

Altoona Board of Adjustment Hearing – August 8, 2023 – 6:30 PM

Members Present: Rullman, Simon, Forbes

Members Absent: Hall, Downs

Staff: John Shaw, Natalie Jacobson

Guests: Rachel Rolfes, Colby Cook, Harold Dyken, Brandon Johnson, David Doss, Bjorn Johnson, Will Anderson, Mary Hunter, Brent Strauch, Scott Doup, Madison McNamee

Chairman Rullman called the meeting to order at 6:30 pm.

1. Roll Call.

Roll call was taken. Three members were present.

2. Review and approve the July 11th, 2023, meeting minutes.

Forbes motioned to approve. Simon seconded. Yes –Rullman, Simon, Forbes. No – None. Motion approved.

3. Public hearing to consider a variance request from Goodwill of Central Iowa.

Rachel Rolfes, Goodwill of Central Iowa, 5355 NW 86th St, Johnston, stated that she presented last month looking to operate an attended donation center at Pine Tree Plaza. In the process of working with City staff on the project, it was discovered that a variance request would be needed to put a driveway at the back of the location. The driveway will allow their straight truck to pull in and load donations. The driveway will have a 35' long and 8' tall screening wall. They are looking for a 40' front yard setback variance

Rullman asked if the City had received any concerns regarding this variance. Jacobson said the City had received no concerns.

Rullman stated that the 40' setback seems reasonable.

Shaw mentioned that there are three options in the board packet. Rolfes and the Board discussed the three options.

Forbes motioned to approve option 2 as requested. Simon seconded. Yes – Forbes, Simon, Rullman. No – None. Motion approved for a 40' setback at the nearest point.

4. Public hearing to consider a variance request from Jo Anne Pinkerton for the property located at 7855 NE 50th Ave, Altoona to construct a deck.

Colby Cook, 4055 NE 44th Dr, Des Moines, spoke on behalf of the applicant. He said the owner wants to rebuild the porch as it initially was constructed as the home has been annexed into the City of Altoona.

Rullman said he drove by and noticed that the porch was already removed and talked about the setbacks changing when the property was annexed into the city. Rullman asked if the City had any concerns. Shaw stated that the City had no concerns.

Harold Dykens stated that he is a neighbor of the property and he spoke in favor of allowing the rebuild.

Simon motioned to approve as requested. Forbes seconded. Yes – Forbes, Simon, Rullman. No – None. Motion approved.

5. Public hearing to consider a variance request from Brandon Johnson for the property located at 2828 13th Ave SE, Altoona to allow a placement of the 14’x8’ shed in the property’s side yard.

Brandon Johnson, 2828 13th Ave SE, stated the reason for requesting the variance is due to the two easements in his rear yard not leaving much space for a shed. He stated that the site plan states that there is about 43’ to the rear property line but putting a tape measure on it shows closer to 40’. Johnson stated that 30’ of the rear yard is an easement.

Rullman asked why Johnson did not get a permit for the shed. Johnson said he did not know a permit was needed for a shed. Johnson said he spoke with City staff upon obtaining the code compliance letter.

David Doss, 2823 Spring Ct SE, said he also had a shed that was installed in the side yard and he believes that is the best location for it. Doss said he moved his shed to an allowed location and it now is an eyesore. He said he was not aware the easement when he purchased the house and he is not in favor of the restrictions that do not allow the shed to be in the side yard.

Tricia Doss, 2823 Spring Ct SE, said she is in favor of sheds being near the house and thinks it looks nicer.

Mark Wicker, 2900 Spring Ct SE, said he thinks that the side yard is a better place to put a shed and he would like to put one in his side yard as well.

Shaw said that the reason for this variance request is that the Zoning Code requires accessory structures to be in the rear yard. Shaw also stated that there is a separate requirement in both the Building Code and the Zoning Code that accessory buildings must be 6’ away from the primary residence and this shed is currently 1’ away from the house.

Johnson said he was under the impression that the Board of Adjustment meeting would be about allowing a shed in the side yard only and the next meeting would be with the Board of Appeals about allowing the shed to be less than 6’ from the house. Johnson explained why he does not think the fire separation is necessary but said he would discuss that with the Board of Appeals.

Forbes clarified with Shaw that there are two hurdles with this request, both the Board of Adjustment variance and meeting with the Board of Appeals. Shaw confirmed that this would be the first step only.

Rullman asked why Johnson did not want to attach the shed to his house, which would be allowed. Johnson said he already spent a lot of money constructing the shed and attaching it to his home would be expensive and it would end up being more of a fire hazard.

The audience, Johnson, Shaw, and the Board discussed the shed location and potential fire concerns. Shaw said fire protection is a matter for the Board of Appeals.

Bjorn Johnson, 2817 13th Ave SE, said he has no issues with the shed visually and it's behind a privacy fence.

Rullman stated that the City has codes for a reason and if everyone were to put sheds in their side yards, there would be numerous other issues.

Brandon Johnson said the uniqueness of his property is the double easement and he does not have the ability to put the shed in the rear yard. He stated that he has a 20' storm sewer easement and an additional 10' public utility easement.

Forbes made a motion to approve. Simon seconded. Yes – Forbes, Simon. No – Rullman. Motion Approved.

Meeting adjourned at 7:05 pm.
Respectfully submitted,
Sydney McCabe
Community Development Office Assistant