

Altoona Board of Adjustment Hearing – May 6, 2014 – 6:30 PM
Altoona Public Library

Members Present – Dale Sikes, John Rullman, Doug Teuber, Lea Morris, Robert Hall

Members absent – None

Staff Present – John Shaw, Chad Quick, Susi Hoots

Others Present – Melodie Foster, Mary Eastman, Sheryl Bartling, Sadie Bartling Zisoff, Bob Johnston, Jon Ackelson, Mark Huff

Chairman Rullman called hearing to order.

#1 Public hearing to consider a request from Jerry Fees and Melodie Foster for the property at 905 4th Avenue SE, Altoona, Iowa. They are seeking a variance to construct a four-season room onto their existing home. The four-season room is proposed to set three feet from the existing garage. The property is zoned R-2 (One and Two-family Residential). Chapter 167.04 requires accessory buildings to be six feet from the principal buildings. They are seeking a three-foot variance to construct the four-season room as proposed.

Melodie Foster, 905 4th Avenue SE, Altoona, Iowa and Mark Huff of M & M Home Services Inc., 301 22nd Avenue SW, Altoona, Iowa, presented the request by explaining they are seeking to maximize the area of a four-season room. The rear of the property is separated by a fence from Centennial Elementary school property and therefore has no neighbors to the rear.

Rullman asked the presenters to describe the hardship that would allow a variance to be granted.

Mr. Huff responded that the property is the same as the neighboring properties.

Rullman acknowledged the applicant's desire to maximize the size of the room and pointed out that a smaller room would fit.

Mr. Huff said a 14 ft by 13 ft room is not feasible.

Rullman asked if the proposed room could be shifted further north on the house.

Mr. Huff said doing so would be more difficult construction-wise.

Hall asked if the room exterior walls will be all windows. Mr. Huff replied no, it will be frame like the rest of the house.

Sikes asked if there is reason the corner of the proposed room couldn't be cut back to achieve the six foot distance from the garage, making a five-walled room. Mr. Huff said that would not look good and would make furniture arrangement more difficult.

Ms Foster stated she has lived at this location since 2002 and they would like additional living space and their granddaughter is living with them.

Sikes stated no hardship has been presented. The room addition causes difficulty due to the garage location, but that is not a hardship.

Hall, Morris and Rullman asked about the feasibility of moving the garage to the east. Mr. Huff said there is 12 to 14 feet behind the garage, but that it would be too hard and too expensive to move the garage.

Sikes asked about attaching the garage to the house and Shaw pointed out that option would violate the principal dwelling side setback requirement.

Hall mentioned that a three-foot space between the garage and room didn't provide much room to move something in and out of the rear yard. Mr. Huff said there is more room on the other side of the house with a six or eight foot gate.

Sadie Bartling Zisoff, 1001 4th Avenue SE, Altoona, Iowa, addressed the Board to say she has no objection to the room addition but wants to make sure all fire walls are properly installed to

protect her property from any fire that may spread from the room and/or garage to the fence and to her property.

Mary Eastman, 903 4th Avenue SE, Altoona, Iowa, addressed the Board to say she has no objection to the room addition and to say everything the applicants do is not just functional, but also aesthetically pleasing and the subject property's fence gate on the north side of the house gives very good access to the rear yard.

The neighbors were thanked by the Board for attending and speaking. No letters were received from other members of the public.

Teuber moved to approve the variance request. Seconded by Morris. Vote: Yes – Teuber, Morris. No – Sikes, Rullman, Hall. Variance request denied.

#2 Public hearing to consider a variance request from Bob and Delores Johnston for the property at 116 1st Avenue North. The first is to construct a new commercial building within five feet of the west rear property line, a variance of 20 feet from the required 25-foot rear yard setback.

Bob Johnston, 109 8th Avenue SE, Altoona, Iowa, presented the variance request by explaining Jon Ackelson has purchased his building at 120 1st Avenue N and he needs to relocate. He is going to construct a new building next door. The Planning and Zoning Commission recommended the building be constructed to face east rather than the original westward facing elevation. This will orient the front of the building toward 1st Avenue. Doing so requires a variance as the building will be five feet from the west property line due to the parking lot and a storm water detention on the east side of the property. The distance between the old and new buildings will be 31 feet and there will be a sidewalk between the new building and the lot line also.

Sikes asked for an explanation of the Planning and Zoning Commission's reasoning. Quick explained the aesthetics. Sikes noted that the site-plan as originally presented to Planning and Zoning would not have required a variance. Therefore, it could be construed that Mr. Johnston is presenting on behalf of P & Z as they requested he obtain a variance.

Rullman said that the hardship was created by Planning and Zoning.

Shaw noted that the drainage area requires everything be pushed to the west.

Morris asked for clarification that P & Z thought orienting the building toward 1st Ave was better. Shaw replied the variance will allow the front of the building to face 1st Ave rather than the rear of the building.

Sikes asked Mr. Johnston the status of the last variance that was granted to him. (That variance was for a gravel parking lot at the west end of 120 1st Ave N fenced by an opaque fence of six foot minimum height, the gravel lot and fence to be in existence for a maximum of two years.)

Mr. Johnston said that issue is dead as the tenant that created the nuisance of parking in that area has moved out.

Sikes moved to approve the variance request. Seconded by Morris. Vote: Yes – Sikes, Morris, Teuber, Hall, Rullman. No – None. Variance approved.

#3 Public hearing to consider a variance request from Bob and Delores Johnston for their property at 116 1st Avenue N. The variance is to allow them to orient an overhead door towards

2nd Street NW, in conflict of Chapter 171.01(2)(I)(1) that states that overhead doors shall not be orientated toward public right-of-ways.

Bob Johnston, 109 8th Avenue SE, Altoona, Iowa presented the variance request. Mr. Johnston explained that the overhead door will be used for a small shop and the door will be painted so that when closed, the top portion will match the adjacent siding material color and the bottom will match the adjacent brick color.

Sikes moved to approve the variance request. Seconded by Hall. Vote: Yes – Sikes, Hall, Teuber, Rullman, Morris. No – None. Variance approved.

#4 Public hearing to consider a variance request from Bob and Delores Johnston for their property at 116 1st Avenue North. The variance is to use an enameled steel panel as a secondary exterior wall material in a commercial zoning district. The property is zoned Conditional C-2 (General Commercial)

Bob Johnston, 109 8th Avenue SE, Altoona, Iowa, addressed the Board to say he questions the city's code for C districts that does not allow steel, but does allow aluminum panels.
Jon Ackelson, 2114 Ridgewood Drive, Altoona, Iowa, addressed the Board to say that with any metal, thicker is better. Mr. Ackelson said he believes that an enameled aluminum siding can be produced that will make both Mr. Johnston and the city happy.
Mr. Johnston agreed that he is working with Mr. Ackelson and an enameled aluminum siding will be used.

Sikes moved to accept the withdrawal of the variance request by Mr. Johnston. Seconded by Morris. Vote: Yes – Sikes, Morris, Teuber, Hall, Rullman. No – None.

#5. Teuber moved to approve the minutes as presented. Seconded by Hall. Vote: Yes – Teuber, Hall, Rullman, Sikes, Morris. No – None.

#6 Next meeting/hearing will be Tuesday, June 3, 2014, if needed.

Hearing Adjourned at 7:27 p.m.

Respectfully submitted,
Susi Hoots
Community Services Administrative Assistant