

BOARD OF ADJUSTMENT

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

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

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

Motion by Sissel, second by Muth, to approve the minutes of the 9/1/09 meeting. All ayes.

Verdoorn read the following appeals:

**Jeff & Denice Austin, 809 N 11<sup>th</sup> Street, Clear Lake, IA**, request permission to erect an accessory building. PERMISSION DENIED: The Clear Lake Code of Ordinances Chapter 165.32 – Accessory Use and Building Regulations. Maximum Rear Yard Coverage. In all RS zones accessory buildings shall not exceed the aggregate of 750 sq. ft. in area and shall not occupy more than thirty-five percent (35%) of rear yard area. Proposed construction will not meet these requirements.

There were no written or oral objections.

Mr. Austin stated he needs off-street parking for 3 vehicles, and is therefore requesting a variance to construct a 24' x 36' (864 sq. ft.) 2-stall garage, with a 6' shop area to the back. A small one-stall garage, which was in need of major repairs, had been removed to make way for a new structure. The old garage was 3' from the property line, and the proposed new construction will be 5' from the lot line, as required by Code. The new garage will be sided with residential type siding.

Muth asked if the proposed structure would occupy more than 35% of the total yard area, and was told that it would not. John Marino, Building Official, stated that the Austins only need a variance because the new garage will exceed the 750 sq. ft. maximum allowed by Code.

Motion by Muth, second by Robinson, to grant Mr. & Mrs. Austin a variance to construct an 864 sq. ft. garage, to be sided with residential siding. All ayes.

**Fred & Heather Roth, 912 4<sup>th</sup> Avenue S, Clear Lake, IA**, request permission to erect an accessory building. PERMISSION DENIED: The Clear Lake Code of Ordinances Chapter 165.32 – Accessory Use and Building Regulations. Setback From Property Lines. In R zones, an accessory building shall not be located closer than five (5) feet to a side lot line or a rear lot line. Proposed construction will not meet these requirements.

There were no written or oral objections.

Mrs. Roth said she and her husband would like a variance to construct a 20' x 12' addition to the front (south) side of their garage, which is 26' x 24'. This will allow them to get cars out of their driveway by parking two vehicles end-to-end in the west side of the resulting structure. The east side of the present garage will be used as a storage area and covered patio. The proposed addition will align with the west side and roofline of their garage, and the entire resulting structure will be sided to match their residence. The variance is needed because the west side of the existing garage is only 2' from the property line. The Roths had secured signatures of approval from abutting property owners, including the Lincoln Park Project on the west. Lincoln Park developers intend to use the area adjacent to the Roth property for a parking lot and screened dumpster storage area for the development. Gutters will be placed on the east and west sides of the garage eaves to drain water to the north, which is 13' from the abutting property line.

Motion by Muth, second by Sissel, to grant the requested side-yard variance to allow Mr. & Mrs. Roth to construct a garage addition 2' from the west property line, with the stipulation that gutters be installed on the entire west side of the resulting structure to drain water run-off away from the west. All ayes.

Moved by Sissel, second by Robinson that the meeting be adjourned at 5:47 p.m. All ayes.

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Mike Verdoorn, Vice-Chairman

ATTEST:

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Sharon Springer, Secretary