

BOARD OF ZONING ADJUSTMENT

May 15, 2025

8:15 A.M.

- I. The regular meeting of the Board of Zoning Adjustment was called to order at approximately 8:15 A.M. by Chairperson Brock.
- II. Roll Call: Members Present: Galles, Pageler, Sitzmann, Brock.
 Members Absent: Mayrose.
 Others Present: Bernhardt, D. Schipper, Gaul.
- III. Minutes: Pageler moved, Sitzmann seconded the minutes of the March 25, 2025, meeting be approved. Ayes: All present.
 1. The Board reviewed a request for a variance from Plymouth County EMA from the literal provisions of the Code of Ordinances, Section 167.17 (1), Yard Regulations for the property located at 231 2nd Ave NE, Le Mars, IA. The Plymouth County Emergency Management proposes constructing a 20' x 16' addition to the southeast corner of the existing building to house their EMA trailer. The building currently sits within 1 foot of the southern property line which is already non-conforming. EMA is requesting that the side yard setback for this addition be reduced to the same setback as the current building's southern setback. The requirement of a side yard setback is 8 feet.
 2. EMA also requests the front yard setback from the east property line reducing the front yard setback from 25-feet to 14-feet. Note Correction: It was thought the addition would be 16' by 20' when it is actually 20' by 16'. City Staff is opposed to the request.

Rebecca Socknat, Emergency Management Coordinator & Mike Van Otterloo, Board of Supervisors, were present to explain they will be remodeling the entire building and need the additional 16 feet to house this trailer along with the truck that is being used as a command post. They will be backing the trailer into the addition and need the extra room to work on the trailer. With the HVAC in the trailer, it needs to be stored inside a heated location. Van Otterloo voiced that public safety, and the emergency services should have higher priority. The trailer is currently being stored at the Le Mars Police Station, but needs it moved as the Police Department is in need of this space.

Fire Chief Schipper explained that when variances are requested, they need to prove a hardship. When having a non-conforming current building and adding a non-conforming addition, it is not good practice. There are other options like putting up a new shed at the Sherriff's Department or adding the addition onto the west side or north side etc. The EMS building on the west side of the lot is all cold storage and has a dirt floor.

Van Otterloo explained that an architect will be onsite Thursday afternoon (May 15) to discuss all options.

MOTION: Pageler moved, Sitzmann seconded to table the variance request that the side-yard setback for this addition be reduced to the same setback as the current building's southern setback at 231 2nd Ave NE, City of Le Mars, Plymouth County Iowa. Ayes: Galles, Pageler, Sitzmann. Nays: Brock.

MOTION: Pageler moved, Sitzmann seconded to table the variance request for the front yard setback reducing from 25 feet to 14 feet from the east property line in an R-2 district as defined in The Le Mars Code of Ordinances Chapter 167.17(1) to Plymouth County EMA at 231 2nd Ave NE, City of Le Mars, Plymouth County Iowa. Ayes: Galles, Pageler, Sitzmann. Nays: Brock.

3. The Board reviewed a request by Daniel & Ashley Swalve, 109 7th Ave SW, for a variance from the literal provisions of the Le Mars Code of Ordinance Chapter 167.17– Front Yard Setback. The request is to add a two-stall 30' x 45' detached garage to the north of the current home. The current code requires that front yard setbacks be set to 25 feet. Daniel and Ashley are requesting that the front yard setback be reduced to 15 feet due to flooding concerns as during the last flood the water made it within 2-3 feet of the west side of the home.

This is a dead-end street, and the road will not continue north as it is a drainage ditch and there is an easement in front of the street and to the west.

MOTION: Pageler moved, Sitzmann seconded to grant a variance to Daniel & Ashley Swalve to build a 30' x 45' detached garage from the literal provisions of the Le Mars Code of Ordinances Chapter 167.17(1) allowing a reduction in front yard setback to 15 feet at 109 7th Ave SW. Ayes: All present.

- IV. Adjournment: Sitzmann moved, Galles seconded the meeting be adjourned at 9:18 A.M.

Bruce Brock, Chair