

Swisher Board of Adjustment Public Hearing May 8, 2014

The Board of Adjustment was called to order by Chair Eugene Beard at 1900 hours on May 8, 2014. Members present were Gear, Riggle, Zenishek and Beard. Applicants present were Dale and Tina Richmond.

The agenda was approved as posted on the motion of Gear and second of Zenishek.

Minutes of the November 2, 2011 public hearing was approved on the motion of Gear and second of Zenishek.

No other citizens were present to address the Board.

Public Hearing on Variance Request – Dale & Tina Richmond of 314 Orchard Street, Swisher, Iowa, request a variance from the required 15 feet side yard setback to 12 feet 7.5 inches setback for a 26 foot wide garage replacing a 24 foot garage.

The hearing was opened at 1904 hours. Chair informed the Richmond's that in order to grant the variance the Board would have to find that a hardship existed that would deprive them of the use of their property. Chair asked the Richmond's to verify that the drawing showing lot lines and measurements were true and accurate and this was confirmed by Dale Richmond. A picture showing the change in the garage dimensions was also presented by the Richmond's. Considerable back and forth between the Board and the Richmond's concerning the ability of the Board to grant the variance and the need for the Board to exist. Dale Richmond stated that minor variances, such as that requested, is handled by building department staff in Cedar Rapids and questioned why this wasn't possible in Swisher. Members Zenishek, Gear and Beard all stated that they were limited to determining if a hardship existed and that if a hardship did exist it was not caused by the applicant.

On the motion of Zenishek and second of Gear the application for a variance was denied due to no evidence of a hardship existing. All members voting for the motion.

Hearing and meeting were adjourned at 1918 hours on the motion of Riggle and second of Gear.

Minutes recorded by and submitted by Eugene Beard.