

**Participants wishing to speak on a topic should message the meeting moderator. All participants are asked to mute their individual computers at times when they are not speaking to minimize background noise. Join: <https://us02web.zoom.us/j/83279475384>*

**NOTICE OF A REGULAR MEETING
BONDURANT BOARD OF ADJUSTMENT
JULY 8, 2025**

NOTICE IS HEREBY GIVEN that a Regular Meeting of the City Council will be held at 5:00 PM on July 8, 2025, in the Bondurant City Center, 200 Second Street, Northeast, Bondurant, Polk County, Iowa. Said meeting is open, and the public is encouraged to attend.

AGENDA

1. Call to Order
2. Roll Call
3. Perfecting and Approval of the Agenda
4. Approval of Minutes
 - a. August 13, 2024 Minutes
5. **Action Items**
 - a. Public Hearing - consideration of a variance request to Section 177.02.1. of the Zoning Code to allow for an increase in maximum allowable fence height for a fence in the street-side yard to construct a 6-foot tall fence at 1001 Westridge Street SW.
 - b. Resolution BA-250708-01 - consideration of a variance request to Section 177.02.1. of the Zoning Code to allow for an increase in maximum allowable fence height for a fence in the street-side yard to construct a 6-foot tall fence at 1001 Westridge Street SW.
 - c. Election of Officers
6. Adjournment

City of Bondurant

Board of Adjustment
200 2nd St NE, PO Box 37
Bondurant, IA 50035



Meeting Minutes

DATE: August 13, 2024

1. Call to Order 5:22 p.m.

Board Members and City Staff gave brief introductions.

Place Bondurant City Library (106 2nd St NE, PO Box 37)

Special Note: Due to concerns of the COVID-19 virus and social distancing recommendations, access to the meeting was also provided through a virtual meeting

2. Roll Call

Members Present: Diane VanWyk, Matt Farver, Jolita Uthee

Members Absent: Greg Hanson, Jon Klein

City Officials Present: City Planner, Isaac Pezley

3. Perfecting and Approval of the Agenda

Motion by Member Uthee, seconded by Member VanWyk to approve of the August 13, 2024, meeting agenda. Vote on Motion 3-0-0. Motion carried.

4. Approval of Minutes

Motion by Member VanWyk, seconded by Member Uthee to approve of the July 11, 2024 meeting minutes. Vote on Motion 3-0-0. Motion carried.

5. Action Items

- a. Public Hearing – Case Number 104 – request for a variance to Section 177.02 of the Zoning Code to allow for a 6-foot tall wood fence to be placed in the street-side yard and front yard.

Public Hearing opened at 5:24.

Travis Bos with Bos Fencing, contractor and representative for the applicants, provided the Board an overview of the variance request. Pezley stated it is staff's opinion this property does not have a unique aspect as there are corner lots all over town. However, Pezley acknowledged the Board of Adjustment recently approved a variance request to allow for a fence to be placed in the street side yard setting a precedence. Pezley stated if the Board were to make a similar motion staff would request the portion of the fence extending into the front yard should be required to meet current fence height requirements. The applicants stated they had no issue building this section at 4-feet.

Farver stated he would prefer the fence to be closer to the north property line as it would look more in line with the fences of adjacent properties. Farver asked if there was a

reason the fence is proposed to be placed 16' from the property line. Bos stated there are existing mature trees along the northern property line, the fear is placing the fence closer to these trees may result in hitting tree roots and killing these trees. Farver stated that made sense and asked staff if a zoning code change to allow for fences in the street side yard would set a standard for setbacks. Pezley stated yes, if this variance is approved, staff would look at how other communities regulate fences in the street-side yard.

VanWyk asked for clarification of which portion of the fence was located in the front yard. Bos pointed out the portion located in the front yard. Uthee asked for clarification that the proposed fence was not enclosing the rear yard. Bos stated that is correct, the fence is serving more as a sound barrier.

Public Hearing closed at 5:39.

- g. Resolution BA-240813-06 – Case Number 104 – Motion on request for a variance request to Section 177.02 of the Zoning Code to allow for a 6-foot tall wood fence to be placed in the street-side yard and front yard.

VanWyk stated she has no issue with approving the variance but does not want to allow for the 6' fence to be placed in the front yard, Uthee and Farver agreed. The applicant stated they have no issue building that portion of the fence at 4-feet.

Motion by Member VanWyk, seconded by Member Uthee, to approve the amended Resolution No. BA-240813-06.

Roll Call – Ayes:, Member VanWyk, Member Farver, Member Uthee, Nays: None.
Absent: Member Hanson, Member Klein. Vote on Motion 3-0-0. Motion carried.

8. Adjournment

Motion by Member Farver, seconded by Member Uthee to adjourn the August 13, 2024, meeting. Vote on Motion 3-0-0. Motion carried.

Meeting adjourned at 5:43.



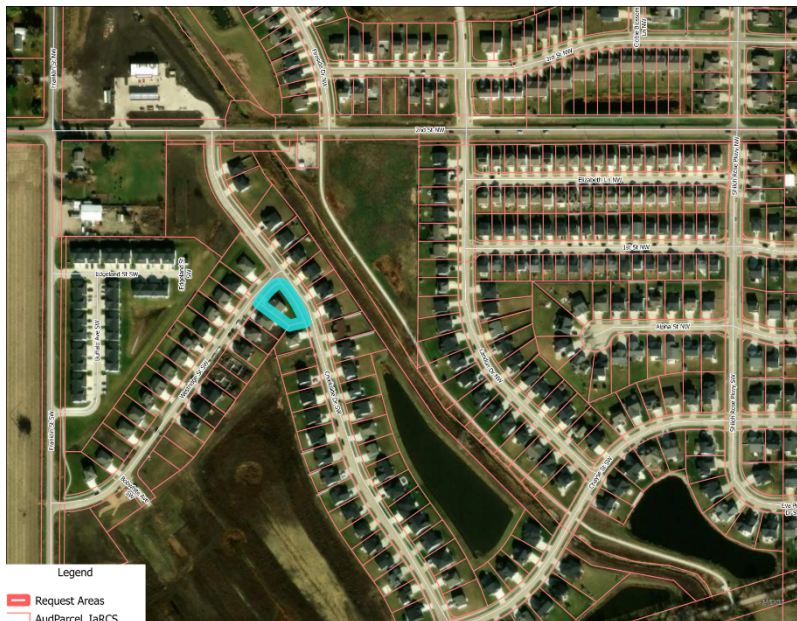
**BUSINESS OF THE BOARD OF ADJUSTMENT
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 5.a.
For Meeting of 7/8/2025
Public Hearing

TITLE: Public Hearing - consideration of a variance request to Section 177.02.1. of the Zoning Code to allow for an increase in maximum allowable fence height for a fence in the street-side yard to construct a 6-foot tall fence at 1001 Westridge Street SW.

CONTACT PERSON:

BRIEF HISTORY & ANALYSIS: The City has received a variance request for property located at 1001 Westridge Street SW and described as Lot 54 in Quail Run Plat 3. The submitted variance request is to allow for a variance to Section 177.02. of the Zoning Code to allow for an increase of the maximum fence height requirement in a street-side yard. The variance request is for the construction of a fence with a maximum height of 6' located in the rear and street-side yard of 1001 Westridge Street SW. Section 177.02.1. states a fence maximum height of 6' in street-side yards.



Kathleen Waters, 1001 Westridge Street SW, is requesting a variance to allow for the construction of a 6' fence that will be located in the rear and street-side yard. Section 177.02.01. states the maximum height of fences in a street-side yard is 4'.

1. Can the land in question still yield a reasonable return if the variance was not granted?

The land in question would still yield a reasonable return if the variance was not granted. A 6-foot fence has been constructed in the rear yard of the property.

2. Do special conditions and circumstances exist which are peculiar to the land, structure, or building involved?

Staff feels that special conditions and circumstances do not exist which are peculiar to the property involved. Corner lots are not unique, and still provide property owners with the ability to construct fences in all yards.

3. Do the special conditions and circumstances of Question 2 result from the actions of the applicant, or are they beyond the applicant's control?

Staff does not feel there are special conditions and/or circumstances that exist which are peculiar to the building involved.

4. Will granting the variance confer on the applicant any special privilege that is denied to other lands, structures, or buildings?

Staff does feel that granting a variance will confer on the applicant a special privilege due to the answers listed in Questions 2 and 3. Staff has enforced Section 177.02.01. on other properties in town and fences have been installed and met all fence related requirements. The property owner has shown that a fence can be constructed on the property and be located within the rear yard area.

5. Will granting the variance alter the essential character of the land in question?

Staff does not feel that granting this variance will alter the essential character of the land in question.

FUNDING SOURCE:

STAFF RECOMMENDATION:

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. 1001 Westridge St SW Fence Permit Application
2. Variance Request Written Narrative
3. 1001 Westridge St SW Variance Application

Submit Application to: info@cityofbondurant.com



City of Bondurant

200 Second St NE, PO Box 37 Bondurant, IA 50035 | Ph: 515-967-2418

FENCE PERMIT

\$65.00

Bondurant

TYPE OF FENCE: Wooden Chain Link Metal PVC-Plastic DATE: 05/21/2025

FENCE HEIGHT: 4' 6' Other: _____

See Page 2 for information on the Zoning Code's allowable fence height requirements.

LOCATION

CONTRACTOR

ADDRESS: 1001 Westridge St SW

NAME: Katheleen Waters

PHONE: 5159756671

EMAIL: waterskathleen@yahoo.com

RESIDENTIAL NON-RESIDENTIAL

COMPANY: ReVamp Fence & Deck

ADDRESS: 2400 SE Enterprise Dr, Ste 120, Grimes

PHONE: 2142504598

EMAIL: abby@revampfence.com

CONTACT NAME: Abigail Marley

Drainage Easement

Yes No

If yes then a 3" gap is required between the ground and the bottom of solid wood, PVC, and metal fencing to allow for water flowage (in the easement area). Questions? Email planning@cityofbondurant.com

City Code Requirement Notes (Chapter 177.02):

A site plan must be included as part of your fence permit application. You may use Page 2 for this requirement.

Confirming property lines, easements, and private restrictive covenants are strictly the responsibility of the property owner and/or contractor.

The finished surfaces of the fence shall face out toward adjacent properties and street frontages; meaning the supporting posts, rails, and other such supporting elements must face the property on which the fence is located.

If there is a transformer or utility pedestal proposed for enclosure within the fencing area, a gate or removable panel shall be incorporated into the design of the fence to ensure continued access back to such utility.

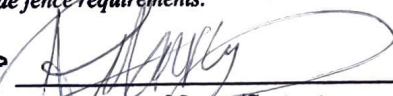
The following minimum fence setbacks shall be required for any existing electrical transformers or utility pedestals either on the property or within close proximity: at least 10' away from the front panels of such utilities and at least 3' away from the remaining sides. Alternatively a removable panel may be installed to meet these setback requirements.

Easements - fences constructed within utility easement areas are at risk; meaning the City is not responsible for repair/replacement should access ever be needed to the utilities within the easement area. See Drainage Easement section above for requirements specific to this type of easement.

Per State law, a property owner and/or contractor shall notify Iowa One Call by calling "811" or 1-800-292-8989 prior to digging.

Upon completion of project, a property owner and/or contractor shall contact Veenstra & Kimm to at (515) 225-8000 or at Jvan@v-k.net to schedule the required inspection.

Acknowledgment: I, the undersigned, declare that to the best of my knowledge all of the information given in this application is true and correct, and further agree that all work done under this permit will be done in compliance with all applicable City Code fence requirements.


Signature of Owner/Contractor

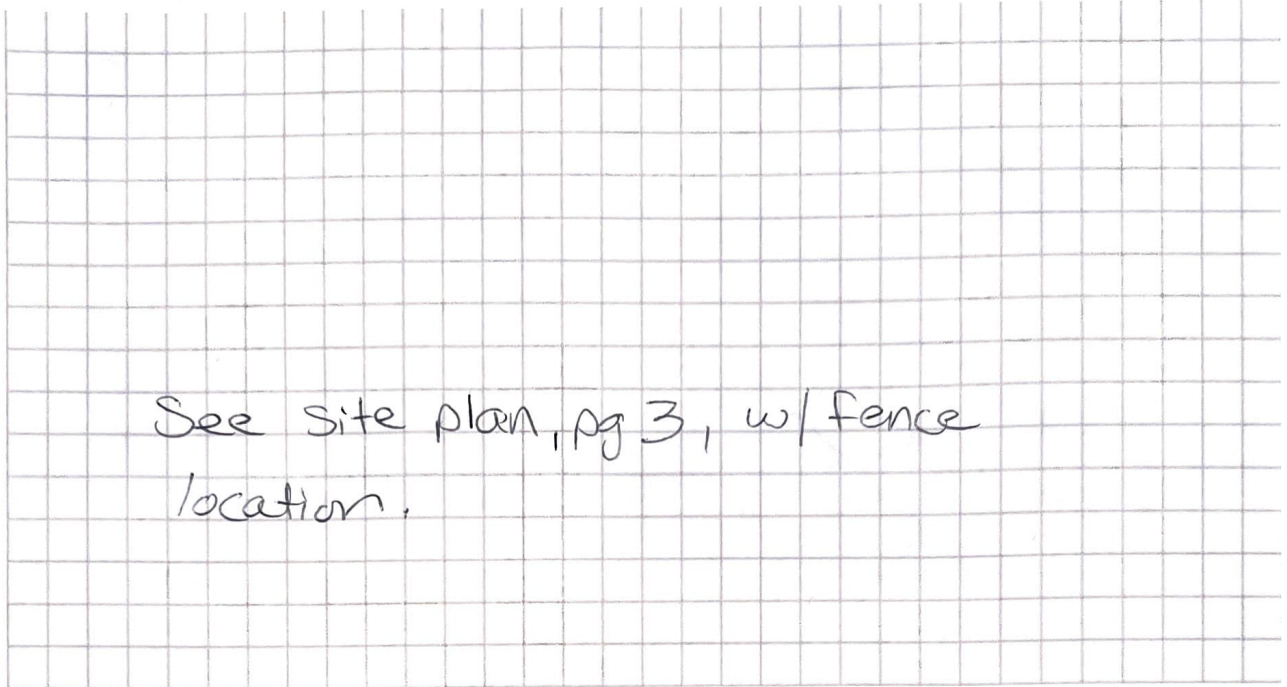
X _____
Building Official Approval Date

SITE PLAN (REQUIRED)

A site plan must be included as part of your fence permit application. You may use the template below for this required site plan. Alternatively, you may use an aerial view from an online website when generating your required site plan. Confirming property lines and easement areas is the responsibility of the property owner and/or contractor. **Site plan drawing to indicate:**

- ✓ Property lines
- ✓ Streets
- ✓ Existing buildings and structures
- ✓ Existing fences
- ✓ New fence location
- ✓ Area electrical transformers and utility pedestals (with fence setbacks labeled)
- ✓ North arrow
- ✓ Drainage easement(s)

Street Address: 1001 Westridge St SW



Allowable Fence Height Information - Residential

Non-Corner Lots

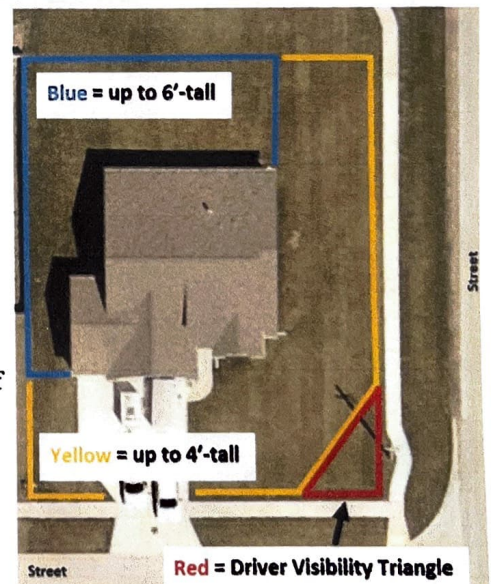
Fencing may be up to 4'-tall in areas closer to street than house. Fencing may be up to 6'-tall in areas even with/further back from street than house. See example allowable fence height map at right for non-corner lots.



For questions on allowable fence heights, please contact planning@cityofbondurant.com

Corner Lots

Fencing within 25'x25' driver visibility triangle dependent on area grades; contact planning@cityofbondurant.com. Fencing may be up to 4'-tall in areas closer to either street area than the house when outside of 25'x25' driver visibility triangle. Fencing may be up to 6'-tall in areas even with/further back from street areas than the house. See example allowable fence height map at right for corner lots.



We have proposed fencing for 1001 Westridge ST SW in Bondurant. Upon applying for our fence permit it came back as not approved, as according to city code 6' fencing is not aloud on corner lots of the rear yard, and were told it either needed to transition down to 4' or come straight off the back of the house, due to the city calling it a second front yard, as well as dealing with the sight of vision of the intersection. We believe we should be able to install our proposed fence in the location, as all of the fencing is in the rear of the yard, behind the house, comes off of the house 18' which is not all the way out to the sidewalk, we would continue up and around the perimeter of the property line the rest of the way around the rear yard. Our proposed fence, would not cause any danger to the intersection in the front of the house, as all the fencing is going to be behind the house. The customers have dogs they are waiting to move into their new house until the fence is finished and cannot due a 4' tall fence. If they were to go off of the back corner of the house as the city proposed, they would be cutting off more than half of their yard.



City of Bondurant

Planning and Community Development
200 2nd St NE, Bondurant, Iowa 50035
(515) 967-2418 • planning@cityofbondurant.com

BOARD OF ADJUSTMENT APPLICATION

Property Owner

Full Name **Katheleen Waters**
Address **1001 Westridge ST SW**
City **Bondurant** State **IA** Zip **50035**
Phone **5159756671** Email **waterskatheleen@yahoo.com**

Applicant (if not Property Owner)

Full Name **Revamp Fence & Deck**
Address **2400 SE Enterprise DR**
City **Grimes** State **IA** Zip **50111**
Phone **5154186205** Email **dylan@revampfence.com**

CONDITIONAL USE PERMIT

Submittal Requirements:

All submittal requirements must be completed. Incomplete applications will not be considered.

Property Address or Parcel ID Number:

[Redacted]

- Completed Application
- Filing Fee: \$350
- Written narrative indicating the conditional use sought and response to criteria outlined for said conditional use.
- Legal Description of Subject Parcel(s)
- Other information as required

VARIANCE

Submittal Requirements:

All submittal requirements must be completed. Incomplete applications will not be considered.

Property Address or Parcel ID Number:

1001 Westridge ST SW

- Completed Application
- Filing Fee: \$350
- Site plan and Elevations (when applicable)
- Written narrative indicating justification for the proposed variance in relation to findings of fact outlined in the City of Bondurant's Code of Ordinances in Section 27.02.2. (see page 2)
- Legal Description of Subject Parcel(s)
- Other information as required

The undersigned hereby certifies that all information provided is complete and accurate to the best of the undersigned's knowledge, and that all information required by this application or by the Board's staff on its behalf has been provided.

Signature **Dylan Courtney**

Date **06/02/25**

FOR OFFICE USE ONLY

BOA Agenda Date

Case No.

Received Date



City of Bondurant

Planning and Community Development
200 2nd St NE, Bondurant, Iowa 50035
(515) 967-2418 • planning@cityofbondurant.com

BOARD OF ADJUSTMENT APPLICATION

CONDITIONAL USE PERMITS

Conditional uses require closer scrutiny and analysis to the subject property and its surroundings due to the special impacts or uniqueness of these types of developments. Each conditional use may have specific requirements for the type of use proposed. Please review your zoning districts permitted conditional use section within the city of Bondurant’s Code of Ordinances under Chapter 178 ‘District Regulations’.

Notifications

Notice of a public hearing is provided to the owner of the property via mail or email and to the public through a publication in a local newspaper. Properties within two-hundred (200) feet will receive a mailing from the city.

BOARD OF ADJUSTMENT MEETINGS

The Board of Adjustment meets the 2nd Tuesday of each month at 5:00pm at the City Hall. Agenda packets are posted to the City of Bondurant’s website for each meeting. Please visit the following link for all agendas and meeting minutes:

CityofBondurant.com/Minutes-and-Agendas

PAYMENT OF APPLICATION FEES

Permit application fees can be paid by a check made payable to the City of Bondurant or through our online payment portal:

MunicipalOnlinePayments.com/Bondurantia

VARIANCES

A variance is not a zoning change, but instead a project –specific change in requirements allowed on a specific property. Variances do not involve the establishment of new codes, regulations, or policies. Instead, a variance allows a deviation from certain provisions of the zoning code and its standards due to specific circumstances.

Notifications

Notice of a public hearing is provided to the owner of the property via mail or email and to the public through a publication in a local newspaper. Properties within two-hundred (200) feet will receive a mailing from the city.

Findings of Fact

The following questions must be answered and submitted by the applicant as part of a submittal for a variance. A variance cannot be granted unless all findings of fact can be answered favorably for the request.

1. Can the land in question still yield a reasonable return if the variance was not granted?

This asks whether the property owner could establish any beneficial use on their property without a variance.

2. Do special conditions and circumstances exist which are peculiar to the land, structure, or building involved?

Special conditions or platting features peculiar to the lot itself must be precluding the applicant from complying with the zoning code. This may include physical features such as steep slopes or floodplains. These conditions and circumstances must be unique to the parcel in question.

3. Do the special conditions and circumstances of Question 2 result from the actions of the applicant, or are they beyond the applicant’s control?

Provide evidence that the hardship is not self-imposed.

4. Will granting the variance confer on the applicant any special privilege that is denied to other lands, structures, or buildings relative to the property?

Explain how the variance is not advocating for rights superior to neighboring properties or those in the same zoning district.

5. Will granting the variance alter the essential character of the land in question?

Though granting the variance allows deviation from the zoning code, the variance must not change the intent of the Code or change the character of neighbors who are in the same zoning district.



**BUSINESS OF THE BOARD OF ADJUSTMENT
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 5.b.
For Meeting of 7/8/2025
Resolution

TITLE: Resolution BA-250708-01 - consideration of a variance request to Section 177.02.1. of the Zoning Code to allow for an increase in maximum allowable fence height for a fence in the street-side yard to construct a 6-foot tall fence at 1001 Westridge Street SW.

CONTACT PERSON:

BRIEF HISTORY & ANALYSIS:

FUNDING SOURCE:

STAFF RECOMMENDATION: The following options exist for the Board of Adjustment:

1. Approval of BA-250708-01 regarding approval of the variance request to Section 177.03.4.H. of the Zoning Code to allow for an increase in maximum allowable fence height for a fence in a street-side yard to construct a 6'-tall fence at 1001 Westridge Street SW.
2. Approval of BA-250708-01 regarding approval of the variance request to Section 177.03.4.H. of the Zoning Code to allow for an increase in maximum allowable fence height for a fence in a street-side yard to construct a 6'-tall fence at 1001 Westridge Street SW, subject to appropriate conditions and safeguards as allowed by Chapter 27 of the City Code.
3. Denial BA-250708-01 regarding approval of the variance request to Section 177.03.4.H. of the Zoning Code to allow for an increase in maximum allowable fence height for a fence in a street-side yard to construct a 6'-tall fence at 1001 Westridge Street SW.
4. Table BA-250708-01 pending additional input.

APPROVED FOR SUBMITTAL:

ATTACHMENTS:

1. BOA Permit - Case #105

**BOARD OF ADJUSTMENT PERMIT
VARIANCE**

Date: August 13, 2024 **Case Number:** BA-250708-01 (#105)

Name: City of Bondurant

Address: 1001 Westridge Street SW.

Legal Description:

LOT 54 QUAIL RUN PLAT 3.

IS HEREBY APPROVED/DENIED A VARIANCE to Section 177.02. of the Zoning Code to allow for the placement/construction of a fence in the street side yard on property located at 1001 Westridge Street SW and located in a Planned Unit Development (PUD) District.

All construction activities covered by this Variance Permit shall be done in strict accordance with the written application.

Greg Hanson, Chairperson



**BUSINESS OF THE BOARD OF ADJUSTMENT
BONDURANT, IOWA
AGENDA STATEMENT**

Item No. 5.c.
For Meeting of 7/8/2025
Motion

TITLE: Election of Officers

CONTACT PERSON:

BRIEF HISTORY & ANALYSIS:

FUNDING SOURCE:

STAFF RECOMMENDATION:

APPROVED FOR SUBMITTAL:

ATTACHMENTS: None