

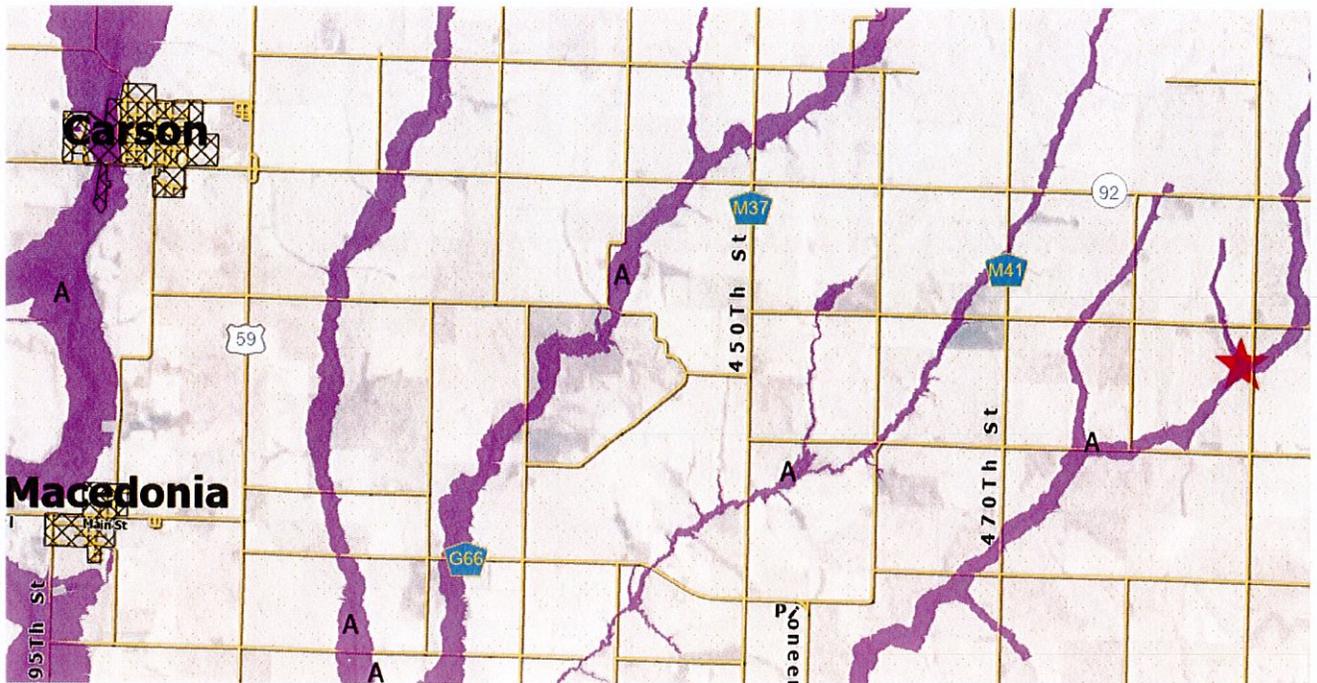
TO: Zoning Board of Adjustment
FROM: Matt Wyant, County Planning Director
DATE: August 13, 2020

RE: Case #ZV-2020-10

REQUEST: An 18' side yard setback variance to allow the construction of an addition to a single family dwelling with a side yard setback of 7' in lieu of 25'.

LOCATION: Waveland Township
18-74-38 N250' E717' SE NE

The subject property is located approximately 8 miles east of Carson and Macedonia at 13710 490th St.



APPLICANT: Blaine Justin Steffen

GENERAL INFORMATION: The applicant has made this request in order to allow the construction of an addition to a single family dwelling with a side yard setback of 7' in lieu of the required 25' side yard setback.

The following is an explanation submitted by the applicant:

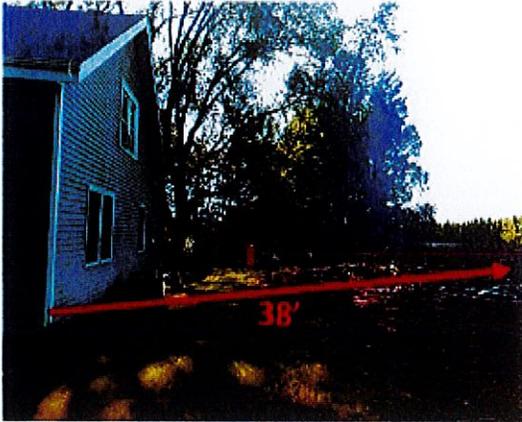
Pottawattamie County Office of Planning & Development

Re: Property | 13710 490th Street, Griswold, IA 51535 | Blaine Justin Steffen – Owner

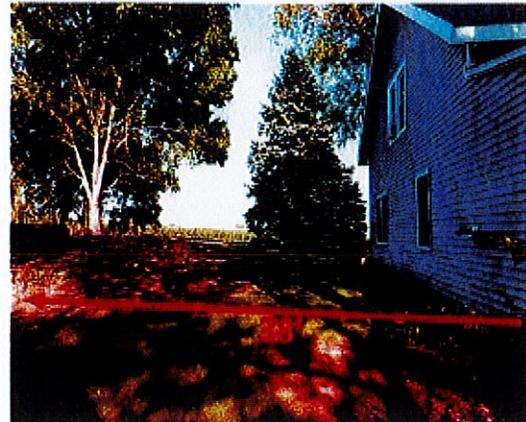
Reason: Addition of an attached garage on the North side of the house.

We are adding on the garage as it is our intention to remodel our home and add another addition to the south side of the house which would eliminate the existing garage. Below I would like to address the items listed on the application that the board takes into consideration for approving a variance.

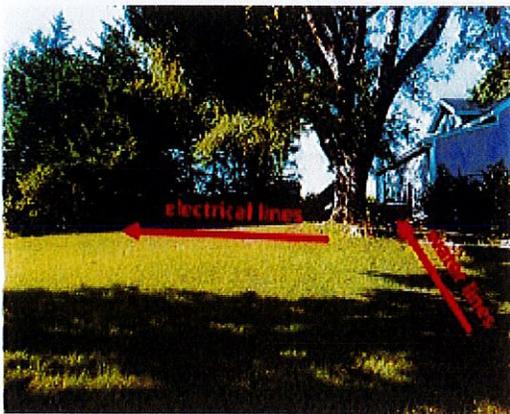
- A. Is necessary to alleviate a demonstrable hardship or difficulty so great as to warrant the variance;**
As the house sits now there is no easily accessible way into the house with out steps. We are wanting to add the garage on the North side to allow easier and if needed handicap accessibility for the future.
- B. Will not merely serve as a convenience to the applicant;**
This is a proactive long term solution for us and for those who need easier accessibility into our home now.
- C. Will not impair the general purpose and intent of the regulations and provisions contained in this Ordinance;**
This garage does not impair the general purpose & intent of the ordinance.
- D. Will not impair an adequate supply of light and air to adjacent properties;**
The property adjacent to ours is farm ground. This structure in no way reduces or restricts any amount of light or air to the field.
- E. Will not increase the hazard from fire and other damages to said property;**
This garage will in no way pose a hazard to said property. It will be used as a typical residential garage. There will be no manufacturing of products or storage of commercial hazardous materials.
- F. Will not diminish the value of land and buildings in the County;**
Our hope that the improvements to our home would only increase the value of other properties in the county & surrounding area.
- G. Will not increase the congestion and traffic hazards on public roads; and**
This garage in no way increases congestion on 490th Street as this is a minimally used road and the new driveway would be used in the same manner as the current one and the garage will sit 75' from the road itself.
- H. Will not otherwise impair the public health, safety and general welfare of the inhabitants of the County.**
This is a garage for a residential property and will in no way impair the public health or safety of anyone in the county.
- I. Is not based on the nonconforming use of neighboring lands, structures or buildings in the same district, and the permitted or nonconforming use of lands, structures, or buildings in other districts is not grounds for the issuance of the variance.**
Not Applicable to this Project
- J. Will not, under any circumstances, allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.**
This is a residential garage attached to a home and will be used as such.



Looking West on the North side of the house. Proposed garage site.



Looking East on the North side of the house. Proposed garage site.



Looking North on the West side of the house. Electrical and water lines are buried here. Can't build garage here because of these lines and because there is no feasible way to attach a garage with the existing roof line on the West side of the house.



Looking West from 490th St.



Looking North. We are planning on adding an addition on this side of the house and removing this garage.



Looking North on the East side of the house. Unable to build garage because of setback of 75' from the road per ordinance.

The purple area indicates special flood hazard area.

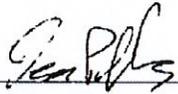


The following is from the adjoining property owner who owns the farm ground (indicated by red thumbtacks in the map) surrounding the applicant's property:

Pottawattamie County Planning and Development Board

Re: 13710 490th Street, Griswold, IA 51535 | Blaine Steffen | Owner

I, Dean Pilling, owner of the property situated adjacent to Blaine Steffen's property at 13710 490th Street, Griswold, IA to the North, attest that there will be no damage, reduced access or harm done to the field or crops should Blaine Steffen be allowed to build the proposed attached garage. It is my understanding that this structure will be within 7' of my property which is outside of the 25' setback stated in the ordinance. I agree to allow Blaine Steffen to build within that setback as this will not affect my property in anyway.

Signature 
Dean Pilling, Pilling Farms

Date 8-5-20



SITE REVIEW: Currently situated on the 3.83 acre parcel is a single family dwelling, pasture area, three outbuildings, a well and septic system.

AREA REVIEW: The use of properties in the area is primarily agricultural with a few residential homes.



ZONING: The subject property is located in a Class A-2 (Agricultural Production) District.

The current minimum standards for the A-2 District are as follows:

	MINIMUM	PROPOSED	VARIANCE
Side Yard Setback	25'	7'	18'

Section 8.096.030.02 of the County Code states "No variance from the terms of this Ordinance shall be granted unless the Board specifically finds":

- .02 The Board shall have the power to hear and decide appeals for variances from the specific terms of this Ordinance which will not be contrary to the public interest and where, owing to special conditions, a literal enforcement of the provisions of this Ordinance will, in an individual case, result in unnecessary hardship, and provided, that the spirit of the Ordinance shall be observed, public safety and welfare secured, and substantial justice done.

No variance from the terms of this Ordinance shall be granted unless the Board is satisfied that granting the variance:

- A. Is necessary to alleviate a demonstrable hardship or difficulty so great as to warrant the variance;
- B. Will not merely serve as a convenience to the applicant;
- C. Will not impair the general purpose and intent of the regulations and provisions contained in this Ordinance;
- D. Will not impair an adequate supply of light and air to adjacent properties;
- E. Will not increase the hazard from fire and other damages to said property;
- F. Will not diminish the value of land and buildings in the County;
- G. Will not increase the congestion and traffic hazards on public roads; and
- H. Will not otherwise impair the public health, safety and general welfare of the inhabitants of the County.
- I. Is not based on the nonconforming use of neighboring lands, structures or buildings in the same district, and the permitted or nonconforming use of lands, structures, or buildings in other districts is not grounds for the issuance of the variance.
- J. Will not, under any circumstances, allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

FLOOD HAZARD: The Flood Insurance Study prepared by the Federal Emergency Management Agency for the County designates in the Flood Insurance Rate Maps the majority of the property as being in a Zone A-Areas subject to inundation by the 1% annual chance flood event.

ROADS & TRAFFIC: Access to the subject property is from 490th Street, a gravel county road. The 2016 Iowa Department of Transportation Traffic Flow Map indicated an average traffic flow of 15 vehicles per day.

STAFF**RECOMMENDATION:**

Based on the above information, the preliminary recommendation by the Planning Department is Department is to approve the application based on the following findings of fact:

1. The topography, septic locations (current and future), well location, buried electrical and water lines and the fact that the majority of the property is in flood plain area of the subject property prohibit the construction of the addition at the required side yard setback.
2. The addition at the proposed setback is not merely for convenience. It will not impair the general purpose and intent of the Zoning Ordinance, it will not impair supply of light and air to adjacent properties, it will not increase the hazards to said property, it will not diminish property values, it will not increase congestion of public roads, nor will it impair the public health, safety and general welfare of area residents.

This recommendation is subject to change, based on evidence and information presented by the applicant and interested parties at the public hearing.