

LINN COUNTY BOARD OF ADJUSTMENT

Jean Oxley Public Service Center
935 2nd Street SW, Cedar Rapids, Iowa

MINUTES

Wednesday, January 25, 2017

I. QUORUM DETERMINED:

The Linn County Board of Adjustment meeting was called to order at 6:30 p.m. by Vice Chair Veronica Cerka. The meeting was held in the Jean Oxley Public Service Center, 935 2nd Street SW, Cedar Rapids, Iowa.

PRESENT: Dave Martin 12/31/16
Herb Stone 12/31/18
Veronica Cerka 12/31/17
Pat Harstad 12/31/19

ABSENT: Dave Machacek, Chair 12/31/17

STAFF: Les Beck, Director
Bob Hruska, Assistant County Attorney
Stephanie Lientz, Planner
Mike Tertinger, Planner
Sue Bennett, Recording Secretary

See attendance sheet for community sign in.

II. ELECTION OF OFFICERS

Motion by Martin to postpone election of officers until the March 29, 2017 meeting. Stone seconded. Motion carried unanimously.

III. OLD BUSINESS

IV. NEW BUSINESS

JSE17-0001	Mike Tertinger	Luke Woods, Owner	Special Exception front yard setback
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Tertinger presented the staff report. The property owner has applied for a special exception to permit construction of an addition to the existing dwelling, which the Assessor's records show was constructed in 1900. The dwelling also had an addition constructed that has been demolished. The new addition is being constructed in approximately the same footprint as the demolished addition. Currently, the dwelling is twenty-six (26) feet from the front property line. A fifty (50) foot setback is required in the AG (Agricultural) zoning district. The proposed addition has a thirty-three foot (33') setback from the front property line, and will not encroach any further into the front yard than the existing dwelling.

A demonstration of a practical difficulty appears to have been shown in this case due to the existing floor plan and the location of the dwelling in proximity to the front property line. The applicant had already begun

construction of the addition before applying for permits, but has put the project on hold pending the outcome of the Board of Adjustment decision.

Staff recommends approval of this application as it appears that a practical difficulty has been demonstrated.

Stone asked if there are any other homes in this area that are that close to the road. The applicant stated there are 5 houses along that stretch of road, and the house to the west is closer than the proposed Special Exception, and the house to the east is further back.

Trey Martinson, 1364 Highwood Drive NW, confirmed the applicant's statement about the neighboring houses.

Aaron Andrews, 1549 Burnett Station Road, stated he is in support of the proposed Special Exception.

Motion by Martin to accept the Findings of Fact, Conclusions of Law, and Decision & Order as reflected in the staff report for the Special Exception JSE17-0001, and to approve case JSE17-0001, Second by Stone.

Cerka	Aye
Martin	Aye
Machacek	Absent
Harstad	Aye
Stone	Aye

IV. OTHER BUSINESS

The Board members agreed they would be available for a training session on March 13, 2017 at 5:30 p.m.

V. APPROVAL OF MINUTES

The minutes of December 28, 2016 Board of Adjustment meeting were approved as submitted.

VI. ADJOURNMENT

The meeting was adjourned at 6:50 p.m.

Respectfully submitted,


Veronica Cerka, Vice Chair


Sue Bennett, Recording Secretary

For questions about meeting accessibility or to request accommodations to attend or to participate in a meeting due to a disability, please contact the Planning & Development Department at (319) 892-5130 or email at plan_dev@linncounty.org