



pleasant hill

**BOARD OF ADJUSTMENT
CITY OF PLEASANT HILL, IOWA
DECISION AND ORDER**

This Decision and Order of the Board of Adjustment does not constitute approval of any construction. All necessary permits must be obtained before any construction is commenced upon the Property. A Certificate of Occupancy must be obtained before any structure is occupied or reoccupied after a change of use.

Any use allowed by this Decision and Order shall not be commenced or resumed until all the requirements imposed on such use by the Zoning Ordinance and this Order have been satisfied.

The use allowed by this Order must be commenced within **18 months** or by **Board specified date**, or this Order will be void and of no further force and effect.

IN THE MATTER OF THE APPEAL FROM:

ROOKIE HOLDINGS, LLC

ON PROPERTY LOCATED AT:

779 HICKORY BLVD

CASE #:

BOA-05072020-01-SE

PUBLIC HEARING:

MAY 7, 2020

SUBJECT OF THE APPEAL

Proposal: Allowance of a 6-foot fence to be constructed in a commercial district.

Appeal(s): Special Exception permitting a fence in a commercial district.

Affected City Zoning Code Sections: Chapter 165 Section 17 Article 4

FINDING

It was found that the Board has authority under the ordinance to grant a special exception.

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DECISION AND ORDER

WHEREFORE, IT IS ORDERED that the appeal for a Special Exception permitting a 6-foot fence as presented in the application in a commercial district, is **approved**.

VOTE

The foregoing Decision and Order was adopted by a vote of 5-0 with the majority of Board members present voting in approval thereof.

Signed, entered into record, and filed with the City of Pleasant Hill Community Development Department service as the office of the Board, on May 8, 2020.



LeAnne Krell, Chairperson



Jennifer Bartles, Recording Secretary

Board of Adjustment
Regular Meeting
May 7, 2020

Due to the COVID-19 pandemic, no public location was possible. The Board of Adjustment members and City staff participated by electronic conferencing. Members of the public were provided the below information to attend the electronic meeting:

Use the link below to join the meeting: <https://global.gotomeeting.com/join/777969957> You can also dial in using your phone. United States: +1 (646) 749-3112. Access Code: 777-969-957. New to GoToMeeting? Get the app now and be ready when your first meeting starts: <https://global.gotomeeting.com/install/777969957>

1. OATH OF OFFICE

David Carroll was administered the Oath of Office for the Board of Adjustment by Chairperson Krell for a 5-year term to expire June 30, 2025.

2. CALL TO ORDER/ROLL CALL

Pleasant Hill Board of Adjustment regular meeting was called to order at 5:30pm on Thursday, May 7, 2020 at the City Council Chambers by Chairperson Krell via www.gotomeeting.com. Present: LeAnne Krell, David Carroll, Elaine Castelline, Kasey Steen, and Carla Rivas. Absent: None.

3. APPROVAL OF AGENDA

RIVAS/STEEN moved to approve the agenda. Ayes: Unanimous. Motion carried.

4. APPROVAL OF MINUTES SEPTEMBER 12, 2019 MEETING

STEEN/RIVAS moved to approve the September 12, 2019 meeting minutes. Ayes: Unanimous. Motion carried.

5. SPECIAL EXCEPTION REQUEST

A request for a Special Exception under Chapter 165 Section 17 Article 4 has been filed by Rookie Holdings, LLC for property located at 779 N Hickory Blvd to allow for a 6' fence to be constructed in a commercial district.

The property identified in the petition is legally identified as:

PARCEL B BOOK 13365 PAGE 382 LOTS 2 & 3 SHARPS PLAT 1

And locally known as:

779 N Hickory Boulevard

Zoned:

C-1 NEIGHBORHOOD COMMERCIAL

FOR THE RECORD

Notice of Public Hearing was published in the Des Moines Register April 23, 2020.

CITY REPORT

Madeline Sturms, Community Development Director, introduced the special exception request stating Rookie Holdings, LLC is proposing a 6-foot fence on the site of two commercial businesses, a laundromat/dry cleaner and car wash, at 779 N Hickory Blvd, zoned C-1 Neighborhood Commercial, with the fence creating a buffer between the C-1 and adjacent property to the south,

zoned R-2 Single-Family Attached Residential.

Chapter 165 Section 17 of the City Code addressing the special exception for fences:

165. Title, Purpose and General Provisions.

165.17. Fences and Walls.

4. Industrial and Commercial Districts.

In industrial zoning districts, fences and walls not exceeding eight (8) feet in height are permitted within the limits of the side and rear yard. Fences within a commercial district, within the front yard of an industrial district, or exceeding eight (8) feet in height in industrial districts, may be permitted by special exception of the Board of Adjustment.

APPELLANT

Sara Rooker – Owner – was present to discuss the request stating the fence will provide screening, sound damping, and a safety barrier to the drop off between the property and abutting residential lot. Proposed cedar privacy fence will decrease from 6’ at the rear property line to 4’ upon entering the front yard setback area and end at least 10’ before the front property line to not interfere with line of site for motorists enter and exiting the properties.

PUBLIC INPUT

None

DISCUSSION

Board Members discussed surrounding area zoning and usage; placement and appearance of fence; fence materials; and site landscaping and topography in relation to fence location.

MOTION

CASTELLINE/STEEN – moved to approved finding in which the Board has authority under the ordinance to grant a special exception. Ayes: LeAnne Krell, David Carroll, Elaine Castelline, Kasey Steen, and Carla Rivas. Nays: None. Motion passed.

RIVAS/STEEN - moved to approve special exception request to construct a 6’ fence on the south property line at 779 N Hickory Blvd. Ayes: LeAnne Krell, David Carroll, Elaine Castelline, Kasey Steen, and Carla Rivas. Nays: None. Motion passed.

6. ADJOURNMENT

RIVAS/STEEN moved to adjourn. Ayes: Unanimous. Motion carried. Meeting was adjourned at 5:45 p.m.

Jennifer Bartles
Recording Secretary