

City of West Branch

~ A Heritage for Success ~

110 N. Poplar St. • P.O. Box 218 • West Branch, Iowa 52358
Ph. 319-643-5888 • Fax 319-643-2305 • www.westbranchiowa.org • wbcity@lcom.net

ZONING BOARD OF ADJUSTMENT MEETING
Monday, September 30, 2013 • 6:30 p.m.
West Branch City Council Chambers, 110 N. Poplar St.
Council Quorum May Be Present

1. Call to Order
2. Roll Call
3. Approve variance of City Code Section 165.11.4 to allow for a retaining wall to be located in the side yard at 203 Ridge View Drive./Move to action.
4. Adjourn

Board of Adjustment Members: Jim Huber, Chair, Wilburn Bass, Craig Cochran, Wayne Frauenholtz, Craig Walker
Mayor: Mark Worrell • **Council Members:** Jordan Ellyson, Colton Miller, Jim Oaks, Mary Beth Stevenson, Dick Stoolman
City Administrator/Clerk: Matt Muckler • **Fire Chief:** Kevin Stoolman • **Library Director:** Nick Shimmin
Parks & Rec Director: Melissa Russell • **Police Chief:** Mike Horihan • **Public Works Director:** Matt Goodale

CITY OF WEST BRANCH
BOARD ACTION REPORT

MEETING DATE: August 28, 2013 AGENDA ITEM: 3

DATE PREPARED: August 15, 2013

STAFF LIAISON: Matt Muckler, Zoning Administrator

ACTION TITLE:

Approve variance of City Code Section 165.27.3.C to allow for a four-foot tall (at its highest point) retaining wall located sixteen inches from the property line (at its closest point) at 203 Ridge View Drive./Move to action.

PROJECT DESCRIPTION:

Cory and Angela Kessler, 203 Ridge View Drive, are seeking Zoning Board of Adjustment approval of a variance of City Code Section 165.27.3.C to allow for a four-foot tall (at its highest point) retaining wall located sixteen inches from the property line (at its closest point) on their property located at 203 Ridge View Drive. In addition to the Application for Variance, there are several other documents related to this issue attached per the schedule below.

ATTACHMENTS:

Application for Variance to Board of Adjustment – Cory & Angela Kessler, July 10, 2013
City Code Section 165.11 – 165.22 & 165.27
Building Permit 24-12 File for single family home, issued July 26, 2012 (17 pages)
Temporary Occupancy Permit, issued Nov. 26, 2012, expired May 1, 2013
April 5, 2013 Letter (concerning open porch constructed in violation of 165.27.3.C)
May 7, 2013 Municipal Infraction (concerning open porch constructed in violation of 165.27.3.C)
May 15, 2013 Letter (concerning open porch constructed in violation of 165.27.3.C)
Permanent Occupancy Permit, issued June 24, 2013
Building Permit 05-13 File for open porch, issued May 23, 2013 but never constructed (3 pages)
Building Permit 18-13 File for concrete slab, denied July 8, 2013 (2 pages)
July 8, 2013 Letter (concerning retaining wall constructed in violation of 165.27.3.C)

RECEIVED
08/13/2013

City of West Branch

~A Heritage for Success~

APPLICATION FOR VARIANCE TO BOARD OF ADJUSTMENT

Date 7-10-13 (515) 451 8983 cell 319 877 8066 home
Name Cory & Angela Kessler
Address 203 Ridge View Drive (OR 203 Dylan Ct - on original building) permit

THE PROPERTY OWNER OR APPLICANT IS TO FILL OUT THE FOLLOWING FORM, EXPLAINING FULLY ALL REASONS FOR SAID REQUEST. PLEASE READ THE EXPLANATORY INFORMATION PRIOR TO FILLING OUT THE LINE ITEM.

CITY CODE OF WEST BRANCH, IOWA. CHAPTER 165. ZONING REGULATIONS.

165.22 POWERS OF THE BOARD. The Board of Adjustment shall have the following powers:

1. Administrative Review. To hear and decide appeals where it is alleged by the appellants that there is error in any order, requirement, permit, decision, determination or refusal made by the zoning officer or other administrative official in the carrying out or enforcement of any provision of this chapter, and for interpretation of the Zoning Map.
2. Vote Required. The concurring vote of three (3) members of the Board shall be necessary to reverse or modify any order or decision of an administrative official.
3. Special Exceptions. To hear and decide applications for special exceptions as specified in this chapter and for decisions on any special questions upon which the Board of Adjustment is specifically authorized to pass.
4. Variance. To hear and decide applications for variance from the terms of this chapter because of unnecessary hardship. Before any variance is granted, all of the following conditions must be shown to be present.
 - A. Conditions and circumstances are peculiar to the land, structure or building and do not apply to neighboring lands, structures or buildings in the same district.

(EXPLAIN HOW THIS APPLIES TO YOU) the slope of our lot requires an immense amount of dirt work not required by lots in our neighborhood. The retaining wall would help with the retention of dirt and help our neighbor not have to do dirt work to our grade level.

3

B. Strict application of the provisions of this chapter would deprive the applicant of reasonable use of the land, structure or building equivalent to the use made of neighboring lands, structures or buildings in the same district and permitted under the terms of this chapter.

(EXPLAIN HOW THIS APPLIES TO YOU) _____

C. The peculiar conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption of this chapter.

(EXPLAIN HOW THIS APPLIES TO YOU) _____

5. Financial disadvantage to the property owner shall not constitute conclusive proof of unnecessary hardship within the purposes of zoning.

6. The Board does not possess the power to permit a use not generally or by special exception, permitted in the district involved.

7. In granting a variance, the Board may attach thereto any conditions and safeguards it deems necessary or desirable in furthering the purposes of this chapter. Violation of any of these conditions or safeguards shall be deemed violation of this chapter.

We applied for a building permit to put a cement slab on our property on the south side of our garage for our dogs. It was denied because our retaining wall was in the 8ft easement. We didn't understand that the retaining wall applied as structures in the 8ft easement. (Based on numerous retaining walls in our neighbor w/in the 8ft easement.) We have been approved for a deck on the south side of the garage but would like the cement slab ~~to~~ to beautify and be able to landscape around it for the curb appeal to be ~~more~~ more eye pleasing. We ~~we~~ need the retaining wall to prevent dirt erosion and maintain grade for our 2 yard. We would like the cement slab to come out the south side of the house (8x14)

SIGNATURE OF BOARD MEMBERS

DATE

APPROVED

DENIED

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(Name) _____ VARIANCE REQUEST

_____ approved / _____ denied on the _____ day of _____,

_____. Building Permit No. _____.

3. An accessory building shall not be bigger than the principal building.

165.08 ZONING OF NEW OR ANNEXED LAND. Prior to the annexation of any territory to the City, a plan for zoning the area to be annexed shall be forwarded to the Council by the Planning and Zoning Commission. All territory which may hereafter be annexed to the City shall be automatically classified in the same or similar type of district it was prior to annexation until otherwise changed by ordinance after public hearing.

165.09 APPROVED PLATS. Plats of record before the enactment date of the Zoning ordinance shall not be affected by this chapter except as buildings are proposed, they shall conform to yard requirements of the appropriate Zoning District.

165.10 STREET FRONTAGE REQUIRED. All lots to contain a building shall abut a public street for the required frontage in the district in which it is located; one single family dwelling may utilize a private easement of not less than 20 feet wide and abutting upon a public street, if approved by the Zoning Board of Adjustment.

165.11 PERMITTED OBSTRUCTION IN REQUIRED YARDS. The following obstructions, when located in the minimum area required for specified yards, shall be permitted.

1. In all yards:
 - A. Chimneys projecting eighteen (18) inches or less into the yard;
 - B. Flag poles;
 - C. Ordinary projections of sills, belt courses, cornices and ornamental features projecting not more than eighteen (18) inches into a yard;
 - D. Ornamental light standards;
 - E. Steps which are necessary for access to permitted buildings or for access to lots from streets and required exterior fire escapes.
2. In front yards:
 - A. Fuel pumps and air and water outlets in conjunction with automobile service stations, provided they shall be set back at least fifteen (15) feet from the front lot line;

- B. One-story bay windows projecting three (3) feet or less into the yard;
 - C. Open terraces not over four (4) feet above the average level of the adjoining ground and not projecting over ten (10) feet into a yard, but not including permanently roofed-over terraces or porches;
 - D. Signs and nameplates, as regulated therein.
3. In rear yards:
- A. Air-conditioning condensers for central air conditioning units;
 - B. Arbors and trellises;
 - C. Balconies of not more than five (5) feet into the required yard;
 - D. Breezeways and open porches;
 - E. Private garage;
 - F. One-story bay windows projecting three (3) feet or less into the yard;
 - G. Overhanging roof eaves and gutters, provided eaves and gutters of detached accessory buildings are not less than two (2) feet from a lot line;
 - H. Fences;
 - I. Open terraces not over four (4) feet above the average level of the adjoining ground, but not including permanently roofed-over terraces or porches;
 - J. Open accessory off-street parking spaces;
 - K. Playground and laundry-drying equipment;
 - L. Private swimming pools and tennis courts;
 - M. Sheds, tool rooms or similar buildings customarily accessory to the principal use.
 - N. Satellite dish.
4. Side yards:

- A. Open accessory off-street parking spaces;
- B. Overhanging eaves and gutters projecting twenty-four (24) inches or less into the yard;
- C. Fences;
- D. Air-conditioning condenser for air-conditioner units.

165.12 CORNER LOTS.

1. Side yard requirements for corner lots shall be the same as the front yard requirements for those lots to the rear of said corner lot abutting on the intersecting street.
2. A lot fronting on two (2) intersecting streets which form an interior angle of one hundred-thirty-five degrees (135°) or less and which lot has a frontage of not less than twenty-five (25) feet on each of such streets.
3. A lot located at the angle in the street where the interior angle formed by the intersection of the street lines is one hundred thirty-five degrees (135°) or less and which lot has a frontage of not less than twenty-five (25) feet on each leg of such angle.

165.13 REDUCTION OF LOTS AND PARTS OF OTHERS. No lot shall be sold, divided, or set off in such a manner that either the portion sold, divided or set off or the portion remaining shall be less than the minimum size prescribed by the regulations relating to the district in which it is situated, unless it becomes a part of an adjacent lot meeting requirements.

165.14 NUMBER OF BUILDINGS ON ZONING LOT. Only one principal detached residential building shall be located on a zoning lot, and a principal detached residential building shall not be located on the same zoning lot with any other principal building.

165.15 ENFORCEMENT. The Council shall appoint a zoning officer to enforce the provisions of this chapter. It shall be the zoning officer's duty to examine all applications for permits, issue permits only for construction and uses which are in accordance with the requirements of this chapter, record and file all applications for permits with accompanying plans and documents, and make such reports as the Council may require. Permits for construction and uses which would be a violation of this chapter and that require a special exception or variance to requirements of this chapter shall be issued only upon written order by the Board of Adjustment as provided for in Section 165.22 of this chapter.

(Ord. 659 – Mar. 11 Supp.)

165.16 ZONING AND USE REGISTRATION PERMITS. A Zoning and Use Registration Permit shall be obtained from the zoning officer for any of the following:

1. Occupancy and use of a building hereafter constructed, enlarged, relocated, reconstructed or altered.
2. Any change in the use of an existing building.
3. Occupancy and use of vacant land, or change in the use of land except for any use consisting primarily of tilling the soil.
4. No such occupancy, use, or change of the use shall take place until a Zoning and Use Registration Permit therefore has been issued by the zoning officer. No Zoning and Use Registration Permit shall be issued unless the proposed occupancy is in full conformity with all the provisions of this chapter.
5. A Zoning and Use Registration Permit shall be deemed to authorize, and is required for both initial and continued occupancy and use of the building or land to which it applies and shall continue in effect, so long as such buildings and the use thereof or the use of such land is in full conformity with the provisions of this chapter and any requirements made pursuant thereto. However, on the serving of written notice by the zoning officer of any violation or any of said provisions or requirements with respect to any building or the use thereof or of land, the Zoning and Use Registration Permit for such use shall thereupon without further action, be null and void, and a new Zoning and Use Registration Permit shall be required for any further use of such building or land.
6. Any permit or approval which may be issued by the zoning officer shall be in effect for a period of one year from date of issuance. A six-month extension shall be granted upon written request by the permit holder to the zoning officer. Upon the end of the six-month extension a permit shall be deemed expired and a new permit application shall be submitted for review and approval and all associated permit fees shall be assessed before said work shall continue to commence.

(Ord. 659 – Mar. 11 Supp.)

165.17 APPLICATION FOR PERMITS. Applications for Zoning Permits shall be made to the zoning officer in writing upon forms approved by the Board of Adjustment prior to starting construction or establishing a use, and such forms shall be filled in by the owner, or authorized agent, and shall be

accompanied by a plan in duplicate, drawn to scale, showing the actual lot dimensions, use and intended use, height, size and location of building or buildings and shall be accompanied by such data as may be required. Such plans and data shall be final and conclusive and any deviation therefrom shall require a new Zoning and Use Registration Permit.

165.18 APPEALS. Appeals from the decision of the zoning officer may be made to the Board of Adjustment by any person aggrieved or by an officer of the City or member of the Council. The applicant shall file with the zoning officer and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The zoning officer shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken. Such appeal shall be taken within a reasonable time as provided by the rules of the Board.

165.19 PENALTIES. For each and every violation of the provisions of this chapter the owner, contractor or other persons interested as general agent, architect, engineer, land surveyor, building contractor, owner, tenant, or any other persons who commit, take part, or assist in any violation of this chapter, or who maintain any building or premises or uses of land in violation of this chapter, shall for each and every violation be imprisoned for a period not exceeding thirty days (30) or be fined not exceeding one hundred dollars (\$100.00) or both, at the discretion of the judicial officer before whom such a conviction may be had. Whenever such person shall have been officially notified by the zoning officer or by service or a summons in a prosecution, or in any other official manner, that said person is committing a violation, each day's continuance of such violation after such notification shall constitute a separate offense punishable by a like fine or penalty.

165.20 BOARD OF ADJUSTMENT. A Board of Adjustment is hereby established as provided in Chapter 414 of the State Code of Iowa, as amended, the members of which shall be appointed by the Council for staggered terms of five (5) years. The Board of Adjustment shall consist of five (5) members, none of whom shall hold an elective office or other official position in the City. The members of the Board shall be removable for cause by the Council upon written charges and after public hearing. A vacancy shall be filled by the Council for the unexpired term of any member who resigns, dies, or is removed. The Board shall elect a Chairperson from its members, and a Secretary who may, but need not, be a member of the Board.

165.21 EXPENSES OF THE BOARD OF ADJUSTMENT. The Board shall have authority to expend such sums as may be appropriated by the Council.

165.22 POWERS OF THE BOARD. The Board of Adjustment shall have the following powers:

1. Administrative Review. To hear and decide appeals where it is alleged by the appellants that there is error in any order, requirement, permit, decision, determination or refusal made by the zoning officer or other administrative official in the carrying out or enforcement of any provision of this chapter, and for interpretation of the Zoning Map.
2. Vote Required. The concurring vote of three (3) members of the Board shall be necessary to reverse or modify any order or decision of an administrative official.
3. Special Exceptions. To hear and decide applications for special exceptions as specified in this chapter and for decisions on any special questions upon which the Board of Adjustment is specifically authorized to pass.
4. Variance. To hear and decide applications for variance from the terms of this chapter because of unnecessary hardship. Before any variance is granted, all of the following conditions must be shown to be present.
 - A. Conditions and circumstances are peculiar to the land, structure or building and do not apply to neighboring lands, structures or buildings in the same district.
 - B. Strict application of the provisions of this chapter would deprive the applicant of reasonable use of the land, structure or building equivalent to the use made of neighboring lands, structures or buildings in the same district and permitted under the terms of this chapter.
 - C. The peculiar conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption of this chapter.
5. Financial disadvantage to the property owner shall not constitute conclusive proof of unnecessary hardship within the purposes of zoning.
6. The Board does not possess the power to permit a use not generally or by special exception, permitted in the district involved.

7. In granting a variance, the Board may attach thereto any conditions and safeguards it deems necessary or desirable in furthering the purposes of this chapter. Violation of any of these conditions or safeguards shall be deemed violation of this chapter.

165.23 AMENDMENTS.

1. Requirements for Change. Whenever the public necessity, safety, general welfare or good zoning practice justifies such action, and after consideration and recommendation by the Planning and Zoning Commission as provided herein, the Council may change zoning district boundaries, use groups or the regulations established by this chapter after public hearing for which public notice is given as provided in Chapter 414 of the State Code of Iowa.

2. Initiation of Change. A proposed change of zoning district boundaries or regulations may be initiated by the Council, City Planning and Zoning Commission, or by application of one or more of the owners of property within the area requested to be changed.

3. Consideration. Every three months or at the discretion of the zoning officer, the City Planning and Zoning Commission will set a public hearing to consider requested changes or amendments to the Zoning Ordinance or Zoning Map pursuant to the provisions of this section. Public notice for this meeting and changes to be considered shall be given as provided in Chapter 414.4 of the State Code of Iowa as amended. The re-zoning process as specified herein for newly annexed areas or amendments to the text proposed by the City itself may be undertaken at any time.

4. Site Plan and Schedule. All requests for changes in Zoning Map shall be accompanied by the following:

A. Intentions. A complete statement giving reasons and intentions for the planned future use of the area proposed for amendment.

B. Site Plan. A site plan, showing existing and proposed structures, uses, open spaces, facilities for parking and loading, and arrangements for pedestrian and vehicular circulation of the area proposed for amendment and all abutting properties with their use and zoning district defined.

C. A proposed time schedule for beginning and completion of development.

165.27 R-1 DISTRICT REQUIREMENTS.

1. Permitted Uses. In Residential R-1 District, the provisions of this section shall apply and the following uses permitted:
 - A. All uses allowed by right in Agricultural A-1 District except that there shall be no raising or pasturing of livestock, poultry or other commercial domestic animals or birds.
 - B. Boarding house, provided that not more than four (4) such boarders shall be permitted without special exception by the Board of Adjustment and by the Health Officer of the City.
 - C. Public utility substations or pumping stations meeting the requirements of Section 165.26(2)(A).
 - D. Private schools of general instruction.
 - E. Accessory uses customarily incidental to any of the foregoing permitted uses.
 - F. Funeral homes.
2. Uses Allowed by Special Exception by the Board of Adjustment.
 - A. All uses allowed by special exception in the Agricultural A-1 District, except that roadside stands are specifically prohibited.
 - B. Vocational or trade schools, whether or not operated for profit.
 - C. Retirement or nursing home.
 - D. Child Care Centers under the following conditions:
 - (1) Any person who operates in the City a child care center where there are more than six (6) children shall first make application for a special exception permit. Said application to be available at the office of the Clerk.
 - (2) Upon receipt of a completed and executed application, the Clerk shall present the said application to the Board of Adjustment at its next regular meeting. The Board of Adjustment shall establish a date for public hearing within thirty (30) days and authorize the Clerk to send written notice by ordinary mail to all persons living in and/or owning property within 500 hundred feet of the proposed child care center.

(3) At the public hearing all persons shall be heard upon the issues of the location, number of children, loading, parking and safety. At the close of said meeting the Board of Adjustment will set a time within thirty (30) days when it shall act to issue or refuse to issue a special exception permit.

(4) If a special exception permit is issued, the Board of Adjustment may set reasonable standards as to number of children, parking, loading and other safety and nuisance standards, but in any event all standards established by the State of Iowa must be met.

3. Area Regulations. The following regulations as to the area shall apply to the Residence R-1 District.

A. Lot Area and Width. A lot area of not less than seven thousand, seven hundred (7,700) square feet per family shall be provided for every building hereafter erected or used in whole or in part as a dwelling. Each lot shall have a building line frontage of not less than seventy (70) feet.

B. Front Yard. There shall be a front yard on each street on which a lot abuts, which yard shall be not less than twenty-five (25) feet in depth.

C. Side Yard. There shall be two (2) side yards on each lot, neither of which shall be less than eight (8) feet in depth.

D. Rear Yard. There shall be a rear yard on each lot, which yard shall not be less than twenty-five (25) feet in depth.

24-12

110 North Poplar
West Branch, IA 52358
319-643-5888
319-643-2305 FAX

CITY OF WEST BRANCH APPLICATION FOR BUILDING PERMIT

1. Location 203 DYLAN ST R1
Street Address Zoning Classification

13 Meadows
Lot Number Block Addition

2. Property Owner Cory & Angela Kessler 515 451-8983
Name Telephone

Address

3. Contractor See below Angela Kessler - General
Name & Address Telephone

4. Architect Michael Untraver Iowa City 1319 338 5966
Name & Address Telephone

5. Reason for permit New Building Fence Conversion of Use
 Bldg. Addition Bldg. Relocation Old
 New Outbdg. Sign New

6. Building Use Resident

7. Residence # of families or housekeeping units the building will accommodate 1

8. Construction Type Wood Frame, Pour Walls, Masonry Cost 260,000
Excluding Land

9. Dimensions Floor Sq. Ft. 1890 Height from Final Grade _____ Lot Sq. Ft. _____

Depth of Yard: Front 25 Sides 8 Rear 48+

Off Street Parking Spaces 3

Sign Dimensions and Square Feet N/A

10. Indicate who will do the following tasks: Self Licensed Installer
Electric Wiring Installation _____ Jerod Electric Iowa City
Plumbing Installation _____ Lynch Plumb. WB
Gas Installation _____ K+S
Water Installation _____ Lynch
Sanitary Sewer Installaton _____ Lynch Escav.

11. Other Permits: Check here for other permits you or the contractor will be requesting

Excavation & Curb Cut
 Electric Wiring
 Electric Wiring Approval & Insp.

Plumbing Permit & Insp.
 Water Permit & Insp.
 Sign Permit

RECEIVED
JUL 26 2012
BY: CK.# none 0001

Angela Kessler
Signature of Applicant

Approved
 Denied

[Signature]
Zoning Administrator

Permit Fee \$2644.75 (make check payable to City of West Branch) Date 7-26-12

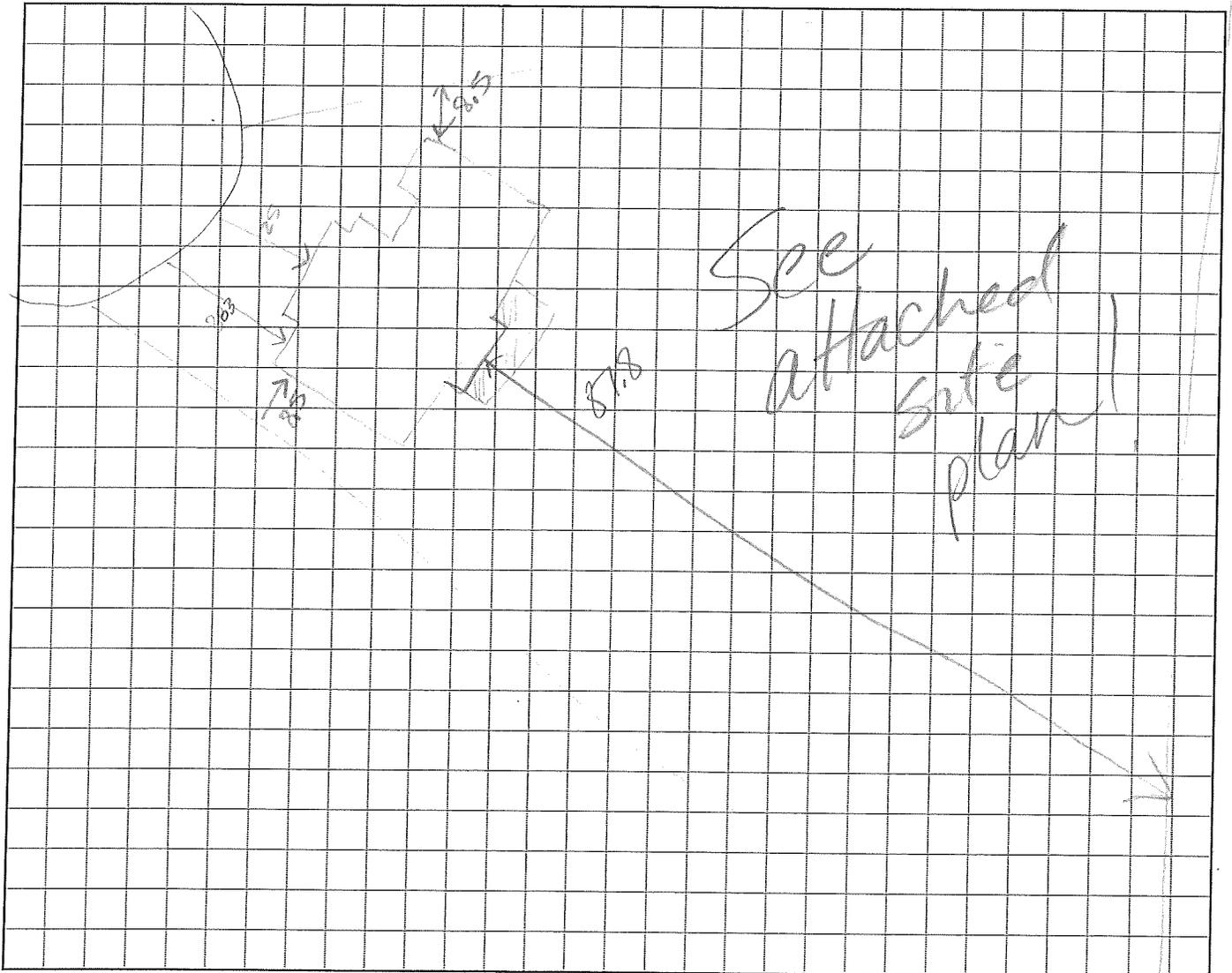
110 North Poplar
West Branch, IA 52358
319-643-5888
319-643-2305 FAX

CITY OF WEST BRANCH APPLICATION FOR BUILDING PERMIT

APPLICANT Cory & Angela Kessler
ADDRESS 203 Dylan Ct (PO Box 5) West Branch

Please submit below, a sketch plan in support of your building permit application, showing the actual shape and dimensions of the lot on which construction will take place

1. Show street(s), with street name(s), if any, on proper side(s).
2. Show property lines and dimensions of the lot.
3. Show location of main structure (if any) from lot lines.
4. Show location of accessory structure(s) (if any) from the main structure and lot lines.
5. Show location of utility or access easements.
6. Show detail of fence (if any). (Format: x — x — x — x)



APPLICANT'S COPY

BDC - Building Inspection & Plan Review Services
800 Holiday Road
Coralville, Iowa 52241
319-325-2912

Plan analysis based on
the 2009 International Residential Code

(PLEASE READ ALL THE CORRECTIONS)

Project Number: WB-0716-12 Date: July 16, 2012
Project Name: Lot # 13 The Meadows Subdivision - Cory & Angie Kessler
Address: 203 Dylan Court - West Branch, IA
Occupancy: R-3 Contractor: Self
Construction: V-B Designer: Untrauer
Engineer:
Report By: Nolan R Bgoard

NOTE: The code items listed in this report are not intended to be a complete listing of all possible code requirements in the 2009 IRC. It is a guide to selected sections of the code.

Report created using Plan Analyst software by IHS Global 1-800-854-7179

SHEET IDENTIFICATION **CORRECTION REQUIRED**

- | # | SHEET IDENTIFICATION | CORRECTION REQUIRED |
|---|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | Radon | All houses shall be provided with a 3" or 4" vent pipe installed under the basement slab for the removal of radon that can accumulate under the slabs & foundation of homes. The vent pipe shall be extended up through the building floors, shall terminate at least 12" above the roof and at least 10' from any window or other opening. (Appendix F) |
| 2 | Deck Strs | A continuous handrail is required along all stairways having 3 or more risers. It is required to be 34 to 38 inches above the nosing of the steps. The handrail shall have a shape that provides AN APPROVED grasping surface, and the ends shall be returned back to the wall or terminate into the newel post. Sec. R315.1 |
| 3 | Deck Strs | Open risers are NOT normally permitted on stairs. However, open risers shall be permitted on deck stairs, provided that the opening between treads does not permit the passage of a 4 inch diameter sphere for those stairs with a total rise greater than 30". SEC. R314.2.1. |

Wayne
Steve
Lynch

P+S

P+S

Code review for:
Project Id.: The Meadows Subdivision
Address: 203 Dylan Court - West Branch, IA

4 Certificate A permanent certificate shall be posted on or in the electrical distribution panel showing R and U-values of the various building components and the efficiency rating of the appliances installed in the house. N1101.9.
Jerod

5 Attic Ins. The thickness of insulation shall be written on markers that are installed at least one for every 300 S.F. throughout the attic space. The markers shall be affixed to the trusses or ceiling joists and marked with 1" numbers showing the minimum initial installed thickness of the insulation. Each marker shall face the attic access opening. SEC. N1101.4.1.

6 Dryer Vent The maximum length of a clothes dryer exhaust vent is 25 feet. A reduction in the maximum length of 2.5 feet for each 45-degree bend and 5 feet for each 90-degree bend shall apply. -- Sec. M1501.3

7 G'rding An electrode encased by at least 2" of concrete, located within and near the bottom of a concrete foundation or footing that is in direct contact with the earth, consisting of at least 20' of one or more bare or zinc-galvanized reinforcement bars of not less than 1/2 inch diameter shall be provided as the primary grounding electrode system. SEC. E3508.1.2. THE GROUNDING ELECTRODE CONNECTION SHALL REMAIN
Jerod

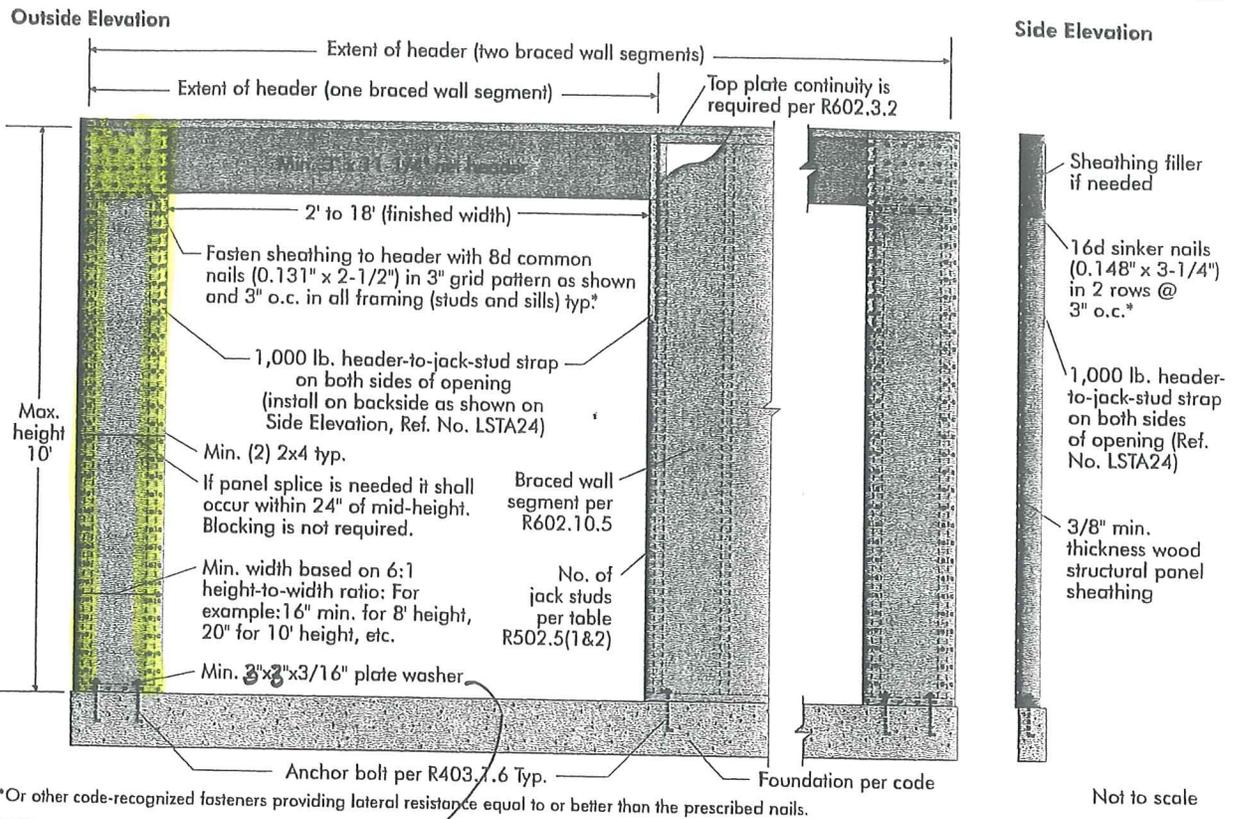
8 R. Trusses Roof trusses having a span of equal or greater than 24'-0" shall be connected to the exterior wall top plates by the use of approved connectors having a resistance to UPLIFT of not less than 175 lbs., and shall be installed in accordance with manufacturer's specifications. i.e. (HURRICANE TIES WILL BE REQUIRED). SEC. R802.10.5.
Pis

9 Garage For braced wall panels less than 36" and not less than 16" in width at the garage corners and at other corner locations adjacent to openings, the wall panels shall be connected in accordance with the APA NARROW WALL BRACING METHOD as specified in the ATTACHED DIAGRAM. SEC. R602.10.6.
Pis

CONSTRUCTION DETAILS FOR THE APA NARROW WALL BRACING METHOD

FIGURE 1

NARROW WALL OVER CONCRETE OR MASONRY BLOCK FOUNDATION



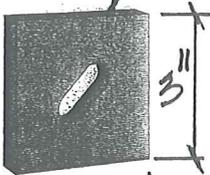
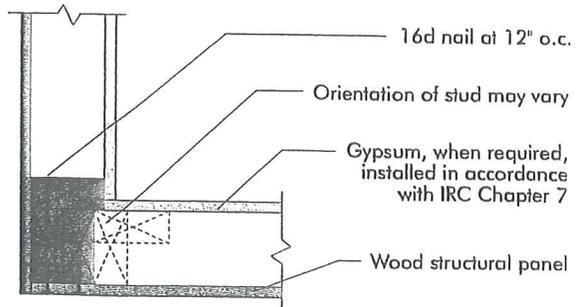
*Or other code-recognized fasteners providing lateral resistance equal to or better than the prescribed nails.

Note: This narrow wall bracing segment meets the minimum requirements for wall bracing (racking loads in the plane of the wall). The building designer should determine what specific details are necessary to provide a complete load path for using this bracing in the structure.

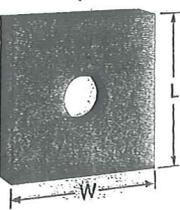
FIGURE 2

EXAMPLE OF REQUIRED OUTSIDE CORNER DETAIL (IRC R602.10.5)

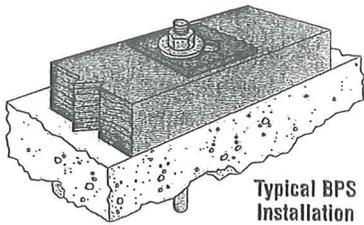
At corners, connect the two walls together as outlined in this detail to provide overturning restraint.



BPS
(LBPS similar)



BP
(RP similar)



Typical BPS Installation

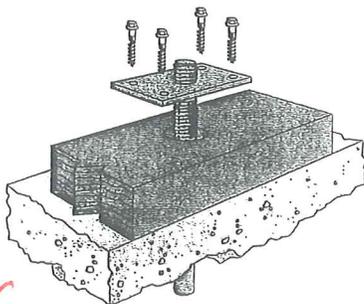
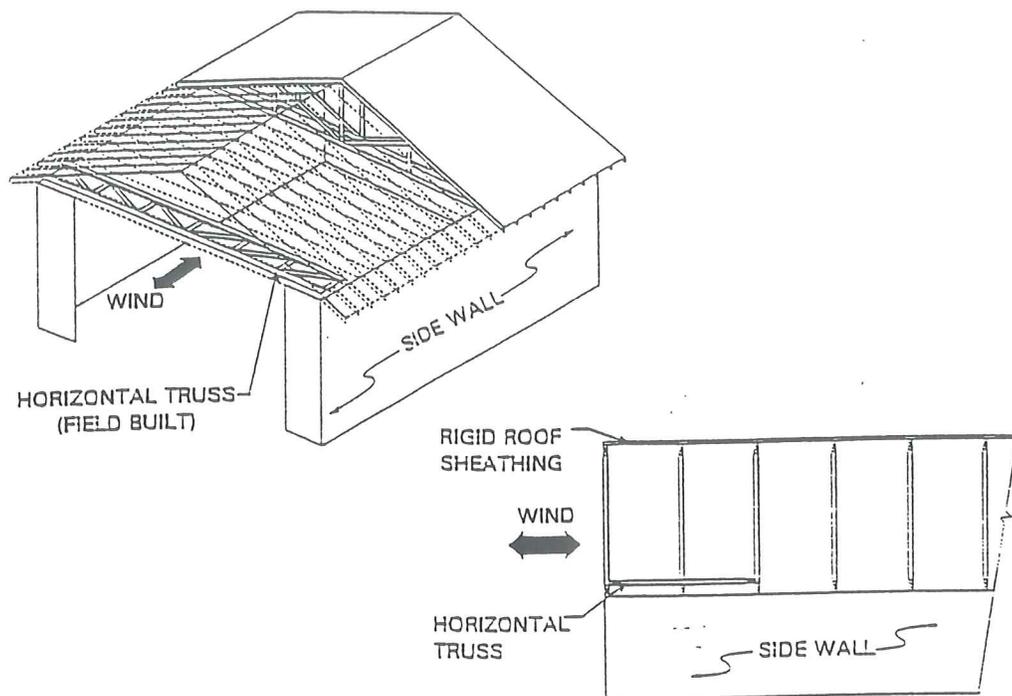


FIGURE 2
FIELD BUILT
HORIZONTAL TRUSS
TO TRANSFER WIND
LOAD TO BUILDING
SIDE WALLS



Alternatively, diagonal bracing may be designed at specified spacings across the width of the building to transfer these forces from the end wall to the roof/floor diaphragm and from there into the side walls. See Figure 3.

Wind loads acting perpendicular to the side walls will cause lateral forces acting across the width of the building. These lateral loads are usually designed to be transferred through the stiffness of the roof/ceiling/floor diaphragm into the end walls, or into interior shear walls, portal frames or partitions. The choice of how to resist these lateral forces is the responsibility of the Building Designer.

FIGURE 3
GABLE END BRACE

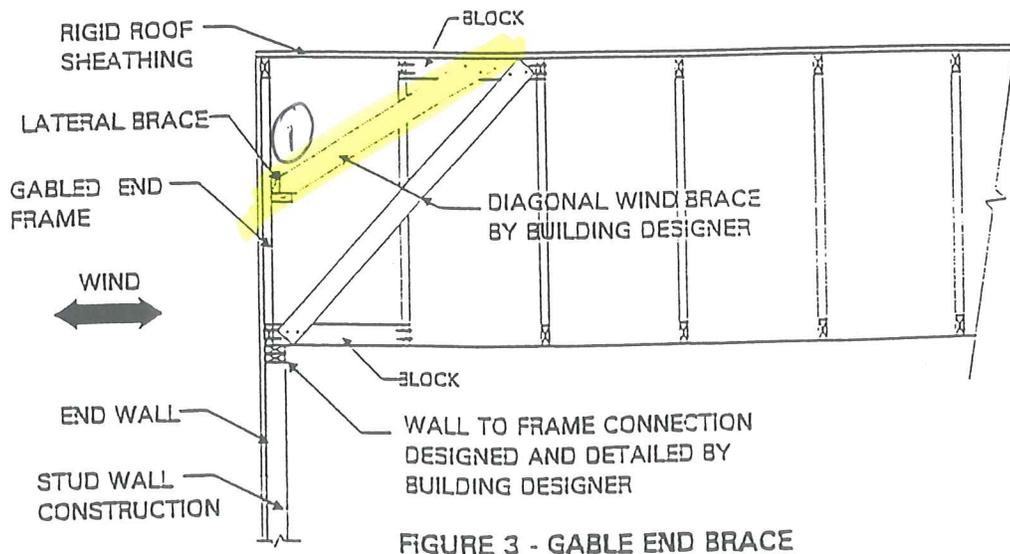
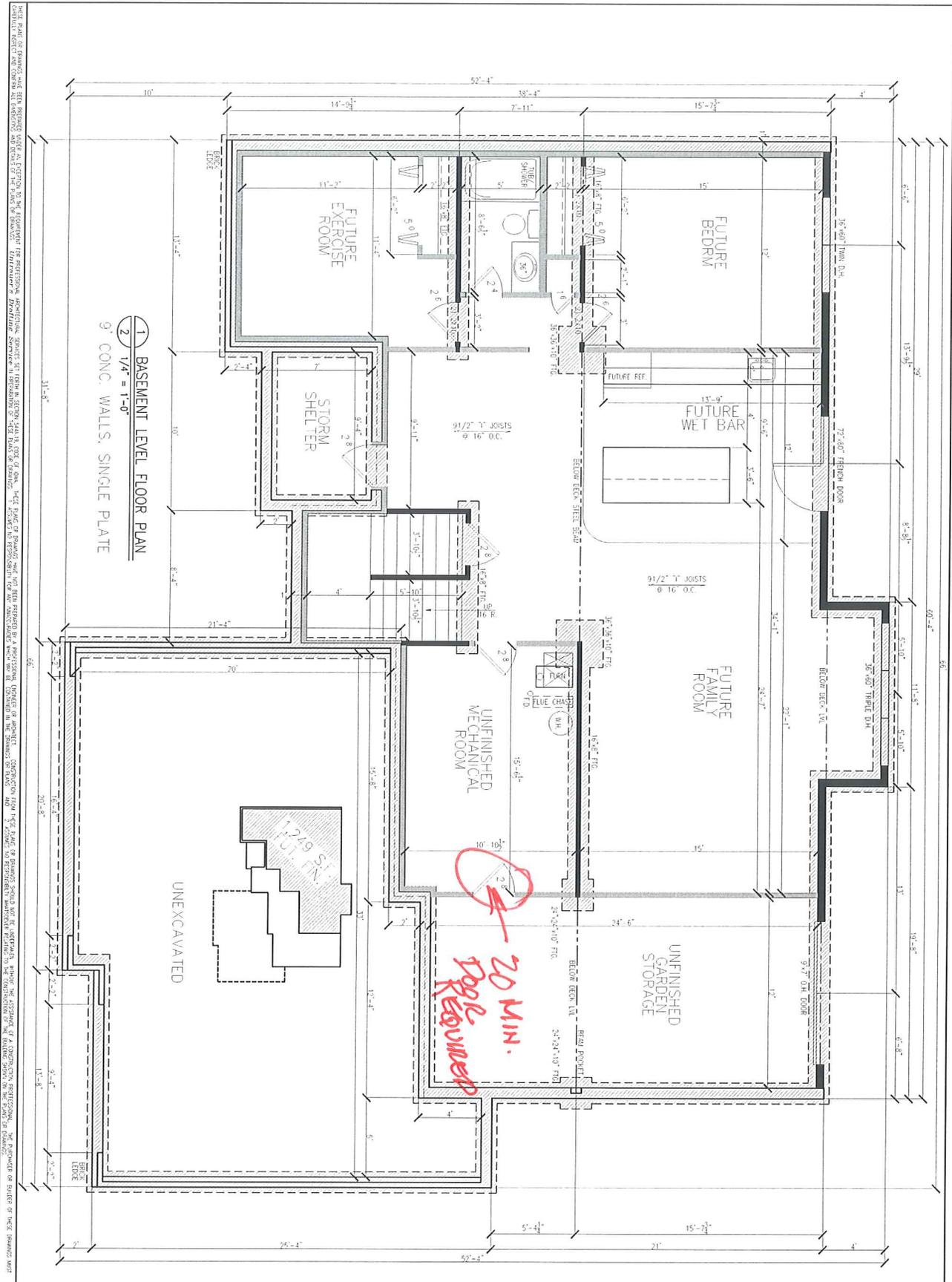


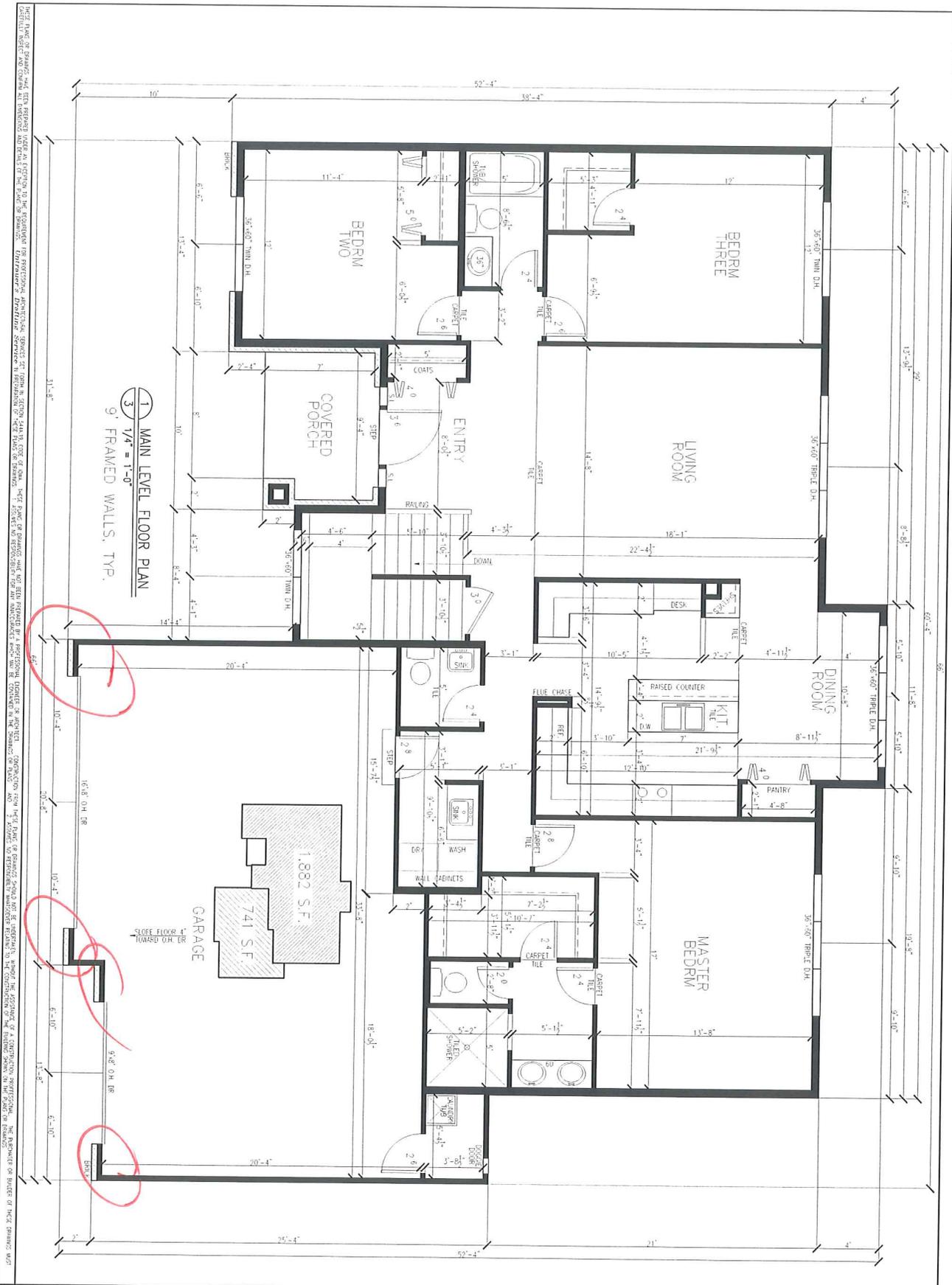
FIGURE 3 - GABLE END BRACE



REVISED	BY	DATE	DESCRIPTION
1	AK	4/29/12	AKL
2	CK	5/3/12	AKL

ANGELA & CORY KESSLER RESIDENCE
 LOT 13 THE MEADOWS SUBDIVISION, WEST BRANCH

Untrauer Drafting Service, Inc.
 2878 STERLING DRIVE, IOWA CITY, IOWA 52240 (319) 430-0760



1 MAIN LEVEL FLOOR PLAN
 3 1/4" = 1'-0"
 9' FRAMED WALLS, TYP.

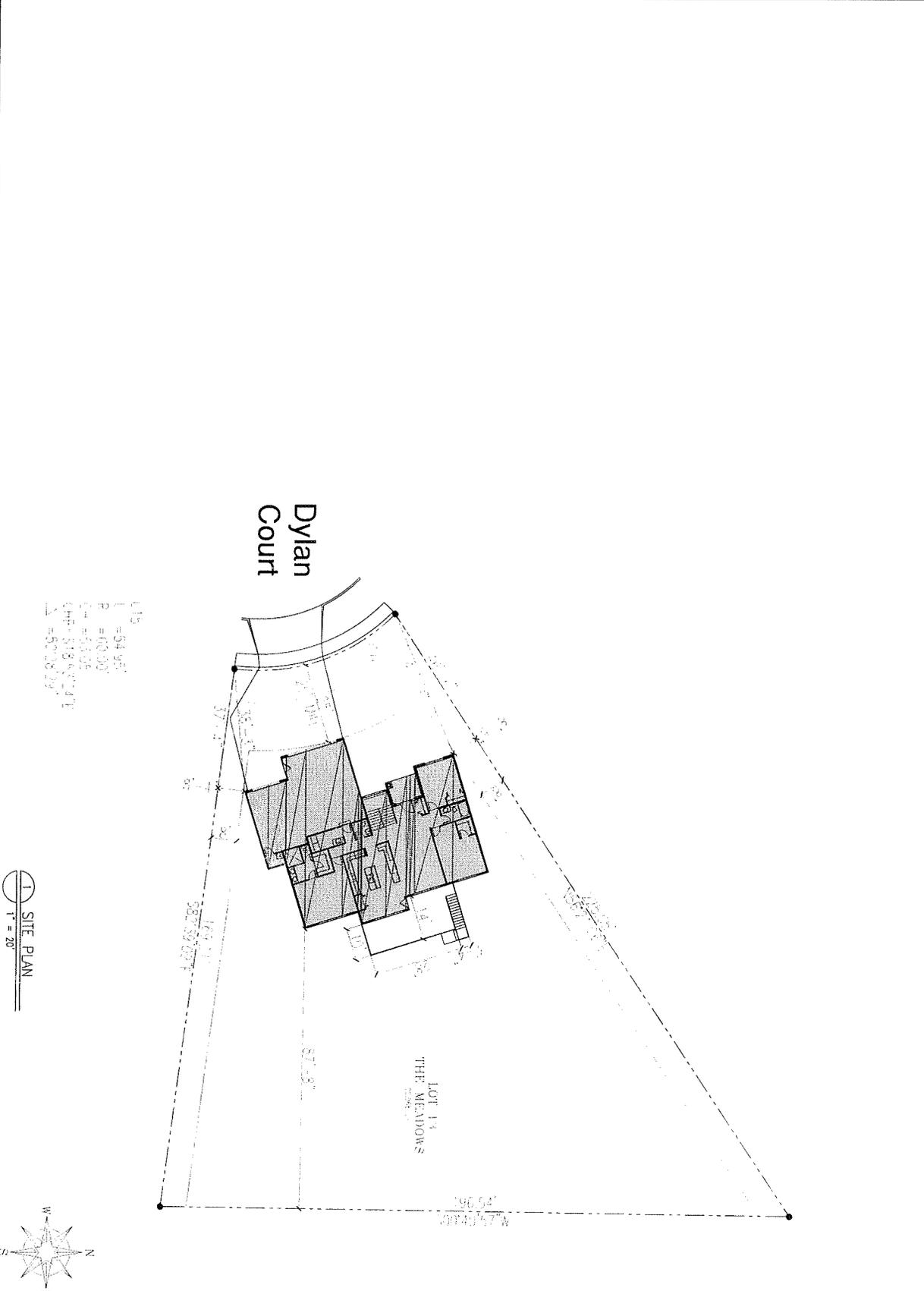
THIS PLAN OR SPECIFICATIONS ARE SUBJECT TO THE REQUIREMENTS OF THE APPLICABLE MUNICIPAL ORDINANCES, ORDINANCES OF THE CITY OF WEST BRANCH, IOWA, AND THE REQUIREMENTS OF THE IOWA DEPARTMENT OF REVENUE. THE CLIENT'S RESPONSIBILITY IS TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. THE ARCHITECT'S RESPONSIBILITY IS TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. THE ARCHITECT'S RESPONSIBILITY IS TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. THE ARCHITECT'S RESPONSIBILITY IS TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

REVISED	BY	DATE	DESCRIPTION
3	AK	5/3/12	FINAL

ANGELA & CORY KESSLER RESIDENCE
 LOT 13 THE MEADOWS SUBDIVISION, WEST BRANCH

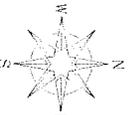
Untrauer Drafting Service, Inc.
 2878 STERLING DRIVE, IOWA CITY, IOWA 52240 (319) 430-0760

THIS PLAN IS PREPARED AND SET OUT IN ACCORDANCE WITH THE REQUIREMENTS OF THE MISSISSIPPI BOARD OF ARCHITECTURE. THE ARCHITECT ASSURES THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE AND BELIEF. THE ARCHITECT DOES NOT WARRANT OR GUARANTEE THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR FOR ANY OTHER MATTER ARISING OUT OF OR IN CONNECTION WITH THE DESIGN OR CONSTRUCTION OF THE PROJECT OR OTHERWISE. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED. THE ARCHITECT IS NOT RESPONSIBLE FOR ANY CONSTRUCTION DEFECTS OR FOR ANY OTHER MATTER ARISING OUT OF OR IN CONNECTION WITH THE DESIGN OR CONSTRUCTION OF THE PROJECT OR OTHERWISE.



LTB
 L = 54.96'
 R = 100.00'
 C = 60.00'
 CH = 58.75'
 Δ = 60.00'

1 SITE PLAN
 1" = 20'



REVISED BY	DATE	DESCRIPTION
1/1/12	1/1/12	1/1/12
SITE PLAN		

ANGELA & CORY KESSLER RESIDENCE
LOT 13 THE MEADOWS SUBDIVISION, WEST BRANCH

Untrauer Drafting Service, Inc.
 2406 SHERMAN DRIVE, NEW ORLEANS, LA 70240 (504) 381-2700

NOTICE

PUT IN A CONSPICUOUS PLACE ON THE JOB

BUILDING DEPARTMENT
CITY OF WEST BRANCH

BUILDING PERMIT NO. 24-12

IS ISSUED FOR THE CONSTRUCTION / ALTERATION OF A 203 Dylan Ct

OWNER Cory & Angela

ADDRESS 203 Dylan Ct

CONTRACTOR Self-general

INSPECTIONS

THIS MUST BE SIGNED IN ALL PLACES	BUILDING	FOOTINGS APPROVED	DATE <u>7-23-12</u>
		BY <u>[Signature]</u>	
		FRAMING APPROVED	DATE _____
	PLUMBING	BY _____	
		ROUGH IN APPROVAL	DATE <u>8-1-12</u>
		BY <u>[Signature]</u>	
ELECTRICAL	FINAL APPROVAL	DATE _____	
	BY _____		
	ROUGH IN APPROVAL	DATE _____	
		BY _____	

CITY OF WEST BRANCH
Building Department Inspection Report

ADDRESS: 203 DYLAN CT.

TYPE: FRAMING INSPECTION

DATE: 8-27-12 / PASSED FAILED
 CALL FOR REINSPECTION

ITEMS TO BE CORRECTED:

① NEED A "STRONGBACK" ON SOUTH GABLE END.

② NEED TO NAIL SHEATHING TO FRAMING MEMBERS ON ALL SIDES OF GARAGE DOOR OPENINGS AS SHOWN ON ATTACHED DIAGRAM.

INSPECTOR

Nolan Bognard

CITY OF WEST BRANCH
Building Department Inspection Report

ADDRESS: 203 DYLAN CT. *Angela & Cory Kessler*

TYPE: ELECTRICAL & PLUMBING ROUGH-INS

DATE: 9-21-12 PASSED FAILED
 CALL FOR REINSPECTION

ITEMS TO BE CORRECTED: _____

INSPECTOR *Nolan Bogard*

CITY OF WEST BRANCH
Building Department Inspection Report

ADDRESS: 203 DYLAN CT.

TYPE: ELECTRICAL SERVICE RELEASE

DATE: 9-28-12 PASSED FAILED
 CALL FOR REINSPECTION

ITEMS TO BE CORRECTED: _____

Please E-mail Alliant Energy to release the Electrical Service

Thank you.

INSPECTOR *Malcolm Loggins*

DONE
9-28-12

CITY OF WEST BRANCH
Building Department Inspection Report

ADDRESS: _____ 203 Ridge View Drive - Cory & Angie Kessler _____

TYPE: _____ Final Inspection for *Temporary Occupancy* _____

DATE: __11-16-12____ PASSED FAILED

CALL FOR REINSPECTION

ITEMS TO BE CORRECTED: 1. Exterior Stairs are not finished.

SEC. R311.7.5..1 *The maximum riser height shall be 7 3/4". Risers shall normally be closed from one tread to the tread above. However, risers for exterior stairs are permitted to be provided that the opening between treads does not permit the passage of a 4" dia. sphere..*

2. **SEC. R311.7.6.** *There shall be a 36" x 36" landing or floor at the top and bottom of each stairway. No landing is provided at the bottom of the exterior deck stairs.*

3. **SEC. 311.7.8.** *Handrails shall be provided on at least one side of each continuous run of treads or flights of stairs with four or more risers. All required handrails shall have an approved gripping surface. No approved handrail is provided on either side the deck stairs.*

4. **R311.3** *Need to provide a landing outside of the rear basement patio door. There shall be floor or landing on each side of each exterior door. The width of the landing shall be not less than the door served. Every landing shall have a minimum dimension of 36" measured in the direction of travel.*

5. **There is no counter top outlet provided for the island countertop. SEC. E3901.4.2.** *At least one GFCI receptacle outlet shall be installed at each countertop space with a long dimension of 24" or greater and a short dimension of 12" or greater.*

INSPECTOR _____

Nolan R. Bogard

City of West Branch

~A Heritage for Success~

Office of the City Administrator

July 8, 2013

During the original footing inspection I also inspected the footings for the rear deck. At that point the grade of the rear yard was somewhat lower. The original deck footing were signed off on with the house footings. Upon realizing how low the rear yard was the homeowner elected to raise the elevation of the yard. The contractor then drilled new holes over the first set of footings and poured on top of them. The footings near the home were left as they originally were. The footings out from the home were redrilled and are approximately 8' deep. I did not sign the footing inspection sheet again because they had previously passed.

Sincerely,



Matt Goodale
Public Works Director

Building Official
Certificate of Occupancy

And
Zoning Compliance
West Branch, Iowa

203 Dylan Court

This Certificate issued pursuant to the requirements of Section 110 of the *International Residential Code* certifying that at the time of issuance, this structure was in compliance with the various ordinances of the City regulating building construction or use for the following:

Use/Occupancy - R-3
Type of construction - V-B

Design occupant load - 10
Sprinkler system required - No

Single Family Dwelling

Name of Owner - Cory & Angela Kessler
Name of Builder - Self
Building Code Edition - 2009 IRC

Zoning District - R-1
Subdivision - The Meadows Subdivision
Lot - # 13

Nelson R. Bryan
Building Official

Date: 11-16-12 Temporary Certificate of Occupancy
Expires May 1, 2013

COPY

City of West Branch

~A Heritage for Success~

Office of the City Administrator

April 5, 2013

Cory and Angela Kessler
203 Ridge View Drive
West Branch, IA 52358

Dear Cory and Angela,

The open porch that was constructed on your property is in violation of the area regulations which apply to the R-1 Residence District detailed in Section 165.27.3.C. Section 165.15 states that exceptions or variances to these regulations can only be issued by written order of the Board of Adjustment. Section 165.18 explains the appeal process and Section 165.22 explains the powers of the Board of Adjustment. I have included with this letter an Application for Variance to Board of Adjustment.

You can appeal my determination that your open porch is constructed within the side yard setback or you could apply for a variance for the open porch to be located within the required setback. It is my opinion that a variance, if filed, should not be granted in this case because you caused a structure to be built without a permit, failed to obtain the appropriate (footing) inspection and most importantly caused a structure to be built in the minimum area required for a side yard in an R-1 District. The hardship in this case was not caused by the City, but rather by you as the applicant by causing the open porch to be constructed without a permit and within the required setback.

If you choose not to seek a variance, you need to remove the open porch from the south side of your garage within thirty days. The only deck or open porch structure that is listed on your current building permit (a 28' x 14' deck) is located on the back (east side) of your home. In the case that you wish to construct any structure not approved in your building permit you will need to contact the City Office to obtain a building permit prior to construction.

Sincerely,



Matt Muckler
City Administrator

CITATION

MUNICIPAL INFRACTION
VIOLATION OF AN ORDINANCE OF THE CITY OF WEST BRANCH

THE CITY OF WEST BRANCH)	
c/o Kevin D. Olson)	
1400 5 th Street, PO Box 5640)	NO. CISC _____
Coralville, Iowa 52241,)	
)	
Plaintiff)	
)	
vs.)	
)	
CORY KESSLER AND ANGELA)	
KESSLER,)	
203 Ridge View Drive,)	
West Branch, Iowa 52358,)	
)	
Defendants.)	

I, THE UNDERSIGNED, STATE THAT THE DEFENDANTS DID VIOLATE CHAPTER 165 OF THE CODE OF ORDINANCES OF THE CITY OF WEST BRANCH, CEDAR COUNTY, IOWA, AS FOLLOWS:

The Defendants own property located at 203 Ridge View Drive, West Branch, Iowa.

Defendants have erected a structure at 203 Ridge View Drive within the eight (8) foot required side yard setback in an R-1 District in violation of Section 165.27(3) of the Code of Ordinances of the City of West Branch, Iowa.

THE CITY OF WEST BRANCH, AS PLAINTIFF, SEEKS THE FOLLOWING:

- A. That the Defendants be assessed a civil penalty pursuant to the Code of Ordinances of the City of West Branch, Iowa, of \$100.00 per day for each day the violation continues, (total not to exceed the limits of small claims court, \$5,000), plus all court costs.

B. That the Defendants be ordered to comply with the Code of Ordinances of the City of West Branch, by removing the structure from the required side-yard setback.

TO ANSWER THE CHARGES OF THIS CITATION, DEFENDANTS MUST APPEAR IN COURT ON THURSDAY, JUNE 13, 2013 AT 9:00 A.M. AT THE CEDAR COUNTY COURTHOUSE, 400 CEDAR STREET, TIPTON, IOWA 52772.

FAILURE TO APPEAR WITHOUT GOOD CAUSE WILL RESULT IN JUDGMENT FOR THE CIVIL PENALTY AND COURT COSTS AND AN ORDER TO CORRECT AND/OR ABATE THE VIOLATION(S) BEING ENTERED AGAINST YOU.

If you require the assistance of auxiliary aids or services to participate in court because of a disability, immediately call your ADA coordinator at 1-319-398-3920 ext. 200. (If you are hearing impaired, call Relay Iowa TTY at 1-800-735-2942)

The undersigned attests that the matters herein forth are true and correct.

BY: 
Matt Muckler
City Administrator

Dated this 7th day of MAY, 2013. Phone No. 319-643-5888

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Cory + Angela
Kessler
203 Ridge View Dr.
West Branch, IA
52358

2. Article Number
(Transfer from service label)

7011 0470 0000 4427 4986

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature **X** *[Signature]* Agent Addressee

B. Received by (Printed Name) *Complexion* C. Date of Delivery *5-9*

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type

Certified Mail Express Mail

Registered Return Receipt for Merchandise

Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

Order stamps at usps.com/shop or call 1-800-Stamp24. Go to usps.com/clickship to print shipping labels with postage. For

@ For tracking or inquiries go to usps.com or call 1-800-222-1811.

Total: \$0.00

Expected Delivery: Wed 05/08/13
Return Ropt (Green Card)
Label #: 70110470000044274986
Customer Postage \$2.55
Subtotal: -\$6.11
\$0.00

Product Description	Sales Receipt Qty	Unit Price	Final Price
WEST BRANCH IA 52358			
Zone-0 First-Class Letter			\$0.46
0.50 oz.			
WEST BRANCH MPO WEST BRANCH, Iowa 523589669 1824162358 -0098 (319)643-2530			
05/07/2013			04:21:02 PM

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

WEST BRANCH IA 52358

OFFICIAL USE

Postage	\$ 0.46	2358
Certified Fee	3.10	01
Return Receipt Fee (Endorsement Required)	2.55	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	MAY 07 2013
Total Postage & Fees	\$ 6.11	05/07/2013

Sent To: Cory + Angela Kessler
Street, Apt. No., or PO Box No.: 203 Ridge View Dr.
City, State, ZIP+4: West Branch, IA 52358

PS Form 3800, August 2006 See Reverse for Instructions

9854 2244 0000 0440 TT02

City of West Branch

~A Heritage for Success~

Office of the City Administrator

May 15, 2013

Cory and Angela Kessler
203 Ridge View Drive
West Branch, IA 52358

Dear Cory and Angela,

I originally contacted you via e-mail on April 4, 2013 concerning an open porch that was constructed on your property is in violation of the area regulations which apply to the R-1 Residence District detailed in Section 165.27.3.C. That e-mail was followed by a letter sent on April 5, 2013 and then a municipal infraction which was issued last week.

To follow-up on our phone conversation from May 9th, I want to address three items: 1) answer your question about the potential construction of a floating slab, 2) provide a way that we could avoid our court appearance which is scheduled for Thursday June 13th, and 3) address your lack of a current occupancy permit.

In terms of a floating slab, the first point that needs to be made is that this would require a permit before it is constructed. A structure is defined in Section 165.04.42 as anything constructed or erected which requires location on the ground, but not including fences or walls used as fences less than six (6) feet in height, poles, lines, cables or other transmission or distribution facilities of public utilities. This definition would include a concrete slab. A floating slab extended into the setback does not meet the conditions of Section 165.11.4 or 165.11.1, so it would not be a

110 N. Poplar St. · PO Box 218 · West Branch, Iowa 52358 · Ph. 319-643-5888
matt@westbranchiowa.org · Fax 319-623-2305 · www.westbranchiowa.org

structure that I have the authority to permit (per Section 165.15). City Engineer Dave Schechinger has brought it to my attention that an open accessory off-street parking space would be an allowable use, however, you would need to provide a space of 180 square feet and have a driveway that connects it to a road. As I mentioned in my letter from April 5, 2013, you will need to contact the City Office to obtain a building permit prior to construction of any structure not approved in your building permit.

I appreciate receiving the phone call on May 9th and your pledge to address the issue of the open porch that was constructed on your property is in violation of the area regulations which apply to the R-1 Residence District detailed in Section 165.27.3.C. I am willing to work with you to avoid our court appearance scheduled for Thursday June 13th. In order to avoid this situation, I will need to know how you specifically plan to address the open porch issue prior to our scheduled court appearance. As I mentioned in my April 5, 2013 letter, the two potential ways to address this issue would be for you to apply for a variance through the Board of Adjustments or to remove the open porch. Please contact me as soon as possible to inform me as to how you wish to proceed.

Finally, you are currently living in your home without a current Certificate of Occupancy. You were issued a temporary certificate of occupancy on November 16, 2012. That temporary certificate of occupancy expired on May 1, 2013. I have included in this letter a copy of an inspection report which failed five items on November 16, 2012. Please call for a re-inspection at your earliest convenience so that our building inspector can verify that these items have been corrected and a certificate of occupancy can be issued.

Please feel free to contact me with any questions that you may have.

Sincerely,



Matt Muckler
City Administrator

Certificate of Occupancy

And
Zoning Compliance
West Branch, Iowa

203 Ridge View Drive

This Certificate issued pursuant to the requirements of Section 110 of the *International Residential Code* certifying that at the time of issuance, this structure was in compliance with the various ordinances of the City regulating building construction or use for the following:

Use/Occupancy - R-3

Type of construction - V-B

Design occupant load - 10

Sprinkler system required - No

Single Family Dwelling

Name of Owner - Cory & Angela Kessler

Name of Builder - Self

Building Code Edition - 2009 IRC

Zoning District - R-1

Subdivision - The Meadows Subdivision

Lot - # 13

Michael L. Boyard
Building Official

Date: 6-24-13

COPY

110 North Poplar
West Branch, IA 52358
319-643-5888
319-643-2305 FAX

CITY OF WEST BRANCH APPLICATION FOR BUILDING PERMIT

1. Location 203 Ridge View (or 203 Dylan Ct)
Street Address 203 Ridge View Dr Zoning Classification Meadows
Lot Number 13 Block _____ Addition _____
2. Property Owner Cory & Angela Kessler Telephone (515) 451-8983 *doesn't work*
Name _____ Telephone (319) 877-8066
Address 203 Ridge View Drive

3. Contractor Self
Name & Address _____ Telephone _____

4. Architect _____
Name & Address _____ Telephone _____

5. Reason for permit _____ New Building _____ Fence _____ Conversion of Use
 Bldg. Addition _____ Bldg. Relocation Old _____
_____ New Outbldg. _____ Sign _____ New _____

6. Building Use Residential

7. Residence # of families or housekeeping units the building will accommodate 1

8. Construction Type Deck - Non People Use Cost 200⁰⁰
Excluding Land

9. Dimensions Floor Sq. Ft. _____ Height from Final Grade _____ Lot Sq. Ft. _____
Depth of Yard: Front _____ Sides _____ Rear _____ see drawing.
Off Street Parking Spaces _____
Sign Dimensions and Square Feet _____

10. Indicate who will do the following tasks: Self Licensed Installer
Electric Wiring Installation N/A _____
Plumbing Installation _____
Gas Installation _____
Water Installation _____
Sanitary Sewer Installaton _____

11. Other Permits: Check here for other permits you or the contractor will be requesting
 Excavation & Curb Cut N/A Plumbing Permit & Insp.
 Electric Wiring Water Permit & Insp.
 Electric Wiring Approval & Insp. Sign Permit

Angela Kessler Approved PER STIPULATIONS
Signature of Applicant _____ Zoning Administrator _____
Permit Fee 23.50 (make check payable to City of West Branch) Date _____

The following items were discussed by City Administrator Matt Muckler, City Engineer Dave Schechinger and Public Works Director Matt Goodale on May 22, 2013. By signing below, the applicants acknowledge that the permit issued is pursuant to their compliance with the following stipulations:

1. Removal of the existing open porch that was constructed at 203 Ridge View Drive in violation of the area regulations which apply to the R-1 Residence District detailed in Section 165.27.3.C must take place prior to construction and no later than thirty days from the date that the building permit is issued.
2. A permanent certificate of occupancy must be obtained within thirty days from the date that the building permit is issued.
3. It is the responsibility of the applicants to ensure that the entire open porch structure is within the required setback per the area regulations which apply to the R-1 Residence District detailed in Section 165.27.3.C. No measurements submitted by the applicant or contained within the building permit application excuse the applicants from this requirement.
4. A footing inspection must be obtained prior to construction taking place. Please contact Matt Goodale at (319) 325-8213 or Paul Stagg at (319) 631-0716 to schedule an inspection.

removal of boards to get w/in set back
AK
5/23/13



Signature of Applicant



Zoning Administrator

110 North Poplar
West Branch, IA 52358
319-643-5888
319-643-2305 FAX

CITY OF WEST BRANCH APPLICATION FOR BUILDING PERMIT

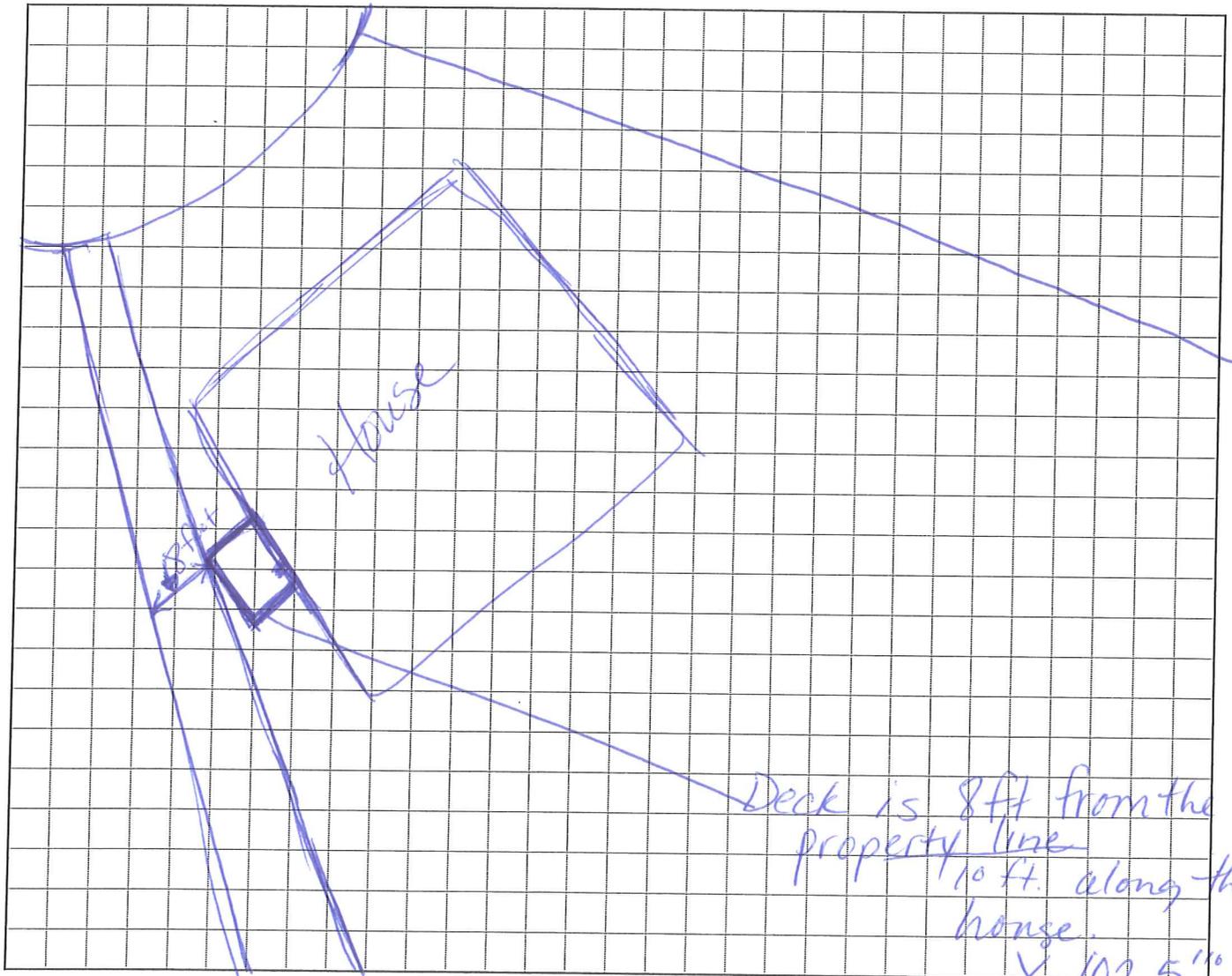
APPLICANT Cory & Angela Kessler

ADDRESS 203 Ridge View Dr West Branch IA

Please submit below, a sketch plan in support of your building permit application, showing the actual shape and dimensions of the lot on which construction will take place

1. Show street(s), with street name(s), if any, on proper side(s).
2. Show property lines and dimensions of the lot.
3. Show location of main structure (if any) from lot lines.
4. Show location of accessory structure(s) (if any) from the main structure and lot lines.
5. Show location of utility or access easements.
6. Show detail of fence (if any). (Format: x — x — x — x)

not to scale?



Deck is 8ft from the property line
10 ft. along the house.

X 102.5" inches out from the house

110 North Poplar
 West Branch, IA 52358
 319-643-5888
 319-643-2305 FAX

CITY OF WEST BRANCH APPLICATION FOR BUILDING PERMIT

1. Location 203 Ridge View Dr RI
 Street Address Zoning Classification
15 Meadows
 Lot Number Block Addition

2. Property Owner Cory & Angela Kessler 515 451 8983
 Name Telephone
203 Ridge View Dr
 Address

3. Contractor Concrete Contractors
 Name & Address Telephone

4. Architect N/A
 Name & Address Telephone

5. Reason for permit _____ New Building _____ Fence _____ Conversion of Use
 _____ Bldg. Addition _____ Bldg. Relocation Old _____
 _____ New Outbldg. _____ Sign New _____

6. Building Use Dogs - concrete slab

7. Residence # of families or housekeeping units the building will accommodate N/A

8. Construction Type Concrete slab Cost _____
 Excluding Land

9. Dimensions Floor Sq. Ft. 5x12 E/W / 1x4 in front Height from Final Grade _____ Lot Sq. Ft. _____

Depth of Yard: Front _____ Sides _____ Rear _____

Off Street Parking Spaces _____

Sign Dimensions and Square Feet _____

10. Indicate who will do the following tasks: Self Licensed Installer

Electric Wiring Installation	<u>N/A</u>	_____
Plumbing Installation	<u>N/A</u>	_____
Gas Installation	<u>N/A</u>	_____
Water Installation	<u>N/A</u>	_____
Sanitary Sewer Installaton	<u>N/A</u>	_____

11. Other Permits: Check here for other permits you or the contractor will be requesting

<input type="checkbox"/>	Excavation & Curb Cut	<input type="checkbox"/>	Plumbing Permit & Insp.
<input type="checkbox"/>	Electric Wiring	<input type="checkbox"/>	Water Permit & Insp.
<input type="checkbox"/>	Electric Wiring Approval & Insp.	<input type="checkbox"/>	Sign Permit

Angela Kessler Signature of Applicant Approved Denied [Signature] Zoning Administrator
 Permit Fee _____ (make check payable to City of West Branch) Date 7/8/13

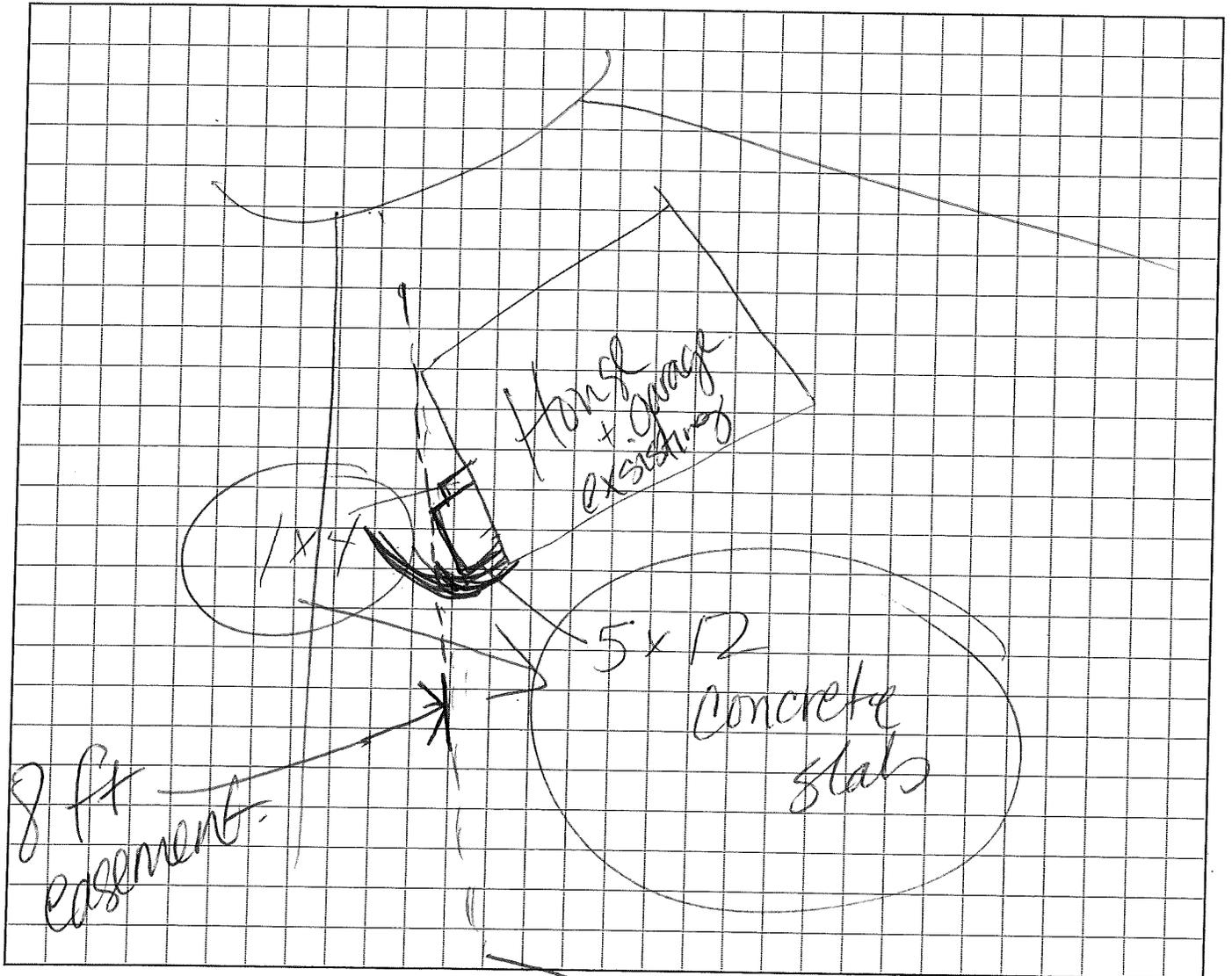
110 North Poplar
West Branch, IA 52358
319-643-5888
319-643-2305 FAX

CITY OF WEST BRANCH APPLICATION FOR BUILDING PERMIT

APPLICANT Angela Kessler
ADDRESS 203 Ridge View Dr

Please submit below, a sketch plan in support of your building permit application, showing the actual shape and dimensions of the lot on which construction will take place

1. Show street(s), with street name(s), if any, on proper side(s).
2. Show property lines and dimensions of the lot.
3. Show location of main structure (if any) from lot lines.
4. Show location of accessory structure(s) (if any) from the main structure and lot lines.
5. Show location of utility or access easements.
6. Show detail of fence (if any). (Format: x — x — x — x)



City of West Branch

~A Heritage for Success~

Office of the City Administrator

July 8, 2013

Cory and Angela Kessler
203 Ridge View Drive
West Branch, IA 52358

Dear Cory and Angela,

The retaining wall that was constructed on your property is in violation of the area regulations which apply to the R-1 Residence District detailed in Section 165.27.3.C. The only permitted obstructions permitted in required yards can be found in Section 165.11.

Section 165.15 states that exceptions or variances to these regulations can only be issued by written order of the Board of Adjustment. Section 165.18 explains the appeal process and Section 165.22 explains the powers of the Board of Adjustment. I have included with this letter an Application for Variance to Board of Adjustment. You can appeal my determination that your retaining wall is constructed within the side yard setback or you could apply for a variance for the retaining wall to be located within the required setback.

If you choose not to seek a variance or appeal my decision to the Zoning Board of Adjustment, you need to remove the retaining wall located on the south side of your garage within thirty days. Your current building permit for construction of an open porch with stipulations is still valid.

Sincerely,



Matt Muckler
City Administrator

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