



ZONING BOARD OF ADJUSTMENT MEETING NOTICE

**Tuesday February 23, 2021
3:00 PM**

AGENDA

This meeting will be conducted via Zoom
<https://zoom.us/j/96925667703>
Meeting ID: 969 2566 7703

- 1. CALL TO ORDER**
- 2. APPROVE AGENDA AS PRESENTED AND/OR AMENDED**
- 3. APPROVE MINUTES FROM AUGUST 7, 2020 MEETING**
- 4. BUSINESS ITEMS**
 - a. Request from Jerry and Laurie Culp for a special permit granting an exception to the applicable R-1 District requirement of section 165.20.2 that the minimum rear yard setback is twenty-five feet. The applicant asks that the Board grant a special exception of ten feet of the required twenty-five-foot rear yard setback, so that the porch shall be permitted.
- 5. ADJOURNMENT**

Huxley Zoning Board of Adjustment Minutes

Wednesday April 29, 2020

Chairman Paul Wilken called the meeting via conference call to order at 1:00 P.M.

ROLL CALL: Wilson, Wilken, Hyman, Wheeler, Easter

CITY STAFF PRESENT: Rita Conner – City Administrator, Amy Kaplan – Zoning Clerk

GUESTS PRESENT: John Philgreen, Scott Renaud, Scott Wilson

APPROVE AGENDA AS PRESENTED AND/OR AMENDED: Motion –Wheeler, second –Easter to approve agenda. 5 AYE. 0 NAY.

ELECTION OF CHAIR AND VICE-CHAIR: tabled to next in person meeting.

APPROVE MINUTES FROM JULY 17, 2019 MEETING: Motion- Wilson, second- Hyman to approve minutes. 5 AYE. 0 NAY.

BUSINESS ITEMS:

Request from Jonathan Philgreen for a variance from a 30' front yard setback to a 15' front yard setback for new construction of a single-family home at Lot 21 Ashwood Estates (R-1 Zoning District)

Sanitary sewer runs through the side of this lot, the storm sewer runs diagonally across the lot. For this lot to be buildable (i.e. placement of the home does not impede on the sewer easements) a 15-foot variance is being requested.

Motion—Wheeler, second--Hyman to grant the variance with the caveat that any staff concerns need to be addressed through the permitting process. Hyman, Wheeler, Wilson, Wilken voted yes. Easter voted no. Motion carried 4/1.

Request from Scott Wilson for a variance from a 6' fence height limitation to 8' height limitation at 107 Lynwood Drive (R-1 Zoning District)

Wilson's rear yard backs up to the Citizens Community Center where he is disrupted by noise, lights and activity. Wilson requested an 8 foot fence height instead of 6 foot fence height as there is a berm (dip) on the property line which makes the 6 foot fence inadequate. When standing on the berm, one would be able to see over top of the 6 foot fence.

Motion- Hymen, second—Easter to grant the variance from a six foot fence height to an eight foot fence height. Hyman, Wheeler, Wilson, Wilken, Easter voted yes. Motion carried.

ADJOURNMENT: Motion – Wilson, second- Wheeler to adjourn meeting at 1:57 P.M. 5 ayes, 0 nays. Motion carried.

Amy Kaplan, Zoning Clerk

Paul Wilken, Chairman

Date of Approval



HUXLEY
— HEART OF THE PRAIRIE —

Appeal to the Board of Adjustments

Date Submitted: January 26, 2021

Board Review Date: _____

Property Owner: Laurie & Jerry Culp

Property Address: 121 Cedar Lane, Huxley 50124

Property Zoning: R1A

Legal Description: South Timber Ridge SD Lot 5: Huxley

Please provide a detailed explanation of work to be done and variance needed:

Property owners wish to replace existing 16x14 open deck (constructed in 2000) with new 16x16 covered & enclosed porch. Zoning review conducted by Safe Building & Technology as part of building permit application process determined proposed porch does not meet 25' rear yard setback. Property owners wish for proposed porch to occupy same footprint as existing open deck and request variance allowing structure to extend 10' into 25' rear yard setback.

The fee for variance is nonrefundable. All neighboring property owners will be notified of this variance request plus a notice will be published in a local newspaper. Please include a fully dimensional, to scale, site plan.

Signed: _____

Date: 1/26/2021

Appeal to Zoning Board of Adjustments

Primary: \$100

Secondary: \$50

Special Use Permits: \$100

.....
(office use only)

Date Hearing Advertised: _____

Decision of the Board:



stolte construction, llc

Building & Remodeling Fine Homes
418 Pearson Avenue Ames, Iowa 50014
(515) 979-4148

January 26, 2021

Amy Kaplan
Utilities & Zoning / Deputy City Clerk
City of Huxley
515 N Main Avenue
Huxley, IA 50124

RE 121 Cedar Lane Zoning Variance Request:
List of Adjacent Property Owners

Dear Amy

Per your request, the list below provides the names & addresses of the property owners within 200 feet of 121 Cedar Lane:

Sarah & Shane Battani	116 Cedar Lane
Eileen & Darold Primmer	118 Cedar Lane
Kim & David Jensen	120 Cedar Lane
Michelle & Wayne Baumhover	124 Cedar Lane
Ashley & John Rohden	122 Cedar Lane
Kim & Jeff Van Pelt	55581 Oak Bend Road
Jean & Dr. Seldon Spencer	823 Ashwood Drive
Peggy & Mac Smith	821 Ashwood Drive

Please do not hesitate to call me if you have questions or require additional information.

Best Regards

Shawn Stolte, President
Stolte Construction LLC
418 Pearson Avenue
Ames, IA 50014

CC Laurie & Jerry Culp



Date: January 25, 2021
To: City of Huxley/Jerry & Laurie Culp
From: Patrick Carruthers-Green
RE: Zoning review notes for 121 Cedar Ln

DESCRIPTION OF PROPOSED WORK

The applicant has proposed to remove and replace an existing 14'x16' open deck with a new enclosed 16'x16' 4-seasons room. The property is in the R-1 zoning district.

BASIS FOR PERMIT DENIAL

1. The City of Huxley zoning code requires a 25' minimum rear yard in the R-1 zoning district (**Chapter 165.20.2**).
 - a. The submitted site plan labels the rear yard as at least 10'.
 - b. Scaling of the available Story County aerial photos indicates the proposed rear yard to be approximately 15'.

ADDITIONAL RELEVANT ZONING REQUIREMENTS

1. N/A

This review encompasses the City of Huxley zoning code requirements only. As a result of non-compliance with the city zoning code, no building code review was conducted. The proposed structure has not been reviewed for compliance with the City of Huxley building code. A building code review will be conducted if compliance with the city zoning code is met.

NOTE: A variance issued by the city Board of Adjustment provides compliance with the zoning code only. The Board of Adjustment does not review or approve projects for building code compliance.



NOTICE OF PUBLIC HEARING

TO: ALL CITIZENS AND ALL PARTIES IN INTEREST WHO MAY BE ENTITLED TO NOTICE AND OPPORTUNITY TO BE HEARD ON A REQUEST FOR A SPECIAL PERMIT UNDER SECTION 165.43(4)(K) OF THE ZONING ORDINANCES FOR PROPERTY LOCATED AT 121 CEDAR LANE HUXLEY, IOWA.

You are hereby notified that at 3:00 P.M. on the 23rd day of February 2021, the Board of Adjustment of Huxley, Iowa, will hold a public hearing via Zoom (information located below) on an application for special permit by property owners Jerry and Laurie Culp, under section 165.43(4)(K) of the Zoning Ordinances to allow the construction of a covered and enclosed porch located at 121 Cedar Lane Huxley, Iowa. The applicant requests a special permit granting an exception to the applicable R-1 District requirement of section 165.20.2 that the minimum rear yard setback is twenty-five feet. The applicant asks that the Board grant a special exception of ten feet of the required twenty-five-foot rear yard setback, so that the porch shall be permitted.



All persons will have the opportunity to be heard on such proposals at such time and place. Thereafter, the Board of Adjustment may take action on such request for a special permit without further notice or opportunity for hearing.

Zoom Meeting Information:

Video: <https://zoom.us/j/96925667703>

Dial in: 312-626-6799

Meeting ID: 969 2566 7703

Should you have any questions, please contact City Hall at 515-597-2561.

Sincerely,

Amy Kaplan
Zoning Clerk

NOTICE OF PUBLIC HEARING

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All persons will have the opportunity to be heard on such proposals at such time and place. Thereafter, the Board of Adjustment may take action on such request for a special permit without further notice or opportunity for hearing.

Zoom Meeting Information:

Video: <https://zoom.us/j/96925667703>

Dial in: 312-626-6799

Meeting ID: 969 2566 7703

Dated the 12th day of February 2021.

Paul Wilken
Board Chairperson

Letter of Intent
In Support of Request for Variance
121 Cedar Lane, Huxley, Iowa 50124

This Letter of Intent is in support of our request for a variance to the 25 foot rear yard setback requirement. We want to tear down an existing open deck and replace it with an enclosed four season room. Constructed in 2000, the deck is 16 feet wide and 14 feet deep. At its closest point, the deck is 17 feet from the rear property boundary on the south. The room is 16 feet wide and 16 feet deep, and at its closest point will be located approximately 15 feet from the rear property boundary. We are requesting a variance to permit construction of the room addition on the site a few feet closer to the rear property boundary on the south.

We ask the board to consider: (1) the southern rear yard setback abuts undevelopable timber and will create no undue burden on any neighboring residence, (2) the proposed style and structure of the room addition is in step with the existing home & neighborhood, and (3) the proposed project is an improvement that will increase the value of our property and tax base created by improvement.

Thank you for your consideration.

Respectfully submitted,


Laurie Culp

Jerry Culp 

2/2/2021

City of Huxley, Iowa
Zoning Board of Adjustments
515 N. Main Avenue
Huxley, IA 50124

Re Variance Request for 121 Cedar Lane, Huxley

To Whom it May Concern,

We live behind and across the ravine from
Lauriest Jerry Culp. We reside at 823 Ashwood Drive.
We want to express our support for their variance request
to the city's rear yard setback. We understand the
variance will allow them to build an addition to their
home 15' away from their rear property boundary instead
of the 25' normally required.

Please do not hesitate to contact us if there are
any questions about our support for the Culp's request.

Sincerely,
Selden & Jan Greer
823 Ashwood Drive
Huxley IA 50124
515 231 2715

Jan.28, 2021

City of Huxley, Iowa
Zoning Board of Adjustments
515 North Main Ave.
Huxley, Iowa 50124

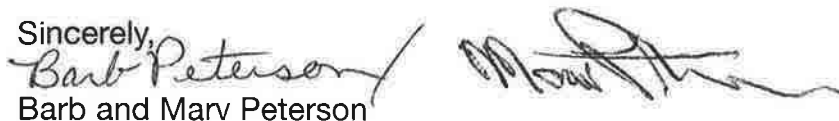
Re: Variance Request for 121 Cedar Lane, Huxley

To Whom it May Concern:

We are neighbors of Laurie and Jerry Culp and reside at 119 Cedar Ln. We want to express our support for their variance request to the city's rear yard set back. We understand the variance will allow them to build an addition to their home 15' away from their rear property boundary instead of the 25' normally required. They already have a deck the size of this proposed addition and it in no way impedes our view or is even visible from our property.

Please do not hesitate to contact us if there are any questions about our support for the Culp's request.

Sincerely,



Barb and Marv Peterson
119 Cedar Ln.
Huxley, Iowa 50124
515-240-1394
barbmarv@me.com

January 28, 2021

City of Huxley, Iowa
Zoning Board of Adjustments
515 North Main Avenue
Huxley, IA 50124

Re Variance Request for 121 Cedar Lane, Huxley

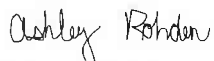
To Whom It May Concern:

We are neighbors of Laurie & Jerry Culp and reside at 122 Cedar Lane. We want to express our support for their variance request to the city's rear yard setback. We understand the variance will allow them to build an addition to their home 15' away from their rear property boundary instead of the 25' normally required.

Additionally, the deck on the rear of their home has always been there and enclosing it will not impede the view from our property.

Please do not hesitate to contact us if there are any questions about our support for the Culp's request.

Sincerely,



John and Ashley Rohden
122 Cedar Lane
Huxley, IA 50124
Phone: (515) 229-7505

Feb 3, 2021

City of Huxley, Iowa
Zoning Board of Adjustments
515 North Main
Huxley, IA 50124

Re: Variance Request for 121 Cedar Lane, Huxley

To Whom It May Concern:

We are neighbors of Laurie and Jerry Culp and reside at 55581 Oak Bend Road. We want to express our support for their variance request to the city's rear yard setback. We understand the variance will allow them to build an addition to their home 15 feet away from their rear property instead of the 25' normally required.

Please do not hesitate to contact us if there are any questions about our support.

Sincerely,

Handwritten signatures of Jeff and Kim Van Pelt. The signature on the left is 'Jeff' and the signature on the right is 'Kim Van Pelt'.

Jeff and Kim Van Pelt
55581 Oak Bend Road
Huxley, IA 50124
319-541-0817

City of Huxley, Iowa
Zoning Board of Adjustments
515 North Main Avenue
Huxley, IA 50124

RE: Variance Request for 121 Cedar Lane, Huxley

To Whom It May Concern:

We are neighbors of Laurie & Jerry Culp and reside at 124 Cedar Lane. We want to express our support for their variance request to the city's rear yard setback.

We understand the variance will allow them to build an addition to their home 15' away from their rear property boundary instead of the 25' normally required. The Culp's project entails enclosing their existing deck. The area is not visible from the street and will not impede any views from surrounding properties.

Please do not hesitate to contact us if there are any questions about our support for the Culp's request.

Sincerely,

A handwritten signature in cursive script that reads "Wayne + Michelle Baumhover". The ink is dark and the signature is fluid, with a long horizontal flourish at the end.

Wayne and Michelle Baumhover
124 Cedar Lane
Huxley, IA 50124
Phone: (515) 290-5626

January 29, 2021

City of Huxley, Iowa
Zoning Board of Adjustments
515 North Main Avenue
Huxley, IA 50124

RE: Variance Request for 121 Cedar Lane, Huxley

To Whom it may concern:

We are neighbors of Laurie & Jerry Culp and reside at 116 Cedar Lane. We want to express our support for their variance request to the city's rear yard setback. We understand the variance will allow them to build an addition to their home 15' away from their rear property boundary instead of the 25' normally required.

Please do not hesitate to contact us if there are any questions about our support for the Culp's request

Sincerely,



Shane & Sarah Battani

116 Cedar Lane

Huxley, IA 50124

Phone: 515-597-3925

January 29, 2021

City of Huxley, Iowa
Zoning Board of Adjustments
515 North Main Avenue
Huxley, IA 50124

Re: Variance Request for 121 Cedar Lane, Huxley

To Whom It May Concern:

We are neighbors of Laurie and Jerry Culp and reside at 821 Ashwood Drive. We want to express our support for their variance request to the city's rear yard setback. We understand the variance will allow them to build an addition to their home 15' away from their rear property boundary instead of the 25' normally required.

Please do not hesitate to contact us if there are any questions about our support for the Culp's request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mac and Peggy Smith". The ink is dark and the signature is fluid.

Mac and Peggy Smith
821 Ashwood Dr.
Huxley, IA 5014
Phone: 515 291 1580



Laurie Culp <laurie.culp@cbdsm.com>

Note for You

1 message

Eileen Primmer <primmers@huxcomm.net>

Fri, Jan 29, 2021 at 9:29 AM

To: "Culp, Laurie" <laurie.culp@cbdsm.com>

Laurie, I have been having some trouble with this computer down here so if you get this, could you please let me know.

We are neighbors of Laurie & Jerry Culp and reside at 118 Cedar Lane in Huxley. We support their request to the city's back yard setback. We understand the variance will allow them to build an addition to their home 15 feet away from their rear property boundary instead of the 25 foot normally required.

Please do not hesitate to contact us if there are any questions about the our support for this at 515-290-3404. Thank you.

Darold and Eileen Primmer
118 Cedar Lane
Huxley, Iowa 50124
515-290-3404 or 515-290-3264

Hope you can get this approved. Don't know why anyone would care because your backyard is mostly timber anyway. I would love to see it when it is finished though.

Eileen



Laurie Culp <laurie.culp@cbdsm.com>

Variance request

1 message

Kim Jensen <kjensenhuxley@gmail.com>
To: laurie.culp@cbdsm.com

Fri, Jan 29, 2021 at 9:08 PM

January 30, 2021

City of Huxley, Iowa
Zoning Board of Adjustments
515 North Main Avenue
Huxley, IA 50124

Re: Variance Request for 121 Cedar Lane, Huxley

To whom it may concern:

We are Jerry & Laurie Culp's neighbors. We live at 120 Cedar Lane. We would like to express support for their variance request to the city's rear yard setback. We understand the variance will allow them to build an addition to their home 15 feet away from their rear property boundary instead of the 25 feet normally required.

You may contact us if there are any questions about our support for the Culp's variance.

Sincerely,

David & Kim Jensen
120 Cedar Lane
Huxley, IA 50124
515-291-1076 (David)