

BOARD OF ADJUSTMENT

The Board of Adjustment meeting was called to order at 5:30 p.m. by Chairman Cullinan.

Roll Call: Present: Sissel, Muth, Cullinan  
Absent: Verdoorn, Robinson

Motion by Sissel, second by Muth, to approve the agenda. All ayes.

Motion by Sissel, second by Muth, to approve the minutes of the 6/22/10, 7/13/10, and 7/20/10 meetings. All ayes.

Cullinan read the following appeal:

**Alex Yohn, 1401 N 20<sup>th</sup> Street, Clear Lake, IA**, requests permission to construct a new dwelling. PERMISSION DENIED: The Clear Lake Code of Ordinances 165.11 Medium-Density, Single-Family Residential Zone. D. Minimum yards (2) The side yard on the street side of a corner lot shall not be less than 25 feet. Proposed construction will not meet this requirement.

In Alex Yohn's absence, John Marino, Building Official, read his letter requesting a side yard variance of 4' along the south side of his property, located at the corner of N 20<sup>th</sup> Street & 14<sup>th</sup> Avenue N. Bill Yohn, Alex's father, explained that a 15' City water main easement along the north property line and a drainage ditch and accompanying flood plain on the west side of the property make it difficult to design a house that will meet City Code requirements for side yard setback. The easement creates a 30' space between Alex's proposed dwelling and the twin-home to the north, and owners of the twin-home property had given signed approval for the construction. A right-of-way for future extension of 14<sup>th</sup> Avenue N lies along the south property line, however it is unlikely the City will extend the street in the foreseeable future because a costly bridge would have to be constructed over the drainage way. Without this street extension, any development of property across the drainage ditch to the west will also be delayed.

Muth asked if the proposed house would have a walkout basement and if so, the relationship of that level to the flood plain. Mr. Yohn explained there would be a walkout basement that would lie above the flood plain, and that a retaining wall would be constructed on the north side of the property to prevent erosion above the drop-off to the drainage ditch.

Motion by Sissel, second by Muth, to grant Alex Yohn a 4' side yard setback variance, as requested. All ayes.

Motion by Muth, second by Sissel, that the meeting be adjourned at 5:39 p.m. All ayes.

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Tina Cullinan, Chairman

ATTEST:

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Sharon Springer, Secretary