

EVANSDALE BOARD OF ADJUSTMENT  
APRIL 5, 2018 5:30 P.M.  
EVANSDALE CITY HALL

The Board of Adjustment met on April 5, 2018, at the Evansdale City Hall at 5:30 p.m. Chairman Tom Nichols called the meeting to order. Members present: Tom Nichols, Jason Settle, Jeff Dawson, Jeff O'Brien, and Shelly Smith. Quorum present.

Smith/Dawson to approve the April 5, 2018 agenda. Ayes-Five. Motion carried.

Smith/Nichols to approve the June 18, 2015 minutes. Ayes-Five. Motion carried.

O'Brien/Smith to open the public hearing at 5:34 p.m. regarding request from Kraig Brimmer to reduce front set back to 28 feet and side yard to 1 foot. Proof of publication on file, no public comments on file. Chairman Nichols stated the responsibilities of the Board and guidelines that are followed as referred to by the Supreme Court decisions in Iowa, and not just the opinion of the board. The conditions causing a hardship need to be unique and not shared by neighboring properties in the same zone. The property needs to have characteristics making it eligible for a variance and so granting the variance will not be in conflict with the comprehensive plan nor alter the essential characters of the locality. If a variance is granted it should not be as a remedy for a general condition, self-inflicted and/or personal hardship. The hardship must relate to the physical character of the property and the hardship must be severe. Chairman Nichols asked Mr. Brimmer to state his request.

Mr. Brimmer requested a variance of two (2) feet for an addition in front of the current home and wanted to build a two (2) stall garage but would need a variance of 9 feet on the side yard. His hardship was that if he moved the addition back the two feet it would reduce the size of the rear yard reducing the value of the property and order to keep the existing structure in a straight line with the current structure, otherwise the original stairwell would have to be relocated. He also stated that he was adding a two-stall garage there would not be adequate space to access the back yard if didn't have the five (5) feet easement from the side yard. Nichols questioned if given the variance on the garage how it would be maintained. Brimmer responded the house next door is a rental and is not being kept up. Smith stated that the minimum side yard would actually be ten (10) feet. Beth Johnson, 409 Dixie Cr., stated adjoining property was a duplex. Dawson stated that he doubts that the duplex next door would be turned into a single-family home. Smith questioned fire rescue efforts. Brimmer responded they would be able to access the property from the rear or the front.

Smith/Dawson to close the public hearing at 6:06 p.m. Ayes-Five. Motion carried.

Settle/Dawson to approve Resolution A2018-01 approving the request for variance allowing the variance of twenty-eight (28) feet on the portion of the lot requested as the minimum set back, but not approving the variance for the side yard. Roll call vote: Ayes-Five.

There being no further discussion, Smith/O'Brien to adjourn at 6:09 p.m. Ayes-Five. Motion carried.



DeAnne Kobliska, City Clerk  
For Board of Adjustment