

**CITY OF STORM LAKE  
BOARD OF ADJUSTMENT  
CITY HALL COUNCIL CHAMBERS  
AUGUST 30, 2017  
5:00 PM**



City of Storm Lake  
PO Box 1086  
Storm Lake, IA 50588  
p (712) 732-8000  
f (712) 732-4114

**AGENDA**

1. **Approval Of Minutes From The July 26, 2017 Board Of Adjustment Meeting**
2. **Application 2017-5 Variance Request 1206 West Fourth Street.**
3. Adjourn



Find us on Facebook <https://www.facebook.com/cityofstormlake>



Follow us on Twitter

@Storm\_Lake



Find us on the Web at <http://www.stormlake.org>

## Staff Summary

8/30/2017

Agenda Item # 1.



City of Storm Lake  
PO Box 1086  
Storm Lake, IA 50588  
p (712) 732-8000  
f (712) 732-4114

**REPORT TO:** Board of Adjustment

**FROM:** Mayra Martinez, City Clerk

**SUBJECT:** **Approval Of Minutes From The July 26, 2017 Board Of Adjustment Meeting**

**BACKGROUND:** The Board of Adjustment needs to review and approve the previous meeting minutes.

**COMPREHENSIVE PLAN RELATIONSHIP:** None

**POTENTIAL FINDINGS:** None

**RECOMMENDATION:** Approve the July 26, 2017 Board of Adjustment Minutes

### ATTACHMENTS:

Description	Type
☐ Minutes - July 26, 2017	Minutes

**BOARD OF ADJUSTMENT MEETING, JULY 26, 2017 5:00 P.M., CITY HALL  
COUNCIL CHAMBERS, STORM LAKE, IOWA**

**MEMBERS PRESENT:** Bob Bennett, Bob Payer, Melinda Cords , and Gary Ringgenberg  
**MEMBERS ABSENT:** None  
**OTHERS PRESENT:** Scott Olesen (Building Official), Jean Cashman (Finance Assistant), Brad Gibbins, and Jorja Gibbins

Board Member Bob Bennett called the meeting to order at 5:03pm.

**Item 1: Approval of Minutes July 12, 2017 Meeting**

Moved by Board Member Payer to approve the minutes from the July 12, 2017 Board of Adjustment Meeting. Seconded by Board Member Ringgenberg. Vote: All ayes. Motion carried.

**Item 3: Remove from the Table Application 2017- 4 –** Moved by Board Member Ringgenberg to remove from table application 2017- 4 for a variance request at 1100 Kelvin Road. Seconded by Board Member Cords. Vote: All ayes. Motion carried.

**Item 2: Application 2017-4 Variance Request 1100 Kelvin Road**

A request has been filed for a Variance Request to the zoning regulations as applied to the property described as: 19-06 STORM LAKE CORP. 2ND PLAT EMERALD PK, 1100 Kelvin has been filed by Bradley and Jorja Gibbins.

The petition requests approval of a ten foot (10') side yard setback variance in the R-1, Low Density Residential District to allow for the construction of an attached garage to the north side lot line.

Moved by Board Member Payer to approve the variance for 1100 Kelvin Road

I hereby move that the Storm Lake Board of Adjustment make a finding that the requirements for a variance as stated in Article 1209(c)1 have been met by **Brad and Jorja Gibbins** with regard to the proposed variance (or variances) set forth in the applicant's application dated June 19, 2017 that we further make the finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land (or the building or structure); that we further make the finding in the granting of the variance will be in harmony with the general purpose and intent of this zoning ordinance and comprehensive plan, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare; and that we therefore approve the application for the variance filed on June 19, 2017 by **Brad and Jorja Gibbins** as follows:

A variance be granted to the parcel located at 1100 Kelvin Road to allow for variance of eight (8') feet to the interior side yard setback (north) to allow the construction of an attached garage withing two (2') feet of the north interior yard lot line.

Subject to the following conditions and safeguards:

- Applicant must comply with all applicable codes and must obtain a building permit prior to beginning construction.
- Construction to be completed within 12 months.
- The North wall of the garage must be fire rated construction, with no overhang, in accordance with the 2015 International Residential Code.

Seconded by Board Member Ringgenberg. Roll Call Vote: Bob Bennett – aye; Gary Ringgenberg – ayes; Bob Payer – Aye; Melinda cords – Aye. Motion carried.

**Item 3 – Adjourn**

Moved by Board Member Ringgenberg to adjourn the meeting at 5:30 pm. Seconded by Board Member Cord. Vote: All ayes. Motion carried.

Submitted,

---

Bob Bennett, Chairman

## Staff Summary

8/30/2017

Agenda Item # 2.



City of Storm Lake  
PO Box 1086  
Storm Lake, IA 50588  
p (712) 732-8000  
f (712) 732-4114

**REPORT TO:** Board of Adjustment

**FROM:** Scott Olesen, Building Official

**SUBJECT:** **Application 2017-5 Variance Request 1206 West Fourth Street.**

**BACKGROUND:**

Methodist Manor Retirement Community is in the process of constructing an addition to the existing retirement home on the west side of their property.

They have determined that the proposed location of the generator and electrical transformer at the northwest corner of their property will block the view from two of the rooms that are being constructed. They are proposing to move the transformer and electrical generator farther to the north to provide the Nursing Home residents with a better view to the outside. Methodist Manor has requested that the enclosure be moved to within six (6') feet of the front (north) property line which would require a front yard setback variance of fourteen (14') feet.

Methodist Manor Retirement Community is also asking for a four (4') foot variance to the height of the fence enclosing the transformer and electrical generator to allow the construction of an eight (8') foot high screening fence. Article 704(f)4, of the Storm Lake Zoning Ordinance specifically allows for the Board of Adjustment to make variances for the height of fences on a case by case basis for Civic, Office, Commercial, and Industrial fences.

**COMPREHENSIVE  
PLAN RELATIONSHIP:**

Page 5-6, lists: Housing Goal 1-"Provide a variety of housing options to attract and retain households of varying sizes and, ages, diversity, incomes, and needs, and Policy 2- "Promote the development of new housing types to meet the needs of

residents through all ages and stages of life."

**POTENTIAL FINDINGS:** The Board of Adjustment should review Article 1209 of the Zoning Ordinance and determine if the application meets the required findings. Article 1209(c) of the Storm Lake Zoning Ordinance, allows for Variances to relieve hardships relating to property ".....by reason of exceptional topographic conditions or other extraordinary and exceptional situation and condition of such piece of property, such strict application would result in peculiar and exceptional practical difficulties to or exceptional and undue hardships upon the owner of such property"

The Board can review Methodist Manor Retirement Community's request in respect to this and determine if it meets this requirement.

Consideration of the adjoining property use to the west which is a single family dwelling and the single family dwelling uses to the north which is across the City street.

As noted previously, Article 704(f)4, of the Storm Lake Zoning Ordinance specifically allows for the Board of Adjustment to review and approve greater fence heights on a case by case basis for Civic uses. By Article 8 of the Storm Lake Zoning Ordinance, required screening fences are to be six(6') feet in height, so it would seem appropriate to at least provide for a two(2') foot height variance to allow for this.

**RECOMMENDATION:** Approve request 2017-5.

**ATTACHMENTS:**

Description	Type
📎 Applications Request	Application

# VARIANCE REQUEST

CITY OF STORM LAKE

BOARD OF ADJUSTMENT



City of Storm Lake  
PO Box 1086  
Storm Lake, IA 50588

p (712) 732-8000  
f (712) 732-4114

Address of the Property: 1206 W. 4th Street

Existing Use of the Property: Nursing home

Proposed Use of the Property: Same

Legal Description of the Property: APN 14-04-256-008

Zoning District: ~~IN-2, Institutional Facilities~~

*IN-3, Hospital Medical Facilities*

Setbacks:	Required	Proposed		Required	Proposed
Front Yard:	20'	6'	Street Side Yard:	N/A	
Side Yard(s):	20'	20' +	Rear Yard:	20'	25'
Height:	65'	65'			
Max. Bldg Coverage:	50%	> 50%	Max. Impervious Coverage:	70%	> 70%

Other Request(s): Please see attached comments

Principle Use: Retirement Complex

Accessory Use: N/A

*Arden Lee*

Signature of Property Owner

08/14/2017

Date

City of Storm Lake Use

Meeting Date: August 30, 2017

Appeal No.:

Application Fee Paid: 8-18-17

Date Received:

**VARIANCE REQUEST**

**CITY OF STORM LAKE**

**BOARD OF ADJUSTMENT**



City of Storm Lake  
PO Box 1086  
Storm Lake, IA 50588

p (712) 732-8000  
f (712) 732-4114

PROPERTY ADDRESS:

PROPERTY OWNER:

OWNER ADDRESS (if different than property owner):

OWNER'S PHONE NUMBER:  *OWNER'S REP: 299-2743*

The City of Storm Lake Zoning Ordinance Article 12 Section 1209 establishes the powers and duties of the Board of Adjustment including reviewing variance requests. The applicant should submit the following information, which must accompany this application before it can be considered by the Board of Adjustment:

The legal description and local address of the property.

The present zoning classification.

The existing use of the property and the proposed use of the property.

Attach a plat showing the locations, dimensions and use of the applicant's property and all property within three hundred (300') feet including streets, alleys, railroads, and other physical features.

The request for a variance will be heard by the Board of Adjustment.

The City of Storm Lake will notify all adjoining property owners to the applicant's property notifying them of the upcoming hearing.

The City of Storm Lake will notify the applicant of the hearing date.

The City of Storm Lake will publish a public hearing notice in a locally circulated newspaper not less than 4 and no more than 20 days prior to the meeting.

A non refundable application fee of **\$150.00** is required at time of the application. The fee will not be refunded if the request is denied by the Board of Adjustment.



## VARIANCE REQUEST FOR METHODIST MANOR RETIREMENT COMMUNITY

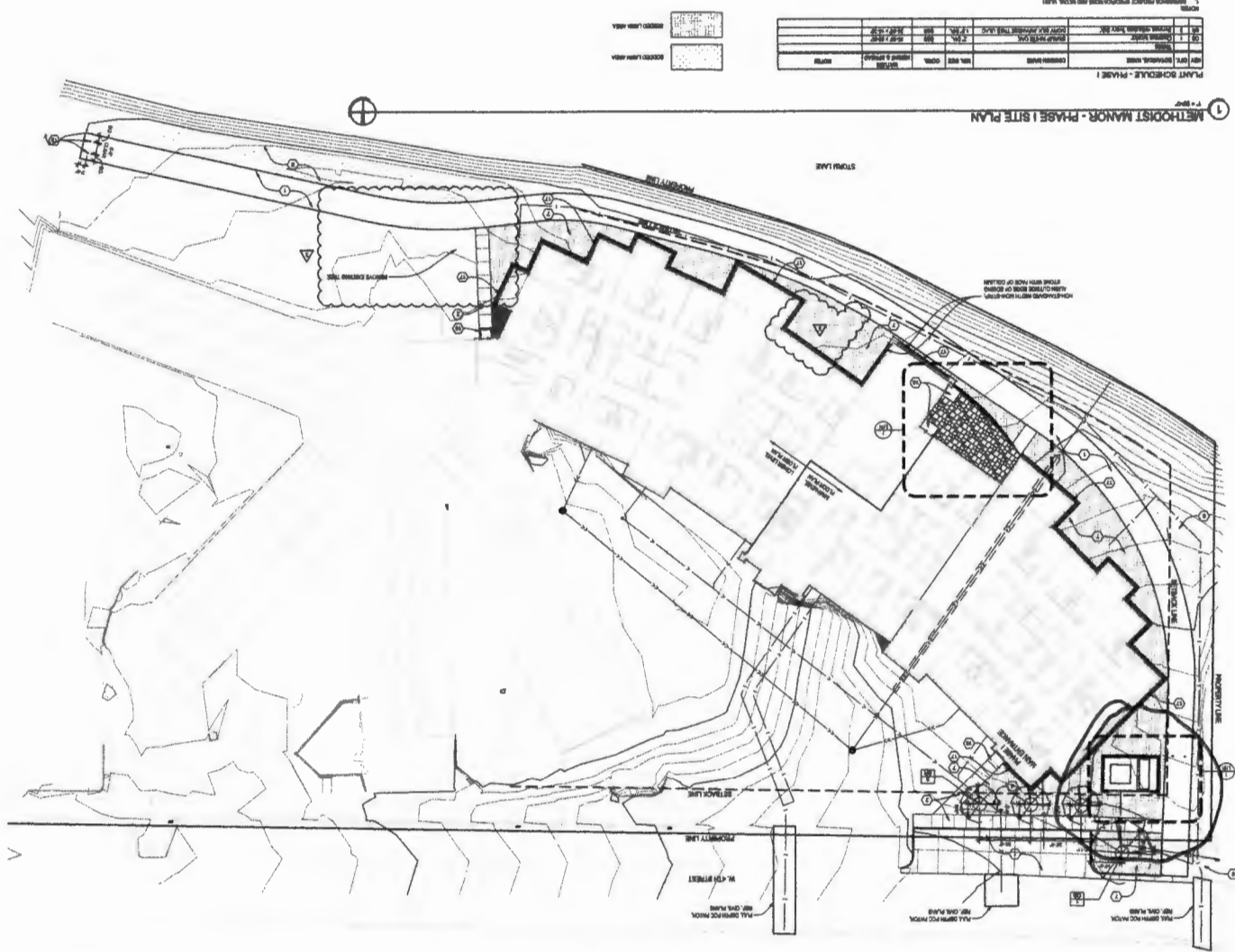
This variance request encompasses three separate items:

1. The utility enclosure housing the generator and transformer is in the far northwest corner of the site. As currently designed, the enclosure is only about 3 feet from the building and significantly impacts the view from 2 resident room windows. MMRC is requesting a variance to be able to rotate the enclosure to a north/south orientation and move it north up to 11 feet. This will result in an encroachment of up to 10 feet onto the setback along W. 4<sup>th</sup> Street. The limiting factor in how far north it can be moved is if the fence intersects with the guy wire. At a minimum, we want to move 11 feet north; at a maximum, 15 feet.

These changes will result in a better resident experience by reducing the impact on the view from 2 resident room windows and moving the enclosure farther away from the building.

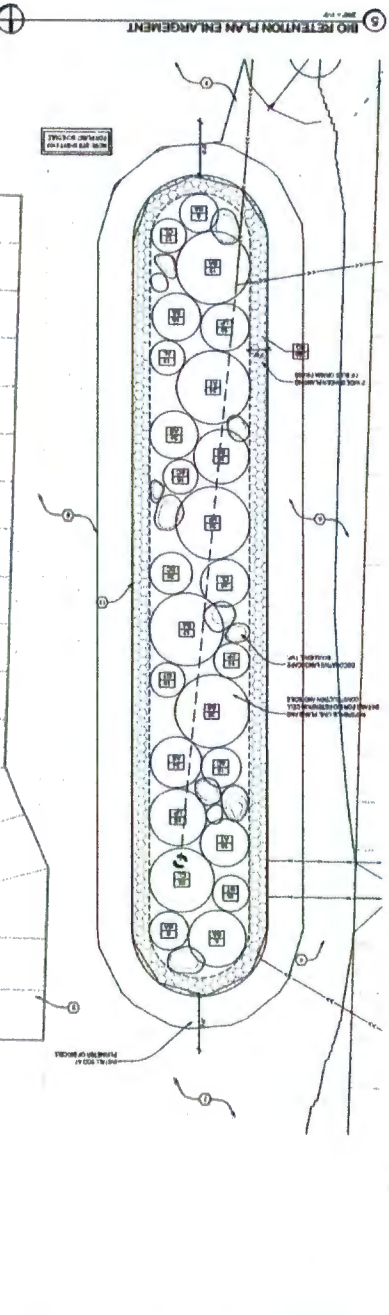
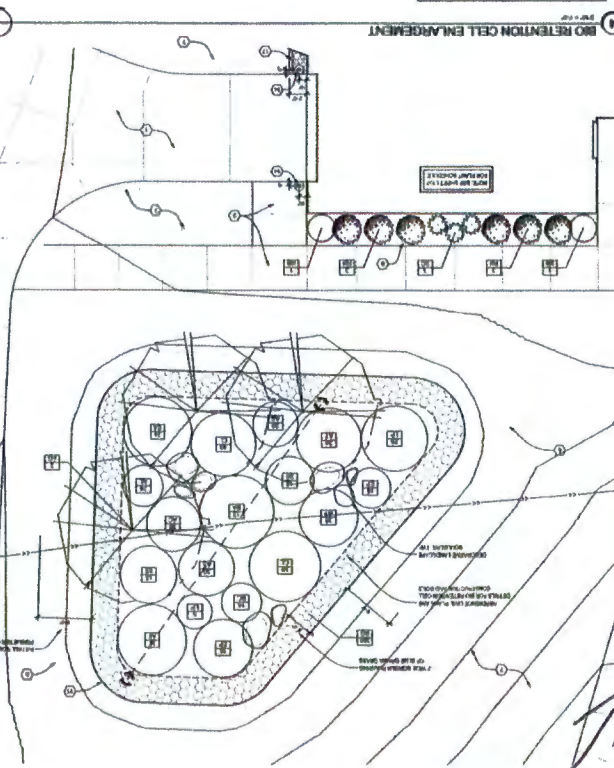
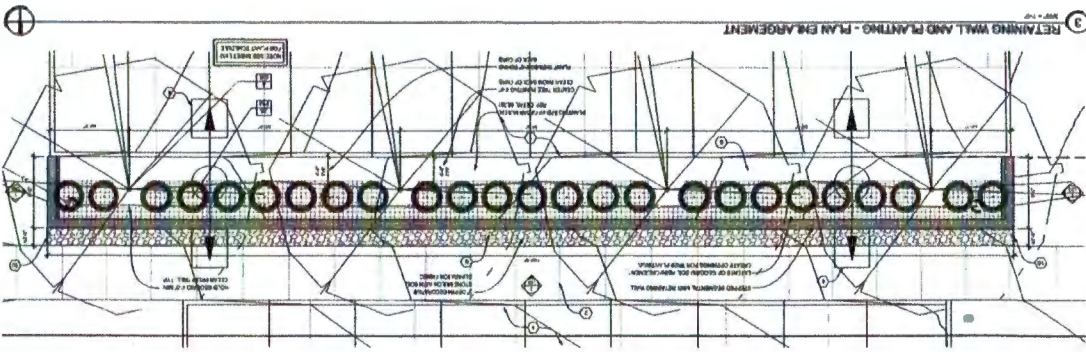
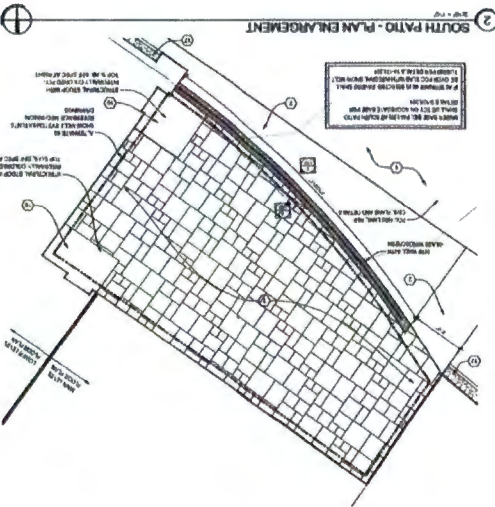
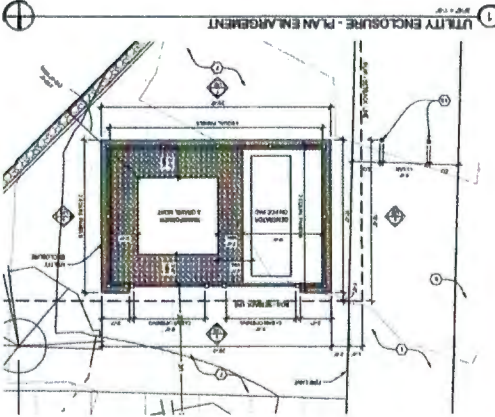
MidAmerican Energy has signed off on this change.

2. The enclosure includes a 5 foot high fence atop a 3 foot high masonry wall putting the top of the fence at 8 feet. We are unsure if this fence height requires a variance. If so, the variance is hereby requested.
3. Late last summer MidAmerican installed a new pole with guy wire and transformer. The location they chose was dictated by the underground utilities in that area. It has now been determined the pole, guy wire and transformer are all in the path of the sidewalk along the north side of the property. MMRC is requesting a variance to be able to reroute the sidewalk north of the MidAmerican facilities. The sidewalk will be within the setback but will not interfere with the parking along W. 4<sup>th</sup> Street.



AS DESIGNED

AS DESIGNED



L151

NO.	DESCRIPTION	DATE
1	REVISION	
2	REVISION	
3	REVISION	
4	REVISION	
5	REVISION	
6	REVISION	
7	REVISION	
8	REVISION	
9	REVISION	
10	REVISION	
11	REVISION	
12	REVISION	
13	REVISION	
14	REVISION	
15	REVISION	
16	REVISION	
17	REVISION	
18	REVISION	
19	REVISION	
20	REVISION	
21	REVISION	
22	REVISION	
23	REVISION	
24	REVISION	
25	REVISION	
26	REVISION	
27	REVISION	
28	REVISION	
29	REVISION	
30	REVISION	
31	REVISION	
32	REVISION	
33	REVISION	
34	REVISION	
35	REVISION	
36	REVISION	
37	REVISION	
38	REVISION	
39	REVISION	
40	REVISION	
41	REVISION	
42	REVISION	
43	REVISION	
44	REVISION	
45	REVISION	
46	REVISION	
47	REVISION	
48	REVISION	
49	REVISION	
50	REVISION	
51	REVISION	
52	REVISION	
53	REVISION	
54	REVISION	
55	REVISION	
56	REVISION	
57	REVISION	
58	REVISION	
59	REVISION	
60	REVISION	
61	REVISION	
62	REVISION	
63	REVISION	
64	REVISION	
65	REVISION	
66	REVISION	
67	REVISION	
68	REVISION	
69	REVISION	
70	REVISION	
71	REVISION	
72	REVISION	
73	REVISION	
74	REVISION	
75	REVISION	
76	REVISION	
77	REVISION	
78	REVISION	
79	REVISION	
80	REVISION	
81	REVISION	
82	REVISION	
83	REVISION	
84	REVISION	
85	REVISION	
86	REVISION	
87	REVISION	
88	REVISION	
89	REVISION	
90	REVISION	
91	REVISION	
92	REVISION	
93	REVISION	
94	REVISION	
95	REVISION	
96	REVISION	
97	REVISION	
98	REVISION	
99	REVISION	
100	REVISION	

OPN ARCHITECTS



MOVED 7' N  
6' ENCROACHMENT  
10' FROM Pole

METHODIST MANOR - SKILLED NURSING ADDITION

## GENERATOR/TRANSFORMER RELOCATION

### OPTION 2

OPN ARCHITECTS

AUGUST 23, 2017



moved 11' N  
10' ENCROACHMENT  
6' FROM POLE

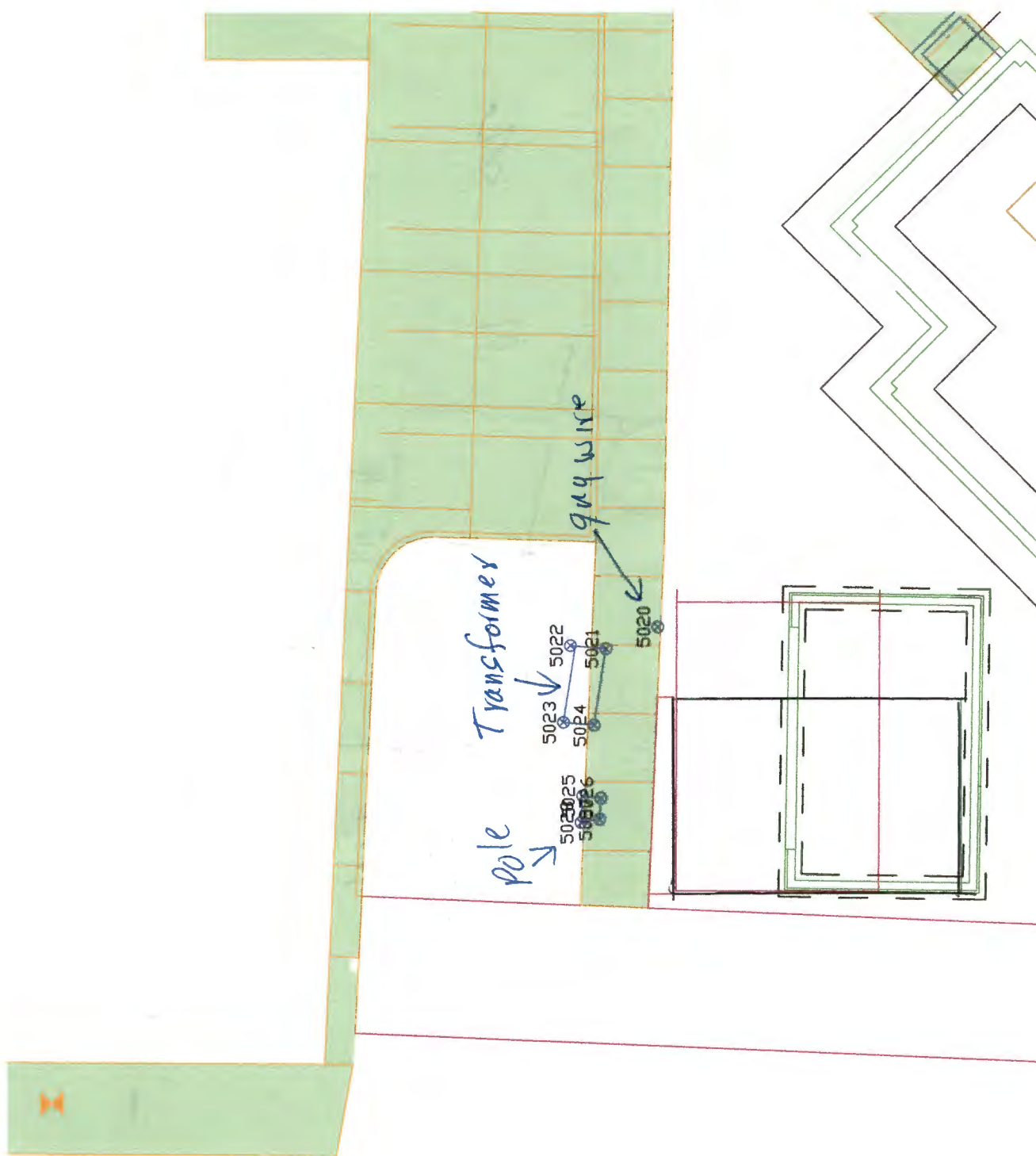
METHODIST MANOR - SKILLED NURSING ADDITION

## GENERATOR/TRANSFORMER RELOCATION

### OPTION 2A

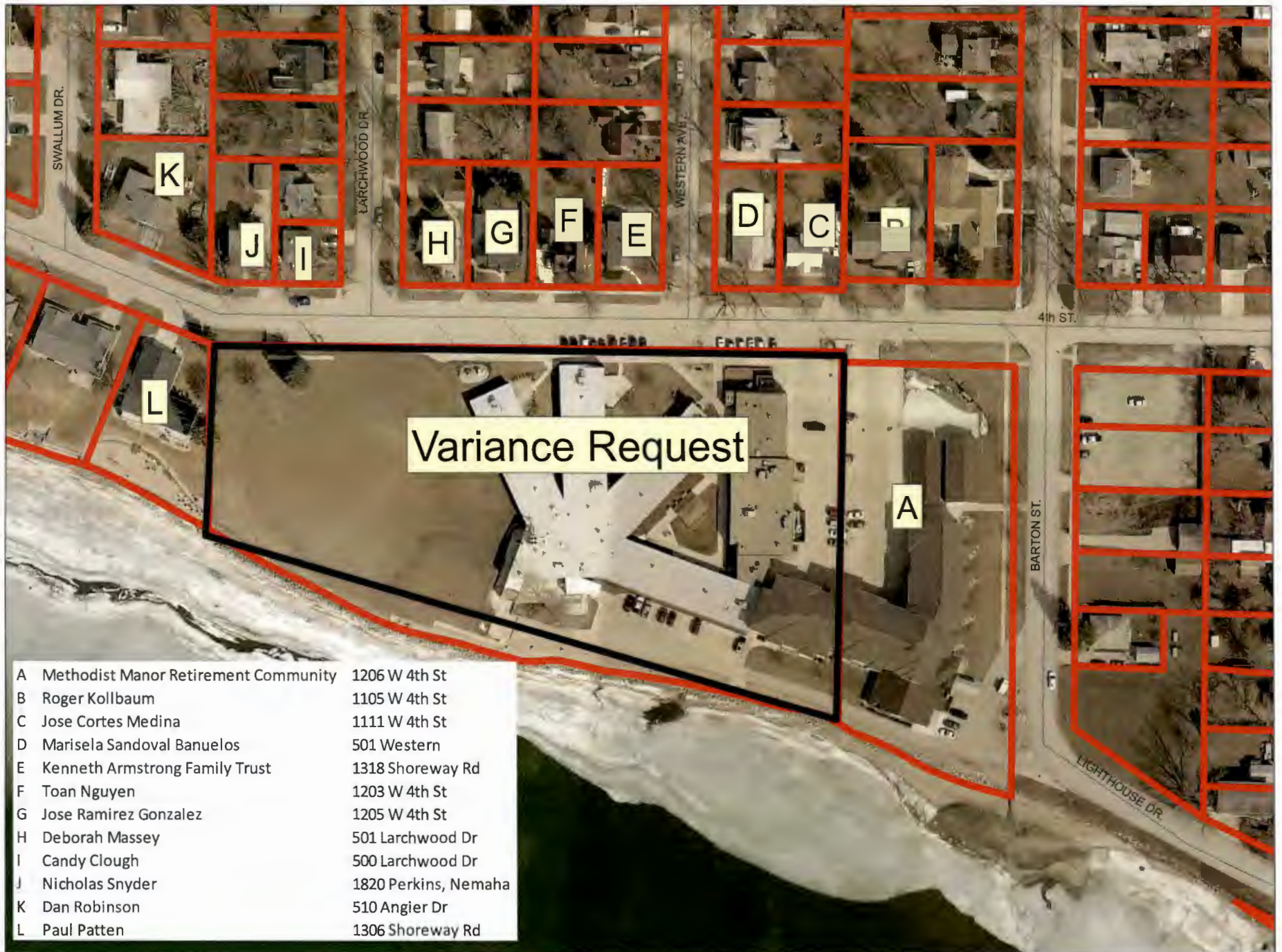
OPN ARCHITECTS

AUGUST 23, 2017









A	Methodist Manor Retirement Community	1206 W 4th St
B	Roger Kollbaum	1105 W 4th St
C	Jose Cortes Medina	1111 W 4th St
D	Marisela Sandoval Banuelos	501 Western
E	Kenneth Armstrong Family Trust	1318 Shoreway Rd
F	Toan Nguyen	1203 W 4th St
G	Jose Ramirez Gonzalez	1205 W 4th St
H	Deborah Massey	501 Larchwood Dr
I	Candy Clough	500 Larchwood Dr
J	Nicholas Snyder	1820 Perkins, Nemaha
K	Dan Robinson	510 Angier Dr
L	Paul Patten	1306 Shoreway Rd



