



110 N. Poplar Street • PO Box 218 • West Branch, Iowa 52358
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ZONING BOARD OF ADJUSTMENT MEETING
Tuesday, May 15, 2018 • 7:00 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 165.30.B(3) – for a re-zoning request at 116 N. 1st Street./Move to action.
4. Adjourn

Board of Adjustment Members: Jennie Embree, Wayne Frauenholtz, Frank Frostestad, Neil Korsmo, Vacant
Zoning Administrator: Terry Goerdts • **Deputy City Clerk:** Leslie Brick • **Mayor:** Roger Laughlin
Council Members: Jordan Ellyson, Colton Miller, Brian Pierce, Jodee Stoolman and Nick Goodweiler
City Administrator/Clerk: Redmond Jones II • **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
PO Box 218
West Branch, IA 52358

City of West Branch Planning and Zoning Commission:

The city of West Branch has a need for additional rental housing; and Kami and David Poppen have identified a property that could create new housing. Our proposal is to convert the building located at 116 N 1st Street into a duplex. This property is located in the downtown area and will require a zoning change in order to proceed with this proposal.

Property description:

116 N 1st Street is a 2 story building. The lower level is currently vacant and has been vacant for several years, but it was last used as a doctor's office. The building also has an apartment on the 2nd level. Figures 1 and 2 show a photo of the building and the land.

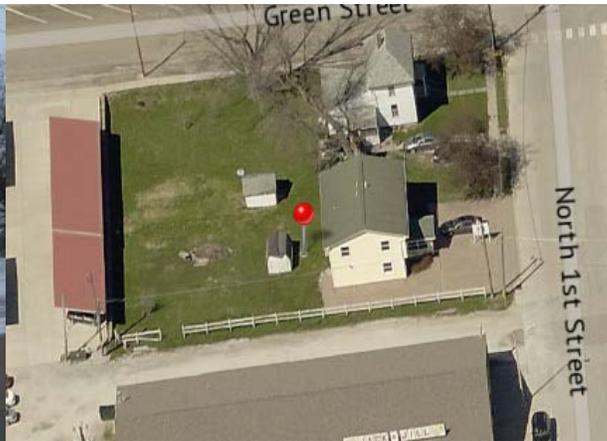


Figure 1: Photo of the front of the building

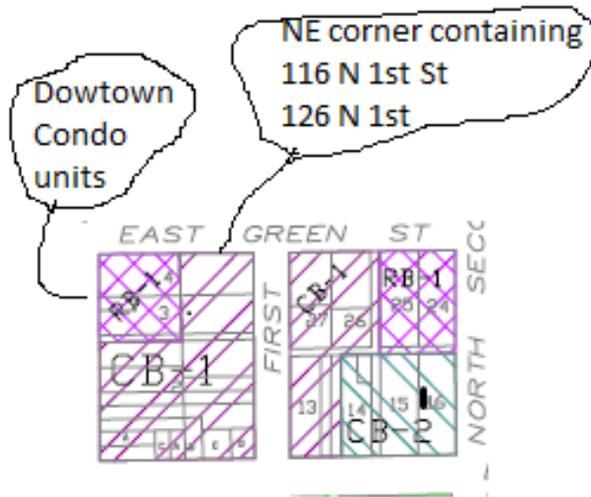
Figure 2: Aerial shot of 116 and 126 N First Street

Zoning Change request

The property is currently zoned as CB-1 which does not allow multi-family units. Thus we are requesting the city change the zoning to RB-1 (figure 3) to allow for multi-family units or business use on the property.

RB-1 is also the zoning for the downtown condo units in the NW corner of the block. Changing the zoning for the two properties in the NE corner, 116 N 1st and 126 N 1st, would make the entire North half of the block RB-1.

Figure 3 below showing the zoning for the corner of N Downey and E Green streets and Zoning for the corner of E Green and N 1st Streets.



Future Plans:

We have a long-term interest in acquiring additional property on the block, and if that were to happen we would be interested in combining the parcels and building additional multi-family units.

Figure 4 below shows the area for potential construction in the future if the area is rezoned to RB-1.



Please feel free to reach out to me at 319-471-3723 or DKpoppen@hotmail.com if you have any additional questions regarding our zoning change request.

Kind Regards,

David Poppen

May 8, 2018

City of West Branch
PO Box 218
West Branch, IA 52358

Dear City of West Branch Board of Adjustments:

The city of West Branch has a need for additional rental housing; and we (Kami and David Poppen) have identified a property that could create new housing. Our proposal is to convert the building located at 116 N 1st Street, West Branch into a duplex with residential housing on both the ground floor and the 2nd floor of the property.

Background:

This property is located in the downtown area that is currently zoned as CB1. CB1 zoning does not allow a property to be used for residential or multifamily housing on the ground floor; therefore, Dave Poppen had a meeting with the planning and zoning commission on Tuesday, May 2 requesting the zoning be changed to RB1 as RB1 zones do allow residential, business, and multifamily usage of a property.

The change to RB1 provides a great benefit to the community as it will enable us to repurpose a building that has been empty for several years and has been for sale on the market for over 3 years. This zoning will still allow for business use when a business presents itself as a candidate; however, I would also like to point out that we have looked for businesses to fill the property as have the current owners Mark and Emily Patton and neither party has been able to find any interest. On the contrary, we currently have rental properties in West Branch and have experienced 100% occupancy at all times which shows demand for more housing.

The ability to allow multifamily or residential use will open the door for new uses for the building and will provide new opportunities for small families to rent 3 bedroom units which are very rare in West Branch and have been identified as one reason the city is not growing. One obstacle to the change is the RB1 zoning requires a 25 ft. setback from the property line while this is not a requirement for CB1 zoning.

Planning and Zoning Approval:

The planning and zoning commission unanimously approved the zoning change request contingent on the property meeting the 25 ft. setback as the actual set-back was not known at the time of the meeting.

The city has worked with us to find the property line and we have confirmed the main building which is 42 ft long is 29.5 ft. from the property line; however, the vestibule on the front of the building which is around 12 ft. wide is only 19.5 ft. from the line so while most of the building meets the required setback the vestibule on the front does not meet the contingency requirement (figure 1).



Figure 1: GIS photo of 116 N 1st Street. Shows the distance of the vestibule and the overall property from the property line.



Figure 2: Parking in front of 116 N 1st Street is not affected by the Vestibule.

Board of Adjustment Variance Request:

We are coming to the BOA to request a special exception to the 25 ft. setback for the vestibule which is already constructed and serves the purpose of allowing entry to the upper unit of the building. Without the vestibule the stairs to the 2nd unit would not have the proper rise and run to meet code. Removal would make the property less desirable to live in for a resident which also makes the project less desirable to us as the buyers.

Figure 2 above also shows the vestibule does not affect parking as the car shown in the photo is parked in front of the vestibule yet it does not cross the sidewalk.

Figure 3 shows the front of 116 N 1st Street including the vestibule is set back further than 126 N 1st Street which is the property to the North, thus this vestibule is conforming with the neighborhood.

We should also comment that 126 N 1st is a residential property in the CB1 zone so it is currently non-conforming to the current code. Rezoning both 116 and 126 N 1st to RB1 and then granting the setback special exception would eliminate this issue as well.



Figure 3: Shows the alignment of 116 N 1st Street relative to 126 N 1st Street. The vestibule on 116 is set back further than the porch on 126 N 1st Street.

We request the opportunity to meet before the board to present the project and answer questions. In addition to the photos in the application, we have also attached the letter to the planning and zoning committee so you can see additional background information.

Kind Regards,

David Poppen
125 Bickford Drive
West Branch, IA 52358