

**ZONING BOARD OF ADJUSTMENT
BLUE GRASS CITY HALL
JULY 31, 2024
6:00 P.M.**

The Zoning Board of Adjustment met prior to the start of meeting at the building site at 306 Prairie Meadow Dr., Blue Grass, IA at 5:30 p.m. and then in the City Council Chambers of City Hall at 6:00 p.m., 114 N. Mississippi Street, on this 31st day of July, 2024, pursuant to law. Chair Porter called for the Pledge of Allegiance and a moment of reflection.

CALL TO ORDER: Chair Rick Porter called the meeting to order at 6:00 p.m.

Chair Porter read aloud the “Opening Statement of the Zoning Board of Adjustment”

ROLL CALL: Members present: Rick Porter, Matt Sampson, Maria Sampson, Josh Brus and Justin Box. Other’s Present: Building Commissioner Jim Meyrer, City Attorney William McCullough, Nichelle Drake, Attorney Bill Stengel, representing several residents.

RESIGNATION: Chair Porter read aloud a letter of resignation submitted by Cheryl Smith.

OATH OF OFFICE: Chair Porter administered the Oath of Office to new member Justin Box who will serve the remainder of Ms. Smith’s term expiring December 31, 2028.

APPOINTMENT OF CHAIR AND CO-CHAIR: Rick Porter was appointed to Chair and Maria Sampson was appointed to Co-Chair.

APPROVAL OF AGENDA: Matt Sampson moved to approve the agenda as presented, seconded by Box. All ayes, motion carried.

APPROVAL OF MINUTES: Matt Sampson moved to approve the minutes of the August 30, 2021 meeting, seconded by Brus. All ayes, motion carried.

NEW BUSINESS:

PUBLIC HEARING: NICHELL DRAKE IS REQUESTING TO SECURE A VARIANCE TO REDUCE THE REAR YARD REQUIREMENT REF: 17.24.060 FRONTAGE AND YARD

REQUIREMENTS: Matt Sampson made a motion to close the regular meeting and open the public hearing, seconded by Box. Roll call: Matt Sampson-aye, Box-aye, Brus-aye, Maria Sampson-aye and Porter-aye. Motion carried. The public hearing was opened at 6:07 p.m.

Chair Porter opened the public hearing asking that the applicant, Nichelle Drake, further explain her request. Ms. Drake explained that she is trying to put up a garage to help clean up her property and to help alleviate all the cars that are parked outside and that she is fully aware of the convenance but that is not why she is here. She said that she needs the City to grant her a Variance on the rear yard setback for construction of a 30 foot by 40 foot detached garage totaling 1,200 square feet. William McCullough, City Attorney, reviewed the information submitted and the property on the Scott County website and said that it is required Ms. Drake meet property setbacks according to the City Ordinance and that she would not be meeting these requirements; therefore, that is why Ms. Drake is requesting a Variance. He asked that the ZBA consider all the facts relating to the use, construction, or alteration of buildings or structures and use of land when considering the Variance. The granting of a Variance must not merely serve as a convenience to the applicant, but it must be necessary to relieve a hardship. Building Commissioner Jim Meyrer explained that Ms. Drake

Zoning Board of Adjustment

July 31, 2024

Page 2

was able to meet all other setbacks reporting that the garage would aesthetically match the house. Many residents attended to voice their concerns/opinions for and against the Variance. The Board felt that since Ms. Drake's house was on a corner lot and the way the house was laid out, that a hardship exists and agreed that a Variance be granted. Chair Porter asked if there were any other questions. After no further discussion, Brus made a motion to close the public hearing and reopen the regular meeting, seconded by Maria Sampson. Roll call. Brus-aye, Maria Sampson-aye, Box-aye, Matt Sampson-aye and Porter-aye. Motion carried. The regular meeting was reopened at 6:25 p.m.

RESOLUTION ZBA 24-01 REF: APPROVING A VARIANCE REQUEST – Nichelle Drake, to secure a Variance to construct a 30 foot by 40 foot detached metal garage totaling 1,200 square feet at her residence of 306 Prairie Meadow Dr., Blue Grass, IA located in a R-1 Single Family District:

Brus made a motion to adopt Resolution ZBA 24-01 approving a Variance to construct a 30 ft by 40 ft detached metal garage totaling 1,200 sq ft in a R-1 Single Family District with the stipulation that the water drainage be addressed, seconded by Matt Sampson. Roll call: Brus-aye, Matt Sampson-aye, Porter-aye, Maria Sampson-aye and Box-aye. Motion Carried.

OTHER: None.

ADJOURNMENT: Porter made a motion to adjourn, seconded by Matt Sampson. All ayes, motion carried. The meeting adjourned at 6:35 p.m.

Submitted by: Joyce A. Lorenz, Assistant City Clerk/Financial Officer