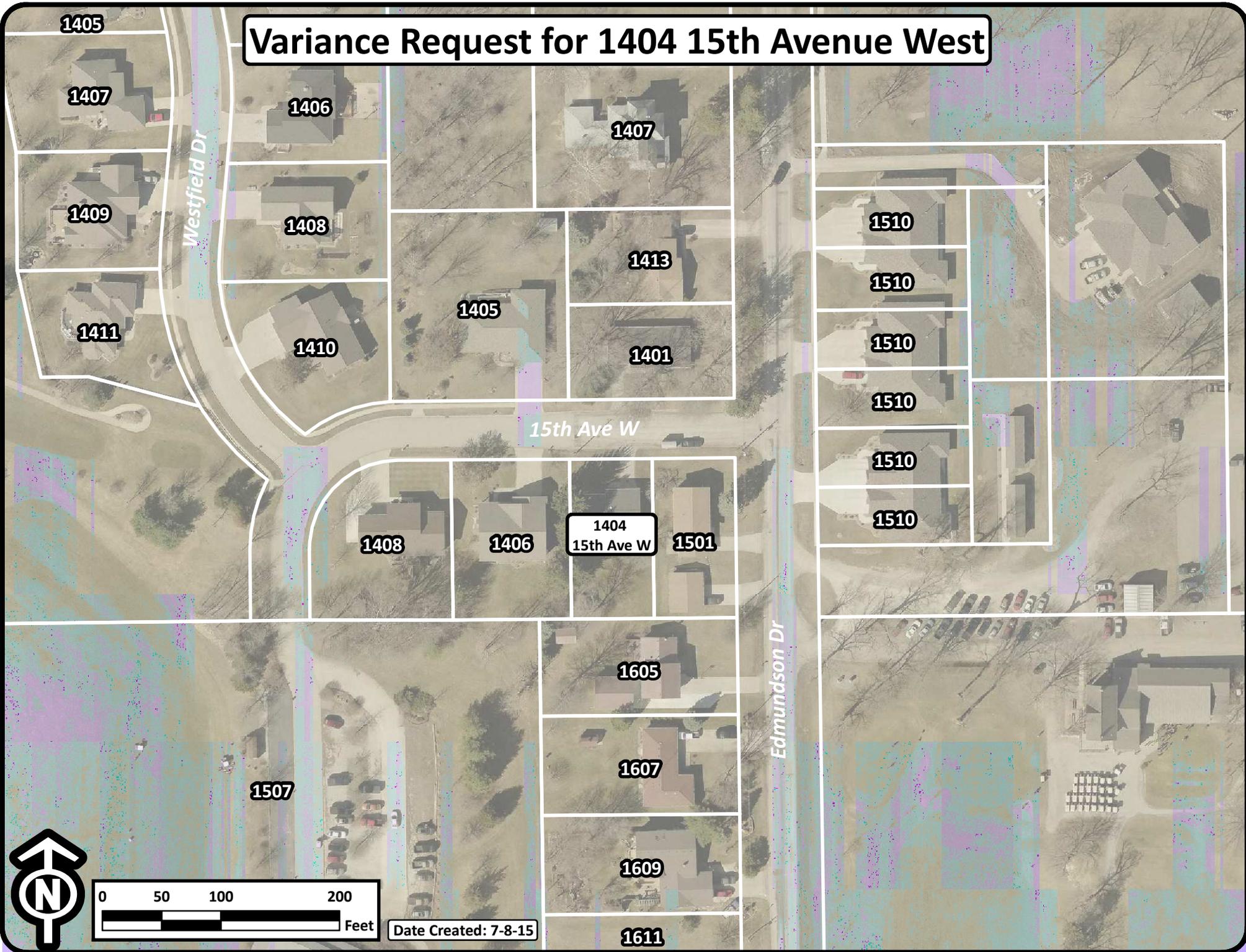


Table 17.08C Summary of Site Development Regulations (Continued)

Regulator	AG	RR	R-1	R-2	R-3	R-4
Minimum lot area (square feet)						3.0 acres
One-family	2 units per each 40 acres	2 acres	8,400	8,400	7,200	4,000
Duplex, townhouses	—		—	10,000	8,400	
Multi-family	—		—	—	10,000	
Other permitted uses	No requirement		8,400	10,000	10,000	
Minimum lot width (feet)	200	100	70			
One-family				70	60	150
Duplex				80	70	
Townhouses				25	20	
Multi-family					80	
Other permitted uses					80	
Site area per housing unit (square feet) by type of residential						
Single-family	20 acres	2 acres	8,400	8,400	7,200	5,000 per unit
Two-family, duplex				5,000	4,200	
Townhouse				4,000	2,500	
Multi-family				NA	2,000	
Minimum yards (feet)						
Front yard	50	40	30	30	30	50
Street side yard	50	30	25	15	15	50
Interior side yard (Note 2)	50	15	7	7	7	50
1 to 1.5 stories	50	20	10	10	10	
2-3 stories	NA	NA	NA	NA	13	
More than 3 stories	50	40	40	40	30	
Nonresidential uses						
Rear yard	50	40	25	25	30	50
Maximum height (feet)	no limit	35	35	35	45	35
Maximum building coverage	NA	20%	35%	45%	55%	40%
Maximum impervious coverage	NA	30%	50%	60%	70%	60%
Floor area ratio	NA	NA	NA	NA	NA	NA



Board of Adjustment Commission
Meeting Date: July 28, 2015
Requested By: Public Works Dept.

Item Title:

Consider a variance request for the property located at 716 South M Street to allow the building of an attached garage 18 feet 3 inches from the front yard property line.

Explanation:

Mr. Chad & Stacy Thomas have submitted a variance request application to build an attached garage 18 feet 3 inches from the front yard property line located at 716 South M Street. The property is zoned Urban Family Residential (R-2) District. This is a request for a variance of the Oskaloosa Municipal Code Table 17.08C Summary of Site Development Regulations. In an R-2 District, the minimum front yard setback is 30 feet.

STAFF RECOMMENDATION:

Staff recommends that the Board of Adjustment Deny the variance request

ALTERNATIVE ACTIONS:

1. Approve the requested variance.
2. Other actions as determined by the Board of Adjustment

Budget Consideration:

\$100.00 for application fee

Attachments:

Application, Resolution, Oskaloosa Municipal Code Table 17.08C

VARIANCE REVIEW AND DETERMINATION OF HARDSHIP
FOR BOARD OF ADJUSTMENT

APPLICANT: Chad & Stacy Thomas
ADDRESS: 1116 South M Street
VARIANCE REQUESTED: Access to house, CurbsAppeal

1) Do special conditions or circumstances exist which are peculiar to this building, lot, or structure which are not applicable to others in the area?

	<u>YES</u>	<u>NO</u>
A) Topography		
1) Ravines/Hills	___	<u>X</u>
2) Rock Outcroppings	___	<u>X</u>
3) Waterways	___	<u>X</u>
4) Soil Type	___	<u>X</u>
5) Shape of Lot (applicable if lot platted before 1973)	___	<u>X</u>
B) Significant Trees or Shrubs	___	<u>X</u>
C) Other (list) _____		

2) Does literal interpretation of the Ordinance deprive applicant of rights commonly enjoyed by other properties in the area?

A) Is requested variance of this type common to others in area? ___ X ___

3) Do special conditions exist which do not result from actions of the applicant?

A) Was applicant the original builder of the structure? ___ X

B) Has the applicant sold parcels of property from original parcel or otherwise
Altered the property to create the special condition? ___ X

C) Is an alternate construction site available on lot or property owned? ___ X

D) Was a variance granted for original structure? ___ X

4) Would granting of the variance confer special privileges previously denied to others?
House Built in 1978 Before Set Back

A) Is requested variance common to others in the area? ___ X

B) Has requested variance been denied to others in the same district? ___ X

5) Any extenuating circumstances or findings must be listed on the back of this form.

NOTICE OF APPEAL
And
APPLICATION FOR VARIATION

TO THE BOARD OF ADJUSTMENT OF THE CITY OF OSKALOOSA, IOWA:

You are hereby notified that the undersigned owner(s) of the following described premises situated in the City of Oskaloosa, Iowa, to-wit:

Legal Description: Lots 1 & 2 Harris SD 24-75-16

of Lot 78 Minde Williams & Co Add

Street Address: 1716 5th St

do(es) hereby appeal from the denial by the Building Inspector of Oskaloosa, Iowa, of his/her application for a building permit filed with said Building Inspector on the ___ day of _____, 20___, under which the undersigned seek(s) permission to:

Permission to build an attached garage
18'3" From front property line

and do(es) hereby apply for a variation in the regulations applicable to said premises under the Oskaloosa Zoning Ordinance which would permit the issuance of a permit for the purpose above set forth. The variation requested involves the provisions of Section _____, Paragraph _____, Sub-paragraph table 17.08C of said Ordinance which requires that

There is a 30' set back from Property
Line

In an R-2 district, the minimum front yard setback
is 30 feet.

In support of said application the undersigned state(s) that either or both of the following grounds for variation exists:

___ The depth, width, shape or topographical condition of the property or other extraordinary or exceptional situation prohibits the use of said property in a manner reasonably similar to that of other property in the district.

(explain)

Denial of a permit will work a hardship on the undersigned.

(explain)

Placing the Garage at the 30' set back would not Allow access to the house from the garage. This is a split Poyer house and setting the garage back would deny access to the Poyer

WHEREFORE, the undersigned request(s) that the Board fix the date and place for hearing upon this appeal and application for variation and that upon said hearing the decision of the Building Inspector be reversed or revised and that the variation applied for be granted and that the issuance of said building permit be ordered.

Date this 7 day of July, 2015.

[Signature]

Cheryl [Signature]

General Information

The Board of Adjustment meets on Tuesday, following the 4th Monday of each month. The Board shall provide no less than 4 days and no more than 20 days notice of public hearing on any question before it. Appeals must be filed at least two weeks prior to the public hearing date.

An appeal fee of \$100.00-residential and \$200.00-commercial shall be paid to the City prior to filing the appeal. This fee is non refundable.

Written testimony or evidence (such as affidavit of person knowing material facts) shall be attached to and filed with Notice of Appeal and Application for Variation.



City of Oskaloosa
Engineering/Building Department

Wyatt Russell
Building Official
wyatt.russell@oskaloosaiowa.org
City of Oskaloosa, Iowa
Phone 641-673-7472
Fax 641-673-3733

BUILDING PERMIT APPLICATION

Job Site Address: 716 5th m st. Date of Application 7/8/15

Owner's Name: Chad + Stacy Thomas Phone Number: _____

Owner's Address: 716 5th m st.

Valuation of Work: \$ _____

Description of Work: Add 2 1/2 car garage to the south end of the house

Contractor Information:

General Contractor: Name Bunnell Remodeling + Construction Lic. # _____

Address: 1281 235th st. Leighton Phone # 641-660-5865 Exp. Date: _____

Carpenter: Name Same as above Lic. # _____

Address: _____ Phone # _____ Exp. Date: _____

Electrician: Name Francis Electric Lic. # _____

Address: _____ Phone # 641-799-0294 Exp. Date: _____

Plumber: Name _____ Lic. # _____

Address: _____ Phone # _____ Exp. Date: _____

HVAC: Name _____ Lic. # _____

Address: _____ Phone # _____ Exp. Date: _____

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of the laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any State or local law regulating construction or the performance of construction.

Signature of Applicant Dennis Bunnell Date: 7/8/15

Print Name: Dennis Bunnell

This permit becomes null and void if work is not commenced within 120 days, or if the work is suspended or abandoned for a period of 120 days at any time after work is commenced.

ADMINISTRATION ONLY

Received By: _____ Date: _____ Reviewed By: _____ Date: _____

Plan Review Fee: _____ Permit Fee: _____ Paid - Check #: _____ Date: _____

Permit Number: _____

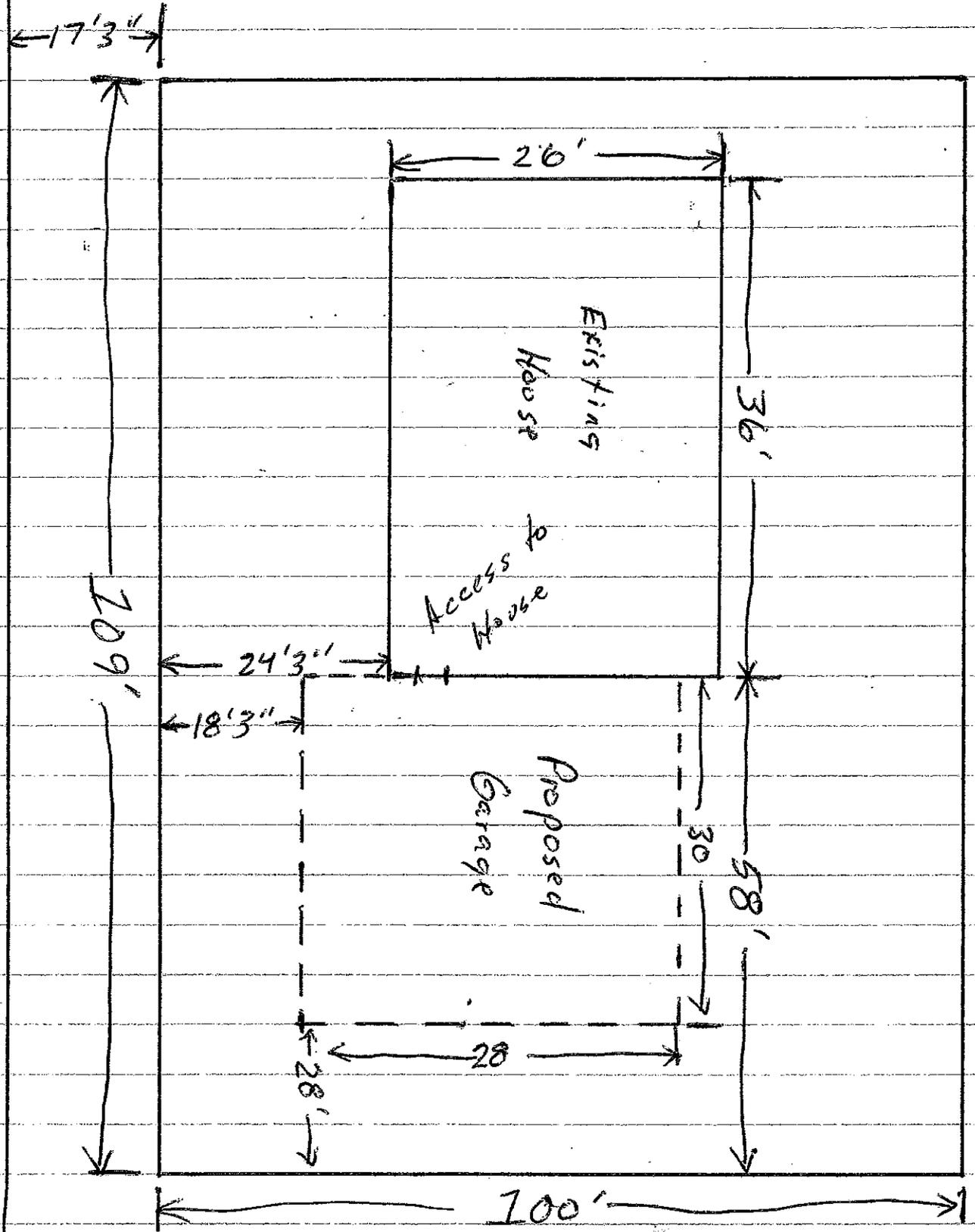
Building Official

Date

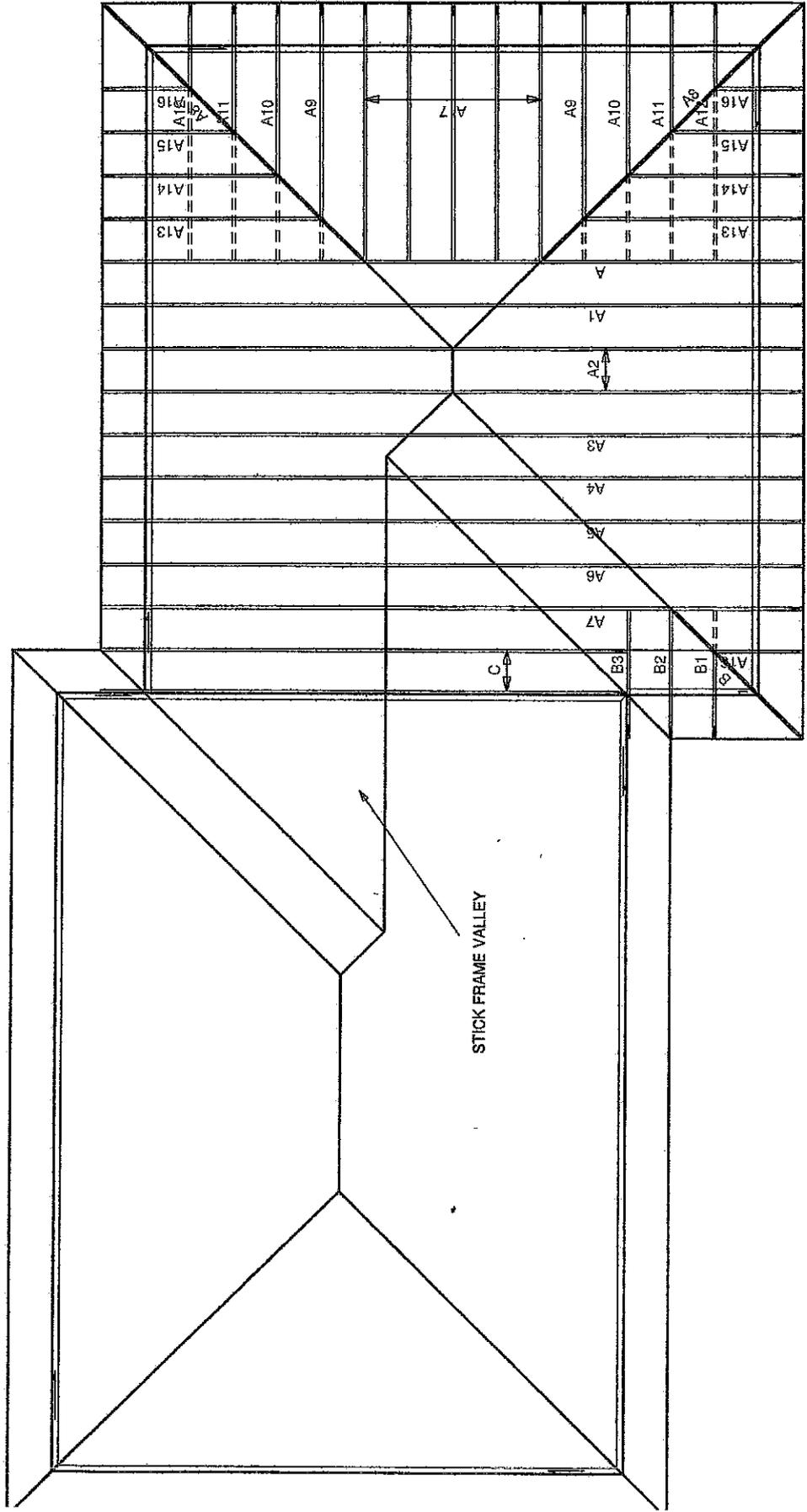
Lot Size
109-100

1N

Back side of curb



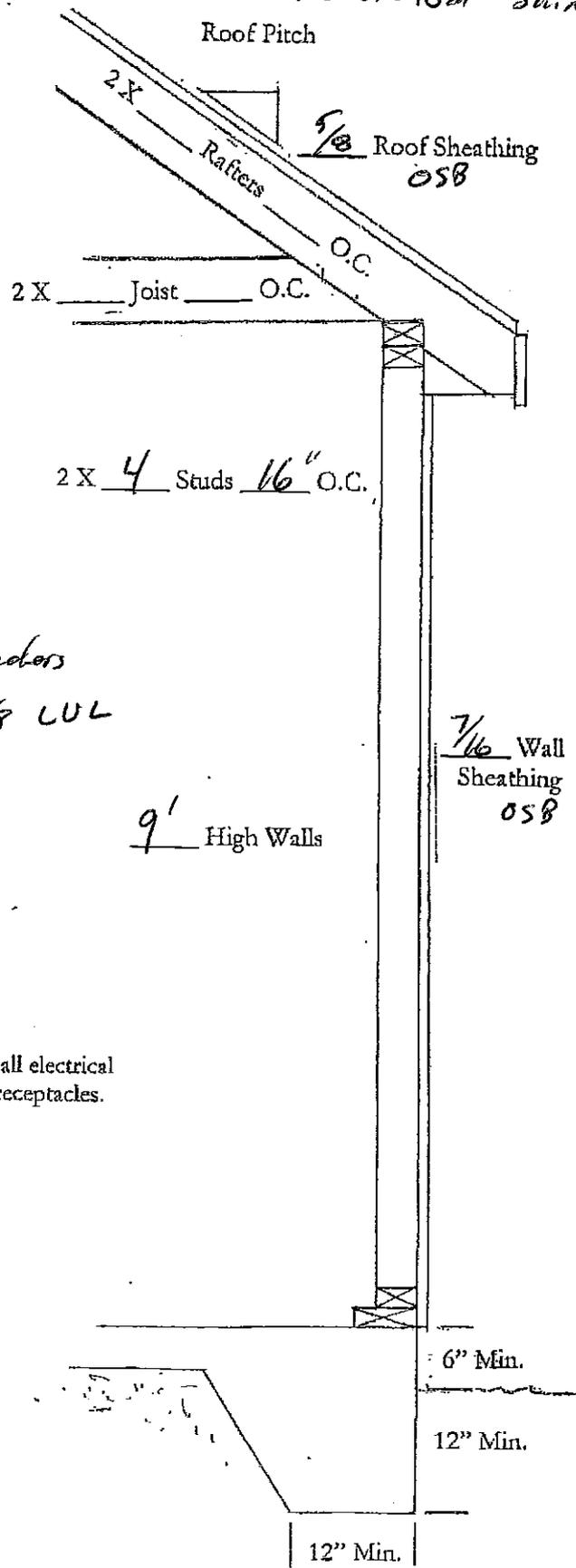
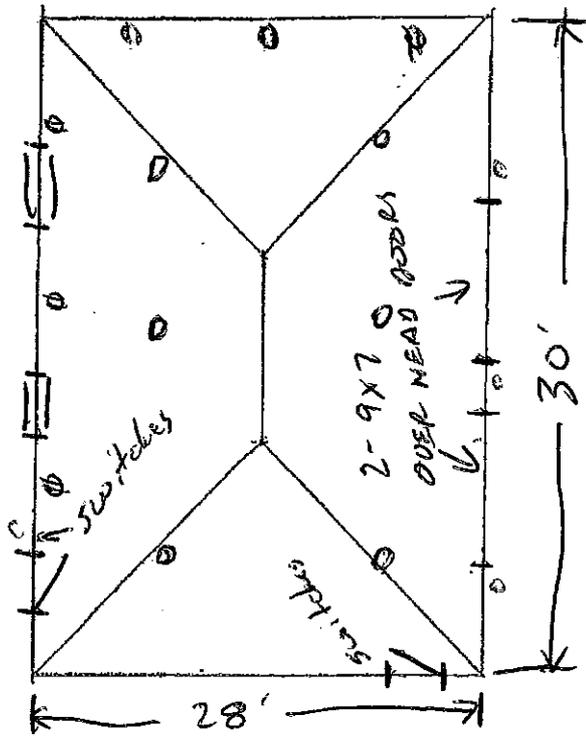
Garage Trusses - 2113.91



⊕ outlets
 ○ Lights
 Hip Roof

Fill in the blanks.

- Trussed Roof
- 4/12 Pitch
- smart siding (lap)
- architectural shingles



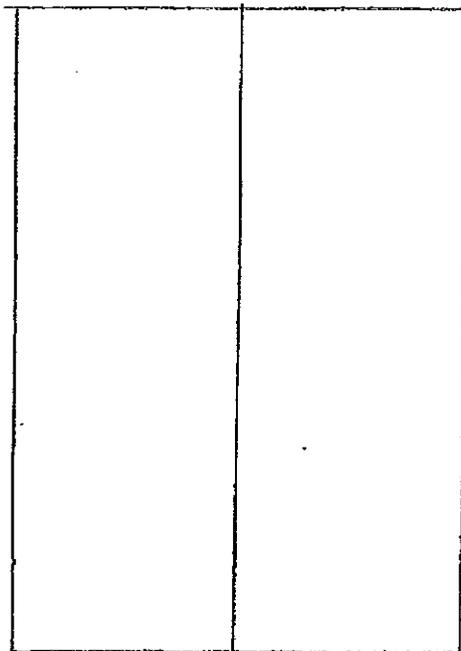
Show the length and width (in feet) of the garage on the correct roof plan.

O.W. Door Headers
 2- 9'3" x 11 7/8 LVL

On the same roof plan show the location the overhead door, service door and windows.
 List the size of the overhead door header.

9' High Walls

Show the location of all electrical lights, switches and receptacles.



Gable Roof

12" Min.

Table 17.08C Summary of Site Development Regulations (Continued)

Regulator	AG	RR	R-1	R-2	R-3	R-4
Minimum lot area (square feet)						3.0 acres
One-family	2 units per each 40 acres	2 acres	8,400	8,400	7,200	4,000
Duplex, townhouses	—		—	10,000	8,400	
Multi-family	—		—	—	10,000	
Other permitted uses	No requirement		8,400	10,000	10,000	
Minimum lot width (feet)	200	100	70			
One-family				70	60	150
Duplex				80	70	
Townhouses				25	20	
Multi-family					80	
Other permitted uses					80	
Site area per housing unit (square feet) by type of residential						
Single-family	20 acres	2 acres	8,400	8,400	7,200	5,000 per unit
Two-family, duplex				5,000	4,200	
Townhouse				4,000	2,500	
Multi-family				NA	2,000	
Minimum yards (feet)						
Front yard	50	40	30	30	30	50
Street side yard	50	30	25	15	15	50
Interior side yard (Note 2)	50	15	7	7	7	50
1 to 1.5 stories	50	20	10	10	10	
2-3 stories	NA	NA	NA	NA	13	
More than 3 stories	50	40	40	40	30	
Nonresidential uses						
Rear yard	50	40	25	25	30	50
Maximum height (feet)	no limit	35	35	35	45	35
Maximum building coverage	NA	20%	35%	45%	55%	40%
Maximum impervious coverage	NA	30%	50%	60%	70%	60%
Floor area ratio	NA	NA	NA	NA	NA	NA