

Board of Adjustment
City of Polk City
March 14, 2013

The Board of Adjustment for the City of Polk City met on March 14, 2013 at City Hall in Polk City, Iowa. Present were Anthony Capaldo, Dixie Bequeaith, Mike Bakken, Ken Morse, John Calhoun, Deanna Deason and Bill Currie. Also present were Engineering Representative Kathleen Connor, Finance Officer/Assistant City Administrator Deb Nability and City Administrator Gary Mahannah. Chairman Capaldo called the meeting to order at 5:00 p.m.

Administrator Mahannah reported the notice of hearing was published on March 1, 2013 and property owners within 250 feet were also sent notices. Dan Moellenbeck, partner and representing Jester Business Group, LLC, 700 N 3rd Street; was present to request a variance for this M-1 property to include a 20' buffer zone on the north property line, with the buffer zone not to contain plantings, and a 20' side yard variance and zero set back variance in the rear yard.

Chairman Capaldo asked staff to summarize the zoning requirements for side and rear yards for this property. Staff reported on the history and stated the entire area including the east portion of Wolf Creek was zoned Industrial "M" on a map dated June 8, 1989. Buffer requirements of the zoning ordinance require a 50' buffer zone, a 30' side yard setback due to residential adjacency and a 40' rear yard setback.

The Board of Adjustment noted that the Wolf Creek Townhomes PUD Development was a later development. It was noted the townhomes have an existing buffer area although not required in Wolf Creek. It was noted the current pine trees are the long needle pines that are susceptible to disease and insect and may not be there long. It was also noted there is a flood plain to the west of the lot. Mr. Moellenbeck stated their reasons for a variance and hardship.

Motion was made by Capaldo to grant a variance waiving the 50' buffer and 30' side yard setback requirements and inserting in place thereof a 25' side yard setback and buffer zone with the condition that a type B semi-opaque screen be installed and maintained in the 25' buffer. Further stipulations of this variance require that no doorways or windows be on the north side of any structures placed on the north portion of the property and that the maximum height for future structures on the north side of the property shall not exceed 40' in height. Motion seconded by Morse. Motion was approved unanimously.

Motion was made by Morse to waive the 40' rear yard setback and insert a zero rear yard setback due to the Wolf Creek flood plain existing in or in close proximity to the rear yard of the property, seconded by Deason. Motion was approved unanimously.

Motion was made by Deason to adjourn the meeting at 5:55 pm, seconded by Calhoun. Motion was approved unanimously.

Gary Mahannah, City Administrator