

November 12, 2014

Proceedings of the Zoning Commission of University Heights, Iowa, held at the City Office, 1004 Melrose Avenue, subject to approval by the Commission at a subsequent meeting. ALL VOTES ARE UNANIMOUS UNLESS OTHERWISE STATED.

Chairperson Yeggy called the November 12, 2014 meeting of the University Heights Zoning Commission to order at 7:05 p.m.

Present: Zoning Commission Members: Alice Haugen, Kris McLure, Stuart Rosebrook, Larry Wilson and Pat Yeggy. Staff present: Attorney Ballard and Clerk Anderson. Also present were: Silvia Quezada and Kip Sheldon.

The November 5, 2014 minutes were approved by unanimous consent. Approval of the October 22, 2014 meeting minutes were tabled to the next Zoning Commission meeting.

Public Input: None.

Evaluation of the Red-lined Ordinance 79 and Definitions of Yards: Attorney Ballard distributed a red-line version of the city's Ordinance 79 and stated "it was a work-in-progress" for changes. There are areas where he needs additional commission input.

"Foundation line" means the linear component of the structural system that supports and anchors a building". This line will be used to define the front yard; measuring to the main structure's foundation line. "Yard" means the area from the foundation line to the lot line". Commission member Haugen stated there are buildings that do not have linear fronts (not currently in University Heights) but the wording may need to be tweaked.

"Front Yard" means the area from one side lot line to the other side lot line and between the nearest point of the foundation line of the main building and the front lot line adjacent to the street right-of-way". Commission member Rosebrook stated it was important to consider if a lot is occupied with a building or not occupied with a building; it is an important aspect to determining the front yard. Rosebrook said the commission has been asked to standardize these types of issues "retain a certain quality of our neighborhoods", based on side, front and rear yards. Rosebrook feels it is important to see definitions in the code for the front yard and the front yard setback. The commission agreed that they did not believe set-backs should be uniform on a city block.

Ballard stated he had conversed with the city building inspector and city engineer regarding lots abutting cul de sacs and how front, side and rear yards would be determined. The city engineer said a front yard would be determined by measuring from the arc of the street right-of-way to the required setback, essentially drawing radiating lines from along the arc.

"Front Yard Setback" means the area from one side lot line to the other side lot line and from the point on the front lot line 25 feet onto the lot. After discussion, Ballard suggested changing the terms to "front setback", "side setback" and "rear setback" to alleviate confusion. "Buildable area" is the remaining area not located within the required setbacks. Rosebrook commented that is not the commissioner's role to restrict people's buildable areas.

"Building Height" means the vertical distance from grade to the roofline". "Grade" means the average point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line or, if the property line is more than five feet (5') from the building, between the building and a line five feet (5') from the building."

Building height of the main building may not exceed 35'. Building height of an accessory building may not exceed 15'. Ballard discussed the various types of roof-lines (mansard, gambrel, ogee, etc.) and how height would be determined.

The commission discussed definitions for accessory structures, sheds, and private garages and where these structures could be placed. They agree that buildings should be placed at least 5 feet from lot lines. The commission did not want to limit where sheds were allowed within the back yard setback, other than that the two-foot rule was followed.

Rosebrook felt that there needed to be a definition for "occupancy" in the ordinance. The commission suggested the definition incorporate "human residence" in the definition.

Haugen inquired about a house that is "L" shaped and if the space "inside the L" is considered rear yard or side yard. Ballard felt that would be considered the side yard, based on the current definition. Commission member McLure asked if that area would be

considered in the Floor Area Ratio (FAR) for a property. Haugen replied she did not think paved concrete patios or grade-level decks would be included in the calculation, as it is currently being considered.

Discuss Good Neighbor Policy in Building Permit Process: The commission discussed sending notice to adjacent properties for building in the “buildable area” of a property. The commissioners felt that requiring this was unnecessary. Neighbors will still be notified when a property owner requests a variance from the Board of Adjustment.

Discuss FAR Limits: FAR is the ratio of a building's total floor area to the size of the piece of land upon which it is built. The previous zoning commission decided on to recommend a FAR limitation of 35%. For lot consolidations, the FAR of the combined lot would be no greater than 125% of the average FAR of existing lots in the surrounding neighborhood. Rosebrook would like to know if the ratio would increase or decrease the property values over time. Rosebrook does not want to devalue property in University Heights by placing too many restrictions on property owners.

Additional Public Input: Silvia Quezada asked the commission to reconsider notifying abutting neighbors of potential building and issuing of building permits. Quezada suggested the commission contact MPOJC to address the economic questions if the city adopted the FAR.

Kip Sheldon thanked the commission for all their efforts to address zoning concerns. Sheldon asked the commission to consider “sensitive areas” and water runoff in the zoning ordinances.

The next Zoning Commission meetings will be held November 20, 2014, at 7:00 pm at City Hall.

The meeting was adjourned **by unanimous consent at 9:12 p.m.**

Attest: Christine M. Anderson, City Clerk

Approved: Pat Yeggy, Chairperson