

Notice is hereby given that the Board of Adjustment for the City of Grinnell will conduct a public hearing in the City Council Chambers, 520 4th Avenue, Grinnell, Iowa at 12:00 Noon, Friday, March 16, 2018.

**Board of Adjustment
Agenda**

March 16, 2018

12:00 Noon

Chairperson Palmer presiding:

Roll Call: Heimann _____, Grant _____, Kottmeier _____, Van Tomme _____.

APPROVAL OF AGENDA:

COMMUNICATIONS:

NEW BUSINESS:

1. Approval of Minutes: November 10, 2017 Meeting Minutes

2. Election of officers for 2018 – Must be completed the first meeting of each calendar year.

Election of Chairperson:

Election of Vice-Chairperson:

Election of Secretary:

3. Public hearing to discuss appeal (Appeal 18-1) made to the City of Grinnell Board of Adjustment by Craig Cooper for a Variance to the Interior Living Space required for a proposed residence at 809 5th Avenue which is zoned C-2.

ADJOURN:

P. S. Please let us know at 236-2600 if you cannot attend so we can be sure we have a quorum.

Notice is hereby given that the Board of Adjustment for the City of Grinnell will conduct a public hearing in the City Council Chambers, 520 4th Avenue, Grinnell, Iowa at 12:00 Noon, Friday, November 10, 2017.

MINUTES OF THE BOARD OF ADJUSTMENT

APPEAL 17-2 & 17-3

November 10, 2017

The meeting was called to order by Chairperson Palmer at 12:00 p.m.

Roll Call: Heimann P, Grant P, Kottmeier P, Van Tomme A.

Also present was: Duane Neff. Tyler Avis.

APPROVAL OF AGENDA:

Grant moved to approve the agenda. Heimann seconded the motion. The motion carried unanimously.

APPROVAL OF MINUTES:

Palmer asked the Commission if any changes were necessary. None were observed. The minutes were approved unanimously.

NEW BUSINESS:

1. Public hearing to discuss an appeal (Appeal 17-2) by Mike Hotchkin made to the City of Grinnell Board of Adjustment for a Variance to the Side Yard Setback required on a Corner Lot at a residence located at 1601 10th Avenue Place which is zoned R-1.

Neff and Avis simply explained the request per the Memo provided to the Commission. Mike Hotchkin pleaded his reason for his application of a variance, and explained that he would need to have his side yard setback reduced to 4.5 feet from the required 8 feet to be allowed to construct a garage addition which would allow him to park a second vehicle in an addition he is proposing to his existing garage. Four public comments were taken by phone and two written expressing approval for the variance to be granted.

Heimann moved to approve a variance to reduce the side yard setback to 4.5 feet because the addition will not affect the line of sight requirements required for visibility at this corner intersection. Grant seconded the motion. Roll Call Votes were as follows: Heimann: Y, Grant: Y, Kottmeier: N, Palmer: Y. Motion Passed 3-1.

2. Public Hearing to discuss an appeal (Appeal 17-3) made to the City of Grinnell Board of Adjustment for a Variance from the requirement of only being allowed to place an accessory building in the rear yard at a business located at 803 6th Avenue which is zoned C-1.

Neff and Avis simply explained the request per the Memo provided to the Commission. Robin Marcinik pleaded her reason for her application of a variance, and explained that because her property does not contain a rear yard, she is limited to placing an accessory structure to the front yard. She explained that it will not interfere with visibility at the alley intersection, and she will make the structure weatherproof with shingles.

Public comment was taken by Cheryl Neubert, who expressed that this area is surrounded by a Nationally Recognized Historic District, and she felt that this property is not sensitive to the character of the North Grinnell Historic District, and recommended the Board to deny the variance application.

Public comment was taken by Gail Bonath, who expressed that she feels the same as Cheryl Neubert in that this property does not demonstrate the character of the historic district, and recommended the Board to Deny the Variance application.

Avis indicated that staff had received communication from three separate property owners whom were notified of this project because of being within 200 feet of the proposed variance who were in favor of the variance being granted.

A discussion was had between Board members on a location of the structure if the variance were to be approved, concluding the east side of the property would be the better location if approved.

Heimann moved to deny the motion made to the Board to allow an accessory structure in the front yard at a property located at 803 6th Avenue due to not having a rear yard as not meeting the requirements of an unnecessary hardship. Palmer seconded the motion. Roll Call Votes were as follows: Heimann: Y, Grant: Y, Kottmeier: N, Palmer: Y. Motion Passed 3-1.

ADJOURN: Heimann moved that the meeting be adjourned. The motion was seconded by Grant. The motion passed unanimously and the meeting was adjourned at 12:18.

PHIL PALMER, CHAIR

ATTEST:

A handwritten signature in black ink, appearing to read "Tyler Avis", is written over a horizontal line.

TYLER AVIS, SECRETARY

Craig Cooper
Cooper Real Estate, LLC
921 Broad St.
Grinnell, Iowa 50112
641-990-4820

February 22, 2018

Dear City of Grinnell Board of Adjustment,

Cooper Real Estate, LLC currently has a purchase agreement to buy the property at 809 5th Avenue (the former location of Slingshot Ink). We would like to redevelop the building into a 1500 sq. ft. office and a 600 sq. ft. apartment. We have a signed lease from a tenant for the office space pending purchase.

We would ask for a variance for this property concerning the apartment. Current code calls for a minimum square footage to be 700 sq. ft. However, with the prospective tenant office requirements, the balance of square footage allows for only 600 sq. ft. We can easily build an apartment in the 600 sq., see plan attached. We ask for a variance to build out an apartment from the 700 sq. ft. requirement to 600 sq.ft.

As a property owner, we recognize that the demographics of renters have changed. Folks simply don't require as much living space (i.e. we don't lug around sets of encyclopedias anymore). Location, cleanliness, and efficiencies are what seems to be in high demand. Of course, we are committed to providing safe and clean places to live in downtown Grinnell and will comply with all safety and fire code requirements for this unit.

We have a good history of taking empty and underutilized properties and changing the revenue stream so that the buildings survive and thrive. We certainly think we can do this with this property too.

Thank you for your consideration.

Sincerely,
Craig Cooper

MEMORANDUM TO THE BOARD OF ADJUSTMENT

March 16, 2018

12:00 Noon

Approval of November 10, 2017 Meeting Minutes

OLD BUSINESS:

None

NEW BUSINESS:

1. Election of officers for 2017
2. Public hearing to discuss an appeal (Appeal 18-1) made to the City of Grinnell Board of Adjustment by Craig Cooper for a Variance to the Interior Living Space required for a proposed residence at 809 5th Avenue which is zoned C-2.

A Variance is requested from the following requirement:

Municipal Code Section 165.16: R-3 Multifamily Residential District: 3: Interior Living Space: "The minimum ground floor area shall be not less than 700 square feet in one and one and a half story dwellings, and shall be the area included within the outside lines of the exterior walls of the main structure at the ground floor level."

The Board of Adjustment, after public hearing, and after receiving a report by the Commission and subject to such restrictions and conditions as the board may deem necessary and may authorize the location, construction, extension, or structural alteration of the following buildings or uses by issuance of a Variance:

For the property located at 809 5th Avenue, the interior living space required may be reduced to 600 square feet.

Findings of Staff

809 5th Avenue is a property in the downtown district located just east of the intersection of Main Street and 5th Avenue. The Poweshiek County Assessor identifies the building as having 2,100 square feet of area. Mr. Cooper is intending to purchase the property and remodel the space for a new doctors office, and have the rear portion of the building be converted into a single apartment unit. When initially constructed, this building had its main support beams placed +/- 20 feet apart going east-west. Mr. Cooper wants to create the separation space between the office and apartment unit by using the existing support structures by constructing a 1 hour fire rated wall between the two spaces. Since the building is 30 feet wide and this support structure is 20 feet from the north wall, the residential space would be 600 square feet, which is 100 square feet less than the required 700 square feet.

Based upon recent building code changes that have been a result from many people all over the world wanting to create apartment and dwelling units out of smaller spaces for efficiency and affordability, Grinnell's Interior Living Space requirements have become a bit dated compared to current practices. Currently, the International Residential Code requires that all habitable rooms must have a floor area of not less than 70 square feet, and all habitable rooms may not be less than 7 feet in any horizontal dimension. The interior living space requirement has essentially been removed. Looking further into what is outlined in Grinnell's Code of Ordinances, when 2 or more apartments are constructed in a dwelling, they may be reduced to each only needing to have 400 square feet of

interior living space. I have attached the commentary from the International Residential Code that applies to the code change for minimum room areas for additional clarification.

Based upon the need for the number of offices that will be required for the new doctors practice, the Board may find that a hardship does exist because of the structural layout of the historic building, and altering it more than what is deemed necessary may affect its historic significance.

You are further notified that the time and place of the public hearing will be Friday, March 16, 2018 at 12:00 p.m. in the City Council Chambers, located on the 2nd floor of City Hall, 520 Fourth Avenue, Grinnell, Iowa at which time any interested party will be heard concerning this matter.

Respectfully submitted,

Tyler Avis
Director of Building and Planning, City of Grinnell

R304.1

Minimum Habitable Room Area

CHANGE TYPE: Modification

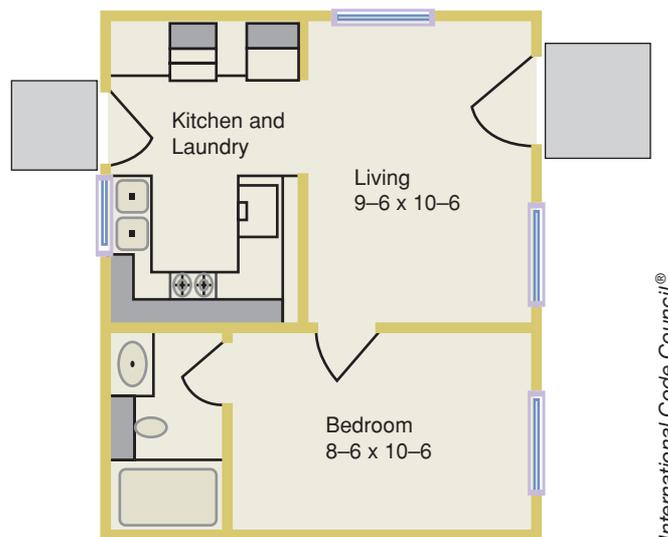
CHANGE SUMMARY: The requirement for one habitable room with a minimum floor area of 120 square feet has been removed from the code.

2015 CODE: R304.1 Minimum Area. ~~Every dwelling unit shall have at least one habitable room that shall have not less than 120 square feet (11 m²) of gross floor area.~~

R304.2 Other Rooms. ~~Other Habitable rooms shall have a floor area of not less than 70 square feet (6.5 m²).~~

Exception: Kitchens.

CHANGE SIGNIFICANCE: The IRC sets minimum requirements for a healthy interior living environment, including provisions for room size, ceiling height, light, ventilation, and heating. The code has long provided a minimum room area of 120 square feet for at least one habitable room with all other habitable rooms having a floor area not less than 70 square feet. Most modern homes have rooms that exceed those dimensions, but the intent has been to at least provide a small 12-foot by 10-foot living room with one or more bedrooms measuring approximately 7 feet by 10 feet. The requirement for one habitable room with a minimum floor area of 120 square feet has been removed from the code. The 70-square-foot minimum area now applies to all habitable rooms as the smallest acceptable size for occupants to move about and use the habitable space as intended. The minimum area of 120 square feet was not based on scientific analysis or on identified safety hazards but was generally accepted by code users and in the marketplace. Recently, however, proponents of minimalist living have advocated smaller dwellings to reduce environmental impact and provide for lower living costs through reduced mortgage and maintenance expenses. These dwellings are intended to allow for a minimalist lifestyle that doesn't demand large volumes of living space. Extreme examples of



Small dwelling complying with minimum area requirements

these minimalist dwellings are often termed “tiny houses.” Proponents of this change reasoned that consumers make a purposeful and informed decision as to the appropriateness of the housing they choose to live in and that the code should not place arbitrary restrictions on room size that have no demonstrable life-safety benefit. Although the change will not impact typical residential construction, it will accommodate alternatives for very small dwellings that would previously not be allowed under the IRC. It may also encourage greater acceptance of and compliance with the residential code by those pursuing a minimalist lifestyle.

BOARD OF ADJUSTMENT NOTICE OF PUBLIC HEARING

Notice is hereby given that an appeal (Appeal 18-1) has been made to the Board of Adjustment for a variance to the Interior Living Space required for a proposed residence at 809 5th Avenue which is zoned C-2.

A variance is requested from the following requirement: Grinnell, IA Municipal Code Section 165.16: R-3 Multifamily Residential District: 3: Interior Living Space: "The minimum ground floor area shall be not less than 700 square feet in one and one and a half story dwellings, and shall be the area included within the outside lines of the exterior walls of the main structure at the ground floor level."

You are further notified that the time and place of the public hearing will be Friday March 16, 2018 at 12:00 p.m. in the City Council Chambers, located on the 2nd floor of City Hall, 520 Fourth Avenue, Grinnell, Iowa at which time any interested party will be heard concerning this matter.

Tyler Avis
Director of Building & Planning

Legal Notice
Publish: March 1, 2018



PUBLIC NOTICE

The Board of Adjustment of the City of Grinnell will meet for their regularly scheduled meeting on March 16, 2018 at 12:00 p.m. in the Council Chambers of the City Hall at 520 Fourth Avenue Grinnell, Iowa. The agenda will include a proposed Variance to the Interior Living Space required for a proposed residence located at 809 5th Avenue which is zoned C-2.



February 26, 2018

Re: Board of Adjustment Meeting

I want to let you know that a Board of Adjustment meeting has been set for Friday, March 16, 2017 at noon in the Council Chambers at 520 4th Avenue.

Craig Cooper has submitted an application to discuss an appeal (Appeal 18-1) made to the City of Grinnell Board of Adjustment for a Variance to the Interior Living Space required for a proposed residence located at 809 5th Avenue which is zoned C-2.

Please let us know as soon as possible if you will not be able to attend this meeting since we want to be sure to have a quorum.

Sincerely,

Tyler Avis
Building & Planning Director

CITY OF GRINNELL
520 Fourth Avenue
Grinnell, Iowa
50112-1947
Phone: 641-236-2600
Fax: 641-236-2626

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At-Large

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