

Altoona Board of Adjustment Hearing – June 10, 2014 – 6:30 PM

Altoona City Hall

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 – Barbara J. Shay, LeeAnn S. Howell, Dan Chamberlain, Timothy Shay, Mrs. Shay, Karla Novak, Anthony Novak, Alan Knuth

Chairman Rullman called hearing to order.

#1 Public hearing to consider a request for variance from Dayton Freight for their property at 1501 11th Avenue NE, Altoona, Iowa. They are proposing to construct a maintenance building and are requesting a variance to allow them to orient a second overhead door towards a public right-of-way. Chapter 171.01(2)(I)(1) states that overhead doors shall not be oriented toward public right-of-ways.

Dan Chamberlain, Renier Construction Corporation, 2164 City Gate Drive, Columbus, Ohio, presented the request by explaining Renier Construction will be the general contractor for the construction. The proposed maintenance building is being enlarged by a 20 foot by 40 foot expansion to the east and an eight foot by eight foot overhead door is proposed for the expansion portion. This expansion will be used for tool and supply storage and the door is needed to allow moving the items in and out of the building. Additional landscaping will be installed along Adventureland Drive and the building sits back about 150 feet from Adventureland Drive. This location is a primary hub facility for Dayton Freight. Most Dayton Freight locations Renier has been involved in do not have a maintenance building. Trucks will come here from other areas for repair and maintenance.

It was noted by Board Members that other larger overhead doors for this facility received a variance earlier. It was also noted that with landscaping along Adventureland Drive and the distance between the street and building, an eight foot by eight foot door will not be very visible.

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

#2 Public hearing to consider a request for variance from Anthony and Karla Novak and Lee Ann Howell for their property at 1206 4th Street SW, Altoona, Iowa. They are proposing to construct a second home on the property (attaching to the existing home) and to do so as proposed, they are seeking a variance to change the rear and side yards. They are proposing to change the south yard to the side yard and the east yard to the rear yard. The property is zoned R-3 (Multi-family Residential).

Lee Ann Howell, 1206 4th Street SW, Altoona, Iowa, presented the variance request by explaining she is under contract to purchase the subject property. Her parents are coming from Pennsylvania and she would like them to building a home on this property. Mrs. Howell noted that the sellers, Anthony and Karla Novak, are present expressing support.

Rullman explained that a hardship is required in order to grant a variance and none is noted on the application.

Timothy Shay, 1206 4th Street SW, Altoona, Iowa, addressed the Board to say he and his wife are currently living with their daughter and son-in-law. This property has been re-platted several times and is a strange shape. He and his wife would like to live close to their daughter and son-in-law. Financially, this proposal is desirable.

Rullman agreed the shape of the lot is unusual.

Sikes asked Staff about the zoning feasibility of two approaches for one lot. Shaw explained that this is a corner lot and, as such, two approaches/curb cuts are allowed, one on each street.

Morris and Hall inquired about the availability of enough space on the lot between the existing home and existing detached garage/barn. Mrs. Howell responded that there is plenty of room for the new house and attached garage. Hall asked if any trees will need to be removed. Howell responded yes.

Morris noted that the proposed new construction is actually an addition to the existing dwelling, rather than a separate stand-alone house.

Sikes asked if there is a precedent for this variance. Shaw answered that there is a lot four or five blocks further north by Rosa Drive that is moon-shaped and was granted a variance to consider the side yard a rear yard.

Rullman asked about the fire code and considerations for having two attached homes. Shaw responded that it will be a bi-attached house with common wall and two addresses. Building codes will be enforced by the building department. Shaw further stated that the property will be required to be surveyed and the construction area to be properly staked out by a surveyor/engineer. Shay voiced confirmation.

Morris asked if the existing detached garage/barn is zoning compliant. Shaw said that structure is non-conforming and is grandfathered. Sikes explained that if that structure were to burn down, etc., it could not be replaced as is.

Hall asked if there were any concerns regarding the re-sale of this property with this change. Shaw said the property is zoned for a duplex and would have to be sold as such. Hall asked the applicants if they understand and are OK with that understanding. Howell and Shay responded yes.

Morris noted that there is an apartment building next door.

Sikes said the property is zoned for multifamily and to comply with the zoning designation, the property should be a duplex. Therefore, the hardship is: to use the property as it is zoned, the yard designations need to change.

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

#3. Sikes moved to approve the minutes of the May 6, 2014 hearing as presented. Seconded by Hall. Vote: Yes – Morris, Teuber, Rullman, Hall, Sikes. No – None.

#4. Next meeting/hearing will be Tuesday, July 1, 2014, if needed. Quick indicated there no applications pending at this time for a July hearing.

Hearing Adjourned at 7:05 p.m.

Respectfully submitted,
Susi Hoots
Community Services Administrative Assistant