

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, June 22, 2018.

MINUTES OF THE BOARD OF ADJUSTMENT

APPEAL 18-5 & 18-6

June 22, 2018

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

Roll Call: Grant P , Hatting P , Redding A , Van Tomme P .

Also present: Tyler Avis. Dan Agnew.

APPROVAL OF AGENDA:

Palmer asked if any changes were needed of the agenda. None were observed. The Agenda was approved unanimously.

COMMUNICATIONS:

Chairperson Palmer requested if there were any communications, Avis read the letter from Karen Neal, stating that she was not in favor of the childcare center being proposed for the Variance of Appeal 18-6, because of concerns with zoning changes in the neighborhood and parking limitations that currently exist.

APPROVAL OF MINUTES:

Palmer asked if any changes were needed of the minutes. None were observed. Hatting made a motion to approve the minutes, Van Tomme seconded the motion. The Minutes were approved unanimously.

NEW BUSINESS:

1. Public hearing to discuss appeal (Appeal 18-5) made to the City of Grinnell Board of Adjustment by Andy Beach for a variance to the rear yard requirement of an M-1 Zoned property, known as 606 Marvin Avenue.

Chairperson Palmer opened up the meeting to the public for anyone to comment.

Jan Pope explained that when she bought her home in 1982 and at that time there were only two houses in this area as well as Warner Steel and a car crushing business. In the late 90's she explained the City required the properties to be cleaned up, and a building to be installed for the landscaping business to store the operating equipment out of sight. She explained that the two issues she has with this property are the cars that race up and down the street coming from Andy's Auto, and the number of vehicles located on the property. She explained that there were at least 31 vehicles on the property one day last week after business hours. She believes the condition of the property has reduced the

value of her property, and she believes the City should make a better attempt to remove the junk vehicles.

Chris Starrett began to explain that his mother lives in this area before Andy's Auto was established, and the property was maintained during that time. He stated recently that the property has not been maintained so well. Mr. Starrett explained that the main concern deals with the vehicles parked on the property.

Andy Beach explained that some of the vehicles on the property are those left by people who have no intention of retrieving them from his property after learning what it will cost to fix them. Mr. Beach explained that he now better understands the process of removing abandoned vehicles, and plans to move forward with removing them as fast as he can. He further explained that he has grown faster than he could have ever expected to, and many times ends up having to work on vehicles outdoors. This addition would help keep vehicles indoors.

Chairperson Palmer asked if it is possible for this addition to be located on the West Side of the building.

Mr. Avis explained that the issue pertaining to having the addition on the west side of the building per Mr. Beach is that the location of the sewer and water in relation to the existing topography would make it far too expensive to move forward with the project.

Mr. Hatting asked Mr. Beach if there are any additional comments he would like to make.

Mr. Beach explained that he feels he tries to provide the best service he can to the community. He said that he will have a son who will soon graduate college that will become a staple of the business, and he hopes to be here for a long time to come, and construct a building that will last. He further explained that he will complete landscaping, and re-side all of the building. He also explained that he cannot file to obtain ownership to remove a junk car until 90 days have passed with it being on his lot.

Mr. Hatting asked Mr. Beach for an explanation of the hardship that exists.

Mr. Beach went further into detail on the sewer and water issues, explaining the location of the existing connections, and then explained that because of the roof construction of the existing building, the entire roof would need to be removed and a whole new roof would need to be installed over top of the existing and addition portion, which would put him out of business for quite some time.

Mrs. Grant began to explain that she didn't believe that not granting the variance request would not solve any of the issues spoken about.

Chairperson Palmer explained that the Board is not the body to really address those issues discussed by the neighbors, and what the Board should determine is if there is a hardship not related to financial burden.

Mrs. Grant asked what they are supposed to use to determine if there is a hardship.

Mr. Avis explained that the City's Regulations define a hardship as a situation which exists on a piece of land, or how the land is laid out, that property may be irregular of other lots in the same district, and if the variance was granted, it could be because there could be something relating to the topography for example, causes there to be reason for a variance to be approved.

Pat Starrett asked if the proposed parking lot would be gravel or concrete.

Mr. Beach stated that it would be all gravel from the approach but would have a sand base.

Chairperson Palmer called for the question on approval or denial of the request.

Mrs. Grant made a motion to approve the variance request for 606 Marvin Avenue to reduce the rear yard to 7 feet based upon the difficulty of erecting an addition in any other layout based upon the topography of the lot in question. Mrs. Van Tomme seconded the motion. Roll Call votes were as follows: Grant: Y, Hatting: N, Van Tomme: Y, Palmer: Y. Motion Passed 3-1.

2. Public hearing to discuss appeal (Appeal 18-6) made to the City of Grinnell Board of Adjustment by Dan Becker for a Special Use Permit to allow a property located at 1533 Main Street to be used as a 'child nursery' specifically meaning an infant & toddler daycare center. The property is zoned R-1.

Chairperson Palmer asked Mr. Avis for a staff report on the variance request.

Mr. Avis explained that Preschool/Child Nurseries, defined in the Zoning Regulations as the facilities of any dwelling, institution, or organization which, for profit or nonprofit, are used in the temporary care of five (5) or more children at any one time, requires a special use permit to be granted since there is no defined specific district of which they are permitted in.

Brenda O'Halloran explained her support of the proposed childcare center based upon the findings of a recent report which explained that Grinnell is a childcare/daycare desert. She described the general layout of how the existing home will be used, stating that up to 8 children for the 2 caregivers would be the max, and that they would plan to install a small outdoor playset on the property.

Mrs. Van Tomme made a motion to approve a special use permit for a child nursery to be located at 1533 Main St. Mrs. Grant seconded the motion. Roll Call votes were as follows: Grant: Y, Hatting: N, Van Tomme: Y, Palmer: Y. Motion Passed 3-1

Mr. Avis briefly explained an update to the Board on an item relating to the previous meeting dealing with Accessory Dwelling Units, detailing that the City Council Planning Committee has requested additional information relating to what regulations other Cities have adopted and enforce.

ADJOURN: Ms. Grant moved that the meeting be adjourned. The motion was seconded by Mr. Redding. The motion passed unanimously and the meeting was adjourned at 12:49.

PHIL PALMER, CHAIR

ATTEST:



TYLER AVIS, SECRETARY