

**CITY OF WEST DES MOINES  
BOARD OF ADJUSTMENT COMMUNICATION**

**Meeting Date:** August 19, 2020

**Item:** Setback Variance – 117 S. 33<sup>rd</sup> Street – Request approval of a 3’ 6” variance from the 35’ front yard setback to add a 3<sup>rd</sup> stall to the garage – VAR-004794-2020

**Requested Action:** Request for a variance from the 35’ front yard setback

**Lead Staff Member:** Brian Portz, AICP

**Applicant’s Request:** The property owner, Matthew Campbell, would like to add a 3<sup>rd</sup> stall onto his existing two car garage to be able to get some of their vehicles off the street. The garage addition will encroach into the 35’ front yard setback by 3’ 2”.

**History:** The subject property is Lot 4 within the Jordan Grove plat that was approved and recorded in 1986. The property is zoned Residential Single Family District (RS-10) with front yard setbacks of 35’.

**City Council Subcommittee:** This item was presented to the Development and Planning City Council Subcommittee on August 3, 2020 as an informational item only.

**Staff Review and Comment:** This request was distributed to other City departments and other agencies for their review and comment. There are no outstanding issues. Staff would summarize the following key points of interest:

- **Front Yard Setback:** The property at 117 S. 33<sup>rd</sup> Street is zoned Residential Single Family (RS-10, 10,000 sf minimum lot size) which requires a thirty-five foot (35’) front yard setback. The applicant is proposing a garage addition adjacent to the existing two car garage that will encroach three feet (3’) two inches (2”) into the front yard setback. The existing garage for the house is located right at the 35’ front setback line. Staff modified the request to 3’-6” to avoid the need for another variance should the location of the garage vary slightly during the construction process.

**Variance Findings:** The applicant’s findings to grant a variance are attached as Attachment C and Staff’s findings to grant a variance are attached as Attachment D.

**Noticing Information:** On August 7, 2020, notice of the August 19, 2020 Board of Adjustment Public Hearing on this project was published in the Des Moines Register. Notice of this public hearing was also mailed to all surrounding property owners within 370 feet of the subject property on August 4, 2020.

**Property Owner:** Matthew Campbell  
117 S. 33<sup>rd</sup> Street  
West Des Moines, IA 50265

**Applicant’s Representatives:**  
David Kruse and Carrie Norris  
Grand Homes and Renovations  
1910 Normandy Drive  
Carlisle, IA 50047  
[Grandhomes.renovations@yahoo.com](mailto:Grandhomes.renovations@yahoo.com)

**ATTACHMENTS:**

- Attachment A - Location Map
- Attachment B - Illustrations
- Attachment C - Applicant findings
- Attachment D - Staff findings
- Attachment E - Board of Adjustment Resolution
  - Exhibit A - Conditions of Approval
  - Exhibit B - Findings (to be added after meeting)



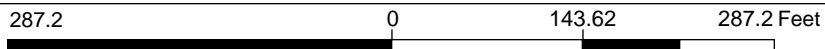
# Location Map



### Legend

- Addresses
- Corporate Limits
- Parcels

1: 1,723

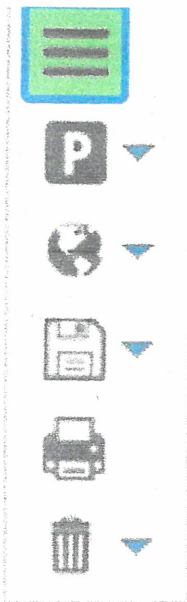


WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© City of West Des Moines, Iowa

Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

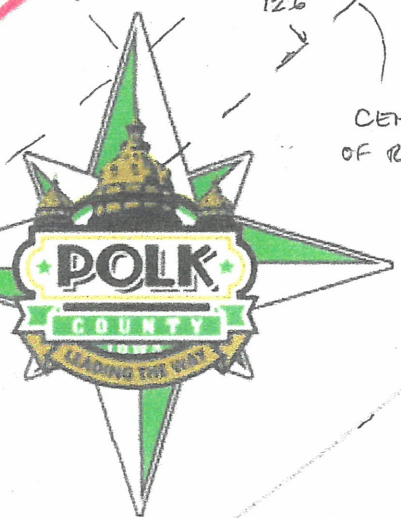
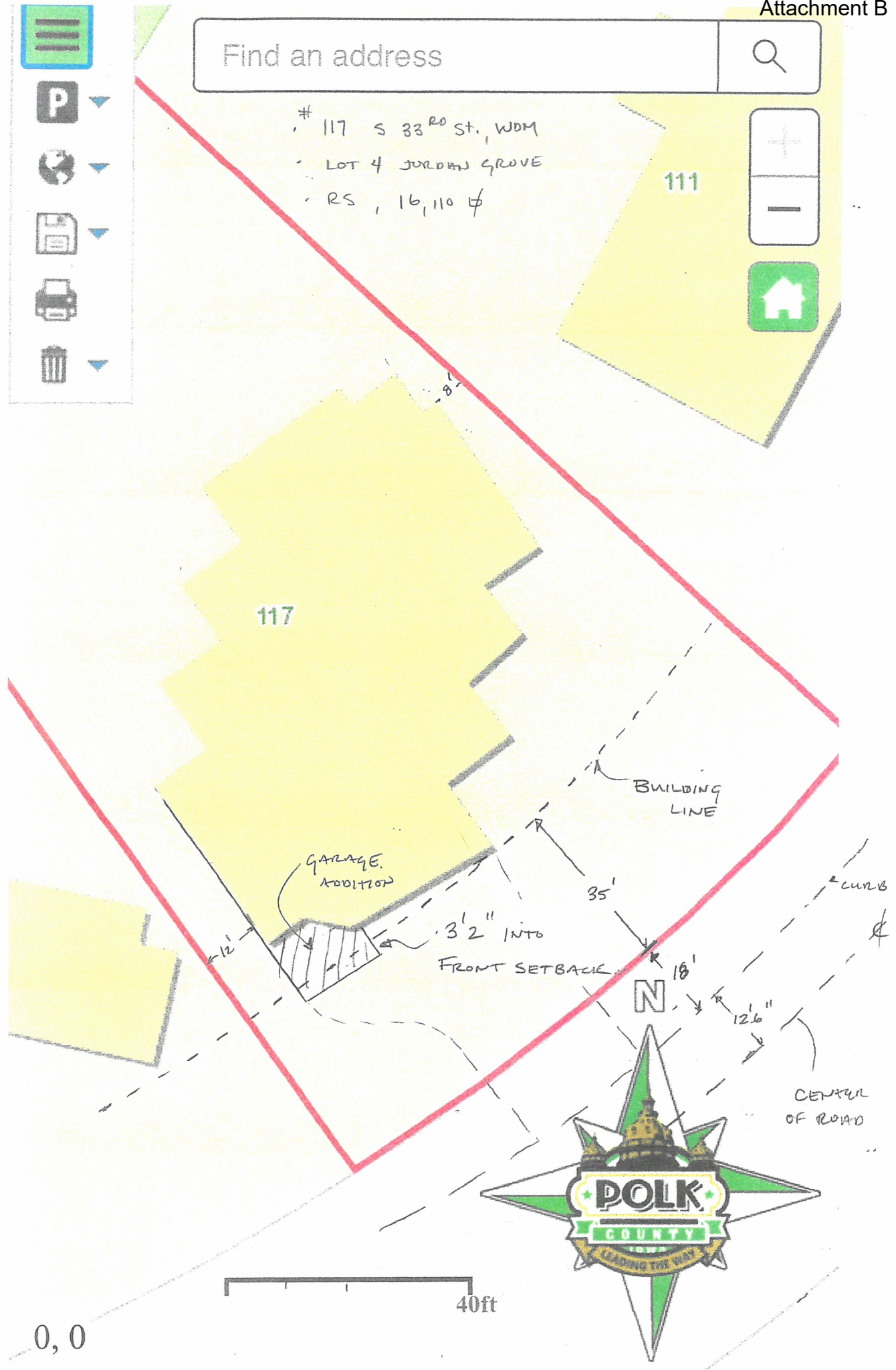
Find an address



# 117 S 33<sup>RD</sup> ST., WDM  
LOT 4 JORDAN GROVE  
RS, 16, 110 4

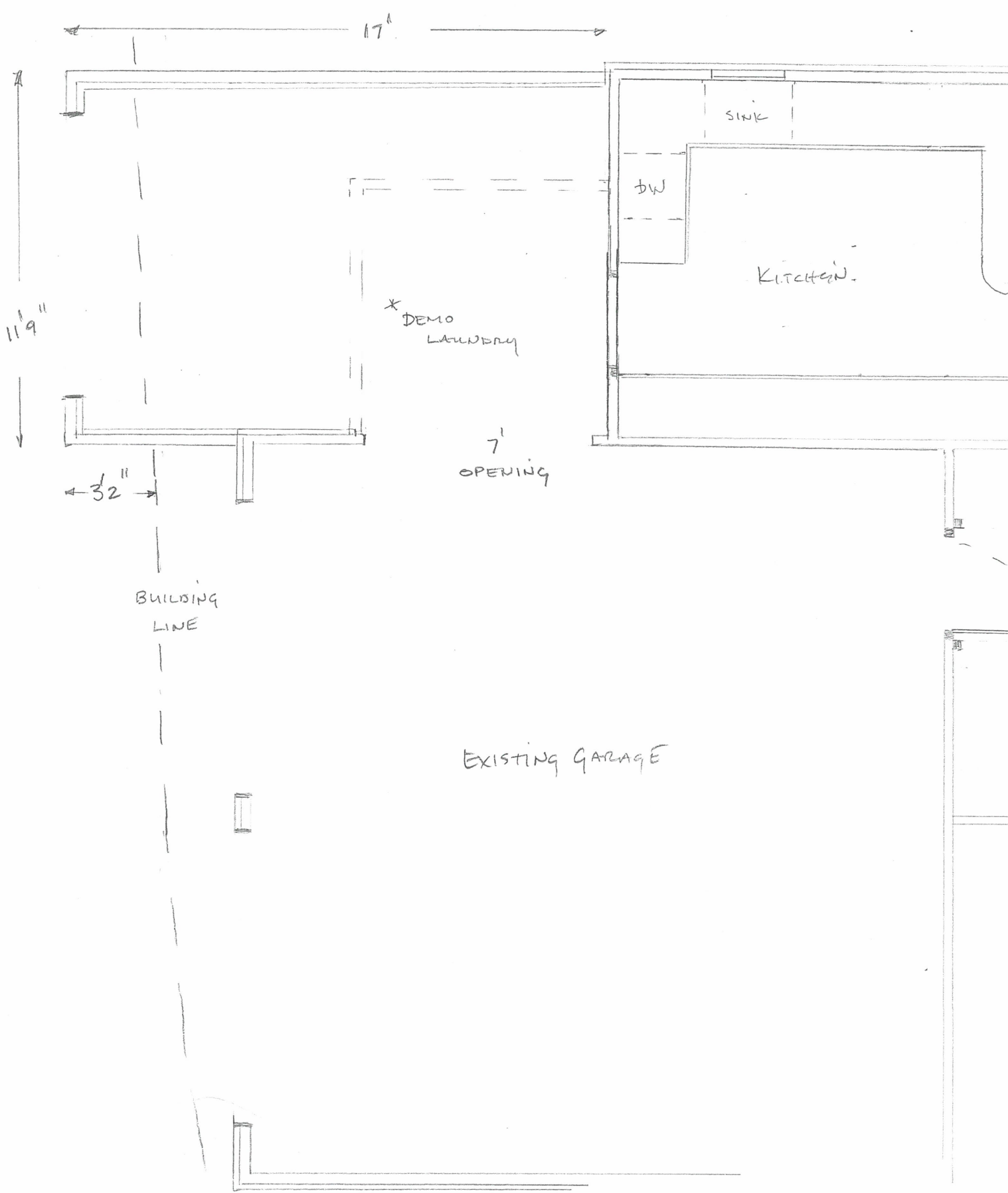
111

117



40ft

0,0



17'

11'9"

← 32" →

X DEMO LAUNDRY

7'  
OPENING

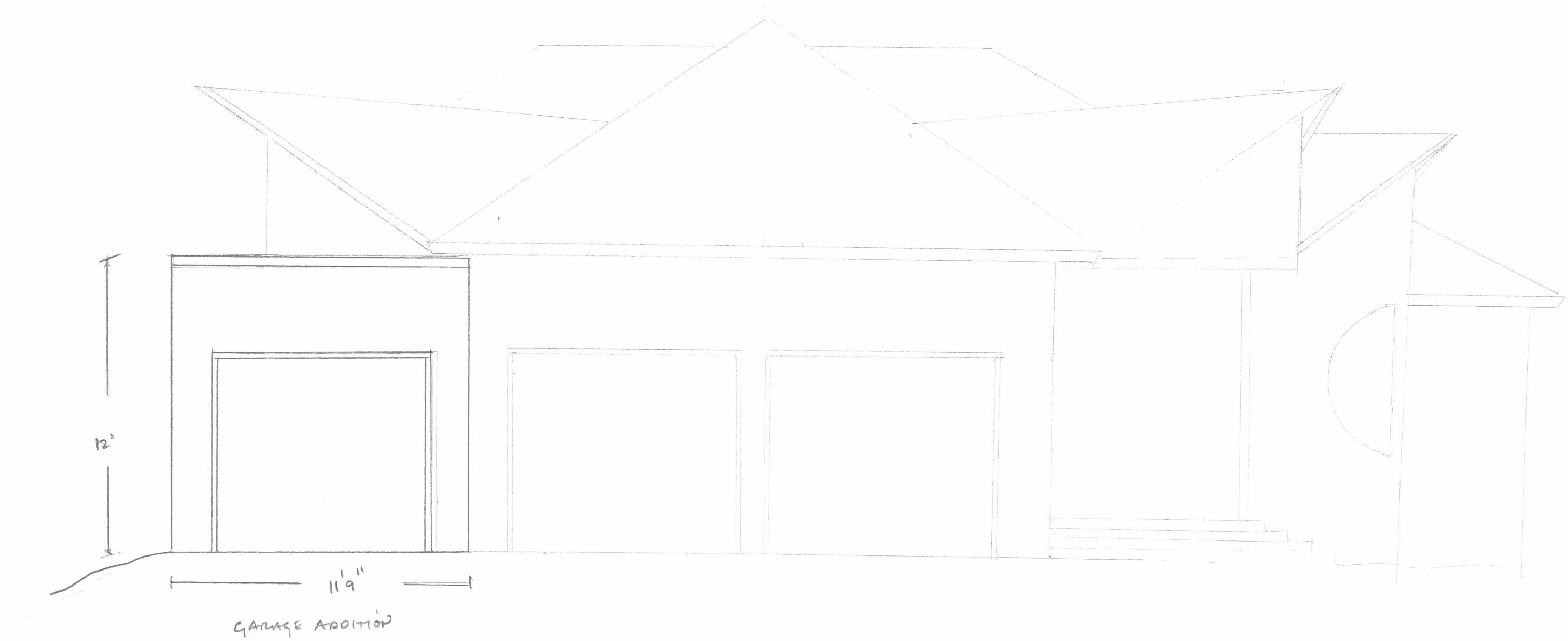
SINK

DW

KITCHEN

BUILDING  
LINE

EXISTING GARAGE





Matt Campbell Garage Addition  
117 S 33<sup>rd</sup> Street  
West Des Moines

Brian Portz  
Planner

- 1) Addition of a third stall garage is consistent with the other homes in this neighborhood. By adding a third stall this home blends better in this neighborhood where most homes were already constructed with third stall garages or have added them later.
- 2) This blended family will have 7 drivers. Most of these drivers will be parking on the street. As you can see from pictures there is already a dangerous blind spot as you approach their hill. An additional circumstance for this family exists. Due to health issues, it is very likely that a parent of Mathew's may soon need to reside with his family as well. We have been working to create additional bedroom space for such an occasion. This garage space will not only serve to remove a car off the street but also provide additional storage during these difficult family times.
- 3) We have explored other options on this property but the side yard setbacks and topography do not allow for a drivable path to the garage structure at the rear of the home. The addition of the third stall on the south east corner of the home is the least invasive location and option. We are proposing a matching brick structure that becomes a very subtle addition to the unique street appeal and add to the property value. This addition is an absolute improvement to not only the property but the neighborhood. Matching colors, style, garage doors and architectural details will only add to it's unique curb appeal.
- 4) There will be no impact to our environment. Materials will be re-used where applicable including landscape. We will maintain proper drainage around the addition to the rear property.
- 5) The homeowners feel that adding a garage will improve the safety conditions of the street, especially where there are no sidewalks and most neighbors do walk on the street. This addition will improve the safety of other drivers, bikers, kids on scooters and walkers. As you are aware the more cars parked on a street, especially on a hill will only increase safety concerns.

Campbell's  
current  
garage





An example of  
a garage addition  
across the street





View driving  
up hill to  
Campbell's house







## Attachment D Staff Findings

Title II of the City Code discusses the variance procedure. All five (5) conditions must be met in order to grant a variance. Based upon a review of the submitted variance request, staff has made the following findings on the proposed project:

1. That the proposed development or use is consistent with the West Des Moines Comprehensive Plan and any applicable subarea plans. *The proposed development/use is consistent with the West Des Moines Comprehensive Plan since the land use of this property is for residential development and the proposed variance relates to an addition onto a residential garage.*
2. That there are special circumstances or exceptional characteristics applicable to the subject property with regard to size, shape, topography or locations, which do not generally apply to comparable properties in the same vicinity and zones. *This lot is generally the same size as the other lots within this subdivision and the house is comparable in size and location to other homes in the subdivision. The house on this lot is located at the side yard setback lines of 12' on the west and 8' on the east. Due to the topography of the site and the distance from the house to the side property lines, there would not be adequate room to install a driveway to the rear of the property for access to a detached garage, as an alternative to an attached garage. The subject lot can accommodate additional paving to widen the existing drive and allow additional cars to park on site rather than on street.*
3. That the strict application of the zoning regulations as they apply to the subject property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such regulations provided that such hardships shall not be self-imposed by the applicant or his or her successor in interest. *According to the information provided by the applicant, the existing garage for the residence is located right at the 35' front yard setback line. The strict application of the front yard setback onto this property does not result in an unnecessary hardship. A residence with attached garages has been able to be constructed on this property, which meets or exceeds the City Code off-street parking requirements and indicates that the applicant would be able to get a reasonable return if the variance was not granted. Also, the finding states that the hardship shall not be self-imposed. The applicant's request to construct another garage is a self-imposed hardship; it is not a result of the application of the zoning ordinance.*
4. That there have been no changes in the character of the site or its surroundings which detrimentally affect the environment. *No changes to the area have occurred. The proposed development will not detrimentally affect the environment.*
5. That the granting of such variance does not, under the circumstances and conditions applied in this particular case, adversely affect the health or safety of persons, is not materially detrimental to the public welfare, nor injurious to nearby property or improvements. *The granting of the variance would not adversely affect the health or safety of persons, would not be materially detrimental to the public welfare and would not be injurious to nearby properties or improvements because the variance requested is minor and will not adversely impact nearby properties.*

Prepared by: B. Portz, West Des Moines Development Services PO Box 65320 West Des Moines IA 502650320 515-222---3620  
When Recorded, Return to: City Clerk, City of West Des Moines PO Box 65320 West Des Moines IA 50265-0320

**RESOLUTION-2020-08**

**A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF WEST DES MOINES, (APPROVING OR DENYING) \_\_\_\_\_ THE VARIANCE REQUEST (VAR-004794-2020) FOR A 3' 6" FRONT YARD SETBACK VARIANCE FOR PROPERTY LOCATED AT 117 S. 33<sup>rd</sup> STREET FOR PURPOSES OF CONSTRUCTING AN ADDITION TO THE GARAGE**

**WHEREAS**, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Matthew Campbell, has requested approval of a variance from Title 9, *Zoning*, Chapter 7, Setback and Bulk Density Regulations, Section 4, Setback and Density Regulations, for a variance of 3' 6" on property located at 117 S. 33<sup>rd</sup> Street and legally described as:

LOT 4, JORDAN GROVE, AN OFFICIAL PLAT WITHIN  
THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA

**WHEREAS**, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

**WHEREAS**, on August 19, 2020, the Board of Adjustment held a duly-noticed public hearing to consider the application for a variance (VAR-004794-2020);

**WHEREAS**, based upon a review of the submitted variance request, the Board of Adjustment finds **(In Favor of Applicant's Findings, In Favor of Staff Findings, or in Favor of the Board's Findings)** as attached in Exhibit B;

**NOW, THEREFORE**, THE BOARD OF ADJUSTMENT OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. A Variance Request (VAR-004794-2020), for 3' 6" variance from the 35' front yard setback requirement for property located at 117 S. 33<sup>rd</sup> Street and legally described above to allow the construction of an addition to the garage is **(approved or denied)**.

**PASSED AND ADOPTED** on August 19, 2020

\_\_\_\_\_  
Angie Pfankuch, Chair

ATTEST:

\_\_\_\_\_  
Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Board of Adjustment for the City of West Des Moines, Iowa, at a regular meeting held on August 19, 2020, by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

ATTEST:

\_\_\_\_\_  
Recording Secretary

**Exhibit A**  
Conditions of Approval

1. No Conditions of Approval.



Exhibit B  
Board of Adjustment Findings