



**Board of Adjustment
December 18, 2024
City Council Chambers, 360 N Main Street**

Members: Laura Hefley
Aly Metzger
Janet Norton
Eric Ruttum
Alan Wieskamp

1. **Roll Call:** The meeting was called to order by Chairperson Ruttum at 6:00 p.m. Members personally present were: Hefley, Ruttum and Wieskamp. Norton was present electronically. Metzger was absent.

Staff present: Planning Director Ryan Rusnak and City Attorney Grant Lientz

Others present: Appellants Joel and Dawn Baker were personally present and represented by attorney Melvin Shaw.

2. **Approval of the Agenda.** Motion by Ruttum, second by Hefley to approve the agenda. Vote to approve was 4-0.
3. **Election of Chairperson.** Motion by Ruttum, second by Hefley to elect Ruttum as Chairperson. Vote to approve was 4-0, with all members present voting in the affirmative.
4. **Election of a Vice-Chairperson.** Motion by Wieskamp, second by Hefley to elect Wieskamp as Vice Chairperson. Vote to approve was 4-0, with all members present voting in the affirmative.
5. **Public comment.** There was none.
6. **Appeal of Administrative Decision:** Request of Joel and Dawn Baker at 50 North George Street to appeal an administrative decision by the Code Official that a canopy attached to a detached garage causes the gross floor area of the detached garage to exceed the maximum 850 square foot limitation.

Ruttum read the item into the record.

The Board received procedural guidance throughout the hearing from City Attorney Grant Lientz.

Rusnak provided the staff presentation and background material for the request.

Shaw provided the applicant presentation and provided testimony of why the Code Official's decision should be overturned.

Support documentation was provided at the meeting and is attached to the minutes.

Rusnak provided the staff statement and provided testimony on why the Code Official's Decision should be upheld.

Shaw provided a rebuttal. Joel Baker and Dawn Baker provided testimony.

Rusnak provided a rebuttal.

There was Board discussion and deliberation.

Motion by Ruttum, second by Norton to accept the following three Findings of Fact:

1. In accordance with Section 167.01 of the North Liberty Code of Ordinances, the canopy and garage are one structure.
2. In accordance with Section 169.05 of the North Liberty Code of Ordinances only one detached accessory structure may exceed 200 square feet gross floor area:
 - a. A maximum of 850 square feet gross floor area if a detached garage;
 - b. A maximum of 600 square feet gross floor area if a structure besides freestanding garage.
3. A portion of the structure is a detached garage, and therefore, the entire structure is limited to a maximum 850 square feet gross floor area.

The Board voted to approve the Findings of Fact 3-1, with Ruttum, Norton, and Wieskamp voting in the affirmative, and Hefley voting in the negative.

Motion of Ruttum, second by Wieskamp to uphold the administrative decision by the Code Official that a canopy attached to a detached garage causes the gross floor area of the detached garage to exceed the maximum 850 square foot limitation, in violation of City Code. The vote to uphold the Code Official's decision was 4-0, with all members present voting in the affirmative.

7. Approval of Previous Minutes. Motion by Wieskamp, second by Ruttum to approve the previous minutes. Vote to approve was 4-0, with all members present voting in the affirmative.

8. Old Business. There was none.

9. New Business. There was none.

10. Adjournment. The Chairperson declared the meeting adjourned at 8:05 PM.