

AGENDA

WATERLOO BOARD OF ADJUSTMENT Regular Meeting - 4:00 P.M. Tuesday, May 23, 2023 Harold E. Getty Council Chambers – City Hall

General Rules for Public Participation

1. The presentation order for all new or old business agenda items shall be as follows: a) Staff report, b) Board questions, c) Applicant's presentation, d) Opinions of interested citizens, e) Applicant's rebuttal, f) Board discussion.
2. Interested citizens may address any item on the agenda by stepping to the podium. After recognition by the chair, the individuals state their name, address and group affiliation (if applicable) and speak clearly into the microphone.
3. Interested citizens may speak one (1) time per item. Please limit your comments to approximately five (5) minutes. Although generally discouraged, at the discretion of the Chair, interested citizens may be allowed to speak more than once per item.
4. Keep comments germane and refrain from personal, impertinent or slanderous remarks and repetitious information.
5. All comments and requests for information shall be directed towards the chair, and not towards individuals in the audience. All comments shall be in keeping with proper and courteous conduct.
6. If handouts are to be provided, you are encouraged to deliver them to the Planning and Zoning Department at least 24 hours prior to the meeting to be distributed to Board members. If not possible to be pre-delivered, you are encouraged to bring six (6) sets of all handouts for Board members and staff. A minimum of **one (1)** copy of **any** handout (including original pictures) must be retained by staff for the official record of the request.

I. Approval of May 23, 2023 Agenda

II. Approval of April 25, 2023 Minutes.

III. Decision Items:

1. Request by Tommy Jo King for a variance to the accessory structure requirements to allow for a 40' X 60' 2,400 square foot accessory structure, 600 square feet more than the 1,800 square feet allowed, a variance to allow an accessory structure in the required front yard, a variance to the height requirement for accessory structures to allow for a height of 15.33 feet, 0.33 feet more than the 15 feet allowed, and a variance to the prohibition on steel siding in the "R-2" One and Two Family Residence District located at 2853 Cedar Terrace Drive. **(Pages 7 – 21)**
2. Request by Roger Knebel for a variance to the accessory structure requirements to allow for a 50' X 60' 3,000 square foot accessory structure, 1,200 square feet more than allowed, a variance to the height limits to allow for an accessory structure with a height of 22.2 feet, 7.2 feet more than the 15 feet height allowed, and a variance to the prohibition on steel siding in the "A-1" Agricultural District located at 2576 Independence Avenue. **(Pages 22 – 29)**
3. Request by Chris Kuehl for a variance to the setback requirements allow for construction of a 8' X 28' pergola with a setback of 2-feet from an existing detached accessory structure, 1 foot less than the 3-foot minimum required in the "R-2" One and Two Family Residence District located at 204 Gayle Street. **(Pages 30 – 41)**

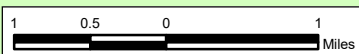
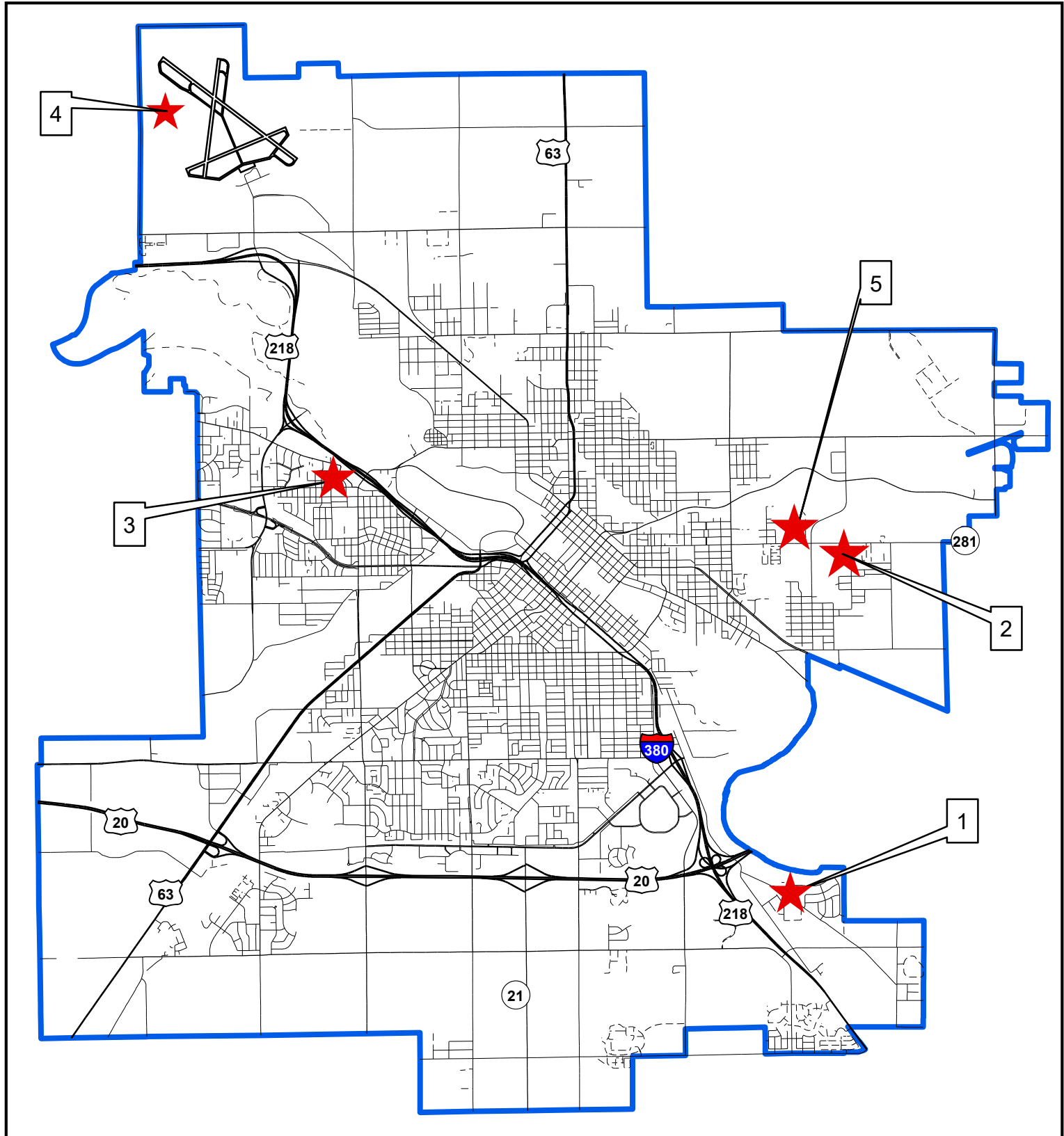
*** Next regular meeting of the Waterloo Board of Adjustment to be held on June 27, 2023 ***

4. Request by Magnum Trucking for a variance to the hard surfacing requirement to allow for gravel vehicle use areas in the “M-2,P” Planned Industrial District located east of Leversee Road and north of Warp Drive (155 Warp Drive). **(Pages 42 – 49)**
5. Request by Mokey Beck for a special permit for an Urban Animal Hobby Farm to allow for a chicken coop with up to 4 chickens in the “R-3” Multiple Residence District located at 2135 Independence Avenue. **(Pages 50 – 58)**

IV. Discussion

V. Adjournment

**Board of Adjustment
May 23, 2023**



Agenda Map

**CITY OF WATERLOO, IOWA
BOARD OF ADJUSTMENT MINUTES
REGULAR MEETING - 4:00 P.M. APRIL 25, 2023**

The regular meeting of the City of Waterloo Board of Adjustment was called to order by Chairperson Condon at 4:00 p.m. via zoom and in-person in the Harold E. Getty Council Chambers at Waterloo City Hall.

Members present were: Brad Condon, Jeri Thornsberry, Craig Holdiman, Carole Gustafson, and John Beckman.

Members present electronically were: none.

Members absent were: none.

Others present were: Lexi Blank, Aric Schroeder, & John Dornoff – Planning Department, and three citizens.

Others present electronically were: Dave Boesen – City Council Liaison and one citizen.

I. Approval of the Agenda

It was moved by Holdiman and seconded by Gustafson to approve the amended agenda moving item 2 to last. Motion carried unanimously.

II. Approval of the Minutes from the regular meetings on March 28, 2023.

It was moved by Gustafson, seconded by Beckman, to approve the minutes of the March 28, 2023, meeting. Motion carried unanimously.

III. Decision Items

1. Request by JMZ Rentals for a variance to the minimum accessory structure size limit to allow for two attached accessory structures to be 12.75 feet wide each, 1.25 feet less than the minimum 14 feet required in conjunction with the construction of two single-family homes on 40' wide lots in the "R-2" One and Two Family Residence District located south of 606 Wallgate Avenue.

Blank read the staff report recommending approval of the request.

Condon noted that on the floor plan, the outside dimension is 11' 9", but if you go to the bottom of the garage door, the dimension is 12' 0", which seems like it should be the same. Condon also stated he is not in favor because he feels that the garage is not wide enough, to which Holdiman stated that he agreed it is narrow, but you also have 24' garages that are two-stall garages, so these would actually be wider.

Holdiman stated that it appears that the garage is wider than the bedroom, to which Schroeder responded that the original plan showed an 11' 9" wide garage but that a foot was added. Condon stated he wants clarification that if the walls are 12' 8" or 12' 9".

Mike Hayworth stated that the bedrooms in the back would have 2" X 6" walls compared to the garage with a 2" X 4" wall. But by moving the wall over it will give a 12' clear span.

Condon asked if there was a reason why the applicant would not request a variance to the side yard setback, to which the applicant stated that he did not ask for that because he understood that the 5'

setback was in keeping with the fire code to keep structures away from each other so that is why he felt it worked better to shrink down the living space than request a side yard variance.

Beckman asked if both structures would be identical, to which Hayworth stated yes.

It was moved by Beckman, seconded by Thornsberry, to approve the request by JMZ Rentals for a variance to the minimum accessory structure size limit to allow for two attached accessory structures to be 12.75 feet wide each, 1.25 feet less than the minimum 14 feet required in conjunction with the construction of two single-family homes on 40' wide lots in the "R-2" One and Two Family Residence District located south of 606 Wallgate Avenue. Motion carried 4-1 (Condon voting nay).

2. Request by David Krueger for a variance to the accessory structure setback requirement to allow for a setback of 10 inches, 2 feet 2 inches less than the minimum 3 feet required to allow for construction of a new 16' X 20' 320 square foot detached accessory structure in the "R-2" One and Two Family Residence District located at 129 Byron Avenue.

Blank read the staff report recommending approval of the request.

Condon asked if staff required a survey, to which Dornoff responded no.

Holdiman stated that the current garage looks slanted.

Beckman asked if there would be any checks and balances in place to ensure the property placement of the accessory structure, to which Dornoff responded that the Building Inspector would be responsible for ensuring it is properly placed.

Dave Krueger, 129 Byron, stated that the original garage was 14' X 20', but a corner of the building was removed when the residence was expanded to accommodate the necessary 3' setback.

Condon asked if the applicant was going to move the new garage back, to which the applicant stated yes, about 8 feet.

Beckman asked if the garage was moved back, if there would be any problems with the garage being too close to the alley, and if there was a fence between the garages, to which Schroeder responded no.

Krueger responded that a piece of fencing was put in there to stop kids from cutting through between the garages and was put in with stakes holding it up.

Schroeder asked what the applicant was proposing for overhang, to which Krueger responded, 6" overhand and gutter.

It was moved by Thornsberry, seconded by Gustafson, to approve the request by David Krueger for a variance to the accessory structure setback requirement to allow for a setback of 10 inches, 2 feet 2 inches less than the minimum 3 feet required to allow for construction of a new 16' X 20' 320 square foot detached accessory structure in the "R-2" One and Two Family Residence District located at 129 Byron Avenue with the condition that the applicant will ensure that the drainage does not drain on the neighbor's property, that the structure does not have overhangs or gutters that extend over the property line, and that a 3-foot setback is maintained from the residence. Motion carried unanimously.

3. Request by CGA on behalf of Babic Properties, LLC for a variance to the rear yard setback requirement to allow for an 8 foot rear yard setback, 12 feet less than the 20 feet required for the purpose of constructing a new 4-plex in the “R-3” Multiple Residence District located south of 3633 Ravenwood Circle.

Blank read the staff report recommending approval of the request.

Lary Koosmann, CGA Engineers, stated he was available to answer questions.

Condon asked to verify that the house would face the south but that the west was the required front yard, to which Dornoff confirmed.

It was moved by Beckman, seconded by Thornsberry, to approve the request by CGA on behalf of Babic Properties, LLC for a variance to the rear yard setback requirement to allow for an 8 foot rear yard setback, 12 feet less than the 20 feet required for the purpose of constructing a new 4-plex in the “R-3” Multiple Residence District located south of 3633 Ravenwood Circle. Motion carried unanimously.

4. Request by Fager Construction DBA Deckworks Cedar Valley on behalf of Eric Bertch for a variance to the side yard setback requirement to allow for a side yard setback of 6.5 feet, 2 feet less than the 8.5 feet required in the “R-1” One and Two Family Residence District located at 4662 Hoff Road.

Blank read the staff report recommending approval of the request.

Eric Bertch, 4662 Hoff Road, stated he had notarized letters stating the neighbors were not opposed to the proposed deck.

Beckman asked if the deck would be within the fenced area and that it would not get closer to the tree that is outside the fenced area, to which Bertch stated the fence would be moved closer to the front of the house but would not change along the side, the deck would be in the fenced area and the tree would not be affected.

It was moved by Gustafson, seconded by Beckman, to approve the request by Fager Construction DBA Deckworks Cedar Valley on behalf of Eric Bertch for a variance to the side yard setback requirement to allow for a side yard setback of 6.5 feet, 2 feet less than the 8.5 feet required in the “R-1” One and Two Family Residence District located at 4662 Hoff Road. Motion carried unanimously.

IV. Discussion

The next meeting of the Board of Adjustment will be on May 23, 2023.

V. Adjournment

It was moved by Beckman, seconded by Holdiman, to adjourn the meeting at 4:44 p.m. Motion carried unanimously.

Respectfully submitted,



John Dornoff,
Planner II

REQUEST:	Request by Tommy Jo King for a variance to the accessory structure requirements to allow for a 40' X 60', 2,400 square foot accessory structure, 600 square feet more than the 1,800 square feet allowed, a variance to allow an accessory structure in the required front yard, a variance to the height requirement for accessory structures to allow for a height of 15.33 feet, 0.33 feet more than the 15 feet allowed, and a variance to the prohibition on steel siding in the "R-2" One and Two Family Residence District located at 2853 Cedar Terrace Drive.
GENERAL DESCRIPTION:	The applicant is requesting a variance to build a 2,400 square foot garage with metal siding and with a height of 15.33' for storage in the required front yard at 2941 Cedar Terrace Drive.
LOCATION, CURRENT ZONING, AND ZONING HISTORY:	The property is located at 2853 Cedar Terrace Dr, and is zoned "R-2" One and Two-Family Residence District, and has been zoned as such since the adoption of the zoning ordinance in 1969.
IMPACT ON NEIGHBORHOOD & SURROUNDING LAND USES:	The request would not appear to have a negative impact on the area as there are industrial uses across Cedar Terrace Drive, and the residences directly north and west of the property in question have similar structures that are approximately the same size, height, has vertical metal siding, and is located in the front yard.
TRAFFIC CONDITIONS:	It would appear that the request would not have a negative impact on traffic conditions in the surrounding area.
RELATIONSHIP TO COMPREHENSIVE PLAN:	The request would be in conformance with the classification of this area as Low Density Residential on the Future Land Use Map within the City of Waterloo Comprehensive Plan adopted February 3, 2003.
STAFF COMMENTS:	<p>The section of the Zoning Ordinance that pertains to this request: <u>Chapter 5, General Regulations, 10-5-1 (E), Accessory Structures</u></p> <p>Accessory structures that are not part of the main building shall not exceed 1,800 square feet in size. Accessory structures (attached or detached) to a residential use shall not be constructed of metal materials for exterior siding, except for horizontal aluminum/steel siding common on many residential structures.</p> <p>The applicant is proposing to build a 2,400 square foot accessory structure with metal siding. The request is 600 square over the 1,800 square foot limit.</p> <p>Accessory structures that are not part of the main building shall not exceed 15 feet in height with a less than two story Principal Permitted Use. The applicant is proposing the accessory structure with the height of 15.33', which is 0.33' over the height limit.</p> <p>No accessory structure shall be erected in any front yard. The property has a ditch in the rear yard which gives the property owners less options</p>

on where to place the structure. The applicant is proposing the structure to be located 12' into the required front yard with their option "C". Staff would prefer the location of option "C" over the locations of Options "A" and "B", because it will extend into the required front yard the least.

The properties to the north and east are primarily developed with single-family homes and the properties to the south and west are primarily developed with industrial uses.

There is a 1,800 square foot metal building with similar height and also located in the required front yard located behind the site in question at 2941 Cedar Terrace Drive. A variance to allow a 2,400 square foot accessory structure with vertical metal siding and a height of 16' 6" in the required front yard was approved on November 27, 2007 for 2941 Cedar Terrace Drive. A variance was approved to allow for 3,600 square feet of accessory structures, with one building having vertical steel siding and a height over the 15' required on August 27, 2013.



Picture 1: Existing home.



Picture 2: Location of the proposed accessory structure.



Picture 3: Industrial located across the street and railroad tracks.

Criteria

1. Lack of reasonable return- There would not appear to be a lack of reasonable return. The property is used for residential purposes and can have 1,800 square feet of accessory structures on the lot, and be 15 feet in height, not use metal siding, and not be located in the front yard.
2. Uniqueness- There would appear to be a uniqueness to the request as the parcels to the south and west are industrial uses, and the residential properties to the north and west have similar accessory structures.
3. Public Considerations- Approval of the variance could have a negative impact upon the surrounding area by potentially allowing other properties in the area to request similar variances, but given the uniqueness, the request would not appear to set precedent.

STAFF RECOMMENDATIONS:

Therefore, staff recommends that the request by Tommy Jo King for a variance to the accessory structure requirements to allow for a 40' X 60' 2,400 square foot accessory structure, 600 square feet more than the 1,800 square feet allowed, a variance to allow an accessory structure in the required front yard, a variance to the height requirement for accessory structures to allow for a height of 15.33 feet, 0.33 feet more than the 15 feet allowed, and a variance to the prohibition on steel siding located in the "R-2" One and Two Family Residence District located at 2853 Cedar Terrace Drive, be approved for the following reasons:

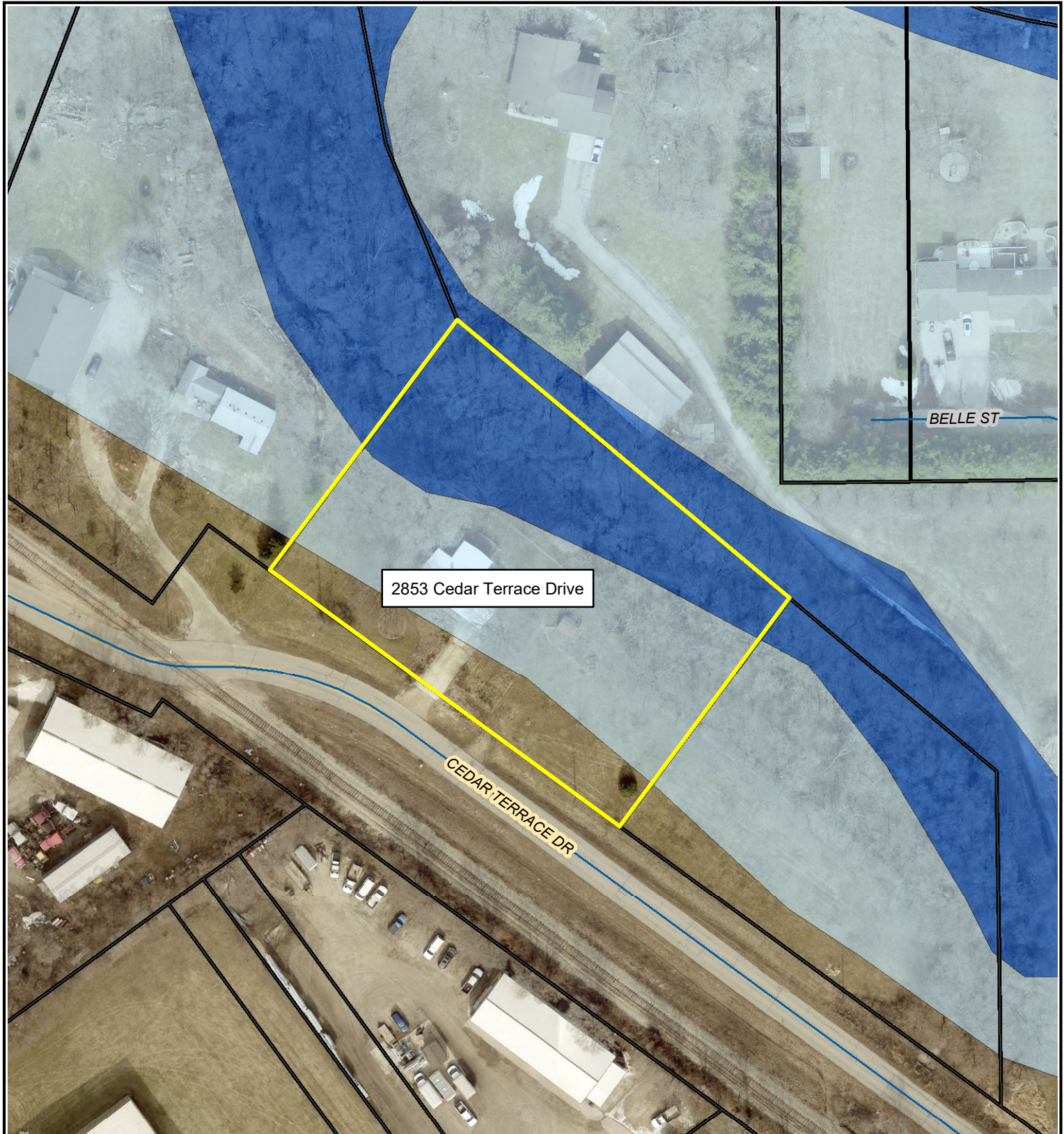
1. There would appear to be a uniqueness to the request as the parcels to the south and west are industrial uses, and the residential properties to the north and west have similar accessory structures.
2. There would not appear to have a negative impact on the area as there is a 1,800 square foot metal building located behind the site in question at 2941 Cedar Terrace Drive.
3. It would appear that the request would not have a negative impact on traffic conditions in the surrounding area.

**City of Waterloo Board of Adjustment
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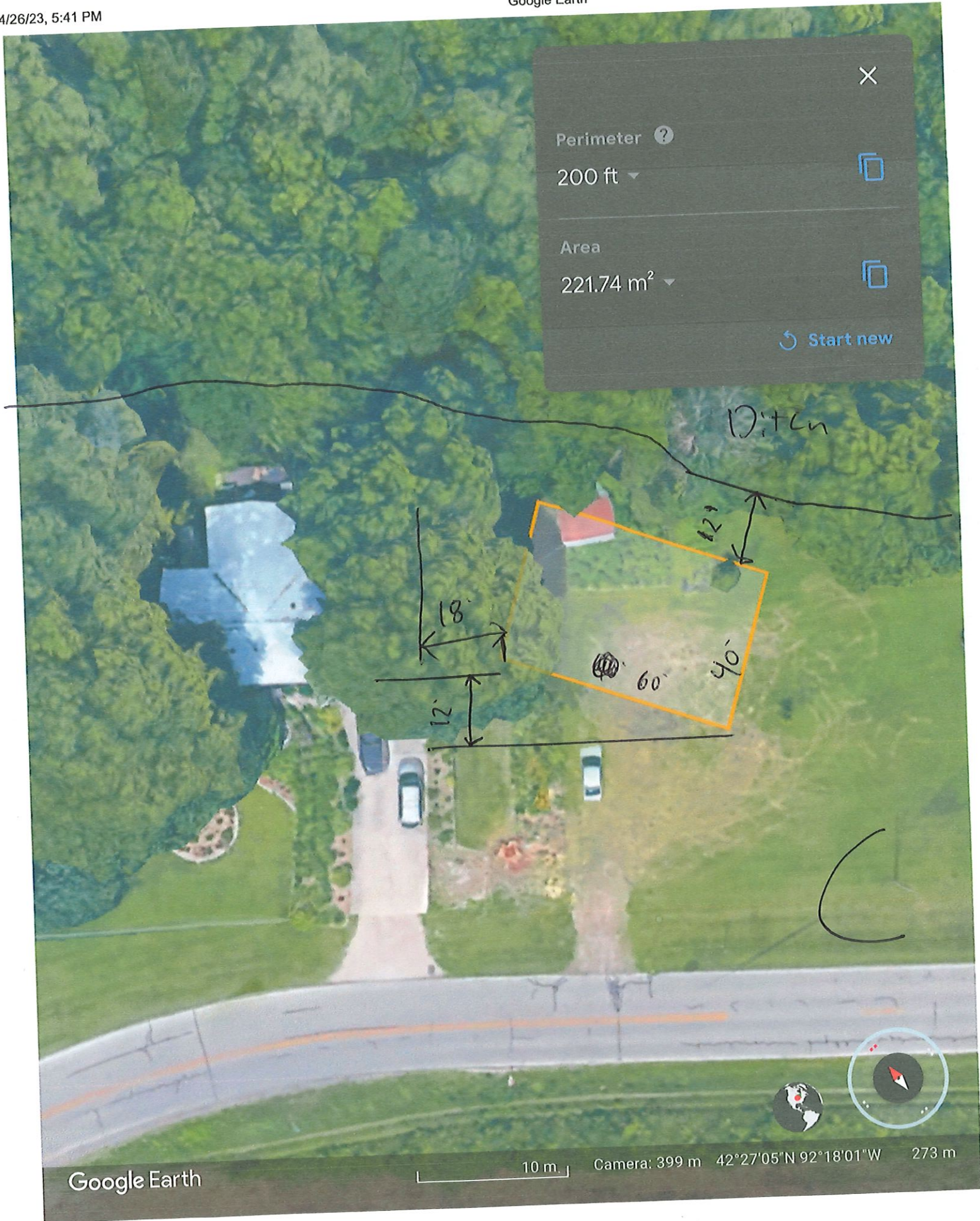


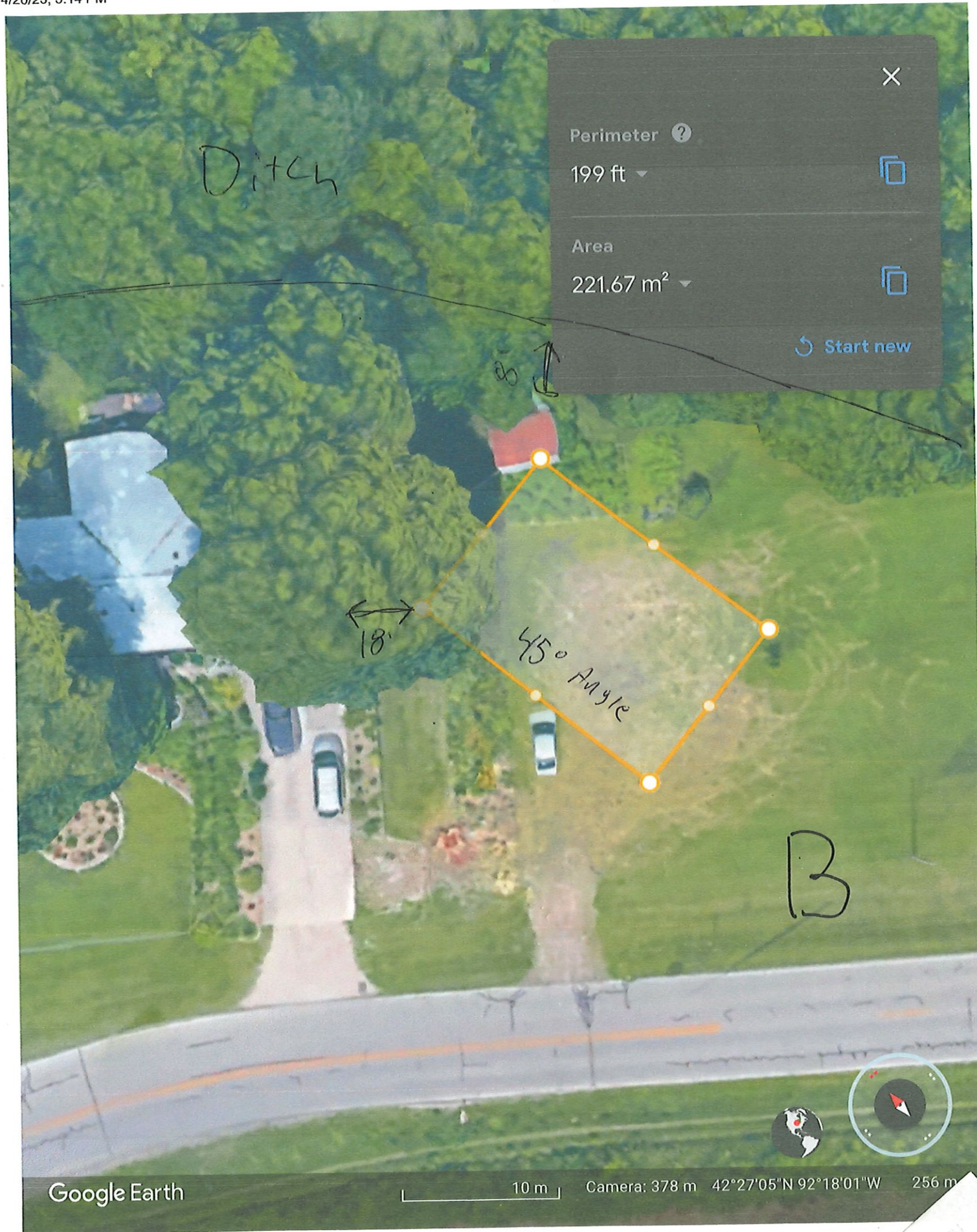
**2853 Cedar Terrace Drive
Accessory Structure Variance
Tommy Jo King**

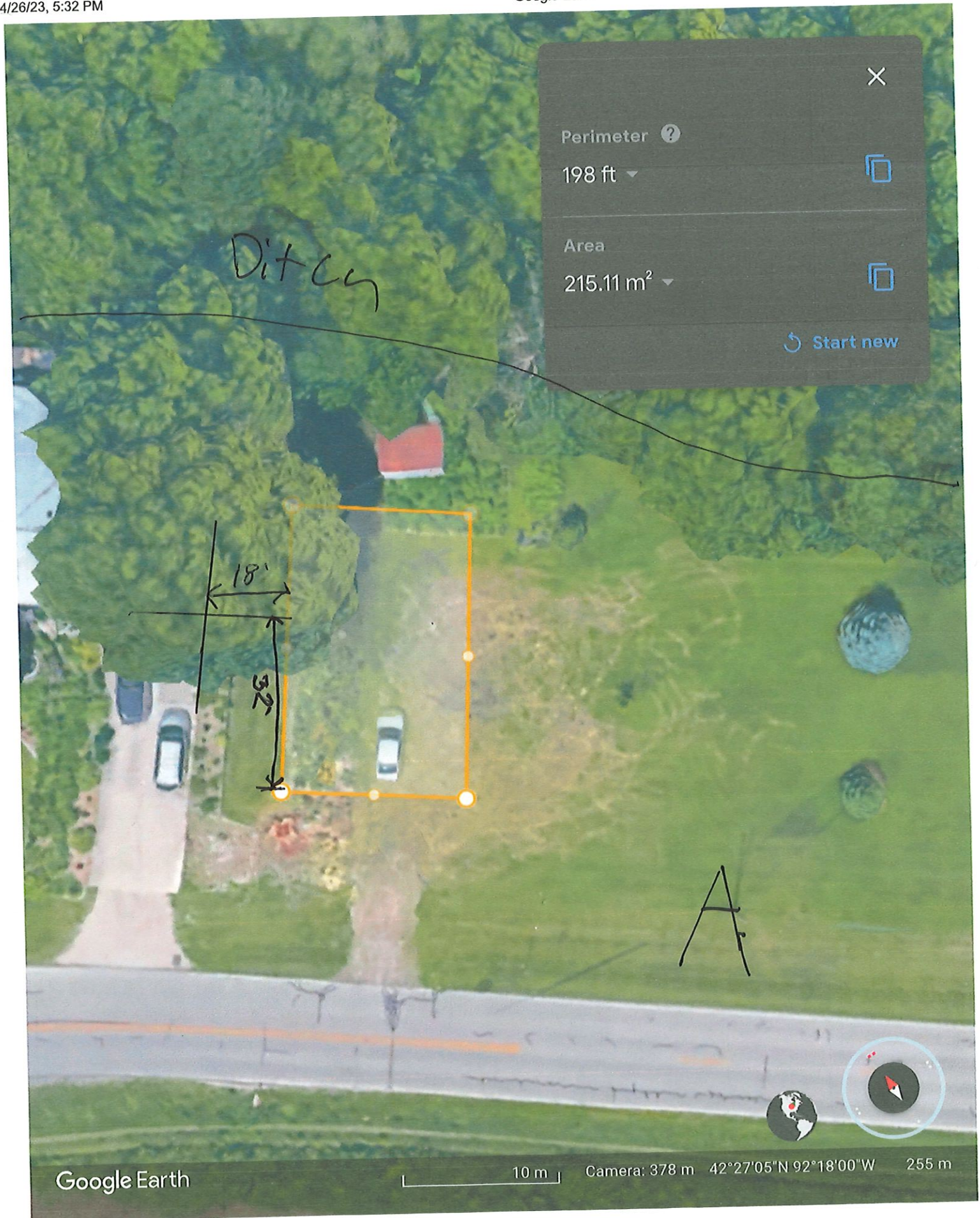
**City of Waterloo Board of Adjustment
May 9, 2023**



**2853 Cedar Terrace Drive
Accessory Structure Variance
Tommy Jo King**









Fwd: 40x60 steel sided pole building1 message

Tue, May 2, 2023 at 9:53 PM

I need this printed along with the images in the previous email. I can do it when i come down as well.

Tommy KingProject Supervisor
Tommy King

Begin forwarded message:

Date: May 2, 2023 at 9:57:25 PM CDT
To: Tommy King
Subject: 40x60 steel sided pole building

40x60 steel sided pole building
12' side walls 4-1 pitch (18'6") tall to peak

I am making this request due to lack of storage space, and future work ventures.

The proper offset cannot be accomplished due to the water run off ditch behind the home. This water run off drops at a very steep angle so i would like to maintain a 12' distance from their due to the possibility of erosion, also being it is a tree line and would enjoy leaving that intact. have attached three images labeled (A,B,C) "A" being the most desirable. Option D not imaged would be utilising a smaller Building (32X60) flush with the front of the home.

As for the rest of the variances i would be maintaining the overall look of the rest of the neighborhood, Matching many other properties in the area.

Tommy King
Project Supervisor



Ditch D Ditch Dropoff



view from Ditch



Ditch Drop Off



2941 Cedar Terrace Dr
1,800 SF Building
behind 2853 Cedar Terrace

City of Waterloo
Planning & Zoning Department
715 Mulberry Street Waterloo, Iowa 50703
319-291-4366

BOARD OF ADJUSTMENT – APPLICATION TO APPEAL

The Request is a (CHECK ONE)

☐ It is an Appeal for an Interpretation of the Ordinance or Map.

☒ It is a request for a variance relating to the use, area, frontage, setback or height

SITE ADDRESS: 2853 Cedar terrace DR Waterloo 50702

LEGAL DESCRIPTION: Graham's Subdivision lot 2

APPLICANT: (Business Name if Applicable) Tommy Jo King

Address: 2853 Cedar terrace DR Waterloo

Telephone #: 319-939-0003

Email Address: kingtommy94.tk@gmail.com

PROPERTY OWNER (if different than applicant): _____

Address: _____

Telephone #: _____

Pursuant to the provision of Ordinance No. 2479, as amended – appeal is hereby made to vary or modify the order, requirement, decision or ruling of the Zoning Official of the City of Waterloo, Iowa.

ATTACHED HERETO AS PART OF THIS APPEAL, WE SUBMIT THE FOLLOWING: (Note: These papers and the filing fee **must be submitted** with the appeal in order for your request to be processed.)

1. A reference to the proper part and section of the Zoning Ordinance on which the variance is requested. 15.33'
1. Building Offset 2. Building Height (12' side walls 4-1 Pitch)
3. Building type (steelsided pole building) 4. Building Size (40x60)
2. A scale drawing and/ or other graphic documentation of all relevant details.
3. A brief narration setting forth the specific grounds for appeal.
4. A check in the amount of two hundred twenty five dollars (\$225), payable to the City of Waterloo.
Note: This is a filing fee and is non-refundable, even if the request is denied.
5. A petition of approval by surrounding or affected adjacent property owners (recommended).

We the undersigned hereby depose and say that all of the above statements contained in the papers submitted herewith are true, and authorize City Zoning Officials to enter the property in question in regards to the request.

[Signature]
Applicant Signature

5-2-23

Date

[Signature]
Owner Signature

5-2-23

Date

DO NOT WRITE BELOW THIS LINE

Received by: _____ Date: _____ Fee Paid: Y ___ N ___

Mailed to Chairman on: _____ Hearing Date: _____

REQUEST:	Request by Roger Knebel for a variance to the accessory structure requirements to allow for a 50' X 60', 3,000 square foot accessory structure in addition to an existing 80 square foot shed, for a total of 3,080 square feet, 1,280 square feet more than the 1,800 square feet allowed, a variance to the height limits to allow for an accessory structure with a height of 22.2', 7.2' more than the 15' height allowed, and a variance to the prohibition on steel siding in the "A-1" Agricultural District located at 2576 Independence Avenue.
GENERAL DESCRIPTION:	The applicant is requesting a variance to build a 50' x 60', 3,000 square foot pole building with a height of 22.2' at 2576 Independence Avenue.
LOCATION, CURRENT ZONING, AND ZONING HISTORY:	The property is zoned "A-1" Agricultural District, and has been zoned as such since the adoption of the zoning ordinance in 1969.
IMPACT ON NEIGHBORHOOD & SURROUNDING LAND USES:	The request to exceed the size limit would not appear to have a negative effect on the area as the neighbor to the east has 3,006 square feet of accessory structures and the neighbor to the west has 2,022 square feet of accessory structures. The neighbor two properties to the east has over 11,000 square feet of accessory structures, including a similar height barn with vertical metal siding.
TRAFFIC CONDITIONS:	It would appear that the request would not have a negative impact on traffic conditions in the surrounding area. The property in question is located south of Independence Ave.
RELATIONSHIP TO COMPREHENSIVE PLAN:	The request would be in conformance with the classification of this area as Low Density Residential on the Future Land Use Map within the City of Waterloo Comprehensive Plan adopted February 3, 2003.
STAFF COMMENTS:	<p>The section of the Zoning Ordinance that pertains to this request: <u>Chapter 5, General Regulations, 10-5-1 (E), Accessory Structures</u></p> <p>In conjunction with any one or two family residence, accessory structures that are not part of the main building shall not occupy more than six percent of the lot on which said structures are located and in no case shall the total of said structures be larger than 1,800 square feet. Accessory structures (attached or detached) to a residential use shall not be constructed of metal materials for exterior siding, except for horizontal aluminum/steel siding common on many residential structures.</p> <p>The applicant is proposing to build a 3,000 square foot pole building accessory structure with metal siding for the storage of items and an RV. The applicant plans to keep an 80 square foot shed on the property in addition to the building. All other existing accessory structures will be removed.</p>

Accessory structures that are not part of the main building shall not exceed 15 feet in height with a less than two story Principal Permitted Use. The applicant is proposing the accessory structure with the height of 22.2', which is 7.2' over the height limit. The proposed structure would appear to be similar and compatible to several of the existing structures in the neighborhood.

The applicant currently has 3,164 square feet of accessory structures. 1,948 square feet of those accessory structures were placed on the lot illegally without a building permit. The applicant plans to remove all existing accessory structures except an 80 square foot shed near the home and construct the 50' x 60' pole building on the lot.

The building will be constructed approximately 136' from the rear side of the house, in order to keep the structure out of the 100-year floodplain.

The area in question is composed of two lots, therefore a restrictive covenant will need to be executed and recorded prior to the construction of the building.



Picture 1: Property requesting variance.



Picture 2: Existing garage that is scheduled to be demolished.



Picture 3: Neighboring accessory structure.



Picture 4: Looking at property requesting the variance and neighboring accessory structure.

Criteria

1. Lack of reasonable return- There would not appear to be a lack of reasonable return. The property is used for residential purposes and can have 1,800 square feet of accessory structures on the lot, with a height of 15 feet and with non-metal siding.
2. Uniqueness- There would appear to be a uniqueness to the request as the site is located on a large lot zoned for agricultural uses and located across the street from industrial zoned land, and adjacent to other residential uses with similar accessory structures.
3. Public Considerations- The request would not appear to have a negative impact on the area as there are many other properties with similar detached accessory structure sizes in the neighborhood.

STAFF RECOMMENDATIONS: Therefore, staff recommends the request by Roger Knebel for a variance to the accessory structure requirements to allow for a 50' X 60', 3,000 square foot accessory structure and an existing 80 square foot shed, for a total of 3,080 square feet, 1,280 square feet more than the 1,800 square feet allowed, a variance to the height limits to allow for an accessory structure with a height of 22.2', 7.2' more than the 15' height allowed, and a variance to the prohibition on steel siding located in the "A-1" Agricultural District located at 2576 Independence Avenue, be approved for the following reasons:

1. There would appear to be a uniqueness to the request as the site is located on a large lot zoned for agricultural uses and located across the street from industrial zoned land.
2. The request to exceed the size limit would not appear to have a negative effect on the area as the neighbor to the east has 3,006 square feet of accessory structures and the neighbor to the west has 2,022 square feet of accessory structures and the neighbor two properties to the east has over 11,000 square feet of accessory structures, including a similar height barn with vertical metal siding.

Subject to the following conditions:

1. All existing detached accessory structures, except the 80 square foot shed near the home shall be removed from the lot upon completion of the new 50' x 60' accessory structure.
2. That a restrictive covenant is executed and recorded to tie the lots together prior to the construction of the building.

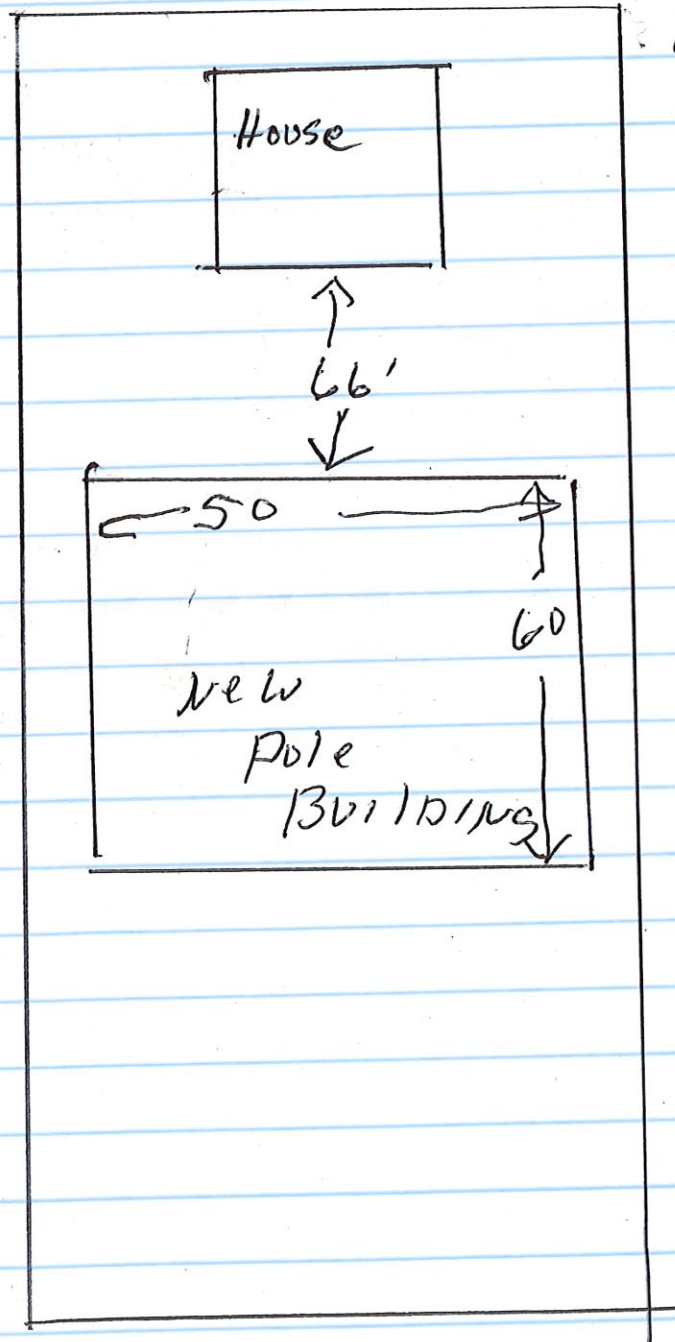
**City of Waterloo Board of Adjustment
May 9, 2023**



**2576 Independence
Accessory Structure Variance
Roger Knebel**

2576 Independence

Water-100 PD



City of Waterloo
Planning & Zoning Department
715 Mulberry Street Waterloo, Iowa 50703
319-291-4366

BOARD OF ADJUSTMENT – APPLICATION TO APPEAL

The Request is a (CHECK ONE)

☐ It is an Appeal for an Interpretation of the Ordinance or Map.

☒ It is a request for a variance relating to the use, area, frontage, setback or height

SITE ADDRESS: 2576 Independence Ave

LEGAL DESCRIPTION: _____

APPLICANT: (Business Name if Applicable) ROGER Knebel

Address: 2576 Independence Ave Waterloo Iowa 50707

Telephone #: 319-231-8838

Email Address: ROGERwoggie@EARTHlink.net

PROPERTY OWNER (if different than applicant): _____

Address: _____

Telephone #: _____

Pursuant to the provision of Ordinance No. 2479, as amended – appeal is hereby made to vary or modify the order, requirement, decision or ruling of the Zoning Official of the City of Waterloo, Iowa.

ATTACHED HERETO AS PART OF THIS APPEAL, WE SUBMIT THE FOLLOWING: (Note: These papers and the filing fee **must be submitted** with the appeal in order for your request to be processed.)

1. A reference to the proper part and section of the Zoning Ordinance on which the variance is requested.

I would like to build a 50x60 Pole Building and take down all existing buildings

2. A scale drawing and/ or other graphic documentation of all relevant details. ON MY PLACE
3. A brief narration setting forth the specific grounds for appeal. 18' side walls
4. A check in the amount of two hundred twenty five dollars (\$225), payable to the City of Waterloo. ribbed steel siding
5. A petition of approval by surrounding or affected adjacent property owners (recommended).

We the undersigned hereby depose and say that all of the above statements contained in the papers submitted herewith are true, and authorize City Zoning Officials to enter the property in question in regards to the request.

Roger Knebel
Applicant Signature

5-2-2023
Date

Owner Signature

Date

DO NOT WRITE BELOW THIS LINE

Received by: lexi Date: 5-2-23 Fee Paid: Y X N

Mailed to Chairman on: _____ Hearing Date: _____

REQUEST:	Request by Chris Kuehl for a variance to the setback requirements to allow for the construction of a 8' X 28' pergola with a setback of 2-feet from the existing detached accessory structure, 1 foot less than the 3-foot minimum required in the "R-2" One and Two Family Residence District.
GENERAL DESCRIPTION:	The applicant is requesting a variance to the setback requirements to allow for the construction of an 8' X 28' pergola with a setback of 2-feet from the existing detached accessory structure, 1 foot less than the 3-foot minimum required.
LOCATION, CURRENT ZONING, AND ZONING HISTORY:	The property is located at 204 Gayle Street, is zoned "R-2" One and Two-Family Residence District, and has been zoned as such since the adoption of the zoning ordinance in 1969.
IMPACT ON NEIGHBORHOOD & SURROUNDING LAND USES:	The request to be slightly less than the setback requirements to allow for the construction of an 8' X 28' pergola with a setback of 2-feet from the existing detached accessory structure is not anticipated to impact the neighborhood or surrounding area.
TRAFFIC CONDITIONS:	It would appear that the request would not have a negative impact on traffic conditions in the surrounding area.
RELATIONSHIP TO COMPREHENSIVE PLAN:	The request would be in conformance with the classification of this area as Low Density Residential on the Future Land Use Map within the City of Waterloo Comprehensive Plan adopted February 3, 2003.
STAFF COMMENTS:	<p>The section of the Zoning Ordinance that pertains to this request: <u>Chapter 5, General Regulations, 10-5-1 (E), Accessory Structures</u></p> <p>The applicant is requesting a variance to the setback requirements to allow for the construction of an 8' X 28' pergola with a setback of 2-feet from the existing detached accessory structure, 1 foot less than the 3-foot minimum required. The pergola structure is considered an attached structure.</p>



Picture 1: 204 Gayle Street from front.



Picture 2: Joy Side of home.



Picture 3: Looking toward the area where the structure will be located behind the house.

Criteria

1. Lack of reasonable return- There would not appear to be a lack of reasonable return. The property is used for residential purposes and the applicant could still construct an 8' X 28' pergola with a setback of 3-feet from the existing detached garage.
2. Uniqueness- There would appear to be no uniqueness to this request as the applicant could still construct an 8' X 28' pergola with a setback of 3-feet from the existing detached garage in compliance with the Zoning Ordinance. However given the design and use of the structure, it would not appear to cause a concern to be slightly less than the required setback.
3. Public Considerations- Staff has received no comments on this request, and the request would not appear to have a negative impact on the area.

STAFF RECOMMENDATIONS:

Therefore, staff recommends that the request by Chris Kuehl for a variance to the setback requirements to allow for the construction of a 8' X 28' pergola with a setback of 2-feet from the existing detached accessory structure, 1 foot less than the 3-foot minimum required in the "R-2" One and Two Family Residence District, be approved for the following reasons:

1. There would appear to be uniqueness to this request given the design and use of the structure, it would not appear to cause a concern as the setback would be slightly less than the 3 feet required.
2. Staff has received no comments regarding this request, and the request would not appear to have a negative impact on the area.

**City of Waterloo Board of Adjustment
May 23, 2023**



**204 Gayle Street
Accessory Structure Variance
Chris Kuehl**

Request for variance for Pergola w/roof at 204 Gayle Street

I am requesting a variance for the construction of a Pergola w/roof at my residence at 204 Gayle Street. The Pergola would be located over the existing patio directly west of the house. This would be a free-standing structure approximately 8ft. x 28ft. x 9.5ft. high. The Pergola would provide shade from the summer sun as well as shelter when passing between the walkout basement and the detached garage in inclement weather.

Chris Kuehl

204 Gayle Street

Variance request for Pergola addition at 204 Gayle Street

I have been informed of the request for variance to allow the construction of a Pergola with solid roof in the back yard at 204 Gayle St.

The square footage of the existing accessory buildings on this lot currently exceeds the allowance based on the lot size and its construction requires a variance to be approved for construction.

The Pergola requested would be approximately 8ft. x 28ft. x 9 .5ft. high and constructed directly west of the house above the existing patio.

I have no objection or concerns with this addition as described above.

Name Kole Kripfel
Address 210 Gayle St. Waterloo, IA 50142

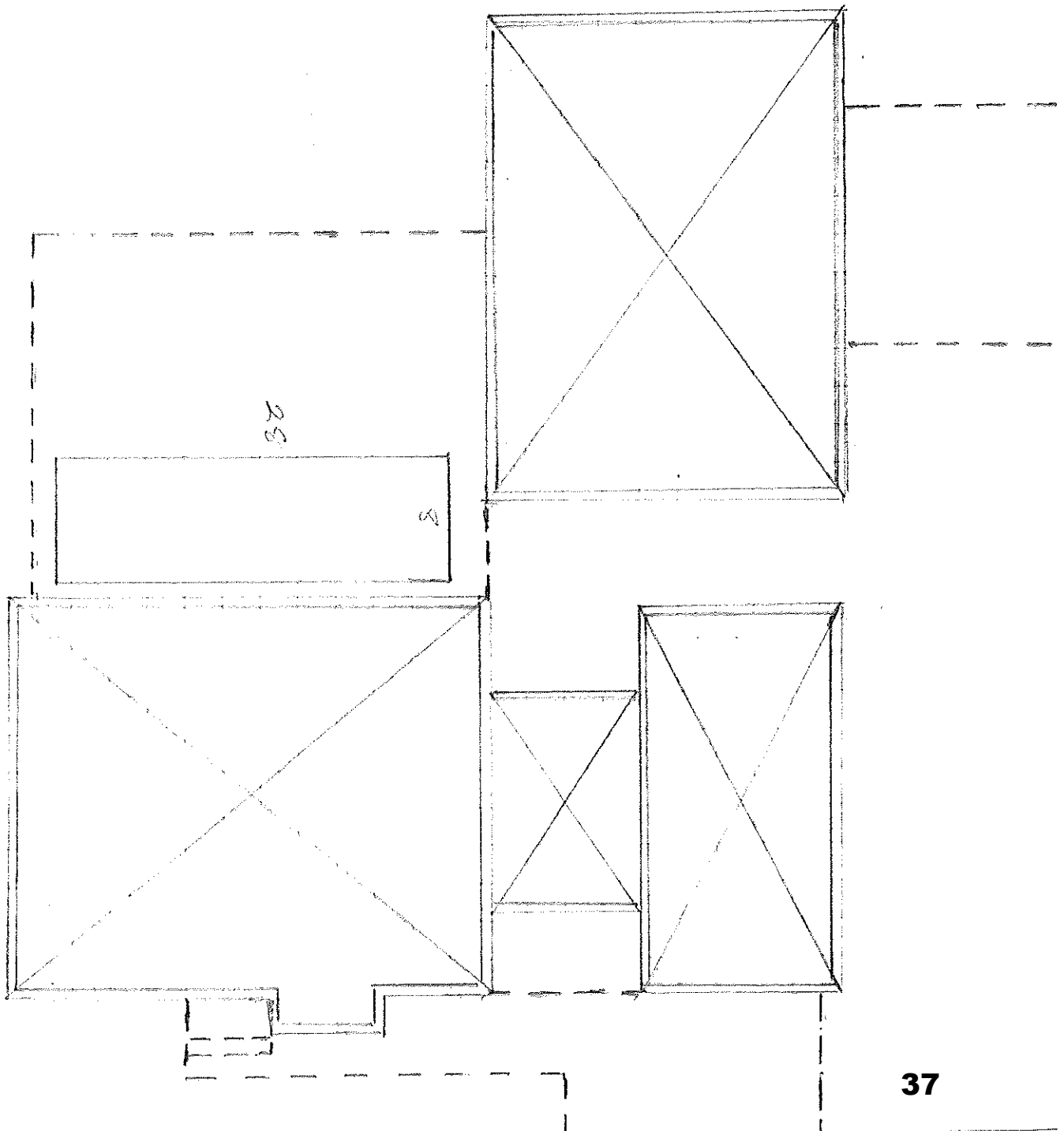
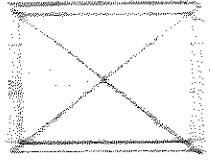
Name Assefa Abebe
Address 205 Hanna Blvd

Name _____
Address _____

Variance requested by:

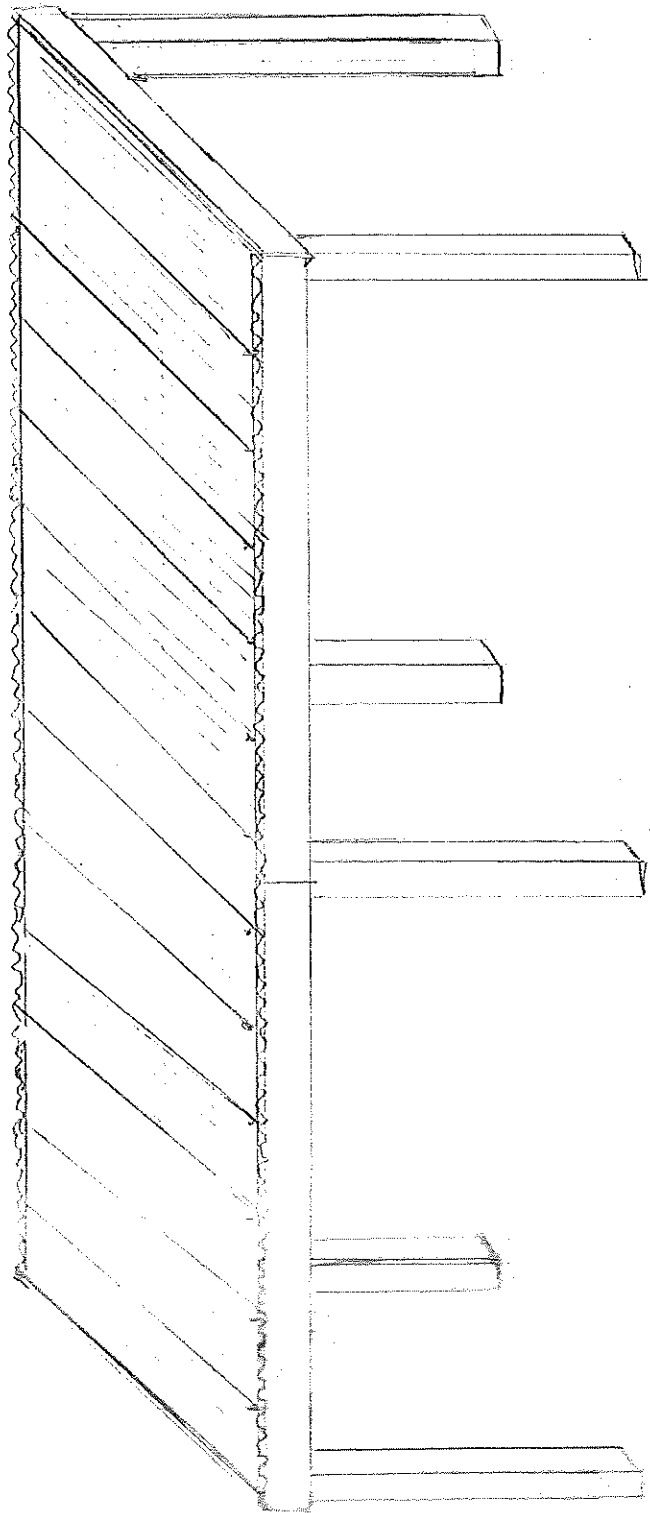
Chris Kuehl

204 Gayle Street









City of Waterloo
Planning & Zoning Department
715 Mulberry Street Waterloo, Iowa 50703
319-291-4366

BOARD OF ADJUSTMENT – APPLICATION TO APPEAL

The Request is a (CHECK ONE)

It is an Appeal for an Interpretation of the Ordinance or Map.

☒ It is a request for a variance relating to the use, area, frontage, setback or height

SITE ADDRESS: 204 Gayle Street

LEGAL DESCRIPTION: Clyde Miller Heights
E 1/2 BLK 14 EXC S 355 FT.

APPLICANT: (Business Name if Applicable) Chris Kuehl

Address: 204 Gayle Street

Telephone #: 319-415-0143

Email Address: g9935ck@yahoo.com

PROPERTY OWNER (if different than applicant): _____

Address: _____

Telephone #: _____

Pursuant to the provision of Ordinance No. 2479, as amended – appeal is hereby made to vary or modify the order, requirement, decision or ruling of the Zoning Official of the City of Waterloo, Iowa.

ATTACHED HERETO AS PART OF THIS APPEAL, WE SUBMIT THE FOLLOWING: (Note: These papers and the filing fee **must be submitted** with the appeal in order for your request to be processed.)

1. A reference to the proper part and section of the Zoning Ordinance on which the variance is requested.

2. A scale drawing and/ or other graphic documentation of all relevant details.
3. A brief narration setting forth the specific grounds for appeal.
4. A check in the amount of two hundred twenty five dollars (\$225), payable to the City of Waterloo.
Note: This is a filing fee and is non-refundable, even if the request is denied.
5. A petition of approval by surrounding or affected adjacent property owners (recommended).

We the undersigned hereby depose and say that all of the above statements contained in the papers submitted herewith are true, and authorize City Zoning Officials to enter the property in question in regards to the request.

Chris Kuehl
Applicant Signature

May 9, 2023
Date

Owner Signature

Date

DO NOT WRITE BELOW THIS LINE

Received by: Seta Date: 5-9-23 Fee Paid: Y ☒ N ☐

Mailed to Chairman on: _____ Hearing Date: _____

REQUEST:	Request by Magnum Trucking for a variance to the hard surfacing requirement to allow for gravel vehicle use areas in the “M-2,P” Planned Industrial District located east of Leversee Road and north of Warp Drive (155 Warp Drive).
GENERAL DESCRIPTION:	The applicant is requesting a variance to the hard surfacing requirement to install a new granular surface to each side of the proposed building beyond the 10,950 square foot paved areas, with the entire area located in the back of their property with a total square footage of 30,514 square feet.
LOCATION, CURRENT ZONING, AND ZONING HISTORY:	The property is located at 155 Warp Drive east of Leversee Road. The property is zoned “M-2,P” Planned Industrial District and the site has an existing business. Properties surrounding the site in question are zoned “M-2,P” Planned Industrial District.
IMPACT ON NEIGHBORHOOD & SURROUNDING LAND USES:	The request is not anticipated to have a negative impact on the neighborhood. The property is located just south of the Waterloo Regional Airport in the new Waterloo Air and Rail Park, which is a new rapidly developing industrial park.
TRAFFIC CONDITIONS:	The request would not appear to have any negative impact on traffic conditions in the area. The property is located on Warp Drive, just east of Leversee Road.
RELATIONSHIP TO COMPREHENSIVE PLAN:	The proposed request would be in conformance with the classification of this area as Industrial on the Future Land Use Map within the City of Waterloo Comprehensive Plan adopted February 3, 2003.
STAFF COMMENTS:	<p>Sections of the Zoning Ordinance that pertain to the request: <u>Chapter 25, 10-25-2, Off-Street Parking Area Required. B. General Requirements</u></p> <p>The Zoning Ordinance requires driveways and parking areas (vehicle use areas) for commercial and industrial uses to be hard surfaced. The applicant is asking for a variance to this provision,</p> <p>Magnum Trucking had a Site Plan Amendment approved by City Council on May 1, 2023. The company plans to build a 14,000-square-foot truck maintenance facility with a 21,000-square-foot expansion planned for the future.</p> <p>The company is requesting a variance to the hard surfacing requirements. The site plan shows that they will have hard surfacing adjacent to the main building and gravel in the outer areas of the property. All of the gravel areas would be behind the fenced area of the property. All vehicle-use areas in the front of the building will be hard-surfaced.</p> <p>It should also be noted that this is the first phase of a multi-phase project, and future additions are not finalized, and this variance will allow the operators to have flexibility for future projects.</p>



Picture 1: Property requesting a variance.



Picture 2: Looking south toward other new development in area.



Picture 3: Looking northeast from Warp Drive.



Picture 4: Looking toward the intersection of Warp Drive and Leverage Road.

Criteria

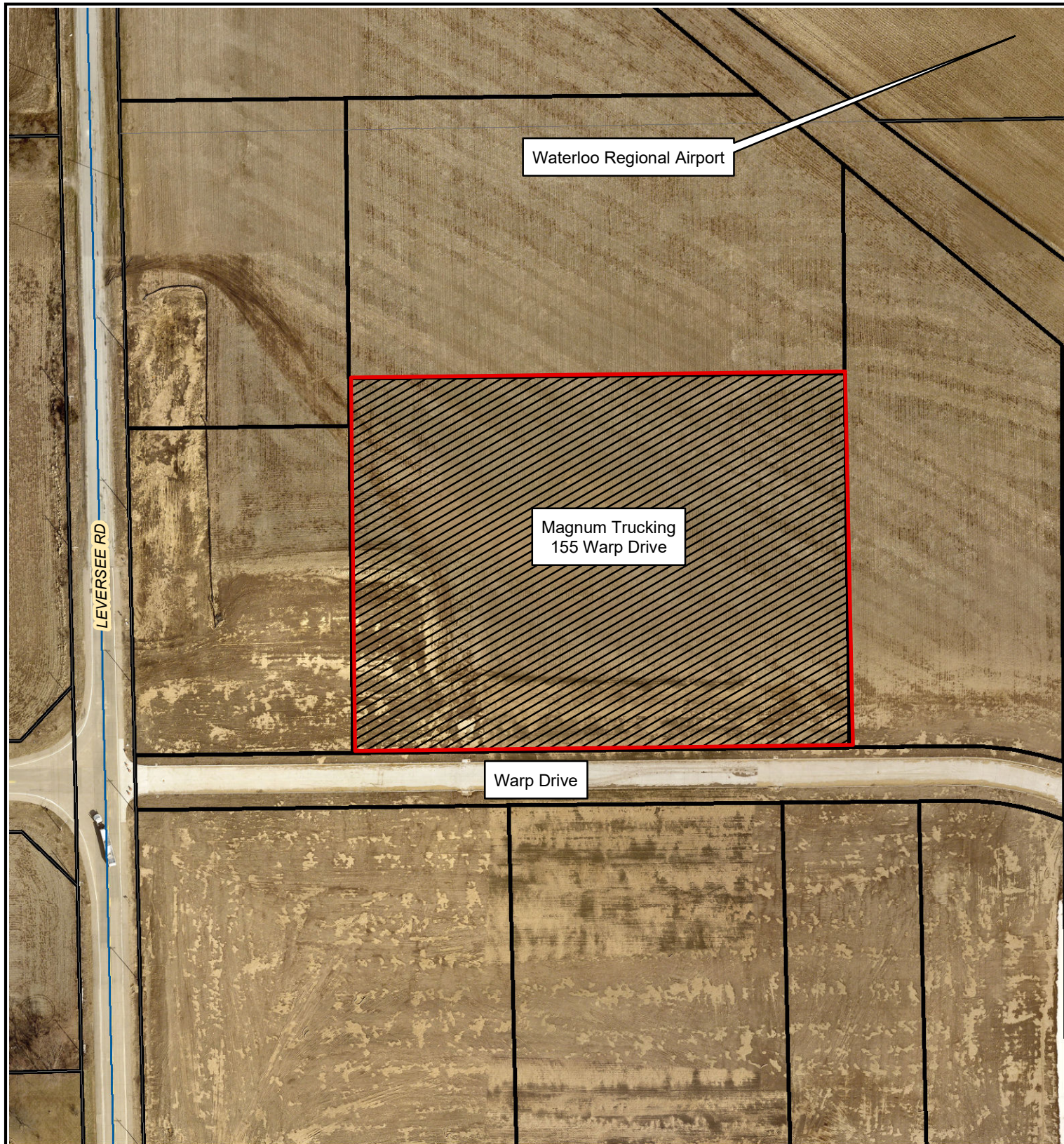
1. Lack of reasonable return- There does not appear to be a lack of reasonable return. The applicant could hard surface the vehicular use area.
2. Uniqueness- There would appear to be uniqueness to the request. First, the project is on the far northwest side of the city in a newly developed area of the city adjacent to Waterloo Regional Airport. Second, the non-paved areas will be behind a fence with a controlled entrance. Third, this is the first phase of a multi-phase project, and there are many moving parts with the future additions and plans that may be adjusted, which would require more expensive changes.
3. Public Considerations- Staff has heard no opposition to the request. The request would not appear to alter the essential character of the surrounding area.

STAFF RECOMMENDATIONS:

Therefore, staff recommends that the request by Magnum Trucking for a variance to the hard surfacing requirement to allow for gravel vehicle use areas in the “M-2,P” Planned Industrial District located east of Leversee Road and north of Warp Drive (155 Warp Drive), be approved for the following reason(s):

1. The property in question is unique because, first, the project is on the far northwest side of the city in a newly developed area of the city adjacent to Waterloo Regional Airport. Second, the non-paved areas will be behind a fence with a controlled entrance. Third, this is the first phase of a multi-phase project, and there are many moving parts with the future additions and plans that may be adjusted, which would require more expensive changes.
2. The request would not appear to alter the essential character of the surrounding area and not have a negative impact on vehicular and pedestrian traffic.

City of Waterloo Board of Adjustment
May 23, 2023



**Easjt of Leversee Road, northside of
Warp Drivee (155 Warp Drive)
Hard Surfacing Variance
Magnum Trucking**

GENERAL UTILITY NOTES:

- ONE WEEK PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY THE CITY OF WATERLOO AND CLAPSADDLE-GARBER ASSOCIATES.
- ALL SITE UTILITIES SHALL BE BROUGHT WITHIN 5' OF THE BUILDING TO CONNECT TO PLUMBING CONTRACTORS WORK.
- COORDINATE GAS, ELECTRIC, TELEPHONE AND FIBER OPTIC SERVICE WITH RESPECTIVE UTILITY COMPANIES.
- SEWER FLOW LINES, PIPE MATERIAL, & PIPE SIZES SHALL BE FIELD VERIFIED PRIOR TO INSTALLING PIPE OR ORDERING SEWER AND WATER STRUCTURES.
- RETAINING WALLS NEED TO BE DESIGNED ALONG WITH WALL ELEVATIONS BY A LICENSED STRUCTURAL ENGINEER.

TRAFFIC CONTROL NOTES

- ALL TRAFFIC CONTROL DEVICES & BARRIERS SHALL BE FURNISHED, ERECTED, MAINTAINED, & REMOVED BY THE CONTRACTOR.
- ACCESS TO NEIGHBORING LOTS SHALL BE MAINTAINED AT ALL TIMES.
- ALL UTILITY WORK WITHIN THE PUBLIC R.O.W. SHALL CONFORM TO THE CITY OF WATERLOO STANDARDS, THE CURRENT ADDITION OF THE MUTCD, AND WATERLOO WATER WORKS.
- TWO-WAY TRAFFIC SHALL BE MAINTAINED AT ALL TIMES ALONG WARP DRIVE.

GENERAL LAYOUT NOTES:

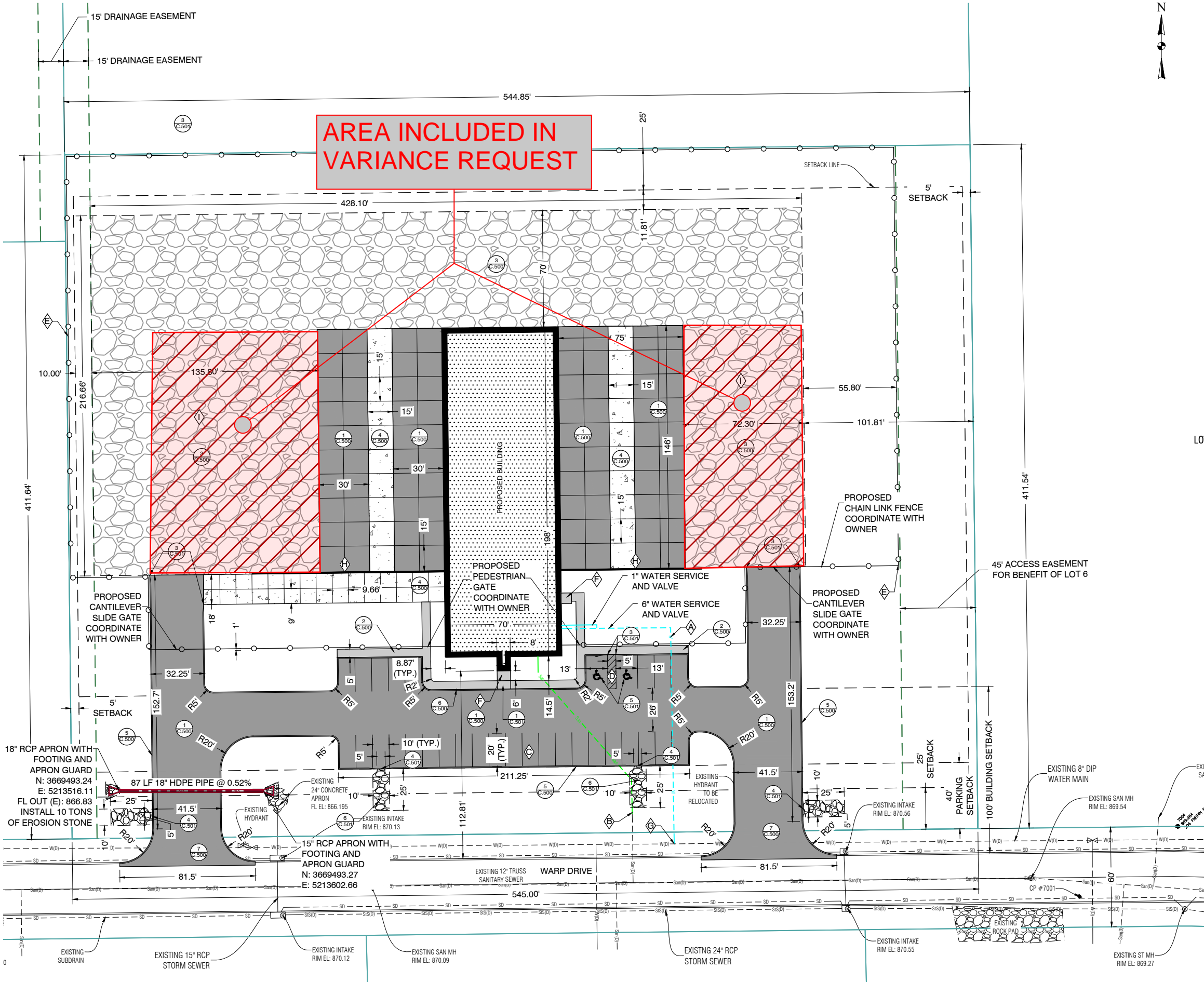
- ALL DIMENSIONS ARE TO BACK OF CURB UNLESS OTHERWISE NOTED.
- ALL WORK SHALL BE IN ACCORDANCE WITH OSHA CODES & STANDARDS. NOTHING INDICATED ON THESE DRAWINGS SHALL RELIEVE THE CONTRACTOR FROM COMPLYING WITH APPROPRIATE SAFETY REGULATIONS.
- ALL DISTURBED AREAS SHALL BE SEEDED, FERTILIZED & MULCHED UNLESS OTHERWISE NOTED IN PLANS.
- ANY DAMAGE TO THE PAVEMENT NOT SHOWN FOR REMOVAL ON THE PLANS DUE TO CONSTRUCTION ACTIVITIES SHALL BE REPAIRED AT THE CONTRACTORS EXPENSE. ALL EFFORTS SHALL BE MADE TO NOT DISTURB EXISTING PAVEMENT.
- ALL CONSTRUCTION MATERIALS, DUMPSTERS, DETACHED TRAILERS, OR SIMILAR ITEMS ARE PROHIBITED ON PUBLIC STREETS OR WITHIN PUBLIC RIGHT-OF-WAY.

CONSTRUCTION DETAILS

- 6" PCC PAVEMENT SECTION
- 4" PCC SIDEWALK PAVEMENT SECTION
- 12" AGGREGATE SECTION WITH FABRIC
- 12" #4 @ 24" OC BOTH WAYS REINFORCED PCC PAVEMENT SECTION
- 6" STANDARD INTEGRAL CURB & GUTTER
- 6" STANDARD PCC CURB WITH CLASS A SIDEWALK
- CONCRETE DRIVEWAY, TYPE B WITH RADII
- PARALLEL CURB RAMP FOR CLASS A SIDEWALK
- SIDEWALK DROP CURB
- CURB RUNOUT FOR ALL CURBS
- CURB CUT DETAIL
- INTERNATIONAL SYMBOL OF ACCESSIBILITY PARKING SPACE MARKING
- RIP-RAP FLUME AT CURB CUT

CONSTRUCTION NOTES:

- INSTALL 6" FIRE SERVICE TO SPRINKLER ROOM. STUB OFF 1" DOMESTIC SERVICE FROM FIRE SERVICE INTO BUILDING. INSTALL 6" VALVE ON FIRE LINE AND 1" VALVE ON DOMESTIC SERVICE BEFORE ENTERING BUILDING. ALL WATER SERVICE TO BE INSTALLED PER WATERLOO WATER WORKS SPECIFICATIONS.
- INSTALL 6" SANITARY SEWER SERVICE. SLOPE MUST BE 1% OR GREATER. INSTALL CLEANOUTS AT BENDS OR EVERY 100' (MIN).
- TWENTY NINE (29) 10' X 20' PARKING STALLS PROVIDED.
- TWO (2) 13' X 20' ADA COMPLIANT HANDICAP STALLS PROVIDED.
- FENCE TO BE INSTALLED 1 FT INSIDE OF ADJACENT PROPERTY LINES. UNLESS OTHERWISE NOTED.
- FROST PROTECTED STOOP. SEE ARCHITECTURAL PLANS FOR MORE DETAILS.
- LIVE TAP INTO EXISTING 8" DIP MAIN USING 8" X 6" TAPPING SLEEVE. WATER SERVICE CONNECTIONS TO BE INSTALLED PER WATERLOO WATER WORKS SPECIFICATIONS.
- INSTALL PROPOSED RETAINING WALL. (RETAINING WALL STRUCTURAL DESIGN BY OTHERS)
- VARIANCE APPLICATION IN PROCESS TO ALLOW GRAVEL SURFACING IN VEHICULAR USE AREA AS SHOWN ON THESE PLANS





5/9/2023
Waterloo Planning and Zoning
715 Mulberry Street
Waterloo, IA

RE: Variance Application
Lot 5, Waterloo Air and Rail Park 3rd Addition
Waterloo, Iowa

To Whom it may concern:

This is a request to allow for the vehicle usage area within the fenced area to be allowed to be granular. It was noticed by the city during the approval process that the vehicle usage areas, that allow for maneuvering, to back into the dock areas, needed to be paved.

The attached drawing shows granular surfacing east of the east dock area and west of the west dock area, which is the vehicle usage area. This is all within the fenced area and will be subject to heavy load traffic at minimal speeds.

Lack of Reasonable Return – The cost for paving that would be required is substantially greater than the granular surfacing being proposed.

Uniqueness of the site – Due to how sandy the site is, the subgrade below the granular surfacing material will drain very well, which should help the turning movements of large trucks keep from rutting the granular surface.

Public Considerations – Due to the area being inside the fenced area, it will not impact the public in any significant way. The developed area is for light industrial, this being the case, the proposed granular surface vehicle usage area will not alter the essential character of the development.

Sincerely,

CLAPSADDLE-GARBER ASSOCIATES, INC. (ENGINEER)

Lary Koosmann, EI, LSI
Project Manager



City of Waterloo
Planning & Zoning Department
715 Mulberry Street Waterloo, Iowa 50703
319-291-4366

BOARD OF ADJUSTMENT – APPLICATION TO APPEAL

The Request is a (CHECK ONE)

- ☐ It is an Appeal for an Interpretation of the Ordinance or Map.
☒ It is a request for a variance relating to the use, area, frontage, setback or height

SITE ADDRESS: _____

LEGAL DESCRIPTION: Lot 5, Waterloo Air and Rail Park 3rd Addition, Waterloo, Black Hawk County, Iowa

APPLICANT: David Gadberry

Address: 3000 7th Avenue North, Fargo, ND 58103

Telephone #: 701-297-6212

Email Address: dgadberry@magnumlog.com

PROPERTY OWNER (if different than applicant): _____

Address: _____

Telephone #: _____

Pursuant to the provision of Ordinance No. 2479, as amended – appeal is hereby made to vary or modify the order, requirement, decision or ruling of the Zoning Official of the City of Waterloo, Iowa.

ATTACHED HERETO AS PART OF THIS APPEAL, WE SUBMIT THE FOLLOWING: (Note: These papers and the filing fee **must be submitted** with the appeal in order for your request to be processed.)

1. A reference to the proper part and section of the Zoning Ordinance on which the variance is requested.
10-25-2-C.2 Surfacing and Access

2. A scale drawing and/ or other graphic documentation of all relevant details.
3. A brief narration setting forth the specific grounds for appeal.
4. A check in the amount of two hundred twenty five dollars (\$225), payable to the City of Waterloo.

Note: This is a filing fee and is non-refundable, even if the request is denied.

5. A petition of approval by surrounding or affected adjacent property owners (recommended).

We the undersigned hereby depose and say that all of the above statements contained in the papers submitted herewith are true, and authorize City Zoning Officials to enter the property in question in regards to the request.

[Signature]
Applicant Signature

5/9/23
Date

Owner Signature

Date

DO NOT WRITE BELOW THIS LINE

Received by: _____ Date: _____ Fee Paid: Y ___ N ___

Mailed to Chairman on: _____ Hearing Date: _____

REQUEST:	Request by Mokey Beck for a special permit for an Urban Animal Hobby Farm to allow for an 8' X 10' (80 square feet) chicken coop with up to 4 chickens in the "R-3" Multiple Residence District at 2135 Independence Avenue.
APPLICANT:	Mokey Beck, 2135 Independence Avenue, Waterloo, IA 50702
GENERAL DESCRIPTION:	The applicant is requesting a special permit for an Urban Animal Hobby Farm that would allow them to have 4 chickens.
IMPACT ON NEIGHBORHOOD & SURROUNDING LAND USE:	Due to the size of the lot and neighboring lots, it would appear that the special permit request would not have a negative impact on the area. In addition the chicken coop would be set 500 feet back from the southern property line. One neighbor in the immediate vicinity was against the special permit request.
VEHICULAR & PEDESTRIAN TRAFFIC CONDITIONS:	The proposed hobby farm would not appear to have an impact on traffic conditions in the area.
RELATIONSHIP TO RECREATIONAL TRAIL PLAN:	The Bishop Avenue Trail is located 650 feet east of the special permit area.
ZONING HISTORY FOR SITE AND IMMEDIATE VICINITY:	<p>The site in question is zoned "R-3" Multiple Residence District and has been since the adoption of City of Waterloo Zoning Ordinance No. 2479 in 1969. Surrounding land uses and their zoning are as follows:</p> <p>North – Vacant land and some commercial businesses, zoned "M-1" Industrial District.</p> <p>East – Single Family Homes, zoned "R-3" Multiple Residence District.</p> <p>West – Single Family Homes and commercial businesses, Zoned "R-3" Multiple Residence District and "C-2" Commercial District.</p> <p>South– Single Family Homes and Independence Avenue, zoned "C-1" Commercial District and "A-1" Agricultural District.</p>
DEVELOPMENT HISTORY:	The home on the site was built in 1925, nearby homes were constructed between the 1920's and 1940's.
BUFFERS/ SCREENING REQUIRED:	Screening is not required with this request.
DRAINAGE:	There are no concerns regarding drainage for this project.
FLOODPLAIN:	The property in question has the northern 350 square feet of the lot located in a special flood hazard area as indicated by the Federal Insurance Administration's Flood Insurance Rate Map, Community Number 190025 and Panel Numbers 0306F and 0193F, dated July 18, 2011. However, the area where the chicken coop will be placed is not located in a special flood hazard Area.



Picture 1: Looking north toward the location of the proposed chicken coop.



Picture 2: Looking at main home.



Picture 3: North end of property.



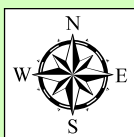
Picture 4: Looking toward neighbors home

PUBLIC /OPEN SPACES/ SCHOOLS:	The Expo Alternative Learning Center is located 2,000 feet to the west of the special permit area.
UTILITIES: WATER, SANITARY SEWER, STORM SEWER, ETC.	There are a 24" and 8" sanitary sewer mains located underneath Independence Avenue.
RELATIONSHIP TO COMPREHENSIVE LAND USE PLAN:	The Future Land Use Map designates this area as <i>Industrial</i> . The special permit request would not be in conformance with the Future Land Use Map and Comprehensive Plan for this area. The special permit request would not be in conformance with such designation, however, the Future Land Use Map is used as a guide in making land use decisions, and the site has an existing residential use.
STAFF ANALYSIS – ZONING ORDINANCE:	<p>The City of Waterloo adopted the Urban Animal Hobby Farm (UAHF) regulations which states that the UAHF shall be allowed within Waterloo City limits on lots or parcels of land as an accessory use to a principal dwelling when several criteria are met. For small sized animals such as chickens a minimum fenced (confined) area of 10,000 square feet for the first two animals and 2,500 square feet for each additional animal in the side or rear yard only is required. The applicant is requesting a Special Permit to allow for an Urban Animal Hobby Farm with four chickens. At the present time the chicken coop is located within a fenced area. For small animals, there would be 84,216 square feet of fenced area available, and the Ordinance allows for 29 small animals such as chickens on their property. The chicken coop will be 8' X 10' with a total size of 80 square feet.</p> <p>The Planning and Zoning Commission unanimously recommended approval of the special permit request at their regular meeting on May 9, 2023.</p>
STAFF ANALYSIS – SUBDIVISION ORDINANCE:	There is no platting required as a part of this request.
STAFF RECOMMENDATION:	<p>Therefore, staff recommends that the request for a special permit to allow for an Urban Animal Hobby Farm with (4) four chickens be <u>approved</u> for the following reasons:</p> <ol style="list-style-type: none"> 1. There would appear to be uniqueness to this request as some lots in the immediate vicinity are greater than one acre in size and the chicken coop will be set 500 feet north of the southern property line. 2. Approval of the variance would not appear to have a negative impact on the area as some of the surrounding lots are greater than one acre in size.

With the following conditions:

1. That the property be properly fenced per the regulations for an Urban Hobby Farm, and limited to four chickens.

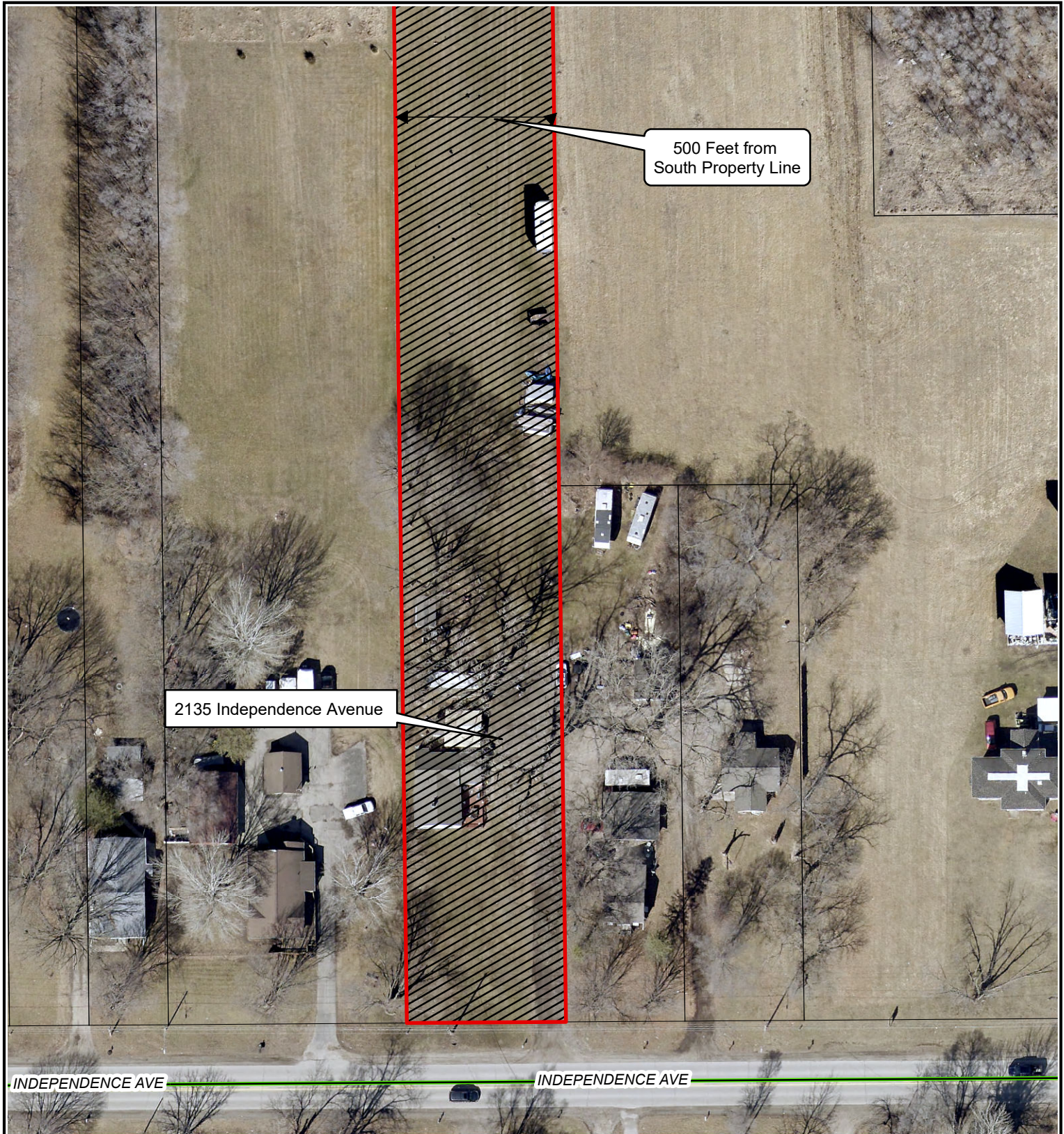
City of Waterloo Board of Adjustment
May 9, 2023



2135 Independence
Special Permit
Mokey Beck

City of Waterloo Board of Adjustment

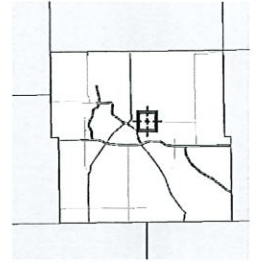
May 9, 2023



2135 Independence
Special Permit
Mokey Beck



Overview



Legend

- Water
- Parcels

*chicken
coop
location*

Parcel ID	891220351011	Alternate ID	n/a	Owner Address	BECK, DONNA
Sec/Twp/Rng	n/a	Class	R		2135 INDEPENDENCE AVE
Property Address	2135 INDEPENDENCE AVE	Acreage	n/a		WATERLOO, IA 50707
	WATERLOO				
District	940001				
Brief Tax Description	UNPLATTED WLOO EAST E 88 FT W 704 FT S 990 FT SW SW SEC 20 T 89 R 12				
	(Note: Not to be used on legal documents)				

These maps do not represent a survey. No liability is assumed for the accuracy of the data delineated herein, either expressed or implied by Black Hawk County, the Black Hawk County Assessor or their employees. These maps are compiled from official records, including plats, surveys, recorded deeds, and contracts, and only contain information required for local government purposes. See the recorded documents for more detailed legal information.

Date created: 4/20/2023

Last Data Uploaded: 4/19/2023 10:59:10 PM

Developed by  **Schneider**
GEOSPATIAL

APPLICATION FOR SPECIAL PERMIT
CITY OF WATERLOO PLANNING, PROGRAMMING,
AND ZONING COMMISSION
WATERLOO, IOWA
319.291.4366

New or Overall Amendment _____
Individual Building _____
Involving a variance(s) _____
Minor Change _____ (check one) (Minor Change must be approved by staff)

1. APPLICATION INFORMATION:

- a. Applicant's name (please print): Mickey Beck
Address: 2135 Independence Phone: _____ Fax: _____
City: Waterloo State: IA Zip: 50707
Email: _____
- b. Status of applicant: (a) Owner ☒ (b) Other _____ (CHECK ONE): If other explain: _____
- c. Property owner's name if different than above (please print): _____
Address: _____ Phone: 319-433-5834 Fax: _____
City: _____ State: _____ Zip: _____
Email: _____

2. PROPERTY INFORMATION:

- a. General location of special permit: - FENCED UP
Chicken Coop is in Back Yard 500 - 1000 Feet away from any Neighbors
- b. Legal description of property or portion requesting special permit: 5' x 10' Chicken Coop
- c. Dimensions of proposed special permit: _____
- d. Area of proposed special permit: _____
- e. Current zoning: _____
- f. Variance(s) requested: _____
- g. Reason(s) for special permit and proposed uses(s) of property: 4 Chickens
- h. Conditions (if any) agreed to (does not affect any existing conditions unless specified): _____
- i. Other pertinent information (use reverse side if necessary): _____

Please Note: If applicant is not the owner of the property, the signature of the owner must be secured. If it is the intent to subdivide (split) any land, vacant or improved in conjunction with this request it must go through a platting process (separate from special permit request).

The filing fee of \$200 (for new or overall amendment), \$225 (if involving a variance), \$125 (for individual building), or \$0 (for minor change) (payable to the City of Waterloo) is required. **This fee is non-refundable.** Under no condition shall said sum or any part thereof be refunded for failure of said amendment to be enacted into law. Any major change in any of the information given will require that the request go back through the process, with a new filing fee. The undersigned certify under oath and under the penalties of perjury that all information on this request and submitted along with it is true and correct. All information submitted will be used by the Waterloo Planning, Programming, and Zoning Commission and the Waterloo Board of Adjustment in making their decision. The undersigned authorize City Zoning Officials to enter the property in question in regards to the request.

Mickey Beck
Signature of Applicant _____ Date _____

Mickey Beck 4-14-2023
Signature of Owner _____ Date _____