

**DALLAS COUNTY
BOARD OF ADJUSTMENT
MINUTES**

The Dallas County Board of Adjustment was called to order on **November 18th, 2015** at 4:30 P.M. in the Dallas County Board Conference Room at 902 Court Street in Adel, Iowa, by Chairperson, Marilyn Gliem. Members present were Marilyn Gliem, John Baker, Karen Smith, and John Bunz. Member absent was Scott Pope. Samuel Larson, Senior Planner, was also present.

Approve Agenda:

Motion by K. Smith **to approve** the agenda as presented. Seconded by J. Baker. **Ayes unanimous. Motion carried.**

Old Business:

Approve Minutes of the last meeting of October 19th, 2015.

Motion by J. Bunz **to** dispense with the reading of the Minutes of the last meeting of October 19th, 2015, and **approve** them as written. Seconded by J. Baker. **Ayes unanimous. Motion carried.**

New Business:

Item 1: A Petition for a Variance to allow a reduced side setback down to 5' for an accessory building to be built on Parcel #1402100013 zoned A-1 (Agricultural District) located in the SE1/4 of the NW1/4 of Section 2, T78N, R28W (Adams Township) **for Rodney J. Clark.**

Rod Clark speaking: I built a house on an acre and three quarters out there not knowing that my back yard would be filled with laterals. This building I want to build was going to set further south, but the laterals are there, so I have to stay off of those. I want to leave enough room between the house, and I don't know if the elevations show on the one you've got, but it is like 8'6 from the front of the house to the back. If I could widen that out I could still get to my back door to haul things in and out. Also, I have water coming from the north heading south and I don't want to divert it over onto Leo's, so I more or less want to build a flume and run it down through there. I really don't want the building close to my house in case of fire. I went through that once before where a machine shed burnt, and it scalded the house where I used to live. So, I guess that is the main points. If you have any questions for me -----

J. Bunz asked: What is the purpose of the building? What is going to be housed in there?

R. Clark answered: It will be like a two car garage, or a car and a half garage, so I would have a place to work outside. On the other side of the fence there are red cedars, so for Leo's it wouldn't be like I was building next to them. There is no house within a long ways.

M. Gliem asked: Did you all have a chance to read this?

J. Baker stated: I see they don't have any objectors.

S. Larson speaking: I don't have any firm opinions on this either way. I went out to the site today and drove past this, as I hadn't seen it with the house on it. It is kind of tight in there. On the surface when mapping it out, it seemed there was room for him to meet the setback. It is kind of up to you. The standard for a Variance is a hardship. If you feel as a board that he has met that standard you can go

ahead and grant it. If you don't feel that he has met it you can deny it. You can find some kind of middle ground.

J. Baker asked: If he met the 15' setback from the property line, what is the distance then between the house and the new building or garage?

R. Clark answered: It would be around 30'.

S. Larson stated: It is 55' between the house and the property line.

R. Clark added: I wanted a 24' building, so with the 16, 24, 30-----. That would be putting me pretty close to the house.

S. Larson replied: It would be about 16' separation.

R. Clark stated: I do have an approach to my garage there. I would have to go around that some way. I don't know how I would do that. Everything was fine when I was planning this out, and then with the laterals I didn't have room between the fence and the laterals to move it on south.

M. Gliem asked: Do you mean you have a garage attached to your home?

R. Clark answered: Yes. I guess this would, more or less, house like my lawn mowers and be a shop to work in.

J. Baker asked: How close to the house, Rod, would you feel comfortable if you moved it over a little bit? I know you would like as much distance as you could have between that house and the garage, but how much of that 10' could you move it from the 5' to the 15'?

R. Clark answered: Well, I guess I am here begging. I don't know.

J. Baker replied: Well, I was just kind of -----

R. Clark stated: You see coming off of that approach is 24' off to the east, so I am going to have to find a way to go around that. I can't get to my back yard because of the laterals if I go to the west side either.

J. Bunz asked: Is any of this property slated for residential development in the future?

S. Larson answered: It is all zoned agricultural. Where it is at, I don't see any potential development in the near future.

J. Bunz replied: I just thought with Wells Fargo owning over here, and if that was a foreclosed tract or what that was?

S. Larson stated: I don't know.

J. Baker speaking: That is all timber on the east, isn't it – to the east and southeast? That is all timber.

R. Clark answered: Yes, Leo's go around me on the south and on the east.

J. Baker asked: Is that kind of a government ground?

R. Clark replied: She sort of likes her wildlife, and I do too. I mean I am not in there to mess that up if she has planted trees and everything in there. It wouldn't be like livestock and I can't see anybody building close.

J. Baker stated: I guess with the way that is laid out and with the tree buffer on the east side and no complaint from the Leo's, I guess I have no problem with granting the Variance.

M. Gliem stated: I don't either.

S. Larson speaking: And I don't know that she complained. She questioned why does it have to be so close, or right up basically on the property line was her concerns, but she also didn't write a letter as advised.

M. Gliem responded: Or appear.

K. Smith asked: Do you write her a letter back and explain to her?

S. Larson answered: She came into the office, and we advised her to either come or write a letter.

R. Clark stated: Ron Leo came over to my place, and I showed him what was going on and why, and he said I don't have a problem with it, but Virginia is balking a little bit, but she didn't write anything.

Others to speak: (None)

Motion by J. Bunz **to approve a Variance to allow a reduced side setback down to 5' for an accessory building** to be built on Parcel #1402100013 zoned A-1 located in the SE1/4 of the NW1/4 of Section 2, Adams Township **for Rodney J. Clark.** Seconded by K. Smith. **Ayes unanimous. Motion carried.**

Next Meeting Date set for December 16, 2015 at 4:30 pm.

Motion by J. Baker **to adjourn** the meeting. Seconded by J. Bunz. **Ayes unanimous. Motion carried.**

Meeting adjourned.

Pat Penn
Planner