

BOARD OF ADJUSTMENT

The Board of Adjustment meeting was called to order at 5:30 p.m. by Vice-Chairman Verdoorn.

Roll Call: Present: Robinson, Sissel. Muth, Verdoorn
Absent: Cullinan

Motion by Muth, second by Robinson, to approve the agenda. All ayes.

Motion by Sissel, second by Robinson, to approve the minutes of the 6/2/09 meeting. All ayes.

Verdoorn stated the purpose of the meeting was to continue deliberation on a variance request from **Tom and Judy Linahon, 5008 260th St., Clear Lake, IA**, to construct a detached 30' x 40' (1,200 sq. ft.) garage. The proposed construction exceeds the 750 sq. ft. area limit permitted by the Clear Lake Code of Ordinances Chapter 165.32. Discussion had been tabled on 6/2/09, pending receipt of completed Application of Zoning Variance forms.

Tom Linahon reviewed plans for the building he is proposing to construct on his 1.84 acre lot. The building would be a stick-built structure, primarily used to store personal items and lawn maintenance equipment. Mr. Linahon also noted that his building would be 100' from his nearest neighbor's outbuilding.

Verdoorn stated that the proposed garage exceeds the square footage allowed by Code by almost 500', and he would not be in favor of granting that large a variance, even though Mr. Linahon's property is on the edge of the City limits. A resident, not an abutting property owner, living in the neighborhood had contacted Verdoorn to express his objection to the size of the proposed building.

Robinson also expressed the same opinion, noting the size requested was 60% larger than the Code allows. She would be willing to allow Mr. Linahon to construct up to a 960 sq. ft. garage, which would match the size of another building in that neighborhood for which a variance had been granted.

Sissel noted that the building size requested by Mr. Linahon would utilize only 1% of the total square footage of his property. She felt that neighboring property owners would rather look at a residential style garage than the clutter of items sitting outside.

Muth questioned Mr. Linahon on how he could make adjustments to his building plan if this Board granted a smaller variance than requested. Mr. Linahon responded that he would have to reevaluate his plans, and possibly not even build if the structure would end up being too small to meet his needs. Muth noted that attached 3-stall garages, which are allowed by Code, are now considered the norm when doing new construction, however if a detached garage is to be built, Code only allows for the equivalent of 2 stalls. He was of the opinion that if this Board continues to grant approval for large detached accessory buildings, there could be future ramifications resulting from its decisions.

John Marino, Building Official, stated the maximum size of detached accessory buildings is one area consultants from RDG will likely recommend be increased as part of the Zoning Ordinance Revision Project. He feels they will recommend the maximum be raised to 1,000 sq. ft. if the property size will support that percentage of land use by the accessory building.

Motion by Robinson, second by Muth, that a variance be granted to allow the construction of a 960 sq. ft. detached residential frame garage, with siding. Ayes: Robinson, Muth, Verdoorn. Naves: Sissel.

Motion by Sissel, second by Robinson, that the meeting be adjourned at 5:50 p.m. All ayes.

Mike Verdoorn, Vice-Chairman

ATTEST:

Sharon Springer, Secretary