



Board of Adjustment

August 18, 2020

Agenda

Meeting Held Electronically due to COVID-19

5:30 P.M.

Electronic Meeting as Provided Under Iowa Code, Chapter 21*

***Please note that this Grimes Board of Adjustment Meeting will be an electronic meeting pursuant to Iowa Code Section 21.8 due to the national health emergency that makes it impossible or impractical for an in-person meeting.**

The public is welcome and encouraged to attend and participate in this meeting by either internet or phone as follows:

- 1. Internet- Meeting attendance may be obtained by “Join Zoom Meeting”. Simply enter the following internet address and ID:**

Join Zoom Meeting

<https://zoom.us/j/92776828053>

Meeting ID: 927 7682 8053

- 2. By Phone: 877 853 5257 US Toll-free.**

Hearing Assistance: If you are deaf or hard of hearing, Grimes will provide a sign language communicator on the internet Zoom meeting video presentation upon request. Please contact the Grimes City Clerk Rochelle Williams by email at rwilliams@grimesiowa.gov to request this service.

For any additional assistance or questions in attending the meeting, please call 515-986-3036 from 8 a.m. to 5 p.m., or contact the Grimes City Clerk Rochelle Williams by email at rwilliams@grimesiowa.gov.

For any additional assistance or questions in attending the meeting, please call 515-986-3036 from 8 a.m. to 5 p.m. Monday-Friday.

Meetings will be recorded

AGENDA

I. GENERAL AGENDA ITEMS.

- 1. Roll Call**
- 2. Approval of the Agenda**
- 3. Approval of Minutes from previous meeting**

II. PUBLIC AGENDA ITEMS.

- 1. Application for Variance: Sign: 2555 W 1st Street**

IV. ADJOURNMENT



**BOARD OF ADJUSTMENT MINUTES
JULY 21, 2020**

DEVELOPMENT SERVICES

101 NE Harvey St.

Grimes, Iowa 50111

P: (515)986-4050

F: (515)986-4480

www.grimesiowa.gov

C. LETSCH CALLED THE MEETING TO ORDER AT 5:30 P.M.

PRESENT: C. LETSCH, T. LETSCH, LEGO, MORAN

STAFF: PFALTZGRAFF, MARTIN, GREVING

ABSENT: N/A

I. APPROVAL OF THE AGENDA

MOVED BY LEGO, SECONDED BY T LETSCH – AYE: UNANIMOUS

II. APPROVAL OF MINUTES – AS AMENDED

MOVED BY T LETSCH, SECONDED BY MORAN – AYE: UNANIMOUS

III. PUBLIC AGENDA ITEMS

- A. Public Hearing Appeal 06-20 request a Variance to allow an entryway addition the house at 511 SE Trailridge Road within the front yard setback.

Martin presented the details of the proposal. When the house was built, the front yard setback was 25 feet. Now, due to a zoning ordinance change requiring a 30 feet setback, the house is legal, non-conforming.

The applicant explained the reasoning for their proposal. The split level house has a small foyer, so the door cannot open all the way inside. The applicant would like to make this more functional by adding a small entryway.

The board reviewed the five requirements to grant a variance. The current entryway is too small, and in an emergency situation would hinder a first responder. This shows that there is a sufficient cause for the variance.

Since the house is legal, non-conforming, making an addition like what has been proposed requires a variance to complete. The board found this to be a substantial hardship for the applicant.

Since the applicants did not build the house, even though they were aware of the small foyer when purchasing the house, the board also found that the hardship was not self-imposed.

The board saw the addition as a way to improve the value of the house, which would not be a negative effect on the surrounding homes, so the variance would not be contrary to the neighborhood integrity.



The board concluded that granting the variance would be the minimum to alleviate the hardship. In order to construct the addition to the front entryway, the applicant needs a variance.

The board inquired with staff about the deck in the front yard. Staff indicated that although prior cases were brought to the board for decks in the front yard, the code does not prohibit it. Staff indicated they are working on a code update to correct the issue.

The board noted that they would be less hesitant of granting the variance if the plans would meet the original setback of the lot. The board discussed with the applicant the idea of building a 4 foot addition instead of a 5 foot addition to at least meet the original 25 foot front yard setback.

Board Action Ref: 06-20

MOVED BY T LETSCH TO APPROVE THE VARIANCE TO ALLOW AN ENTRYWAY ADDITION TO THE HOUSE AT 511 SE TRAILRIDGE ROAD LIMITED BY THE ORIGINAL 25 FOOT SETBACK OF THE LOT, SECONDED BY MORAN

AYES: ALL

MOTION PASSES

IV. ADJOURNMENT

Meeting adjourned at 6:38

Signature

Board of Adjustment Staff Report



TO: Board of Adjustment Members
FROM: Evann Martin, Assistant Planner
DATE: August 18, 2020
RE: 2555 W 1st Street – Sign

GENERAL INFORMATION:

Applicant:

Scott Grimes, DCG School District

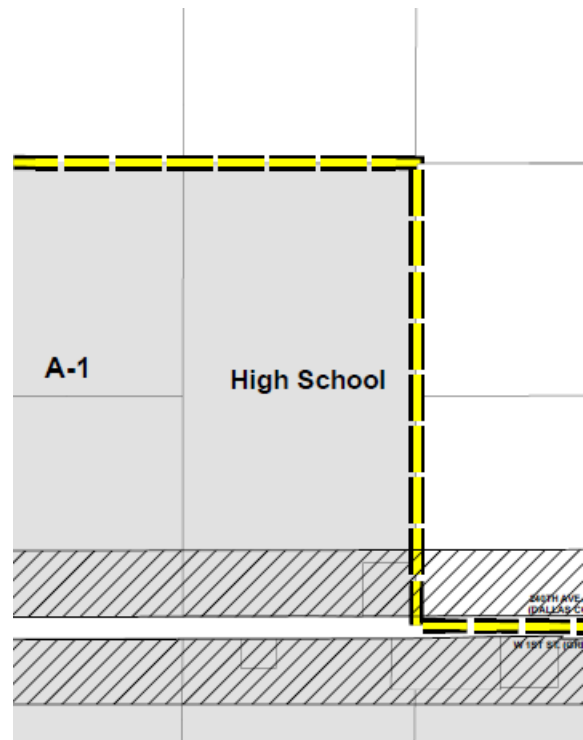
Requested Action

Increased square footage for building sign

SUPPORTING INFORMATION:



Location Map



Zoning Map

LAND USES & ZONING:

Location	Existing Land Use	Land Use Plan Designation	Current Zoning
Subject Site	School	Civic	A-1
North	Vacant	Low Density Residential	A-1 (Dallas County)
South	Vacant/Single Family	Mixed Use 1	A-1
East	Vacant/Single Family	Medium Density Residential/Mixed Use 1	A-1 (Dallas County)
West	Vacant	Medium Density Residential/Mixed Use 1	A-1

BACKGROUND

The subject site is located at 2555 W 1st Street. The site is zoned A-1 and is located within the Transportation Corridor Mixed Use Development Overlay District. Signs within the A-1 district are limited to 10 sq. ft. The requested sign for the Dallas Center - Grimes Administration Center is proposed to be approximately 129 sq. ft., which is larger than the 10 sq. ft limit.

ANALYSIS

Based upon the approved ordinance, the Board of Adjustment may grant a Variance provided the Board can make a finding on the following factors:

1. A showing of good and sufficient cause; and
2. A determination that a literal enforcement of the ordinance would result in a substantial hardship to the applicant; and
3. A determination that the hardship is not self-imposed; and
4. A determination that the granting of the variance will not be contrary to the public interest or neighborhood integrity; and
5. A determination that the granting of a variance is the minimum necessary to afford relief from this Code of Ordinances while preserving the spirit of the zoning ordinance.

Notice of the variance request was mailed to surrounding property owners within a 250-foot radius.

Based on a detailed analysis of the application, staff has the following comments to offer concerning this variance request:

GOOD AND SUFFICIENT CAUSE

The DCG School District wants to ensure that families are not confused about where to get school district information and feel a larger sign is needed to guide people.

SUBSTANTIAL HARDSHIP

The applicant believes patrons will not be able to locate the building or will second guess the purpose of the building.

SELF-IMPOSED HARDSHIP

The applicant believes the hardship is not self-imposed because education buildings are permitted within the A-1 zone but business sized signage is limited.

PUBLIC INTEREST

The applicant believes the proposed sign will align with the existing signage for the middle school and high school.

Staff asks the Board to consider that a negative precedent may be established if the variance is granted. Signage for property zoned A-1 is limited to 10 square feet.

ALTERNATIVES TO VARIANCE REQUEST

1. There are no alternatives to the variance request.

SUMMARY

The applicant is requesting a variance to allow increased square footage for the building sign.

Staff would suggest that if approved, the following conditions be imposed:

1. The sign shall meet the C-2 sign regulations within the Transportation Corridor Mixed Use Development Overlay District.
2. All other standards within the zoning ordinance must be met.

CITY OF GRIMES

Evann Martin
Assistant Planner



410 SE Main Street, Suite 102 , Grimes, Iowa 50111

P: 515.986.4050 | F: 515.986.4480

BOARD OF ADJUSTMENT

APPLICATION FOR

VARIANCE REQUEST

Applications are due the first of the month at
12:00 p.m. to be added to the next BOA agenda.

You are required to attend your hearing—by agent or
in person. Please read application thoroughly. The
City has the right to refuse an incomplete application.

INSTRUCTIONS FOR REQUIRED INFORMATION

***NO REQUEST FOR VARIANCE CAN BE ACCEPTED FOR FILING UNLESS
ALL OF THE REQUIRED INFORMATION IS PRESENTED***

1. GENERAL INFORMATION. The Grimes Board of Adjustment (BOA) is empowered by Iowa law and by Ordinance to hear requests for variance(s) and to make decisions on said requests pertaining to the Zoning Ordinance, Chapter 165.37 and for certain exceptions to the district regulations. The BOA is a five-member quasi-judicial body with authority to grant variances in exceptional cases and is limited to such cases that are consistent with the general purpose and spirit of the zoning regulations. The BOA has no authority to allow a variance that would have the effect of establishing a non-conforming use of land or to change district boundaries except as outlined in the Zoning Ordinance.

2. MEETING DATES. The Board of Adjustment meets at 5:30 p.m. on the third Tuesday of each month. Submittal of all the information does not in any way guarantee that the application will be placed on the next available BOA agenda. All BOA meetings are open to the public and are held in the Council Chambers of City Hall, 101 NE Harvey Street, Grimes, Iowa.

3. FILING DEADLINE: The deadline to file an application for variance with the BOA is 12:00 p.m. the first day of the month of the board meeting. All materials must be filed in the Development Services Department office at 410 SE Maine Street Suite 102, Grimes, Iowa.

NOTE: Be sure that you have all required materials at that time. Failure to do so may result in your request for variance being delayed to the next regularly scheduled meeting.

4. FILING FEE: A filing fee is required at the time the materials are filed with the Development Services Department office. The fee covers administrative expenses and legal notification of surrounding property owners within 250 feet of the property in question. No request for variance is to be considered filed until this fee is received. The fee is \$25.00 to request a variance and payment must be submitted with the application. The fee shall be paid at the Development Services Department office, 410 SE Main Street Suite 102. Make all checks payable to the City of Grimes. The fee is nonrefundable.

5. SITE PLAN: The applicant must submit a site plan that clearly shows the variance being requested. The site plan should be drawn to scale, and should be a reproducible, black line drawing or free hand drawing on a sheet of paper no larger than 24" x 36" *{Use of an actual property survey is suggested but not required}*. The applicant may submit the same site plan that was submitted for a building permit. The site plan shall include the following information:

- a) Property lines and dimensions

- b) Location and size of all existing and proposed structures (buildings, driveways, parking lots, sidewalks, fences, etc.)
- c) Required setback and buffer location(s)
- d) Any other pertinent information necessary to fully understand the need for a variance (e.g. significant change in topography, location and size of mature trees, etc.)

NOTE: If the request for variance is for a sign, the request must be accompanied by both a fully dimensioned, to-scale elevation drawing of the sign, as well as a fully dimensioned to-scale site plan showing the exact location of the sign whether it is a free standing or a building sign.

6. SUPPORTING INFORMATION FORM: The Board of Adjustment may grant a variance provided that "unnecessary hardship" exists; that the variance is not contrary to the public interest; and that the spirit of the Zoning Ordinance is upheld. The Supporting Information form addresses these issues and asks for responses to each of the "tests" in order to grant a variance. The Supporting Information form must be completely filled out in order to process the application for a variance.

7. ADDITIONAL INFORMATION: If you have questions about this form, or should you require additional information regarding the variance process, please contact the Development Services Department at (515)986-4050.

APPLICATION FOR VARIANCE

All required information must be presented before acceptance of application.

The applicant must complete all sections in bold for review to begin.

Please type or print:

1. **Date:** 08-10-2020
Applicant Name: Dallas Center - Grimes Community School District
Address: 2405 W 1st Street Grimes IA 50111
(Street) (City) (State) (Zip)
Telephone Number: 515-992-3866
(Home) (Work)
E-Mail Address: scott.grimes@dcgschools.com
2. **Location of Property**
Street Address: 2405 W 1st Street Grimes, IA 50111
Legal Description: The west 1/2 of the SE 1/4 of Section 36,
Township 80 North, Range 25 west of the fifth
principal median, Dallas County, Iowa.
Zoning Classification: A-1 Agriculture District

This request for variance cannot be processed until all required materials are submitted. In addition to this application, the following information is required for submission. On a separate sheet of paper please type or print the following:

3. Response to the attached supporting information form

4. Site plan drawn to scale

This plan shall be no larger than 24" x 36" and easily reproducible.

5. Application fee

An application is not considered filed until filing fee is paid.

The Board of Adjustment may grant a variance provided the BOA can make a finding of unnecessary hardship and can determine that the variance will not be contrary to the public interest and the spirit of the Zoning Ordinance.

The Board of Adjustment may grant a variance provided the BOA can make a finding of unnecessary hardship and can determine that the variance will not be contrary to the public interest and the spirit of the Zoning Ordinance.

This request for variance will not be granted unless sufficient facts are presented in this application and at the BOA hearing to support a positive finding by the BOA. In support of this request, a Supporting Information form shall be completed by the applicant(s).

Approval of this request for variance by the Board of Adjustment in no way absolves the applicant from subsequently obtaining the necessary development approvals, such as site plan, building permits, etc. from the City of Grimes or any other applicable agency.

I (We) certify that I (We) have been denied a Building/Zoning permit and I (We) have submitted all the required information to request for a variance and that such information is factual.

Signed by: Scott Grimes on date: Aug. 10, 2020
(Owner)

Or: _____ on date: _____
(Owners Agent)

SUPPORTING INFORMATION FORM

The Board of Adjustment is authorized to grant a variance provided all the following requirements are satisfied. Use a separate sheet of paper if desired, and address each issue below:

- I. A finding showing of good and sufficient cause. **The applicant must show that there is a reason for applying.**

As the Dallas Center-Grimes CSD administration center we want to ensure that families do not have any confusion on where to get information about the district. We feel a prominent sign is needed to establish this information.

- II. A determination that a literal enforcement of the ordinance would result in a substantial hardship to the applicant. **The applicant must show that there is a hardship (utilities, parking, etc.).**

Patrons not able to locate or second guess what the building is.

- III. The hardship is not self-imposed. **The applicant must show that the proposed hardship is being caused by the strict interpretation of the Zoning Ordinance and not self-imposed by the applicant.**

Due to being able to place an education building on ag zoned district limits the option for a business size sign.

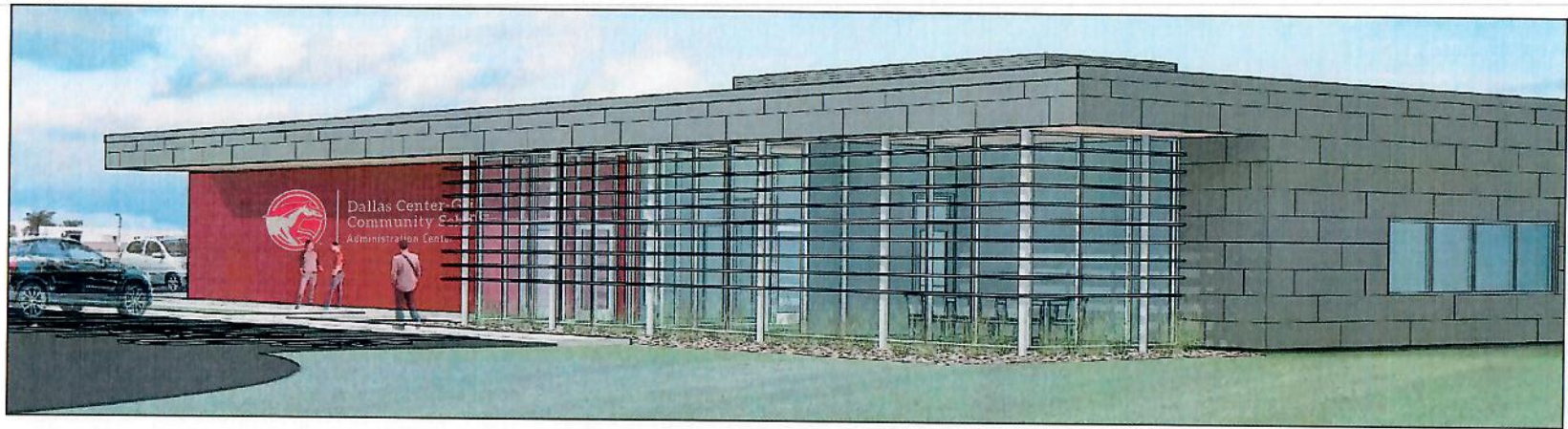
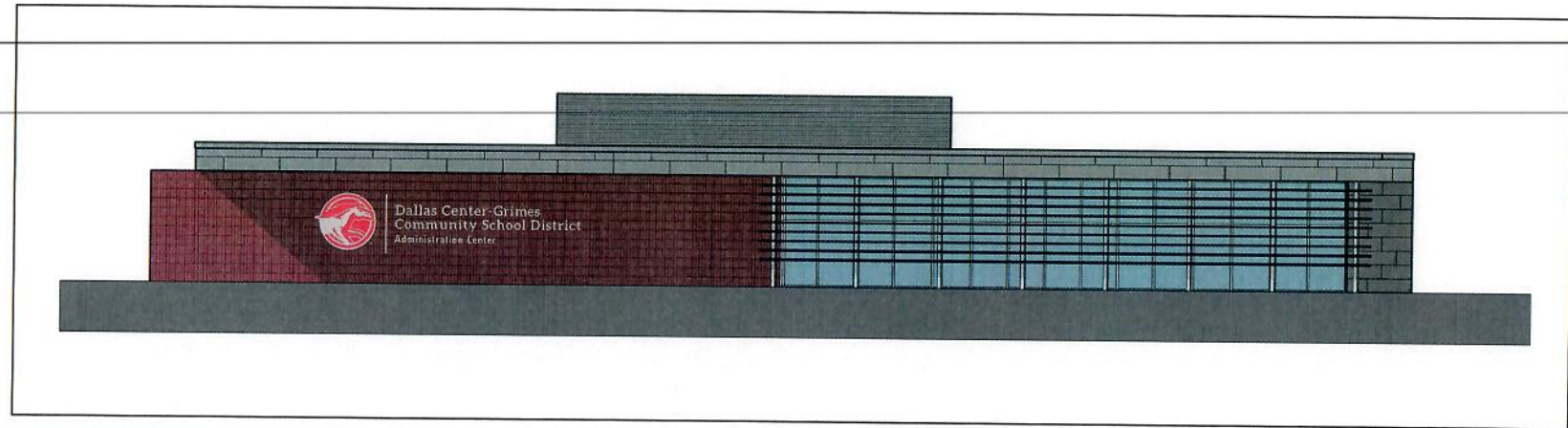
- IV. The variance will not be contrary to the public interest or neighborhood integrity. **The applicant must present information to indicate that the variance will not result in injury or endangerment to other property or persons nor will it devalue nearby property.**

The variance will actually align with other signage on the property with the DCG High School and Meadows building.

- V. The granting of a variance is the minimum necessary to afford relief from this Code of Ordinances while preserving the spirit of the zoning ordinance. **The applicant must list other options that have been considered in lieu of granting a variance.**

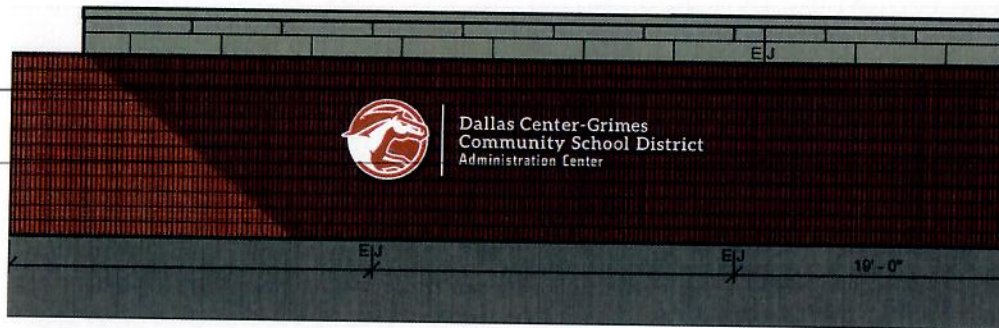
Really do not have any other options in lieu of granting this variance.

ADMINISTRATION CENTER BUILDING GRAPHICS (SILVER)



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#0 DCG SCHOOL DISTRICT



2 Elevation

Scale: 1/8" = 1'

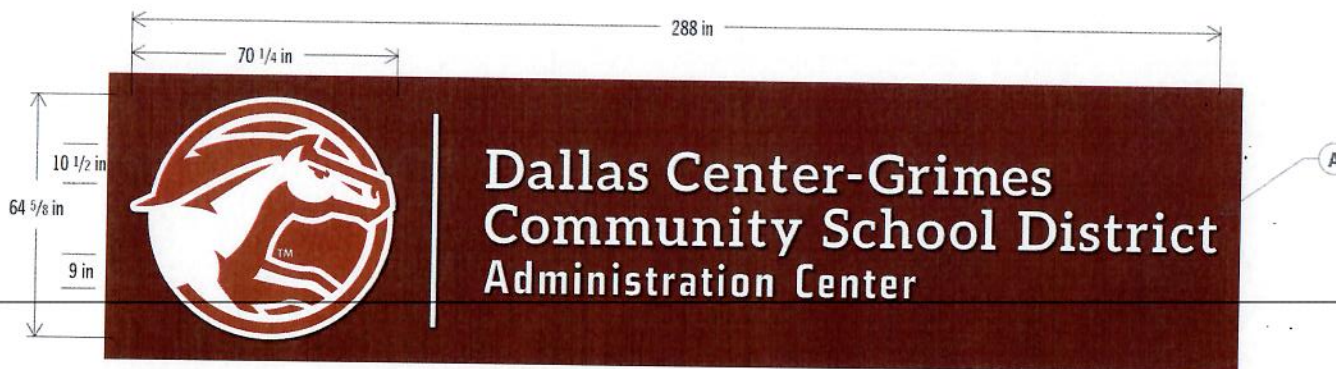
FCO Building Logo

A FACE
1/2" ALUMINUM - (CNC)
PAINTED MP WHITE AND TO MATCH PMS 187
THREADED STUDS ON BACK

Install
STUDS PLACED IN SILICONE FILLED HOLES

Project:
Dallas Center
Grimes Community
Center

Designer: JL
Job Number: 121488
Date: 6.9.20
Rev 1: 7.28.20
Rev 2:
Rev 3:
Rev 4:
Rev 5:



1 FCO

Scale: 3/8" = 1'



archetype

9611 Jarnes Ave. S
Minneapolis, Minnesota 55431

952 641 9600

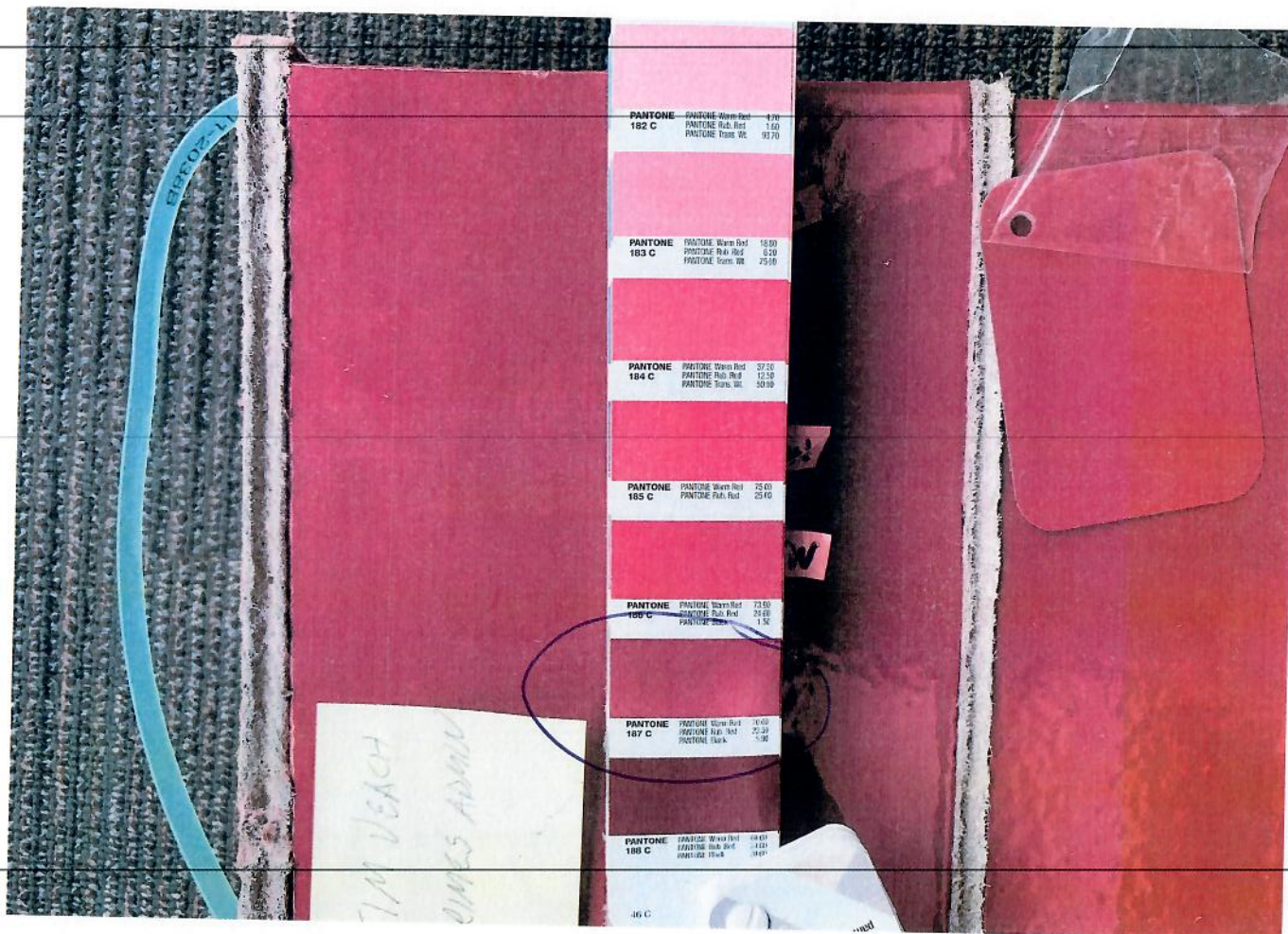
archetypesign.com

Contact:
Tom Wheeler
515 971 5946
tomw@archetypesign.com

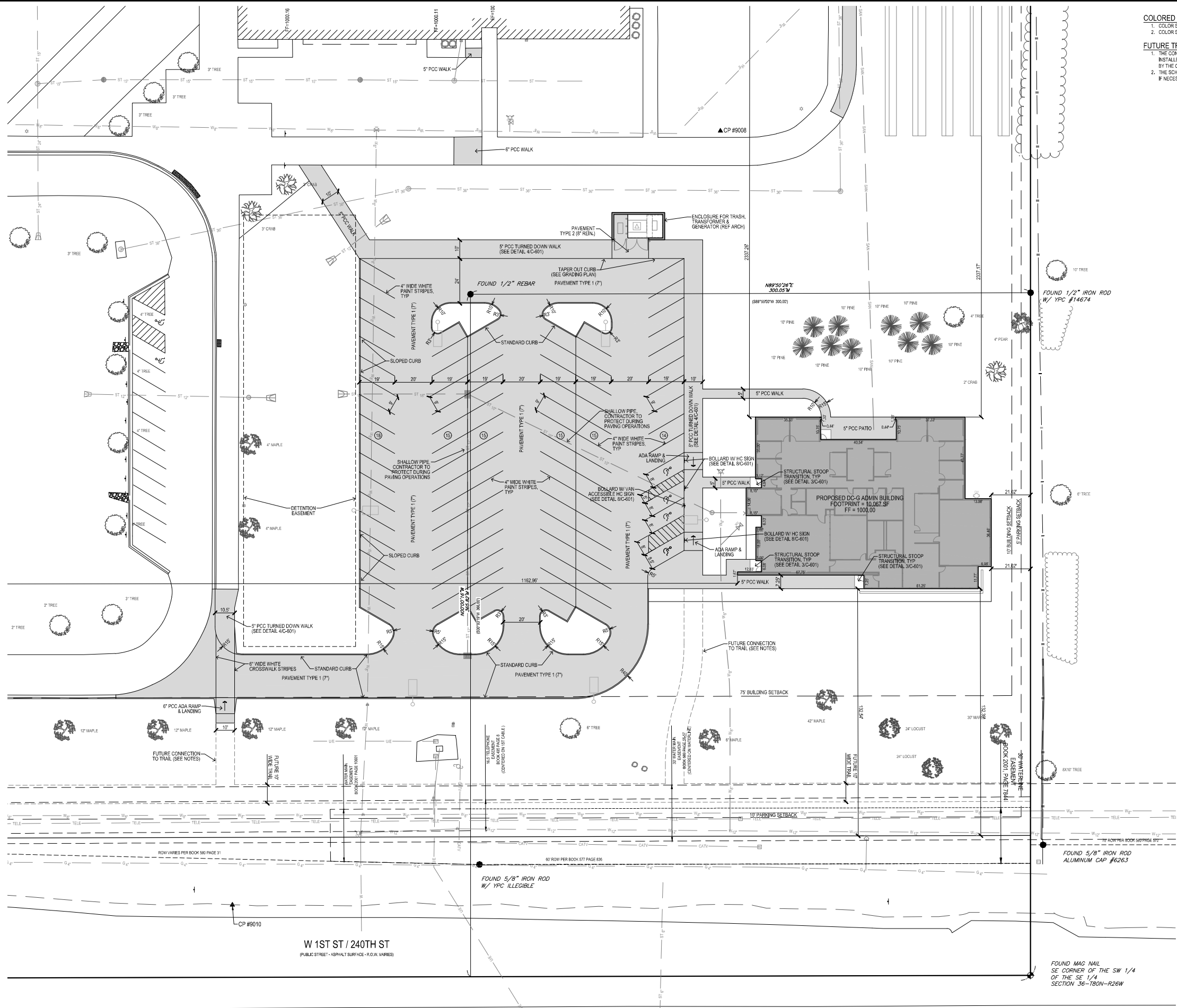
This print is shown as a representation of a sign shown in consideration of being manufactured by Archetype. Materials may influence final result. Samples available upon request. Graphic design fees are included in the final price but not the design contract fee. Design contract fee is not shown on this drawing. Designs derived from Archetype may not be reproduced by other entities without permission by the sign agent as the copyright of these designs or any part thereof. Archetype may own all intellectual property created and/or modified by Archetype. ©2020 Archetype

Approved: _____

Type: _____
Description: _____



PMS 187C



- COLOR PAVEMENT NOTES:**
1. COLOR SHALL BE MIXED WITH CONCRETE TO FULL DEPTH OF SLAB.
 2. COLOR SHALL BE RED.
- FUTURE TRAIL CONNECTION NOTES:**
1. THE CONNECTION TO THE FUTURE TRAIL (INCLUDING RAMPS) WILL BE INSTALLED BY THE DCG SCHOOL DISTRICT AT A FUTURE TIME AS REQUESTED BY THE CITY OF GRIMES.
 2. THE SCHOOL DISTRICT WILL CONVEY A TRAIL EASEMENT ALONG HIGHWAY 44, IF NECESSARY, AT THE REQUEST OF THE CITY.

Bishop Engineering
"Planning Your Successful Development"
3501 104th Street
Des Moines, Iowa 50325-5825
Phone: (515) 251-4467 Fax: (515) 251-4437
Civil Engineering & Land Surveying
Established 1959

NEW DISTRICT ADMINISTRATION CENTER
DALLAS CENTER - GRIMES COMMUNITY SCHOOL DISTRICT
GRIMES, IOWA

PROJECT NO.:
826q01

DATE:
JULY 2019

REVISIONS:
06/03/19 1ST CITY SET
06/18/19 2ND CITY SET
06/25/19 3RD CITY SET
07/22/19 BID SET

DRAWING TITLE:
LAYOUT PLAN

DRAWING NO.:
C-201

2/24/2019 12:03:00 PM M:\LAND PROJECTS\2019\190224\NEWDC2 LAYOUT DWG