

BOARD OF ZONING ADJUSTMENT MEETING

Tuesday
August 29, 2023– 8:15 A.M.

AGENDA

- A. **CALL TO ORDER** - Chairman
- B. **ROLL CALL**
BOARD MEMBERS: RUCHTI _____, MAYROSE _____, PAULING _____,
SITZMANN _____, BROCK _____
- C. **MINUTES**
 - 1. July 25, 2023 Minutes
- D. **ACTION**
 - 1. Request for Variance – Kommes
 - 2. Request for Variance- Renken
- E. **ADJOURNMENT**

BOARD OF ZONING ADJUSTMENT

July 25, 2023

8:30 A.M.

I. The regular meeting of the Board of Zoning Adjustment was called to order at approximately 8:30 A.M. by Bruce Brock.

II. Roll Call: Members Present: Brock, Pauling, Mayrose
Members Absent: Sitzmann, Ruchti
Others Present: Bernhardt, Schipper, Vacura, Gaul

III. Minutes: Mayrose moved, Pauling seconded the minutes of the June 5, 2023, meeting be approved. Ayes: All present.

1. The Board reviewed a request by Ashley Sanow, 129 2nd Ave NE, for a variance from the literal provisions of the Le Mars Code of Ordinance Chapter 167.17. The request is to add an addition to the existing garage (242 sq. ft.) and attach it to the home. The variance will exceed the rear yard setback (30 ft) in Chapter 167.17 (3) (F-H). The current garage cannot be torn down and built new as they would not be able to get the 30 ft rear yard setback or the 10 ft requirement from the home. Mayrose stated the area is very tight on the small lot. Ashley Sanow has cut down on the size of the proposed garage addition (11 ½ x 22) to be able to attach the garage to the house. The current garage is a functional obsolescent, therefore, Ashley would like to attach the garage to the house to cut down on snow & ice pile up between structures due to an individual's health and enlarge the garage to be able to fit a vehicle inside the garage.

MOTION: Mayrose moved, Pauling seconded to grant the variance request to Ashley Sanow at 129 2nd Ave NE with the side yard regulations 167.17(3)(F-H) based on the new structures and to work closely with the Code Department. Ayes: All present.

2. The Board reviewed a request by Dave Ruba, 29 4th St NE, Lot 3 Wells' Sub'd, for a variance from the literal provisions of the Le Mars Code of Ordinance Chapter 167.17. The request is to remove the old garage and build a new garage (24 x 26) moving the new garage forward closer to the house door. City code requires an 8' side yard setback and a 30' rear yard setback on single story homes. Ruba is asking for the side yard setback to be reduced to 5 ft and the rear yard setback to be reduced to 13 ft.

MOTION: Pauling moved, Mayrose seconded to grant the variance request to Dave Ruba to build a 24' x 26' garage allowing a reduction in the side yard setback from 8 ft to 5 ft and a rear yard setback from 30 ft to 13 ft at 29 4th St NE. Ayes: All present.

IV. Adjournment: The meeting was adjourned at 8:31 A.M.

Bruce Brock

CITY OF LE MARS, IOWA

Action	REQUEST FOR ACTION	Date: 8/29/23
	Description: Tyler Kommes	Item No. D-1

Information: Tyler Kommes is requesting a variance to the Le Mars Code of Ordinances at 1260 Plymouth St SE. The request is for a variance to section 167.17 Yard Regulations the variance would allow for the construction of a new 24x30 attached garage on the east side of the house.

Staff Comments

The current home has a 20x20 attached garage that sits only 2-3 feet from the current property line. Tyler is proposing tearing down the current garage and building a new 24x30 attached garage, and moving the new garage 12 feet back(south) from the current position to gain more width. He is asking to build within 5 feet of the eastern property line. In the past, the city has allowed variances of the structure to be within 5 feet of the property line

BOZA ACTION REQUESTED

Motion approving/denying the variance request to reduce side yard setback to 5 ft.

08/16/23

Neighbors of
1260 Plymouth St SE

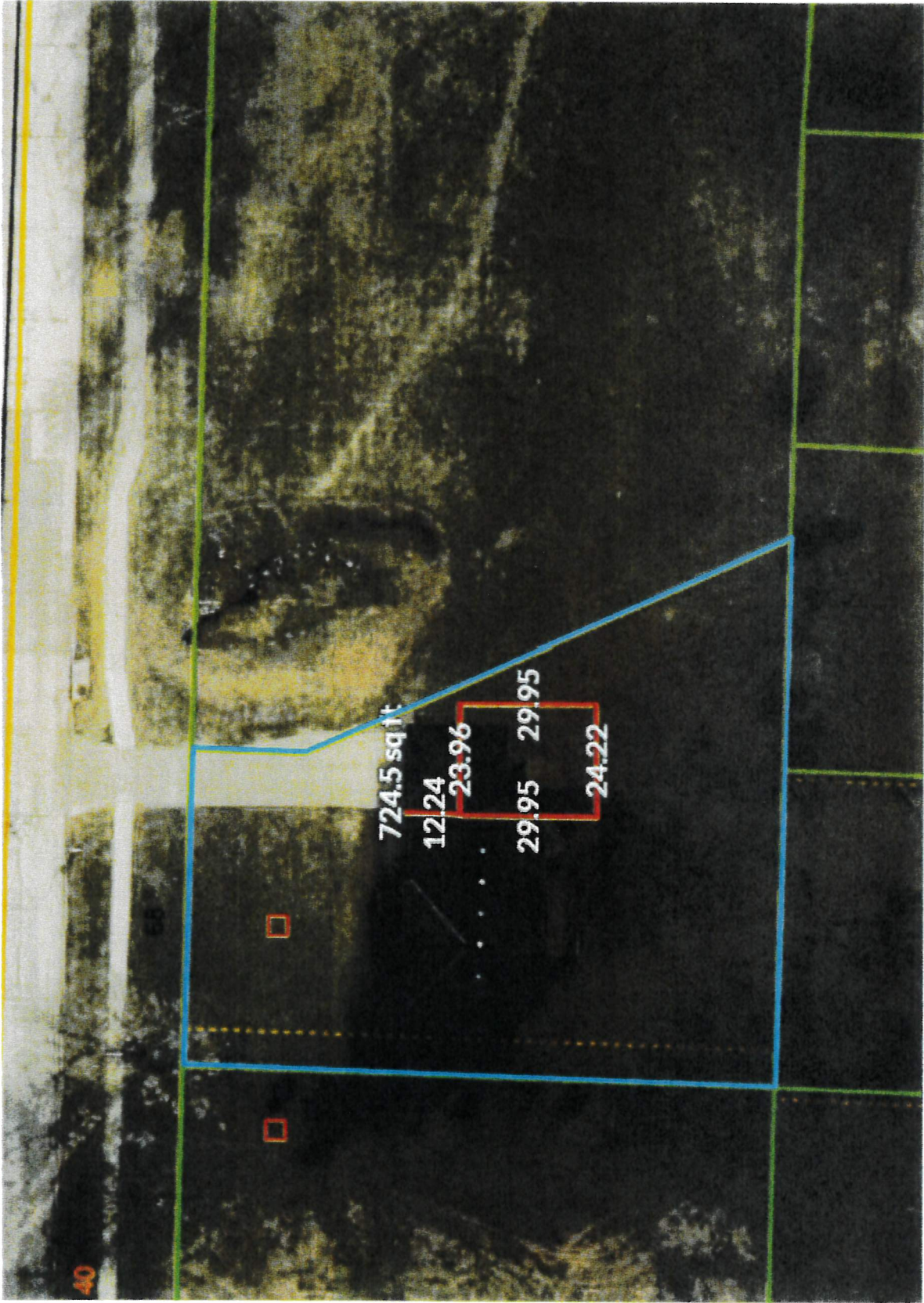
Tyler Kommes is requesting a variance to the LeMars Code of Ordinances at 1260 Plymouth St SE. The request is for a variance to section 167.17 Yard Regulations the variance would allow for the construction of a new 24x30 attached garage on the east side of the house.

The current home has a 20x20 attached garage that sits only 2-3 feet from the current property line. Tyler is proposing tearing down the current garage and building a new 24x30 attached garage and moving the new garage 12 feet back(south) from the current position to gain more width. He is asking to build within 5 feet of the eastern property line. In the past, the city has allowed variances of the structure to be within 5 feet of the property line

You are being notified of the Board of Zoning Adjustment meeting because you have property within 200 ft of 1260 Plymouth St SE the meeting will be held on August 29, 2023, at 8:15 am in the council chambers at City Hall, 40 Central Ave SE. You are not required to attend but surely may express any concerns with this request.

Sincerely;

Lucas Bernhardt
Code Enforcement/Building Official
City of Le Mars
712-548-4972



CITY OF LE MARS, IOWA

Action	REQUEST FOR ACTION	Date: 8/29/23
	Description: Dana & Ann Renken	Item No. D-2

Information: Dana & Ann Renken request a variance to the LeMars Code of Ordinances at 316 3rd St SW. The request is for a variance to section 167.17 Yard Regulations the variance would allow for the construction of a new garage

Staff Comments

Dana & Ann Renken wish to rebuild their garage which was damaged by a fire. The current garage is 20x18. The property is currently legal but non-conforming by today's zoning regulations and setback requirements. The garage is about 2 feet from the rear and side yard property lines. The setbacks of 30' and 8' are being used because the structures are not physically connected, they are considered as one due to under 10' of separation.

The current code states in an R-2 zone the yard sets back requirements are 30 ft for the rear yard and 8 ft for the side yard.

BOZA ACTION REQUESTED

Motion approving/denying the variance request to reduce the rear & side yard setback to 2 foot.

08/16/23

Neighbors of
316 3rd St SW

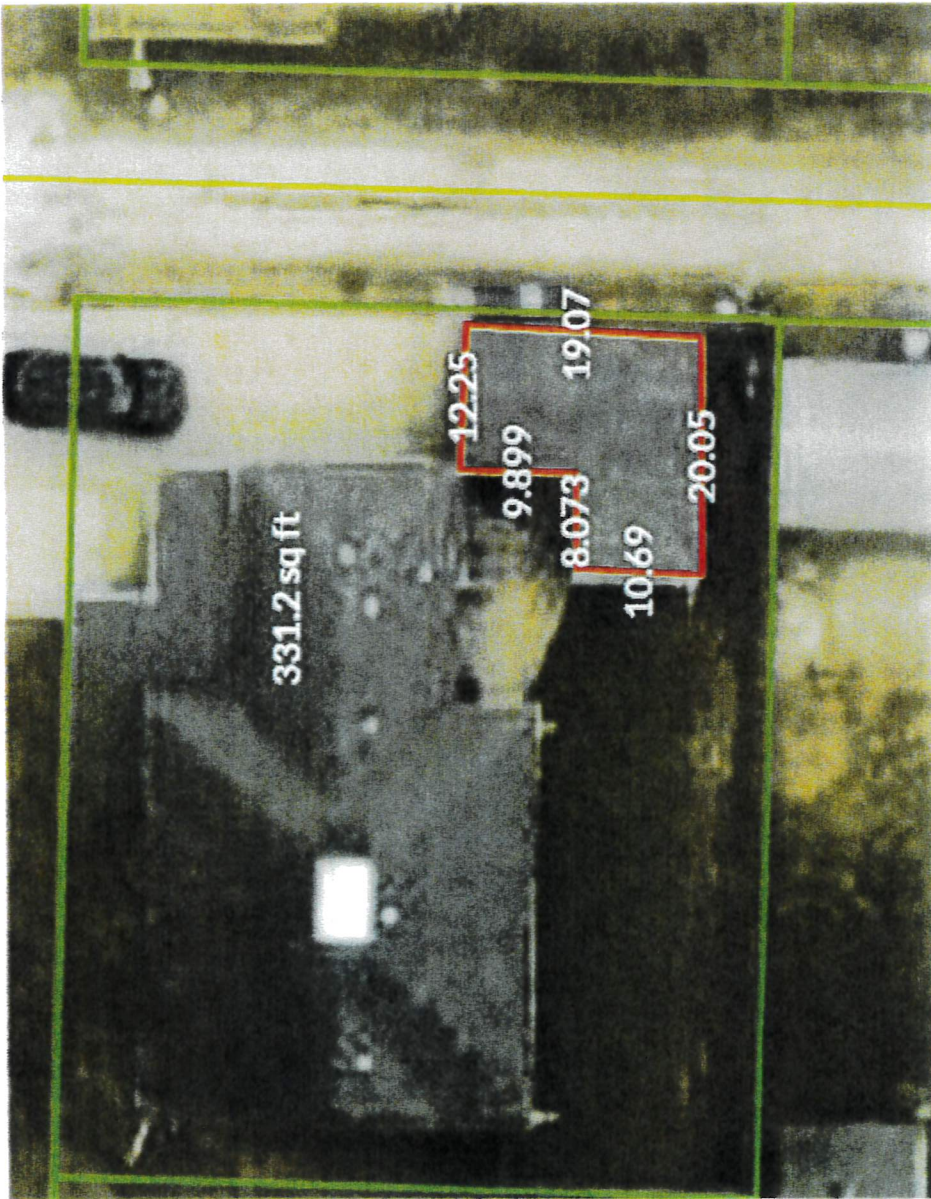
Ann Renken is requesting a variance to the LeMars Code of Ordinances at 316 3rd St SW. The request is for a variance to section 167.17 Yard Regulations the variance would allow for the construction of a new 12x20 attached garage.

The Renken's would like to build a new garage to replace the one that was damaged by a fire they would like to keep the garage the same footprint. The current garage sits 2' foot from the south and west property line.

You are being notified of the Board of Zoning Adjustment meeting because you have property within 200 ft of 1260 Plymouth St SE the meeting will be held on August 29, 2023, at 8:15 am in the council chambers at City Hall, 40 Central Ave SE. You are not required to attend but surely may express any concerns with this request.

Sincerely;

Lucas Bernhardt
Code Enforcement/Building Official
City of Le Mars
712-548-4972



331.2 sq ft

12.25

9.899

8.073

10.69

19.07

20.05