



Board of Adjustment Agenda

**Grimes Board of Adjustment
August 20, 2025 @ 5:30 PM
Grimes Community Center, 410 SE Main Street**

Public Comment: If you would like to address the Board of Adjustment during the Public Comment portion of the meeting, please sign up upon entrance to the meeting. Participants must be recognized by the presiding officer and must state their full name and address before addressing the Board of Adjustment. The presiding officer will recognize you for 3 minutes of comment, and your microphone will be turned on. Pursuant to §21.4(2) of the Code of Iowa (2019), the City has the right to amend this agenda up until 24 hours before the posted meeting time. For any additional assistance or questions in attending the meeting, please call 515-986-3036. Meetings will be recorded.

GENERAL AGENDA ITEMS

1. Roll Call
2. Approval of Agenda
3. Approval of Minutes from Previous Meeting

PUBLIC AGENDA ITEMS

1. Variance Request to Section 12-5-11 of the Grimes Code of Ordinances for Reduced Setback Within the Secondary Frontage for the Installation of a Fence
2. Variance Request to Section 12-11-1.24 of the Grimes Code of Ordinances to Follow M-1A Architecture Requirements Instead of Highway 141 Mixed Use Development Corridor District Zone 2 Architecture Requirements
3. Adjournment



101 NE Harvey Street, Grimes, Iowa 50111 | P: 515.986.3036

This meeting of the Grimes Board of Adjustment was called to order Thursday, July 24, 2025 at 5:31 P.M.

Roll Call: Present: Charles Strutt, Trevor Brown, Joshua Stott

Staff: Alex Pfaltzgraff, Evann Martin, Alivia Hoodjer, Stephanie Moss

Absent: NA

A. GENERAL AGENDA ITEMS

1. APPROVAL OF THE AGENDA

Motion by Brown, Second by Stott, to approve the agenda

Roll Call: Ayes-All; Nays-0 Motion passes: 3-0

2. APPROVAL OF THE MINUTES

Motion by Brown, Second by Stott, to approve the minutes from the March 19, 2025 meeting

Roll call: Ayes-All: Nays-0 Motion passes: 3-0

B. PUBLIC AGENDA ITEMS

Public Hearing request for variance to Section 3-13A of the Heritage at Grimes PUD to allow an above ground non-permanent pool greater than 24" depth

Staff member Martin provided a staff report to the Board of Adjustment. The applicant is requesting a variance to allow an above ground pool between May-Sept with a depth between 42"-48".

The City had received complaints about the non-permitted above-ground pool which resulted in contacting the applicant for code enforcement purposes. The applicant installed a pool without a permit in 2025. The existing pool is above-ground and has a depth of 3.5 feet, which is out of compliance with the Heritage PUD requirements. The Heritage PUD does not permit above-ground pools with a depth above 24". No variances have been granted for above-ground pools within the Heritage PUD.

The applicant Lisa Mawdsley of 1101 NE 22nd St presented the request to the Board of Adjustment. She stated that is was not intended to avoid getting a permit. Mawdsley went around the neighborhood and collected signatures. Resulting in finding opposition due to hot tubs being allowed, but not above-ground pools. She is hoping to only keep the pool up May-Sept.

The Board discussed the request and asked questions of the applicant and staff to confirming the details of the Heritage PUD

Motion by BROWN, Second by STRUTT to temporarily approve variance request through December 31, 2025 with the direction for the city to request City Council and Planning & Zoning to look into the PUD requirements for above ground pools and consider making them consistent with other zoning areas.

Motion by BROWN, Second by STRUTT to temporarily approve the variance request through December 31, 2025 with the direction for the City to request City Council and P&Z look into the PUD requirements for above-ground pools and consider making them consistent with other zoning areas.

Roll Call: Aye-All Nay-0 **Motion Passes 3-0**

C. PUBLIC AGENDA ITEMS

Public Hearing request for Variance to Section 12-5-11 of the Grimes Code of Ordinances to allow chain-link with slats for animal run

Staff member Hoodjer provided a staff report to the Board of Adjustment.

The applicant is proposing to replace the existing wood privacy fence on the north and south side of the animal run with chain link with slats as a privacy screening material. And

The applicant plans to replace the existing wood fencing on the east fence line along Highway 141 with Trex opaque privacy fence. No variances have been granted for chain-link fences with slats and No variances have been granted for non-opaque fence type for an animal run.

In 2020, the fencing requirements were amended to require opaque fencing for animal runs and prohibited the use of salts in chain-link fences.

Jessica Tapper, the applicant and owner of Dogwoods Lodge located at 2960 SE Grimes Blvd, presented the request to the Board of Adjustment and explained the issues with the current fencing and why chainlink with slats was best for her business.

The Board discussed the request and asked questions of the applicant and staff.

Motion by BROWN, Second by STRUTT to approve the variance request to allow chainlink with slats to match the existing permitted chainlink fence with slats

Roll Call: Aye-All Nay-0 **Motion Passes 3-0**

D. ADJOURNMENT

Meeting is adjourned at 6:35 p.m.

Chairperson Signature

Clerk Signature

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:** 6/30/25
- Applicant Name:** JEREMY CARR
- Address:** 2200 NE 11TH GRIMES IA 50111
(Street) (City) (State) (Zip)
- Telephone Number:** 515-360-8516
(Home) (Work)
- E-Mail Address:** jeremycarr@yahoo.com
2. **Location of Property**
 - Street Address:** 2200 NE 11TH ST.
 - Legal Description:** LOT 29 NORTH POINTE PLAT 2
- Zoning Classification:** R-1 SINGLE FAMILY

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.

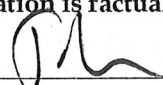
The Board of Adjustment may grant a variance provided the BOA can make a finding of unnecessary hardship and can determine that the variance will not be contrary to the public interest and the spirit of the Zoning Ordinance.

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:  on date: 6/30/25
(Owner)

Or: _____ on date: _____
(Owners Agent)

SUPPORTING INFORMATION FORM

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

Good and sufficient cause for this variance application has to do with the existing layout of the property at 2200 NE 11TH ST, Grimes, IA 50111. The applicant seeks a variance to install a fence with a 4-foot setback from the sidewalk along their corner lot, rather than the currently required 10-foot setback. The primary reason for this request is the presence of an existing concrete basketball pad, explicitly identified as a "Concrete Patio" with dimensions of 25' x 30', which was constructed on the property in 2014. This pad is located 6.5 feet off the sidewalk. Without the variance, the proposed fence would directly conflict with this established structure.

- 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.**

A literal enforcement of the current 10-foot setback ordinance would result the need to tear up and remove the concrete pad, which was installed in 2014 when the house was built. The pad was poured at the current location in good faith that a fence could later be installed around the pad with the 4-foot setback requirement.

- 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.**

The hardship is a direct result of a change in the Zoning Ordinance regarding corner lot setbacks. The concrete pad was built in 2014. At the time of its installation, the homeowners understood that they could install a fence without disrupting this concrete pad, as it aligned with the old ordinance requirement of a 4-foot setback. The hardship now arises because the current ordinance requires a 10-foot setback for corner lots, a regulation that was not the prevailing requirement when the concrete pad was originally constructed. Therefore, the proposed hardship is being caused by the strict interpretation of a changed zoning ordinance, not by the applicant's actions.

- 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 not will is devalue property.**

The property is located in an R-1 Single Family Dwelling District Residential zone, and the proposed fence is for a typical residential use, specifically a 6-foot white privacy PVC fence with one 5-foot gate and one 8-foot double gate. This type of fence is common in residential areas and is not inherently detrimental to public interest or safety.

Furthermore, the proposed 4-foot setback is already consistent with the established character of the neighborhood. The applicant has observed that several neighbors on corner lots (including both corner lots directly north of our home – 2201 NE 11th St. & 2200 NE 12th St.) already have fences installed with a 4-foot setback from the sidewalk. This existing pattern demonstrates that a 4-foot setback for fences on corner lots does not injure or endanger other property or persons, nor does it devalue property within the neighborhood. Instead, it maintains consistency with the current aesthetic and functional landscape of the area.

- 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.**

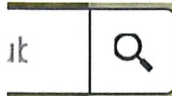
The granting of this variance for a 4-foot setback is indeed the minimum necessary to afford relief from the current Code of Ordinances while preserving the spirit of the zoning ordinance.

The primary other option considered was tearing up the existing concrete pad (basketball court) to comply with the current 10-foot setback requirement. This option was rejected because:

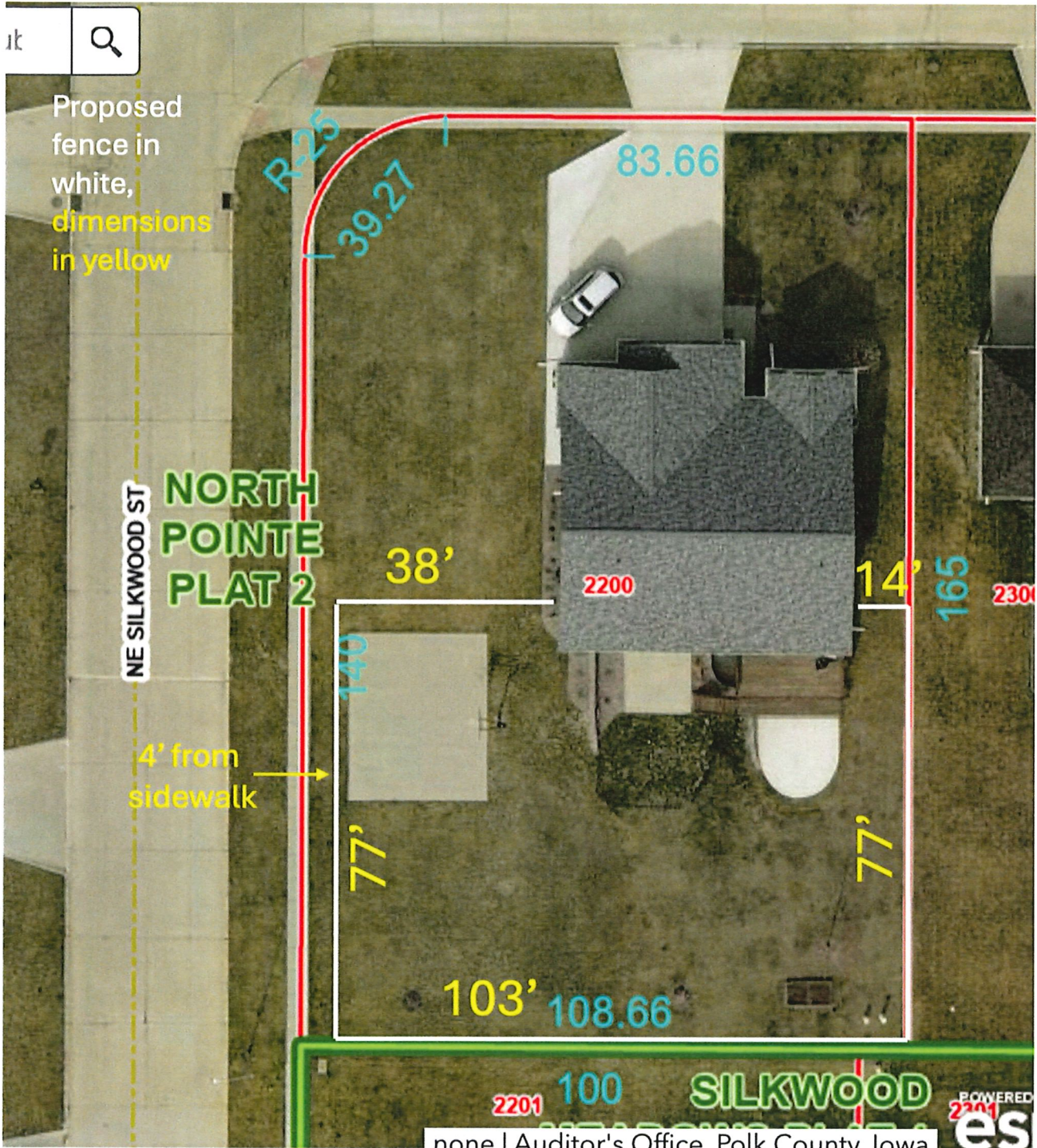
- It would involve significant financial cost to demolish and remove a fully functional structure built in 2014.*
- It would result in the loss of a recreational area that was established based on prior understanding of the ordinance and serves the family's (and neighbor's) needs.*

The proposed 4-foot setback directly addresses the conflict with the existing concrete pad, allowing the fence to be installed without its costly removal. This approach is the least impactful way to achieve compliance for the fence installation without imposing undue burden on the applicant.

Moreover, allowing the 4-foot setback aligns with the "spirit of the zoning ordinance" as demonstrated by the presence of other fences on corner lots in the neighborhood already utilizing a 4-foot setback. This shows that a 4-foot setback is not a deviation that undermines the overall planning objectives or aesthetic harmony of the residential district, but rather maintains consistency with existing development patterns.



Proposed fence in white, dimensions in yellow



DATE

August 20, 2025

APPLICANT

Jeremy Carr

LOCATION

2200 NE 11th St

REQUESTED ACTION

Variance to Section 12-5-11 of the Grimes Code of Ordinances for reduced setback within the secondary frontage for the installation of a fence.

ZONING

R-4

North Pointe Plat 2

PLANNER

Alivia Hoodjer
ahoodjer@grimesiowa.gov
515-986-4050

Location Map



Zoning Map



Case History

LAND USES & ZONING

Location	Existing Land Use	Land Use Plan Designation	Current Zoning
Subject Site	Residential	Low-Density Residential	R-1
North	Residential	Low-Density Residential	R-1
South	Residential	Low-Density Residential	R-1
East	Residential	Low-Density Residential	R-1
West	Residential	Low-Density Residential	R-1 and Hwy 141 Mixed Use Zone 2 Overlay District

The applicant is requesting a variance for a reduced secondary frontage setback along NE Silkwood Street to install a new fence approximately 3 feet from the property line and approximately 1 foot away from the existing basketball court pavement.



Background—Impervious Surface

In 2014, the property owner installed a 25'x30' concrete basketball court in the rear yard 6.5 feet away from the sidewalk on the property during the time that the house was constructed. The applicant was told that the placement of the court would not affect their ability to install a fence in the future. Currently, no fence has been installed on the property.

In 2020, the code was updated to the current fence regulations. Prior to 2020, the code established that the height of the fence determined the setback on the property. For example, if the height of the fence were to be 4 feet, the setback would have needed to be 4 feet minimum.

Because the subject property is a corner/double frontage lot, meaning the side yard backs up to a street, fences are required to be placed 10 feet from the sidewalk. The 10-foot setback requirement is in place to improve aesthetics and to avoid creating a tunnel effect along the public-right-of-way. Placing fences 10 feet from sidewalks opens up the public corridor and creates a pedestrian friendly environment. Below are the current regulations as it relates to fences, setbacks, and types

Figure 12-5E Accessory Structures

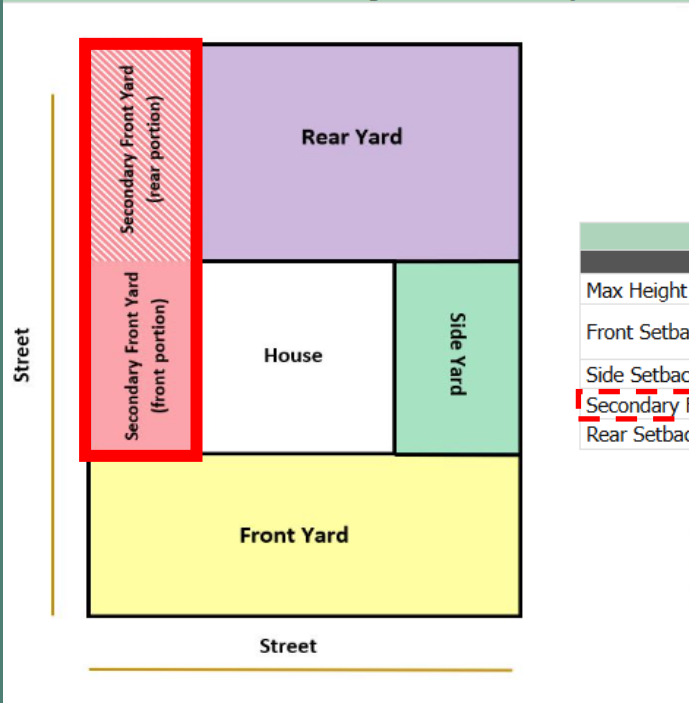


Table 12-5A Residential Fence Regulations

Lot Type	Interior Lot	Corner Lot	Double Frontage
Max Height	6 Feet	6 Feet	6 Feet
Front Setback	Front of Principal Building	Front of Principal Building	Front of Principal Building
Side Setback	0 Feet	0 Feet	0 Feet
Secondary Frontage Setback	N/A	10 Feet	10 Feet
Rear Setback	0 Feet	0 Feet	N/A

The applicant states that if the fence is located on the 10-foot setback line, their fence will cross through and overlap with their existing concrete basketball court. If the proposed fence were to have been installed prior to 2020, the fence would need to be 4' in height to have been in compliance with the pre-2020 code.

The applicant is requesting a variance for a reduced secondary frontage setback along NE Silkwood Street, to install a new fence approximately 3 feet from the property line and approximately 1 foot away from the existing basketball court pavement.

Background – Reduced Setback

In 2007, the Board reviewed a variance request to allow a fence within the setback on a corner lot to avoid overlapping and creating a conflict with the existing patio pavement and landscaping.

The Board of Adjustment denied the variance request with a motion failed 1-3.

In 2015, the Board reviewed a variance request to allow for a privacy fence within the 10' setback on a double frontage lot due to the grading challenges and visibility along the road.

The Board of Adjustment unanimously approved the variance request.

In 2022, the Board reviewed a variance request to allow a reduced setback for a fence along a sidewalk along SE 6th Street due to trying not to disrupt the tree rooting system of a mature tree.

The Board of Adjustment unanimously approved the variance request.

In 2024, the Board reviewed a variance request to allow a reduced setback for a fence along NW Norton. The proposed fence and request brought to the Board was to replace an existing fence that was approximately 5' away from the sidewalk's edge in a side yard on a corner lot. The request was brought to the Board due to the existing fence being on the edge of the property owner's patio and new setback regulations in place after the existing fence was installed. If the request to allow the reduced setback was denied, the fence would have needed to follow the 10 foot setback and the fence would have had to potentially overlap the existing patio pavement.

The Board of Adjustment unanimously approved the variance request.

Analysis

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.

GOOD AND SUFFICIENT CAUSE

The applicant seeks a variance to install a fence within the 10-foot setback of the secondary frontage of the lot. The primary reason for the request is the presence of an existing concrete basketball court that was constructed in 2014 and without a variance the proposed fence would overlap and create conflict with the existing court.

SUBSTANTIAL HARDSHIP

The applicant claims that adhering to the existing 10' setback requirement would result in the need to remove the concrete pad as it was constructed in its current location in good faith that a fence could later be installed around the pad with the desired setback.

SELF-IMPOSED HARDSHIP

The applicant claims that the hardship is not self-imposed as it is a direct result in the change of zoning ordinances regarding corner lot setbacks. The concrete basketball court was installed with the intentions of having a fence around the property that met the original zoning ordinances at the time that the court pad was installed.

PUBLIC INTEREST

The proposed fence is a common residential use material (Privacy PVC) and will fit the character of the neighborhood. The applicant claims that there is already an established pattern of the setback within the area and on other corner lots and the request would maintain consistency with the current aesthetic and pattern.

PRESERVING SPIRIT OF ORDINANCE

The applicant claims that the proposed request is the minimum necessary to afford relief from the current code while preserving the spirit of the ordinance. The other primary option considered by the applicant is to remove the existing concrete pad to comply, but that would involve significant financial cost and loss of recreational area that has been on the property since first occupied in 2014.

The proposed setback addresses the conflict with the existing concrete pad and is the least impactful way to achieve compliance without imposing burdens on the property owner.

Conclusion

ALTERNATIVES TO REQUEST

1. The applicant can install the fence 10' away from their West property line, in compliance with the Grimes Code of Ordinances.
2. The applicant could install the fence abutting against the existing concrete pad, then follow the 10' setback for the rest of the west fence line.
3. The Board could direct City Council could discuss and consider changes to the ordinance.

SUMMARY

The applicant is requesting a variance for a reduced secondary frontage setback along NE Silkwood Street, to install a new fence approximately 3 feet from the property line and approximately 1 foot away from the existing basketball court pavement.

Two variances have been granted for a reduction of secondary frontage setback in regards to fences.

One variance has been denied for a reduction of secondary frontage setback in regards to fences.

DATE

August 20, 2025

APPLICANT

DeCarlo Properties

LOCATION

3905 SE Capitol Circle

REQUESTED ACTION

The applicant is requesting a variance to follow the M-1A architecture requirements instead of Highway 141 Mixed Use Development Corridor District Zone 2 architecture requirements

ZONING

M-1A and Highway 141 Mixed Use Development Corridor District Zone 2

PLANNER

Evann Martin
emartin@grimesiowa.gov
515-986-4050



Location Map



Zoning Map

Case History & Timeline

LAND USES & ZONING

Location	Existing Land Use	Land Use Plan Designation	Current Zoning
Subject Site	Industrial	Light Industrial	M-1A, Hwy 141 Zone 2
North	Industrial	Light Industrial	M-1A, Hwy 141 Zone 2
South	Industrial	Light Industrial	M-1A, Hwy 141 Zone 2
East	Industrial	Light Industrial	M-1A
West	Industrial	Light Industrial	M-1A, Hwy 141 Zone 2

CASE HISTORY

No variances have been granted for architecture requirements.

TIMELINE

1973 – The Capitol City development was platted in Polk County.

1990 – The existing building was constructed in Polk County.

1993 – The property was annexed into the City of Grimes.

1996 – The Highway 141 Mixed Use Development Corridor District was established.

1997 – Zone 1 and Zone 2 were established to delineated two areas of differing zoning standards.

2016 – Zone 1 and Zone 1 architecture requirements were established.

2018 – Base architecture requirements were established.

2024 – Site plan was approved for the site to remove the existing building and construct a new building with architecture designed to meet the Highway 141 Mixed Use Development Corridor District Zone 2 requirements. The improvements were not constructed.

2025 – Revised site plan submitted to alter the building design and location on the site. The building elevations submitted with the site plan were designed to the M-1A standards, not the Zone 2 standards as required by the zoning ordinance. The applicant does not want to design the building per the ordinance and has submitted a variance request.

Background

BACKGROUND

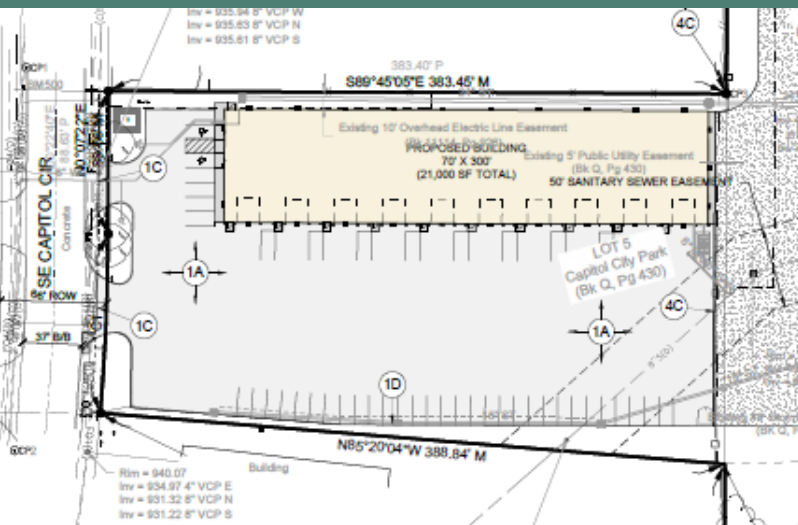
The applicant owns the property at 3905 SE Capitol Circle. The property consists of four parcels all zoned M-1A. The parcel fronting SE Capitol Circle is also located within Zone 2 of the Highway 141 Mixed Use Development Corridor District. The front parcel is currently developed with an office and warehouse building with parking and outdoor storage yard. The other three parcels are currently used as an outdoor storage yard.

In 2024, the applicant submitted a site plan to redevelop the site with a new, 21,000sf office and warehouse building, on the front parcel that was designed in compliance with the Zone 2 architecture standards, additional parking and paving next to the building and asphalt milling outdoor storage yard on the rear parcels. In addition, the applicant was granted two variances: to reduce the outdoor storage screening requirements and to allow asphalt millings for the outdoor storage area.

The site plan was fully approved but no improvements were made to the site.

The applicant has now submitted a revised site plan for review to make adjustments to the front parcel by shifting the location of the building, changing from dual “drive-through” overhead door design to single-side overhead doors, and with a building designed to M-1A architecture, instead of the Zone 2 architecture.

The site plan cannot be approved with the architecture design submitted. The applicant would need to change the architecture to meet the zoning requirements or would require a variance.



New Proposed Layout for the Front Parcel



Aerial and Zoning

Background Continued

VARIANCE REQUEST

The applicant is requesting a variance to follow M-1A architecture requirements instead of Highway 141 Mixed Use Development Corridor District Zone 2 architecture requirements for the property at 3905 SE Capitol Circle.

The property is currently zoned M-1A and located within the Highway 141 Mixed Use Development Corridor District Zone 2. As such the property is subject to the base architecture requirements for the M-1A zoning district and the Zone 2 architecture requirements.

The Zone 2 architecture requirements include the following:

- 75% of front building face wall area, excluding glass, is required to consist of earthtone-colored brick, architectural concrete panels, textured concrete block, marble or stone panels
- 75% of the first 10 feet of each side wall extending from the front building face, excluding glass, is required to consist of earthtone-colored brick, architectural concrete panels, textured concrete block, marble or stone panels
- 20% of building face along the public street is required to be non-reflective glass/glaze
- No blank walls more than 30 feet
- Provide 5 architectural treatments (awnings, roof height variation, material changes, offsets, reveals, etc.)

The M-1A architecture requirements include the following:

- 25% of the building face along the public street is required to consist of earthtone colored brick, architectural concrete panels, textured concrete block, marble, native/manufactured stone panels or other similar substantial material.
- 25% of the first 30 feet of each side wall extending from the front building face, excluding glass, is required to consist of earthtone colored brick, architectural concrete panels, textured concrete block, marble, native/manufactured stone panels or other similar substantial material.
- Pre-cast, tilt-up concrete panels and cement board siding are acceptable, provided additional architectural detailing is provided along the public faces of the building.

Analysis

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.

GOOD AND SUFFICIENT CAUSE

The applicant believes that the new building would look out of place if it were constructed to the Zone 2 requirements due to the designs of the existing buildings on the street.

SUBSTANTIAL HARDSHIP

The applicant states that the current market conditions only allow for a maximum of \$10-12 per square foot for leasing this type of building and believes the additional cost to meet the current Zone 2 requirements will price the building out of the current market.

Alternatives to the request are available to provide economic viability. Similar development has occurred in recent years on property zoned M-1A with the Zone 2 overlay and constructed in compliance with the zoning ordinance.

SELF-IMPOSED HARDSHIP

The applicant believes the proposed building is not located in a current revitalization area because no other properties meet the Zone 2 architecture requirements.

The entire Capitol City development is located within the Highway 141 District and subject to the same architecture requirements as the subject property. The intent of the Highway 141 District architecture is to improve aesthetics. Alternatives to the request are available to provide economic viability.

PUBLIC INTEREST

The applicant believes constructing the proposed building to the M-1A architecture requirements would fit with the neighboring buildings, bring value to the neighborhood, and improve the site compared to the existing building.

PRESERVING SPIRIT OF ORDINANCE

The applicant has compared the market cost and construction type of the proposed building with the neighboring properties and believes the proposed project will bring a welcome value to the surrounding properties if constructed to M-1A standards. The applicant believes constructing the building to the Zone 2 requirements will make the project economically unfeasible.

Conclusion

ALTERNATIVES TO REQUEST

1. Construct the building in compliance with the Zone 2 architecture requirements.
2. Construct the building on the lots behind 3905 SE Capitol Circle that are outside of Highway 141 Zone 2 where M-1A architecture is permitted.
3. Reduce the size of the building or project scope to offset costs.
4. Design the site to include multiple buildings to increase lease revenue.
5. Contract with a tenant for the proposed building prior to starting construction.
6. Lease the existing building.
7. Consider amendments to the zoning requirements.

SUMMARY

The applicant owns property at 3905 SE Capitol Circle zoned M-1A and Zone 2 of the Highway 141 Mixed Use Development Corridor District.

The applicant received site plan approval to redevelop the site in 2024 in compliance with the Zone 2 architecture.

The site plan improvements were not constructed.

A revised site plan has been submitted for review to alter the location and design of the building. The building design submitted with the site plan has been designed to M-1A architecture requirements, not the required Zone 2 architecture requirements.

The site plan cannot be approved as proposed.

The applicant is requesting a variance to follow the M-1A architecture requirements, instead of the Zone 2 requirements.

No variances have been granted in the City related to architecture requirements.



Previous Approved Building with Zone 2 Architecture



DEVELOPMENT SERVICES
410 SE Main Street, Suite 102, Grimes, Iowa 50111
P: 515.986.4050

BOARD OF ADJUSTMENT APPLICATION FOR VARIANCE REQUEST

Applications are due the first of the month at 12:00p.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 Wednesday 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 \$150.00 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:** 07/30/2025

Applicant Name: DeCarlo Properties

Address: 4514 NE 3rd St Des Moines IA 50313
(Street) (City) (State) (Zip)

Telephone Number: (515) 240-7880
(Home) (Work)

E-Mail Address: decarloproperties@aol.com

2. **Location of Property**

Street Address: 3905 SE Capitol Circle

Legal Description: See attached for full legal description

Zoning Classification: M-1A: Commercial & Limited Light Industrial District w/ Hwy 141 Mixed Use Development Corridor District, Zone 2

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:  on date: 7/30/2025
(Owner)

Or:  on date: 7/30/2025
(Owners Agent)
Matt Farver
Lang Construction Group

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.**

The location of the proposed new flex space per the properties adjacent do not meet the Zone 2 requirements. The new building would look out of place on the street if constructed to Zone 2 requirements. Photo's attached.

- 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.).**

The current market conditions only allow for a max of \$10-12 per square foot for leasing this type of building. The additional cost to meet the current Zone 2 requirements will raise the cost of construction and price the building out of the current market.

- 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.**

With the proposed building being in an area that is not a current revitalization area, no other properties meet the blanket requirements required by Zone 2. Building the building to the M-1A standards will fit the neighborhood.

- 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 current construction of the neighboring buildings are such that building the DeCarlo building to M1-A standards will fit the neighborhood well and bring value to the block from what currently exists.

- 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.**

We have looked at the cost and the neighboring properties and from a market cost and a construction type this will bring a welcome value to the surrounding properties. If constructed to M-1A standards. Constructing the building to the Zone 2 requirements will make the project economically unfeasible for the applicant.

3905 SE CAPITOL CIRCLE PROPERTY DESCRIPTION

LOT 5 IN CAPITOL CITY PARK, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF GRIMES, IOWA.

AND

THE SOUTH 310 FEET OF THE NORTH 660.00 FEET, EXCEPT THE WEST 135.00 FEET OF LOT ONE (1) IN CAPITOL CITY PARK, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF GRIMES, POLK COUNTY, IOWA.

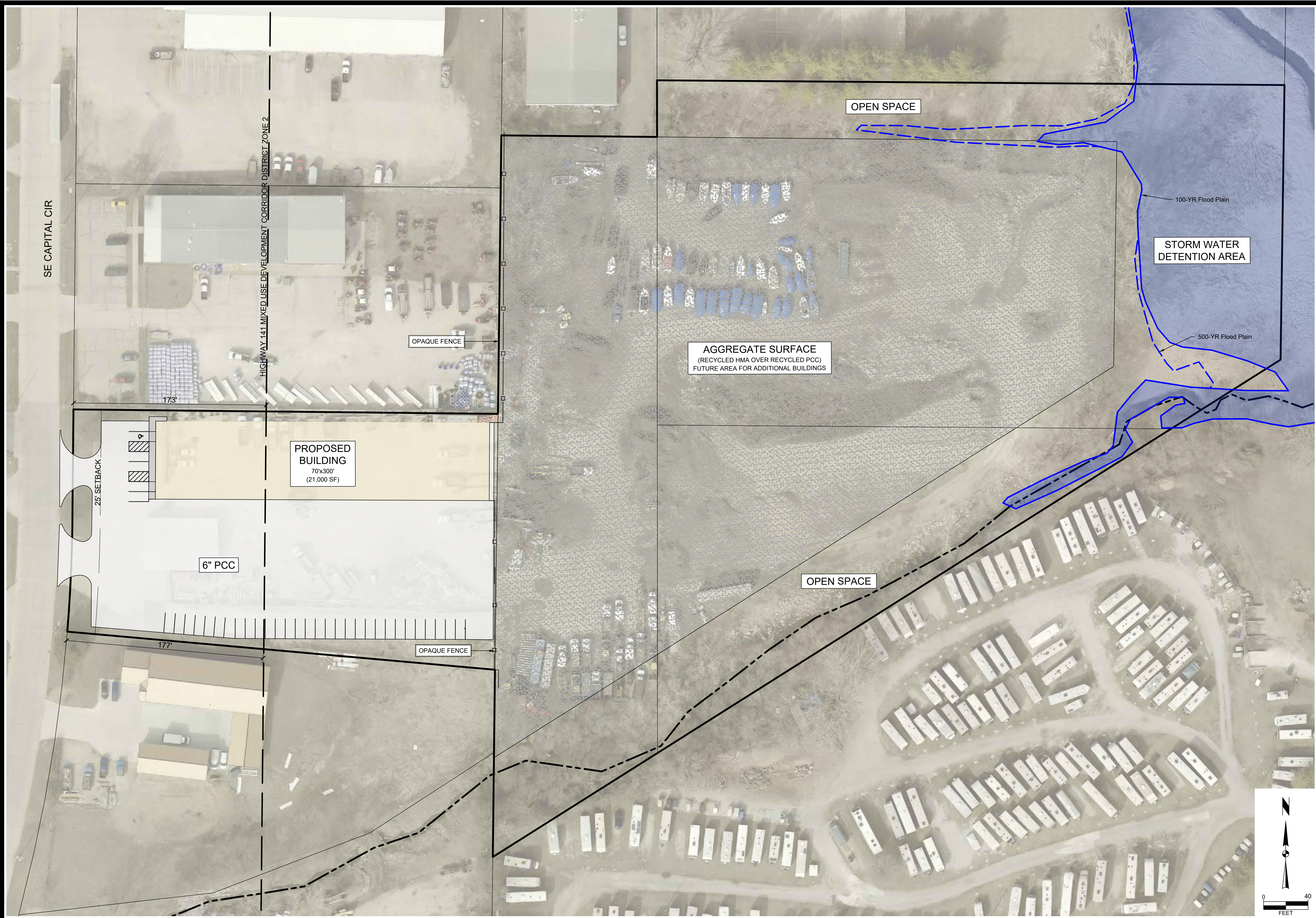
AND

LOT 1, EXCEPT THE WEST 135.00 FEET, AND EXCEPT THE NORTH 660.00 FEET, CAPITOL CITY PARK, AN OFFICIAL PLAT IN POLK COUNTY, IOWA CONTAINING 1.56 ACRES MORE OR LESS.

AND

THE WEST 135 FEET OF LOT 1 (EXCEPT THE NORTH 400 FEET) IN CAPITOL CITY PARK, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF GRIMES, POLK COUNTY, IOWA.

I:\Projects\2024\124.0220.01\CD\DEVELOPMENT CORRIDOR DISTRICT ZONE 2\BOA_APP\ALAN SMITH_20250726_818.AM_ANSI\FULL BLEED\0,01,00 X 22,00 INCHES)



MARK	REVISION	DATE	BY
ENGR	Checked By: BKC	Scale: 1" = 40'	
TECH	Date: 07-29-2025	T-R-S: TTN-RRW-SS	

DE CARLO - 3905 SE CAPITAL CIR
BOA APPLICATION EXHIBIT
SNYDER & ASSOCIATES, INC.

GRIMES, IOWA
 2727 S.W. SNYDER BLVD
 ANKENY, IOWA 50023
 515-964-2020 | www.snyder-associates.com



Project No: 124.0220.01
 Sheet C100

EXTERIOR MATERIAL LEGEND	
MAT. LABEL	MATERIAL DESCRIPTION
CONC	EXPOSED CONCRETE
FS	PREFINISHED METAL FASCIA TRIM. FINISH: MATCH ROOF.
GTR	PREFINISHED OVERSIZED GUTTER. FINISH: MATCH TRIM.
RF	STANDING SEAM METAL ROOF SYSTEM (INSTALLED PER MFR.) W/ CONCEALED FASTENERS; GALVALUME
SL-1	PRECAST CONCRETE SILL AND HEAD. FINISH: MATCH STONE.
ST-1	MANUFACTURED VENEER STONE (INSTALLED PER MFR.) FINISH: CENTURION STONE, MT. RUNDLE DESIGNER SERIES W/ BLACK GROUT
WP-1	PEMB PREFINISHED VERTICAL RIBBED METAL PANEL. FINISH: LIGHT GRAY.
WP-2	PEMB PREFINISHED VERTICAL RIBBED METAL PANEL. FINISH: DARK GRAY.

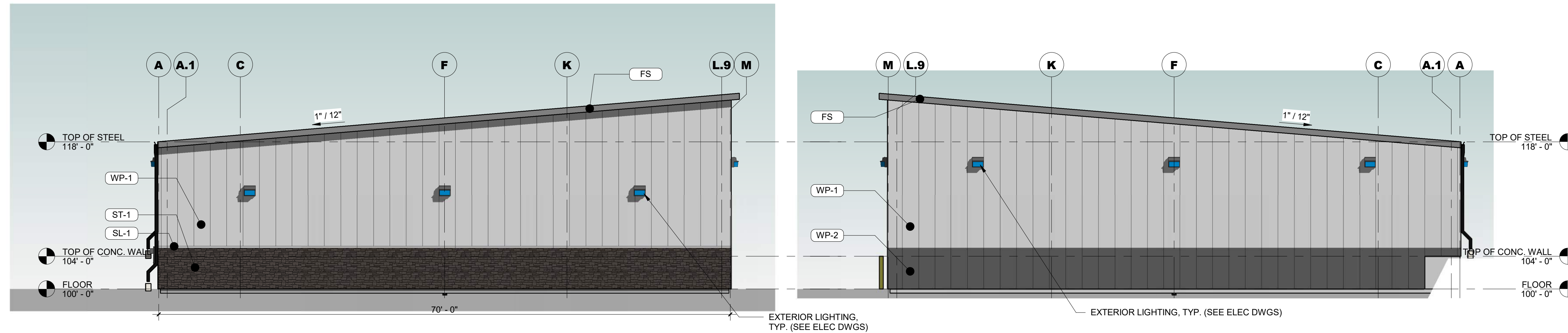
MISC EXTERIOR MATERIAL FINISHES

- TYPICAL U.O.N.
- EXPOSED CONCRETE: GRIND SMOOTH & RUB/COAT WITH CEMENT SLURRY.
 - BOLLARDS: CONCRETE FILLED STEEL BOLLARDS PAINTED SAFETY YELLOW.
 - EXPOSED LINTELS: GALVANIZED & PAINTED TO MATCH ADJACENT MATERIAL ABOVE.
 - FASCIA & SOFFIT: METAL PREFINISHED TO MATCH ADJACENT ROOF COLOR.
 - GUTTERS & DOWNSPOUTS: METAL PREFINISHED TO MATCH ADJ. MATERIAL.
 - CAULKS & SEALANTS: COLOR MATCHED TO ADJACENT MATERIAL.
 - HOLLOW METAL MAN DOORS & FRAMES: PAINTED TO MATCH ADJACENT MATERIAL.
 - OVERHEAD PANEL DOORS: METAL PRE-FINISHED WHITE.
 - LOUVERS: METAL PRE-FINISHED TO MATCH ADJACENT MATERIAL COLOR.

GENERAL EXTERIOR ELEVATION NOTES

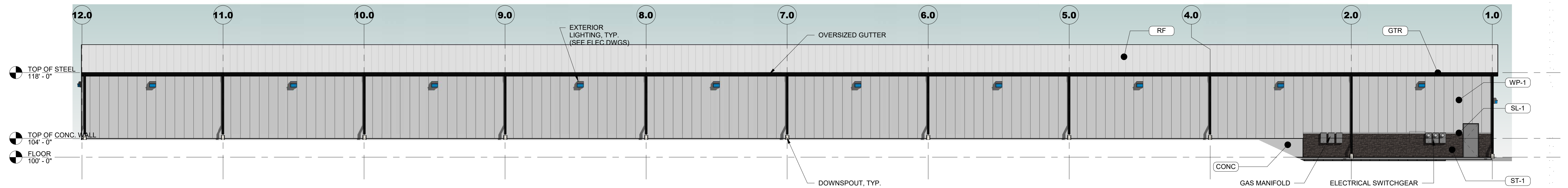
- REFER TO ADDITIONAL NOTES AND REQUIREMENTS ON ALL OTHER DOCUMENTS AND OTHER DISCIPLINES DOCUMENTS.
- ALL CONDUIT RUNS & SERVICE LINES SHALL BE GROUPED TOGETHER IN A NEAT & ORDERLY MANNER AND SHOULD PENETRATE THE WALL AT THE LOWEST POINT AND ARE NOT TO RUN OVER THE TOP OF PARAPET. ALL OTHER CONDUITS & JUNCTION BOXES FOR EXTERIOR FIXTURES & EQUIPMENT SHALL BE FULLY CONCEALED WITHIN THE BUILDING CONSTRUCTION.
- ALL HORIZONTAL TRANSITIONS BETWEEN DIFFERENT MATERIALS SHALL BE FLASHED CONTINUOUS FROM UP BEHIND UPPER MATERIAL AND EXTEND OVER TO EXTERIOR FACE OF LOWER MATERIAL WITH DRIP EDGE.
- ANY RETURNS OR BLIND ELEVATIONS NOT SHOWN SHALL BE SIMILAR IN MATERIAL AND MAKEUP TO ADJACENT CONDITIONS OR OTHER SIMILAR CONDITIONS.
- NO EXPOSED MASONRY/MATERIAL CORES. MASONRY RETURNS AT WINDOWS/OPENINGS ARE REQUIRED IF FRAMING IS NOT DEEP ENOUGH TO PROVIDE CLOSURE AT THE BACKSIDE OF MASONRY FOR AN EFFECTIVELY SEALED JOINT.
- MATERIALS ABOVE CANOPIES & AWNINGS TO BE CONTINUED DOWN BEHIND THEM U.O.N., TYP.
- ANY EXPOSED ROOFING MEMBRANE VISIBLE FROM A PUBLIC RIGHT AWAY MUST MATCH THE PRIMARY WALL MATERIAL COLOR.
- INSTALL VERTICAL EXPANSION JOINTS PER STRUCTURAL OR MINIMAL AT COLUMN/GRID LINES AND AT THE HEAD OF DOOR JAMBS/OPENINGS OR AS OTHERWISE NOTED OR WHERE REQUIRED PER STANDARD MATERIAL PRACTICE TO REDUCE STRESS CRACKING. NO CONTROL JOINT/EXPANSION JOINT AT MAIN STRUCTURAL BEARING LOCATIONS. VERIFY JOINTS WITH ARCHITECT.
- CAULK & SEAL ALL TRANSITION-CONTROL-EXPANSION AT ALL EXTERIOR MATERIALS.
- INSULATE AND SEAL TO ENSURE ADEQUATE AIR INFILTRATION BARRIER AROUND ALL EXTERIOR PENETRATIONS TO PREVENT WATER AND SPRINKLER PIPE FREEZING.
- WHERE EXTERIOR PAVING ADJACENT TO BUILDING, TOP OF PAVING TO BE 1/4" LOWER THAN INTERIOR FINISH FLOOR, SLOPING CONTINUOUSLY AWAY FROM BUILDING A MINIMUM OF 5'. WHERE DOOR STOOP, 48" OUT FROM DOOR 1:48(2%) MAX. SLOPE. AFTER 48" AWAY FROM DOOR 1:20(5%) MAXIMUM SLOPE TO PUBLIC WAY. (REFER TO CIVIL)
- WHERE NO EXTERIOR PAVING ADJACENT TO BUILDING, TOP OF FINISHED LANDSCAPE A MINIMUM OF 4" BELOW INTERIOR FINISH FLOOR AND 4" BELOW EXTERIOR WALL FLASHING/WEEPS, SLOPING CONTINUOUSLY AWAY FROM BUILDING A MINIMUM OF 5'. (REFER TO CIVIL)
- ADDRESS SHALL BE PROVIDED ON STREET SIDE OF BUILDING AND ON MONUMENT SIGN. NUMBERS A MINIMUM 5 INCH CONTRASTING COLOR NUMBERS WITH MINIMUM 1/2" STROKE.
- IF ANY SIGNAGE OR SIGN BASE IS SHOWN IT IS FOR REFERENCE ONLY. FINAL DESIGNS AND/OR ALLOWANCES SHALL BE DETERMINED WITH APPROVED SIGNAGE PERMIT(S).

ACTUAL DETAILS & DIMENSIONS MAY VARY AND ARE SUBJECT TO CHANGE. ALL DRAWINGS ARE SUBJECT TO AUTHORITY HAVING JURISDICTION APPROVAL. SIGNAGE SHOWN DOES NOT REPRESENT ALLOWABLE SIGNAGE PERMITTING/APPROVAL OF ALL SIGNAGE PER CURRENT CITY ORDINANCE BY OTHERS.

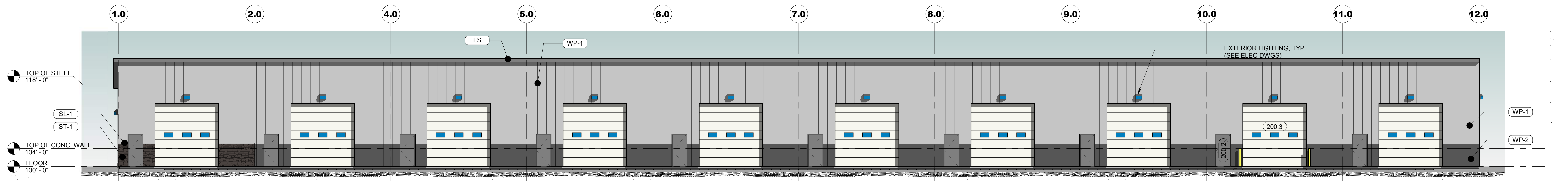


1 WEST ELEVATION
SCALE: 1/8" = 1'-0"

2 EAST ELEVATION
SCALE: 1/8" = 1'-0"



3 NORTH ELEVATION
SCALE: 3/32" = 1'-0"



4 SOUTH ELEVATION
SCALE: 3/32" = 1'-0"



CAUTION
PROPERTY IS PROTECTED
BY A CHAIN LINK FENCE
AND A SECURITY SYSTEM.
NO ENTRY WITHOUT
PERMISSION.



FIRSTCALL





Office Building
Handy Safety



SWIMMING
POOL
SUPPLY



mti









**HENRIKSEN
CONTRACTING**
3754 VE CAPITOL DR. 857-966-4243





