



**City of Oskaloosa
Board of Adjustment
Council Chambers
City Hall, 220 S. Market Street
Oskaloosa IA, 52577
Agenda
4/28/2015
5:00 P.M.**

1. Call to Order/Roll Call

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

2. Approval of Minutes

A. Approval of the minutes for the March 31, 2015 special meeting

Documents: [BOA MIN 3-31-2015 SPECIAL MEETING.PDF](#)

B. Approval of the minutes for the February 24, 2015 meeting

Documents: [BOA 2-24-15 MIN.PDF](#)

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

4. New Business

A. Consider a variance request for the property located at 412 North I Street to allow the building of a single family residential dwelling on a 60 foot wide lot and a 7,200 square foot site area

Documents: [412 NORTH I STREET AGENDA.DOC](#), [RESOLUTION_412 NORTH I STREET.DOCX](#), [RESOLUTION_412 NORTH I STREET-DENIED.DOCX](#), [VARIANCE APPLICATION.PDF](#), [412 N I ST VARIANCE.PDF](#), [EXISTING PICTURES.DOCX](#)

B. Consider a variance request for the property located at 2357 Hwy 23 to permit placing a factory built mobile home unit 6 ½ feet from the northern established mobile home unit on Lot #520

Documents: 2357 HWY 23 AGENDA.DOC, RESOLUTION_SPRING CREEK VILLAGE.DOCX, RESOLUTION_DENIED SPRING CREEK VILLAGE.DOCX, VARIANCE APPLICATION.PDF, MUNICIPAL CODE.DOCX, EXISTING PICTURES.DOCX, 2357 HWY 23 VARIANCE.PDF

C. Consider a variance request for the property located at 1416 South 1st Street to allow a deck 10 feet from the front yard property line

Documents: 1416 SOUTH 1ST STREET AGENDA.DOC, RESOLUTION_1416 SOUTH 1ST STREET.DOCX, RESOLUTION_1416 SOUTH 1ST STREET- DENIED.DOCX, VARIANCE APPLICATION.PDF, EXISTING PICTURES.DOCX, 1416 S 1ST ST VARIANCE.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 ADJUSTMENT SPECIAL MEETING
March 31, 2015

The special meeting of the Board of Adjustments for the City of Oskaloosa was called to order at 5:00 pm on Tuesday, March 31, 2015 by Chairperson Perry Murry at the City Hall Council Chambers 220 S. Market St. Oskaloosa, Iowa.

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

Item: Consider a height increase of 10 feet for a new maintenance building located at 2055 238th Street.

The Board reviewed the application for the variance request. Carl Drost, Charter member of the Mahaska Community Recreational Foundation (MCRF) was present and spoke to the Board about the request with the Board members. Drost explained that the maintenance building will house equipment used by MCRF. He also explained that all the old buildings except for the house, garage and one out building will be demolished. Sparks made a motion to approve the height increase of 10 feet for a new maintenance building located at 2055 238th Street and Phillips seconded the motion. Campbell made mention to the board members that the engineer plans were not matching up. Russell explained to the board that the engineer plans were upside down and incorrect foundation information. New engineer plans will be resubmitted for the foundation detail and correct layout of the building which will not change the height of the building.

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

With no further business, Murry moved and seconded by Phillips to adjourn the meeting at 5:05 PM.

Minutes by Amie Roberts

City of Oskaloosa

Board of Adjustment

Regular Meeting February 24, 2015

City Council Chambers

A meeting of the City of Oskaloosa Board of Adjustment was called to order by Chairperson Murry at 5:01 pm. Members present: Perry Murry, Russell Sparks, James Hansen, and Wyndell Campbell. Member(s) absent: Lloyd Phillips.

The first item on the agenda was the approval of the minutes from the January 27, 2015 meeting. Hansen moved to approve the minutes and Sparks seconded the motion. The vote was; YES: Murry, Campbell, Sparks, Hansen. NO: NONE, Absent: Phillips

The second item on the agenda was to consider a public hearing for consider the manner of an appeal request to the Oskaloosa municipal code section 17.34.020(B)- Site plan review procedure for the property located at 132 Pella Ave. Chris Sheets, and his wife Jennifer Sheets, owners, spoke to the Board about the appeal and how they felt it was not needed due to the fact that they will be reusing a existing building. Also speaking was David Wright, who owns the property to the west of this project. Mr. Wright stated that he felt that this is another example of how the code is stifling the growth of our community, and that the cheesy bar was rid of. The Board discussed the matter with Hansen moving to uphold the City Staff's enforcement of the site plan procedure as mentioned in 17.34.020(B) of the Oskaloosa municipal code. Sparks seconded the motion. The vote was; YES: Murry, Campbell, Sparks, Hansen. NO: NONE, Absent: Phillips

The third item on the agenda was to consider a public hearing for considering the manner of a conditional use permit request to construct a convenience storage located at 132 Pella Ave. Staff member Russell recommended to the Board that they table this item until a site plan can be presented, with attention to items (E) and (F) in 17.34.020 (B) for items required for the conditional use permit application. Hansen moved to table the item. Sparks seconded the motion. The vote was; YES: Murry, Campbell, Sparks, Hansen. NO: NONE, Absent: Phillips

The fourth item on the agenda was to consider a public hearing for considering the manner of an appeal request to the Oskaloosa municipal code table 17.08 (B) Permitted uses by zoning districts and warehousing (open) is not permitted in a general commercial district located at the property identified as parcel ID 1118476016. Matt Moore, representative of B&B Bedding, and Jarred Teen, general manager for B&B Bedding were present and spoke to the Board about the classification of the warehousing (open) versus the use type that they wish to be classified as a truck terminal. Staff member Russell stated that the reason it was classified by the City as warehousing (open) was due to the fact that it fit the definition better than a truck terminal. The Board discussed the item with regards to the definitions of the two items. Hansen moved that the use type be classified as a truck terminal and not warehousing (open). Campbell

seconded the motion. The vote was; YES: Murry, Campbell, Sparks, Hansen. NO: NONE, Absent: Phillips

The fifth item on the agenda was to consider a public hearing for the manner of a conditional use permit request to allow a truck terminal located at the property identified as parcel ID 1118476016. Hansen moved to approve the conditional use permit to expire on April 30, 2015. Sparks seconded the motion. The vote was; YES: Murry, Campbell, Sparks, Hansen. NO: NONE, Absent: Phillips

The sixth item on the agenda was to consider a public hearing for considering the manner of a variance request for the properties located at 1302 & 1320 High Avenue West to allow the building of three apartment complexes and a clubhouse on two lots. Apartment building A will be 0 feet from the interior side yard on both lots. Loyd Ogle, representative for Overland Property group, spoke to the Board about the project. City Staff explained about the Mahaska County assessor's office not allowing the two parcels to be combined into one due to it crossing the section map, sections 13 and 14. Sparks moved to approve the variance as presented. Hansen seconded the motion. The vote was; YES: Murry, Campbell, Sparks, Hansen. NO: NONE, Absent: Phillips

The seventh item on the agenda was to consider a public hearing for considering the manner of a variance request for the property located at 912 6th Ave west to allow to build a single family residential dwelling on a 60 foot wide lot and to allow the residential dwelling to be 13 feet from the street side property line along South I Street. Laura Russell, owner, spoke to the Board about the project and presented a floor plan to the members to show how the house would be laid out. The Board discussed the item and how the City has been working on this situation in regards to non-conforming lots. After further discussion Hansen moved to approve the variance request as presented. Sparks seconded the motion. The vote was; YES: Murry, Campbell, Sparks, Hansen. NO: NONE, Absent: Phillips

The eighth item on the agenda was to consider a public hearing for considering the manner of a variance request for the property located at 111 North I street to allow the building of an addition 4 feet 10 inches from the front yard property line along North I. Board member Campbell asked that it be reflected in the minutes that he was removing himself from the Board due to a conflict of interest with him being a member of the church in question. Tim Olson with Big Creek Design Group was present and spoke to the Board about the need of this project being that the church needs a new nursery and that this location is the most feasible as to not hinder future expansions of the sanctuary. The Board discussed further about the item with Hansen making a motion to approve the variance as presented. Sparks seconded the motion. The vote was; YES: Murry, Sparks, Hansen. NO: NONE, Absent: Phillips Abstain: Campbell

The ninth item on the agenda was miscellaneous business, Staff member Russell explained to the Board that in the coming months he would be reaching out to the Board members in order

to help rewrite the variance application form as it seems to be too confusing for people to fill out, and could possibly have duplicated information, or may need additional information.

With no further business Sparks moved to adjourn the meeting. Hansen seconded the motion. The vote was; YES: Murry, Sparks, Hansen. NO: NONE, Absent: Phillips, Campbell

Meeting adjourned at 6:06 pm

Minutes by Wyatt Russell



Board of Adjustment Commission

Meeting Date: April 28, 2015

Requested By: Public Works Dept.

Item Title:

Consider a variance request for the property located at 412 North I Street to allow the building of a single family residential dwelling on a 60 foot wide lot and a 7,200 square foot site area.

Explanation:

Mr. Brian & Ms. Kara Edel have submitted a variance request application to build a single family residential dwelling on a 60' wide lot and a 7,200 square foot site area located at 412 North I Street. The property is zoned Urban Family Residential (R-2) District. At the time of the variance application, the property owner was not certain the location of the property lines. 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 lot width (feet) for a one-family is 70 feet and the minimum site area per housing unit (square feet) is 8,400 sq. ft..

STAFF RECOMMENDATION:

Staff recommends that the Board of Adjustment Approve the variance request

ALTERNATIVE ACTIONS:

1. Deny 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: Brian and Kara Edel

ADDRESS: 412 North I. Oskaloosa

VARIANCE REQUESTED: to build on a 60x120 lot using standard city set back codes.

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? | ___ | <u>X</u> |
| B) Has the applicant sold parcels of property from original parcel or otherwise Altered the property to create the special condition? | ___ | <u>X</u> |
| C) Is an alternate construction site available on lot or property owned? | ___ | <u>X</u> |
| D) Was a variance granted for original structure? | ___ | <u>X</u> |

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

- | | | |
|---|----------|----------|
| A) Is requested variance common to others in the area? | <u>X</u> | ___ |
| B) Has requested variance been denied to others in the same district? | ___ | <u>X</u> |

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: South half of lots 3 and 4 of Block
four of White's Addition to the City of Oskaloosa.

Street Address: 412 North I. Oskaloosa, IA 52577

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:

New residential construction

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 17.08 C Table, Paragraph _____, Sub-paragraph _____ of said Ordinance which requires that

The minimum Lot area (square feet) in an urban-Family Residential (R-2) District is 8,400 sq. Ft. & the minimum Lot width (feet) in an R-2 district is 70 feet for a one-family Residential district.

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) City of Oskaloosa has adopted an ordinance that a standard city lot of 60x120 does not meet the new 8400 sq ft minimum building lot size

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 13 day of April, 2015

Br...

K...

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.

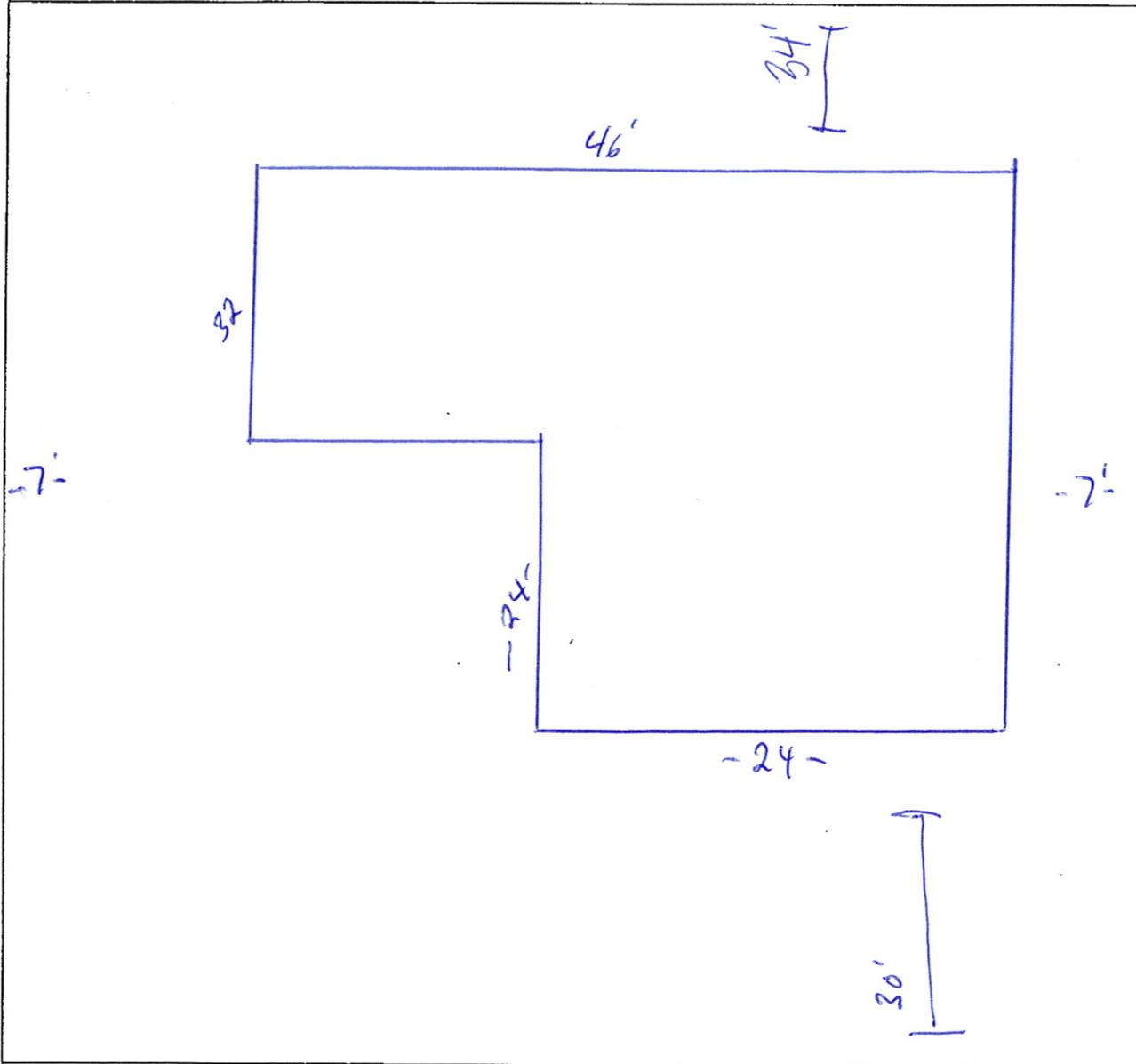
Written testimony or evidence (such as affidavit of person knowing material facts) shall be attached to and filed with Notice of Appeal and Application for Variation.

City of Oskaloosa
Engineering/Building Department
Plot Plan Form

Date Submitted: 4/13/15

Property Address: 412 NORTH I

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.

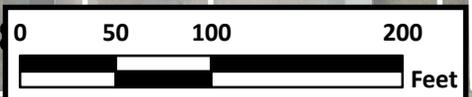
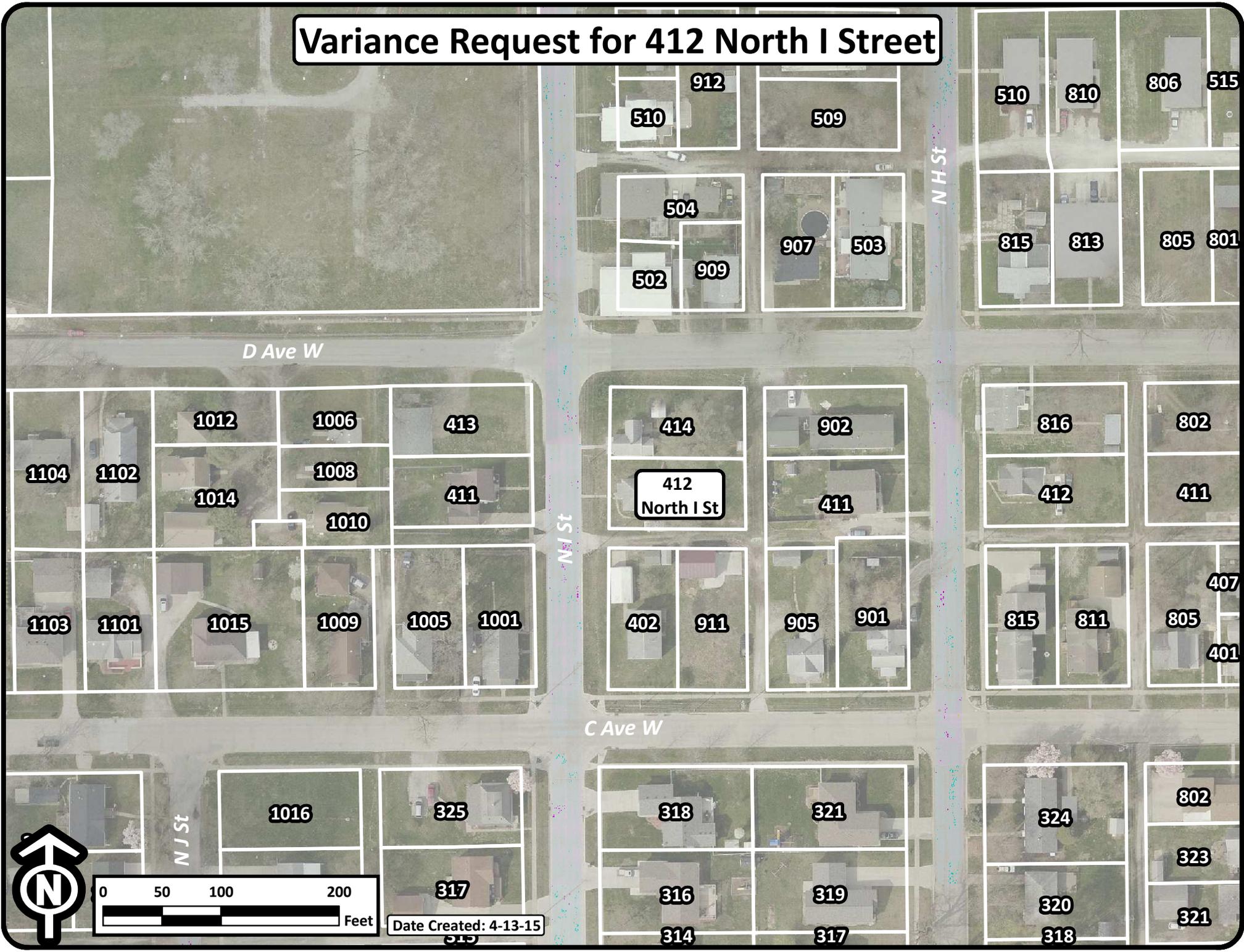
SIGNATURE OF OWNER/CONTRACTOR: [Signature]

See Second Page for Plot Plan Sample

Table 17.08C Summary of Site Development Regulations (Continued)

<i>Regulator</i>	<i>AG</i>	<i>RR</i>	<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>
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

Variance Request for 412 North I Street



Date Created: 4-13-15

412 North I Street





Board of Adjustment Commission

Meeting Date: April 28, 2015

Requested By: Public Works Dept.

Item Title:

Consider a variance request for the property located at 2357 Hwy 23 to permit placing a factory built mobile home unit 6 ½ feet from the northern established mobile home unit on Lot #520.

Explanation:

Mr. Robbie Davis, Property Manager for Spring Creek Village has submitted a variance request application to permit placing a factory built mobile home unit 6 ½ feet from the northern established mobile home unit on Lot #520. Mr. Davis' intention is to rent the mobile home unit. The property is zoned Mobile-Home Residential (R-4) District. This is a request for a variance of the Oskaloosa Municipal Code Section 17.22.030 Supplemental use regulations-Residential uses; G Mobile Home Parks; 4. Site Development Standards; e. Separation between factory built mobile home units. The minimum separation between a factory built mobile home units and/or accessory structure shall be twenty 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:

\$200.00 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: Spring Creek Village LLC

ADDRESS: 2357 Hwy 23 Oskaloosa, IA 52577

VARIANCE REQUESTED: Permission to place manufactured homes in designated location per park design in 1980. Park design does not allow for 20ft separation between manufactured homes.

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?

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? _____ 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: Parcel A located in the West 450 feet of the Southeast Quarter of the
Southeast Quarter of Section 29, Township 75, Range 15.

Street Address: 2357 Hwy 23 Oskaloosa, IA 52577

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 31st day of March, 2015, under which the undersigned seek(s) permission to:

Install replacement manufactured home on lot 510 & 524 in Spring Creek Village
Manufactured Home Park.

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 17.22.030, Paragraph G. Mobile Home Parks, Sub-paragraph 4. Site Development Standards of said Ordinance which requires that

Separation between factory built mobile Home units. The minimum seperation between a
factory built mobile home unit and attached accessory structure and any other factory
built mobile home units and/or accessory structure shall be twenty feet.

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

X 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) The width of a standard lot per the 1980 design at Spring Creek Village is 57ft.

Single-wide manufactured homes range from 14-16ft wide. The original park design has placed driveways, utilities, and tree on one side of of lot leaving the other side for a home to set in a specific location giving the home owner maximum yard area.

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

(explain)

If not allowed to install replacement manufactured homes within 20ft of other structures within the manufactured home park it will limit our ability to replace older homes with newer ones. Literal interpretation and enforcement of ordinance would require redesign of the the park including moving driveways, utilities & trees. With 53 of 55 lots occupied redesigning the 1980 park to meet the 2009 IBC would be very costly and unfair to current residents.

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 3rd day of April, 2015.



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: 2357 Hwy 23 # 510 Date of Application: 3-18-2015
Oskaloosa IA 52577

Owner's Name: Spring Creek Village LLC Phone Number: 641-640-4413

Owner's Address: Robbie Davis Mark Maurer

Valuation of Work: \$ 15,000

Description of Work: install a manufactured home in existing
manufactured home community

Contractor Information:

General Contractor: Name Century Homes of Oskaloosa Lic. # CO94236

Address: 1712 Pella Avenue Oskaloosa Phone # 641 672-2344 Exp. Date: 10/25/15

Carpenter: Name _____ Lic. # _____

Address: _____ Phone # _____ Exp. Date: _____

Electrician: Name Curt Van Hement Lic. # _____

Address: _____ Phone # _____ Exp. Date: _____

Plumber: Name Steve Johnson Lic. # _____

Address: _____ Phone # _____ Exp. Date: _____

HVAC: Name Boyd Johnson 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 Ed Kinkade Date: 3/31/15

Print Name: Edward Kinkade Century Homes

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: AKC Date: 3/31/15 Reviewed By: _____ Date: _____

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

Permit Number: _____

Building Official

Date

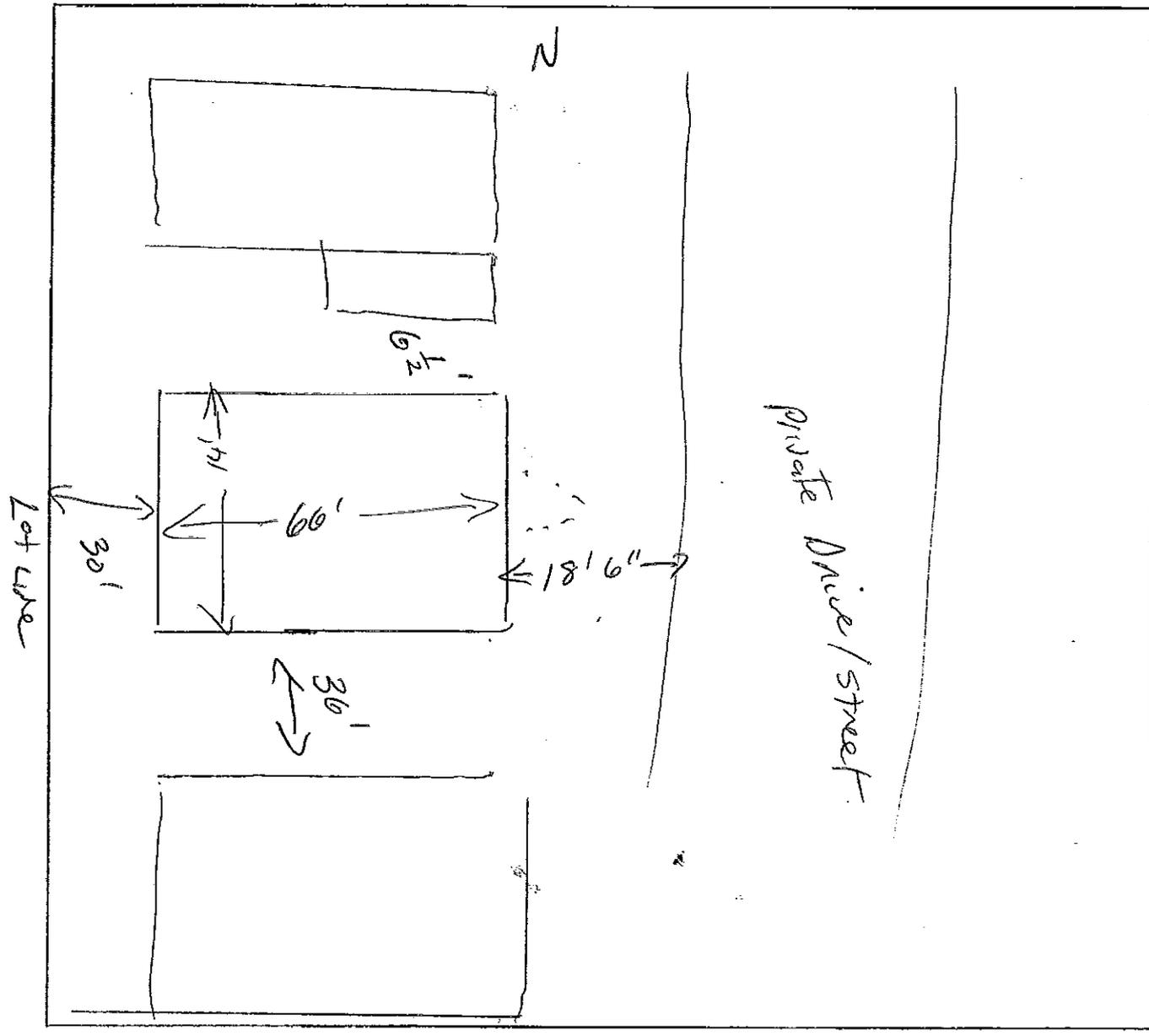
3/31/07

City of Oskaloosa
Engineering/Building Department
Plot Plan Form

Date Submitted: 2357 HWY 23 Lot 510

Property Address: Spruce Creek Village

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: Bill Kenzie Century Homes

See Second Page for Plot Plan Sample

17.22.030 - Supplemental use regulations-Residential uses.

- A. Zero-Lot Line Single-Family Detached Residential. Within a common development, one interior side yard may be equal to zero for single-family detached residential use, subject to the following additional regulations:
 - 1. The side yard opposite to the zero yard must equal at least twice the normal required minimum side yard and must taken by itself comply with all side yard requirements for the zoning district.
 - 2. The normal side yard setback requirement must be maintained adjacent to any lot with an existing structure not within the common development; or not otherwise designated for zero lot line use.
 - 3. An easement for maintenance of the zero lot line facade is filed with the county recorder and the city clerk at the time of application for a building permit.
- B. Single-Family Attached. When permitted, the minimum side yard opposite the common wall shall be equal to twice the normal required side yard.
- C. Townhouse Residential. Where permitted, townhouse residential is subject to the following regulations:
 - 1. The minimum width for any townhouse lot sold individually shall be twenty-five feet, except within an approved creative subdivision.
 - 2. Coverage percentages are computed for the site of the entire townhouse common development.
 - 3. Within an R-2 district, no more than six townhouse units may be attached in a single townhouse structure.
- D. Two-Family Residential.
 - 1. The second dwelling unit shall be located to the rear of the site and shall be separated from the front dwelling unit by a minimum of twenty-five feet.
 - 2. The second dwelling unit shall be served by a driveway at least ten feet in width, leading from a public street adjacent to the lot.
- E. Downtown Residential and Group Residential Uses in the DC District. Downtown residential and group residential uses are permitted in the DC district subject to the following conditions:
 - 1. Downtown and group residential uses are permitted in the DC district only on levels above street level except that a unit specifically designed for occupancy by disabled residents may be developed at street level, subject to approval by the planning and zoning commission.
 - 2. Residents of units must be informed by the owner of the building that lawful commercial uses have priority over residential uses.
 - 3. All upper level apartments must have two separate means of egress.
- F. Group Residential. Where permitted, group residential use must comply with the following requirements:
 - 1. Within the RR, R-1, R-2, and R-4 districts, no more than six persons in addition to the family of the owner shall be permitted to reside in an owner-occupied dwelling unit. No more than five persons shall be permitted to reside in a non owner-occupied dwelling unit.
 - 2. Within the R-3 district, no more than ten persons in addition to the family of the owner shall be permitted to reside in an owner-occupied dwelling unit. No more than seven persons shall be permitted to reside in a non owner-occupied dwelling unit.
 - 3. A minimum of two hundred fifty square feet must be provided in the dwelling unit for each resident.

G. Mobile Home Parks. In the R-4 mobile home residential district, which permits factory built home residential use, such use may be configured in a mobile home park or mobile home subdivision. Following the effective date of the ordinance codified in this title, no mobile home shall be located outside of a mobile home park or mobile home subdivision. A mobile home park is subject to approval as a conditional use by the planning and zoning commission and compliance with the following regulations:

1. Certification. A certification of compliance with all ordinances and regulations regarding mobile homes, manufactured homes, modular homes or a combination of any of these homes licensing, zoning, health, plumbing, electrical, building, fire protection and any other applicable requirements shall be issued by the zoning administrator prior to the occupancy of any new mobile home park or any expansion of an existing mobile home park.
2. Minimum and Maximum Area. A mobile home park shall be considered to be one zoned lot. The contiguous area of a mobile home park shall have a minimum of three acres and a maximum of fifteen acres.
3. Density Requirements.
 - a. The minimum gross site area per dwelling unit shall be five thousand square feet.
 - b. The minimum size of an individual factory built home space shall be four thousand square feet for single-wide mobile home units and six thousand square feet for double-wide mobile home units.
 - c. Each mobile home space shall have a width of at least fifty feet wide and a length of at least eighty feet.

4. Site Development Standards.

- a. Setbacks. Each mobile home park shall have a minimum perimeter setback of thirty feet from adjacent nonresidential uses and fifty feet from adjacent residential uses or public rights-of-way. No space for a dwelling unit or any other structure shall be permitted in the required setback.
 - b. Setback Landscaping. All area contained within the required setbacks except sidewalks and private drives shall be landscaped and screened in conformance with Chapter 17.26. Screening shall be provided in conformance with Chapter 17.26 for any common property line with another nonresidential use.
 - c. Impervious Coverage. Impervious coverage for a mobile home park shall not exceed fifty percent of the total site area.
 - d. Open Space. Each mobile home park shall provide a minimum of four hundred square feet of open recreational space per unit. Such space shall be provided at a central location accessible from all parts of the park by pedestrians. Required perimeter setbacks or buffers shall not be credited toward the fulfillment of this requirement.
 - e. Separation Between factory built mobile Home Units. The minimum separation between a factory built mobile home unit and attached accessory structure and any other factory built mobile home units and/or accessory structure shall be twenty feet.
 - f. Separation and Setbacks for Accessory Buildings. An accessory building on a factory built mobile home space maintain a minimum rear and side yard setback of five feet. A minimum distance of ten feet shall be provided between any mobile home and an unattached accessory building.
5. Street Access and Circulation Requirements.
- a. Access to Public Street. Each mobile home park must abut and have access to a dedicated public street with a right-of-way of at least sixty feet. Direct access to a mobile home space from a public street is prohibited.

- b. Vehicular Circulation. The mobile home park must provide interior vehicular circulation on a private internal street system. Minimum interior street width shall be twenty-seven feet. The street system shall be continuous and connected with other internal and public streets; or shall have a cul-de-sac with a minimum diameter of ninety feet. No such cul-de-sacs may exceed three hundred feet in length.
 - c. Separation between Units and Circulation Areas. The minimum distance between a factory built mobile home unit and any attached accessory structure and the pavement of an internal street or parking area shall be ten feet.
 - d. Sidewalks. Each mobile home park shall provide a sidewalk system to connect each factory built mobile home space to common buildings or community facilities constructed for the use of its residents; and to the fronting public right-of-way. Sidewalk width shall be at least four feet.
 - e. Street and Sidewalk Standards. All internal streets and sidewalks shall be hard-surfaced. Electric street lighting is required along all internal streets.
 - f. Parking Requirements. Each mobile home park must provide at least two off-street parking stalls for each factory built mobile home space.
6. Tornado Shelters. Tornado shelters shall be provided in the mobile home park. Such shelter or shelters shall be built according to the recommendations of the civil defense authority and be large enough to meet the specific needs of the park and its residents.
7. Utilities.
- a. All mobile home parks shall provide individual units and common facilities with an adequate, piped supply of water for both drinking and domestic purposes; and standard electrical service, providing at least one, one hundred-twenty-volt and one, two hundred-forty-volt electrical service outlet to each factory built mobile home space.
 - b. Complete sanitary and sewer service shall be provided within each mobile home park in accordance with city standards.
 - c. Properly spaced and operating fire hydrants shall be provided for proper fire protection within each mobile home park in accordance with applicable city codes and public improvement design standards.
 - d. All electric, telephone, gas, and other utility lines shall be installed underground.
8. Financial Responsibility. Each application for a mobile home park shall include a demonstration by the developer of financial capability to complete the project; and a construction schedule.
9. Completion Schedule. Construction must begin on any approved mobile home park within one year of the date of approval by the planning and zoning commission. Such construction shall be completed within two years of approval, unless otherwise extended by the commission.
10. All other uses and provisions of the Oskaloosa mobile home park regulations are incorporated herein by reference.

H. Mobile Home Subdivisions.

- 1. Mobile home subdivisions shall be developed in accordance with all standards and requirements set forth in the subdivision chapter of the land development ordinance of Oskaloosa. Site development regulations shall be the same as those required in the R-2 zoning district. Each mobile home shall be considered a single-family detached residential unit for the purpose of determining applicable development regulations.
- 2. Factory built home units within mobile home subdivisions shall be built in accordance with the minimum design standards of the US Department of Housing and Urban Development and display a certification of such compliance.

3. Mobile home subdivisions shall provide tornado shelter facilities as required by subsection (G)(6) of this section.

(Ord. 1086 §17.603, 2000)

(Ord. No. 1323, § 4, 8-20-2012)

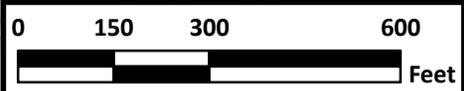
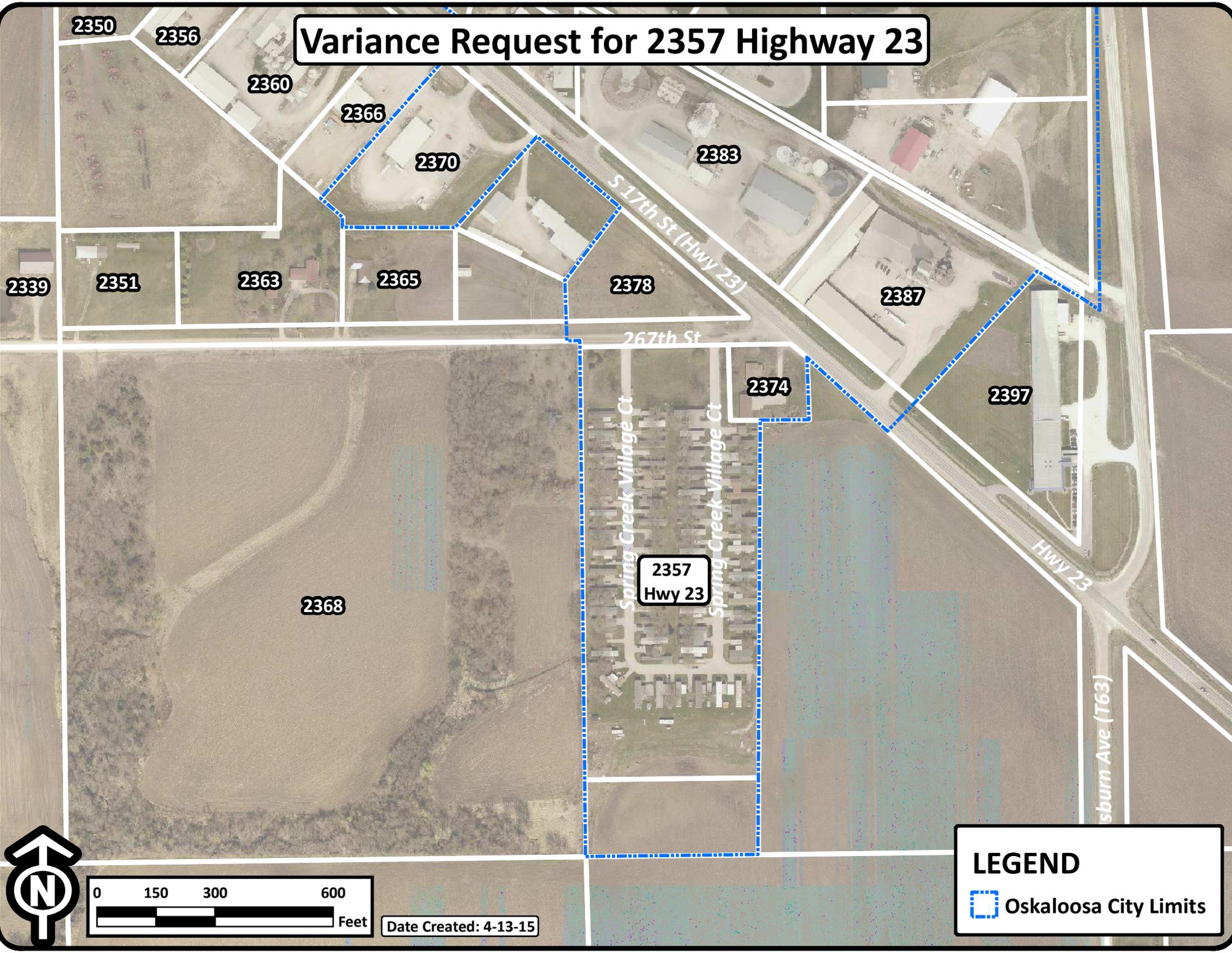
Existing pictures of the Northern side of lot



Existing pictures of the Southern side of lot



Variance Request for 2357 Highway 23



Date Created: 4-13-15

LEGEND

 Oskaloosa City Limits



Board of Adjustment Commission

Meeting Date: April 28, 2015

Requested By: Public Works Dept.

Item Title:

Consider a variance request for the property located at 1416 South 1st Street to allow a deck 10 feet from the front yard property line.

Explanation:

Mr. Stephen Hol has submitted a variance request application to allow the building of a deck 10 feet from the front yard property line, 20 feet less than the minimum 30 foot setback requirement located at 1416 South 1st Street. The property is zoned Urban Family Residential (R-2) District. At the time of the variance application, the property owner was not certain the location of the property lines. 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, Location Map, Oskaloosa Municipal Code Table 17.08C

VARIANCE REVIEW AND DETERMINATION OF HARDSHIP
FOR BOARD OF ADJUSTMENT

APPLICANT: Steve Hol

ADDRESS: 1416 S 1st St

VARIANCE REQUESTED: Front of Property Easement to build deck on Front of House

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 | ___ | ✓ |
| 2) Rock Outcroppings | ___ | ✓ |
| 3) Waterways | ___ | ✓ |
| 4) Soil Type | ___ | ✓ |
| 5) Shape of Lot (applicable if lot platted before 1973) | ___ | ✓ |
| B) Significant Trees or Shrubs | ___ | ___ |
| 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? ✓ ___

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

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

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

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

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

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: Lot 7 of Block 7 of Southside, a subdivision of the NE 1/4 of the SE 1/4 of Section 24, Township 7.5, Range 16.

Street Address: 1416 S 1st St Oskaloosa IA 52577

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 19th day of April, 2015, under which the undersigned seek(s) permission to:

Build a deck on front side of house

10 ft from front of house

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 17.08C Table, Paragraph _____, Sub-paragraph _____ of said Ordinance which requires that

The minimum front yard setback in an Urban Family Residential (R-2) district 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)

House to North has deck to same side as requesting.

House to South has entryway to same side as requested.

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

(explain)

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 13th day of April, 2015.

Steve Hol

Steve Hol

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: 1416 S 1st St Date of Application 4-13-15

Owner's Name: Steve Hol Phone Number: 641-660-9155

Owner's Address: 1416 S 1st St

Valuation of Work: \$ 2000.00

Description of Work: Build deck on House

Contractor Information:

General Contractor: Name Chad Whitten - Whitten Construction Lic. # C114990

Address: Pella Iowa Phone # 641-780-4399 Exp. Date: 10/4/2015

Carpenter: Name _____ Lic. # _____

Address: _____ Phone # _____ Exp. Date: _____

Electrician: Name _____ Lic. # _____

Address: _____ Phone # _____ 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 Steve Hol Date: 4-13-15

Print Name: Steve Hol

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

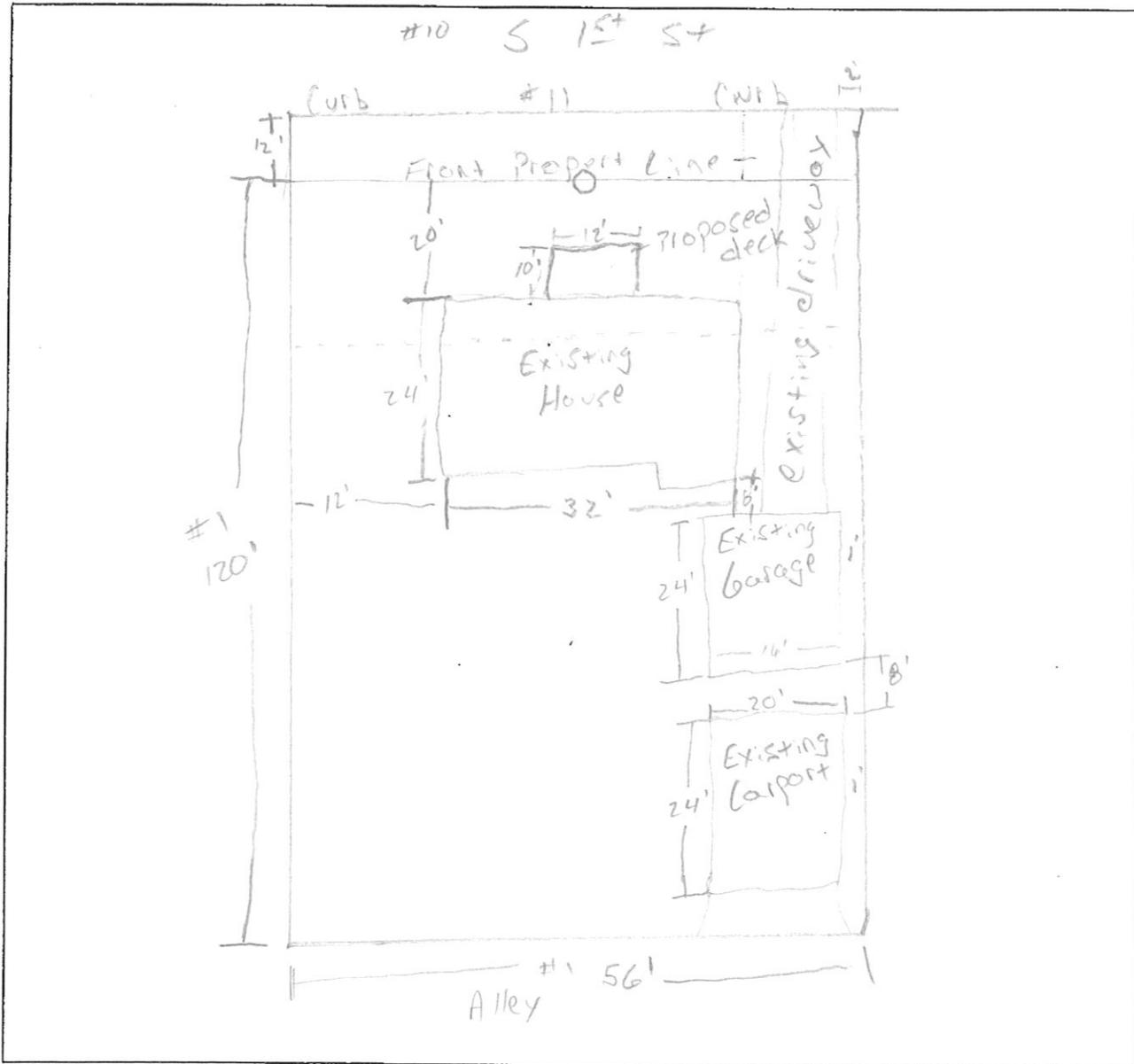
Date

City of Oskaloosa
Engineering/Building Department
Plot Plan Form

Date Submitted: Apr. 13 2015

Property Address: 1416 S 1st St

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: Samuel Hol

See Second Page for Plot Plan Sample

Table 17.08C Summary of Site Development Regulations (Continued)

<i>Regulator</i>	<i>AG</i>	<i>RR</i>	<i>R-1</i>	<i>R-2</i>	<i>R-3</i>	<i>R-4</i>
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



