



AGENDA ITEM: _____

**CITY OF WAUKEE, IOWA
CITY COUNCIL MEETING COMMUNICATION**

MEETING DATE: September 7, 2021

AGENDA ITEM: Consideration of receipt and file of Board of Adjustment Minutes of 08/19/2021 meeting

FORMAT: Consent Agenda

SYNOPSIS INCLUDING PRO & CON: Attached is a copy of the Board of Adjustment Minutes from their meeting held on August 19, 2021, for the City Council to receive and file of record.

FISCAL IMPACT INCLUDING COST/BENEFIT ANALYSIS:

COMMISSION/BOARD/COMMITTEE COMMENT:

STAFF REVIEW AND COMMENT:

RECOMMENDATION:

ATTACHMENTS: I. 08/19/2021 Board of Adjustment Minutes

PREPARED BY: Melissa DeBoer, Senior Planner

REVIEWED BY:

PUBLIC NOTICE INFORMATION –

NAME OF PUBLICATION:
DATE OF PUBLICATION:

MINUTES OF THE AUGUST 19TH, 2021 BOARD OF ADJUSTMENT MEETING

Call to Order. The August 19th, 2021 Board of Adjustment meeting was called to order at 5:30 P.M. by Board Member Garcia.

Roll Call. The following Board Members were present: Garcia, Breckenridge, Johnson, and Bisgard. Board member Swoyer was absent. City Staff in attendance: Melissa DeBoer, Andy Kass, and Kathryn Purvis.

Agenda Approval. Board Member Bisgard made a motion, seconded by Board Member Breckenridge, to approve the agenda for August 19th, 2021. Ayes: Garcia, Breckenridge, Johnson, and Bisgard. Nays: None. Motion carried.

Approve the March 25th, 2020 Board of Adjustment Minutes. Board Member Bisgard made a motion, seconded by Board Member Breckenridge, to approve the Board of Adjustment meeting minutes for March 25th, 2020. Ayes: Garcia, Breckenridge, Johnson, and Bisgard. Nays: None. Motion carried.

Application for 315 Christopher Avenue (Lot 63, Corene Acres Plat 5) – Variance from §165.14(3) of the Waukee Municipal Code to allow a 6 foot fence to be placed within the required 20 foot secondary front yard setback.

Senior City Planner, Melissa DeBoer, introduced the request as submitted by the applicants and homeowners, Drew & Melissa Hurley. The request, if approved, would allow the applicants to install a 6 foot tall wooden privacy fence within the required secondary front yard setback along 3rd Street. A notice of the proposed variance request was mailed to surrounding property owners within a 310 foot radius on Monday August 9th. To date staff has received correspondence in favor of the variance.

Mrs. DeBoer advised that the hardship noted was that other corner lots in the area have the requested style fence close to the sidewalks and that the ordinance reduces the amount of yard they can enjoy.

Mrs. DeBoer advised that staff does not make recommendations on variances, but went over the following factors for the Board to consider in making their decision: : the six foot tall fence would be located within the secondary front yard along 3rd Street, a six-foot tall fence is allowed to be installed on the property if it meets the required 20-foot setback, and that a four-foot fence could be installed within the required building setback all the way up to the property line.

- The Applicant, Drew Hurley, explained further that he manages a K-9 unit for the County and that is the main reason for the need of a 6 foot fence to exercise and maintain the dog.
- Commissioner Johnston questioned what the fence to the north is. Mr. Hurley advised it is chain-link.

- Commissioner Johnston questioned if the code was anything over 4 feet. Mrs. DeBoer advised that was correct. The only change to the ordinance had been to minimize the side yard setback by 10 feet in a previous year from 30 feet to 20 feet.

Board member Garcia moved to approve the Variance from section 165.14(3) of the Waukeemunicipal Code to allow a 6 foot tall fence within the required 20 foot secondary front yard setback. Board member Bisgard seconded the motion. Ayes: Johnson, Breckenridge, Garcia and Bisgard. Nays: None. Motion carried.

New Business

Senior planner Andy Kass advised that there are no new submittals at this time.

Adjournment

Board member Garcia moved to adjourn the meeting. The motion was seconded by board member Breckenridge. Ayes: Johnson, Breckenridge, Garcia and Bisgard. Nays: None. Motion carried.

The August 19th, 2021 Board of Adjustment Meeting was adjourned at 5:53 PM.

Juan Garcia, Chairman

Attest:

Andy Kass, Senior City Planner