

November 20, 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 20, 2014 meeting of the University Heights Zoning Commission to order at 7:00 p.m.

**Present:** Zoning Commission Members: Alice Haugen, Kris McLure, Larry Wilson and Pat Yeggy. Staff present: Attorney Ballard and Clerk Anderson. Also present were: Louise From, Stepheny Gahn, Dottie Maher, Silvia Quezada and Thad Wunder.

Absent: Zoning Commissioner Stuart Rosebrook.

The November 12, 2014 minutes were approved, as amended, by unanimous consent. Approval of the October 22, 2014 meeting minutes were tabled to the next Zoning Commission meeting.

**Public Input:** Thad Wonder shared pictures with the commissioners regarding his neighbor's egress window. He commented that it was installed within 12 inches of the property line; the grade was adjusted using mulch. Wonder felt the egress window was a structure but others defined it differently.

Silvia Quezada asked the commissioners to consider irregular property lots and front yards and to continue the discussion for definitions for yards. Quezada cited the arc used for 115 Highland and the conclusion on the backyard location. Quezada also stated she disagreed with comments that would exempt sheds from the one-third rule for open space in the backyard. Chairperson Yeggy replied that they discussed that sheds did not have to remain in the buildable area. Quezada asked that the commissioners further define "projections" and to consider a departure of the one-third rule for paving front yards for smaller lot sizes, where the main structure is on the buildable area line. Also, Quezada would like "open space" changed to "green space".

Dottie Maher asked the commissioners to continue moving forward and to regulate 1) the Floor Area Ratio (FAR) so that citizens can rely on the ratio when building, 2) surface-water runoff, post construction should not exceed pre-construction flow rates, and 3) protect sensitive slopes and control land disturbance, and 4) distinguish in the ordinance between buildings that already exist and those to be built.

Stepheny Gahn thanked Silvia Quezada for her efforts, at the November council meeting, to extend the building moratorium. Gahn is in agreement with Maher regarding the commission moving forward on all the issues addressed in public input. Gahan also recommended that a representative from IDNR comment on the sensitive slopes in the city.

**Discuss Red-Lined Ordinance 79 and Definitions Involving Yards:** Attorney Ballard distributed copies of Ordinance 79 with proposed changes suggested at the last meeting. Ballard stated he will meet with the city engineer to create a diagram to include with the ordinance. Ballard will continue to revise some of the definitions listed in the ordinance; notably "garden structure". Discussion and recommendations were given for defining "front foundation line", "front setback", "required front yard", "front yard", "setbacks", "architectural projections" and "buildable area". Ballard will speak with the city building inspector for input on these definitions.

Overhang or projections from a detached garage will be five feet from any lot line. Grade-level open terraces, patios or concrete slabs must be two feet from the adjacent lot line and cannot be used for parking. The square footage of these spaces will count towards the one-third rule for front yards, including driveways and paving.

Regarding buildable height, commissioner Haugen reminded the commission there was previous discussion concerning if the grade of a property was changed, the maximum height of the building would need to be computed using the average grade of the yard. Ballard stated he would address this with the building inspector, as well; ask for a figure to help in the computation for the highest point for the building height.

Ballard asked the commissioners to review the list of exemptions to building height; there have been additions. Commissioner Wilson suggested adding solar panels to the list.

Wilson commented that the commission needs to address the definition of "open space" in the rear yard. Haugen commented there is still the one-third paving restriction in the backyard. Also, need to define if garden structures will be counted in the property's FAR. Wilson commented that commissioner Rosebrook did not favor over-regulation.

**Review Lot Diagram:** Ballard will work with the city engineer to create a lot diagram for the ordinance.

**FAR Limits:** Chairperson Yeggy spoke with Bob Miklo, a city planner for Iowa City, regarding FAR. Iowa City uses FAR ratios only in the downtown commercial zone of Iowa City; sometimes for multi-family structures. Iowa City uses a 40% ratio of how much a lot can be covered by structures. Miklo was not aware of other Iowa cities using FAR but the area-lot coverage is used.

Yeggy has received information from the Johnson County assessors for current FAR ratios for the city. Haugen commented that a provision in the FAR, if two lots were combined together, a new structure needed to be consistent with existing structures; up to 125% of the neighborhood FAR average.

Yeggy asked if the commission was interesting in using the 40% area-lot coverage instead of using FAR. Wilson commented that he respects the work the former chair, Pat Bauer, put into researching FAR for the city. Haugen commented that FAR addresses scale of buildings, whereas the area-lot ratio would not. Yeggy felt it would be difficult to calculate the FAR; for the area-lot coverage there are 10 questions to answer which calculates the percentage. Yeggy will send the commission information for review.

**Good Neighbor Policy for Building Permits:** Recommendation that the council include a policy in the city newsletter and website that neighbors be notified. Will not be required but is recommended citizens inform their neighbors of building projects. Ballard cautioned the commissioners that people may feel they have a “right” to stop a project, when informed, if they are not in favor of the permit being issued.

**Additional Public Input:** None.

The next Zoning Commission meetings will be held December 3, 2014, at 7:00 pm at City Hall.

The meeting was adjourned **by unanimous consent at 8:57 p.m.**

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**Attest: Christine M. Anderson, City Clerk**

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**Approved: Pat Yeggy, Chairperson**