

**City of Carlisle, Iowa**  
**Zoning Board of Adjustment Meeting**  
**Tuesday, August 1, 2023**  
**6:30 P.M.**  
**Carlisle City Hall**

Join Zoom Meeting - <https://zoom.us/j/9951930479>

Meeting ID: 995 193 0479

One tap mobile – Call 1-312-626-6799, enter 995 193 0479# when prompted

We encourage all videoconferencing or calling in to let staff know who you are for the record and then mute your microphone or phone until you would like to speak to provide a better overall experience.

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Call to order

Determine quorum

Public Hearing

Public Hearing for fence permit variance for side yard requirement for Matthew and Denise Sellers at 560 North 9th Street

Action Item

Consider Request for fence permit variance for side yard requirement for Matthew and Denise Sellers at 560 North 9th Street

Adjournment

## Memo

**To:** Board of Adjustment  
**From:** Deven Markley, City Administrator  
**Date:** July 27, 2023  
**Re:** August 1, 2023 Board of Adjustment Meeting

The property owners at 560 North 9<sup>th</sup> Street desires to put a fence for a future swimming pool on the property. The property is a corner lot. After conversation with the city attorney, a front setback requirement is used for the North 9<sup>th</sup> Street frontage. The Woodland Drive frontage must meet specific side yard requirements and any fence requirements. In my conversations with the city attorney, both frontages are considered front yards. There is a pre-existing non-compliant shed within the Woodland Drive setback.

Swimming Pool ordinance section 157.04(6) reads:

Every outdoor swimming pool shall be completely surrounded by a fence or wall not less than six (6) feet in height and at least four (4) feet from each side of the pool. The fence or wall shall be non-climbable and shall be constructed sufficiently strong and of such structural design as to make the pool inaccessible to small children. There shall not be a distance greater than ten (10) feet between fence posts.

In the Fences, Walls, and Vision Clearance section of the Zoning Regulations- General Regulations ordinance, section 166.09(2) reads:

In any district, fences and walls not exceeding six feet in height are permitted within the limits of side and rear yards. Only a picket-style, ornamental fence, or vinyl coated black chain link, not exceeding four feet (4') in height, is permitted within the limits of front yards. In the case of retaining wall supporting embankments, the above requirements shall apply only to that part of the wall above the ground surface of the retained embankment.

The fence section of the code allows only a 4 foot high picket, ornamental, or vinyl coated black chain link in the section of the yard between the sidewalk and the face of the house. The swimming pool code requires a six foot non-climbable fence or meet the barrier requirement laid out in section 157.05 of the code referencing Appendix G of the International Building Code on Swimming Pools, Spas, and Hot Tubs. This barrier can include a specific fence barrier or a power safety cover.

In the packet is the variance application with signatures, overhead map of property location, and drawing of existing fencing as it relates to features on the property.

Please let me know if there are any questions or if you would like additional information gathered for the meeting.

Respectfully,

Deven Markley,  
City Administrator



CITY OF CARLISLE, IOWA
VARIANCE APPLICATION

(Please print. Any Non-Legible Application Can Be Rejected.)

- 1. \$10.00 Fee Receipt No.
2. Applicant: Matthew + Denise Sellers
3. Address: 560 N. 9th St
4. Phone: 515-664-6332
5. Legal Description: 3-77-23 North River Terrace Plat 2, Lot 54

6. On June 19, 2023 the undersigned property owner made application to the Carlisle Zoning Administrator for the following: 6 ft. privacy fence. See plans.

7. Applicant hereby appeals the denial to the Carlisle Board of Adjustment and requests the following variance so as to allow the use applied for: Fully approved permit, per attached plans. For future swimming pool.

8. Names and Addresses of all Property Owners within 300 Feet of Property for Which the Variance is Being Requested. (Use Extra Sheet if Needed)

Table with 3 columns: Printed Name, Address, Signature. Rows include Tracey Mikeseil and Taylor Sawatzky.

Printed Name

Address

Signature

Jeanine Petro 575 N 9th St Jeanine Petro

CHAZ RIDENOUR 585 N 9TH ST

Kaleb Durham 600 N 9th st. Kaleb Durham

Alicia Clark 930 woodland Dr. Alicia Clark

Lizette Thuman 925 Woodland Dr Lizette

Adam Bergstrom 550 N 9th St

Roy Spangenburg 920 Woodland Roy Spangenburg

Christine Townsend 1005 Woodland Drive

Empty lines for additional entries.

9. Attach a drawing or plat showing the requested variances and the properties immediately adjacent to the property for which the variance is being requested.

7-14-23

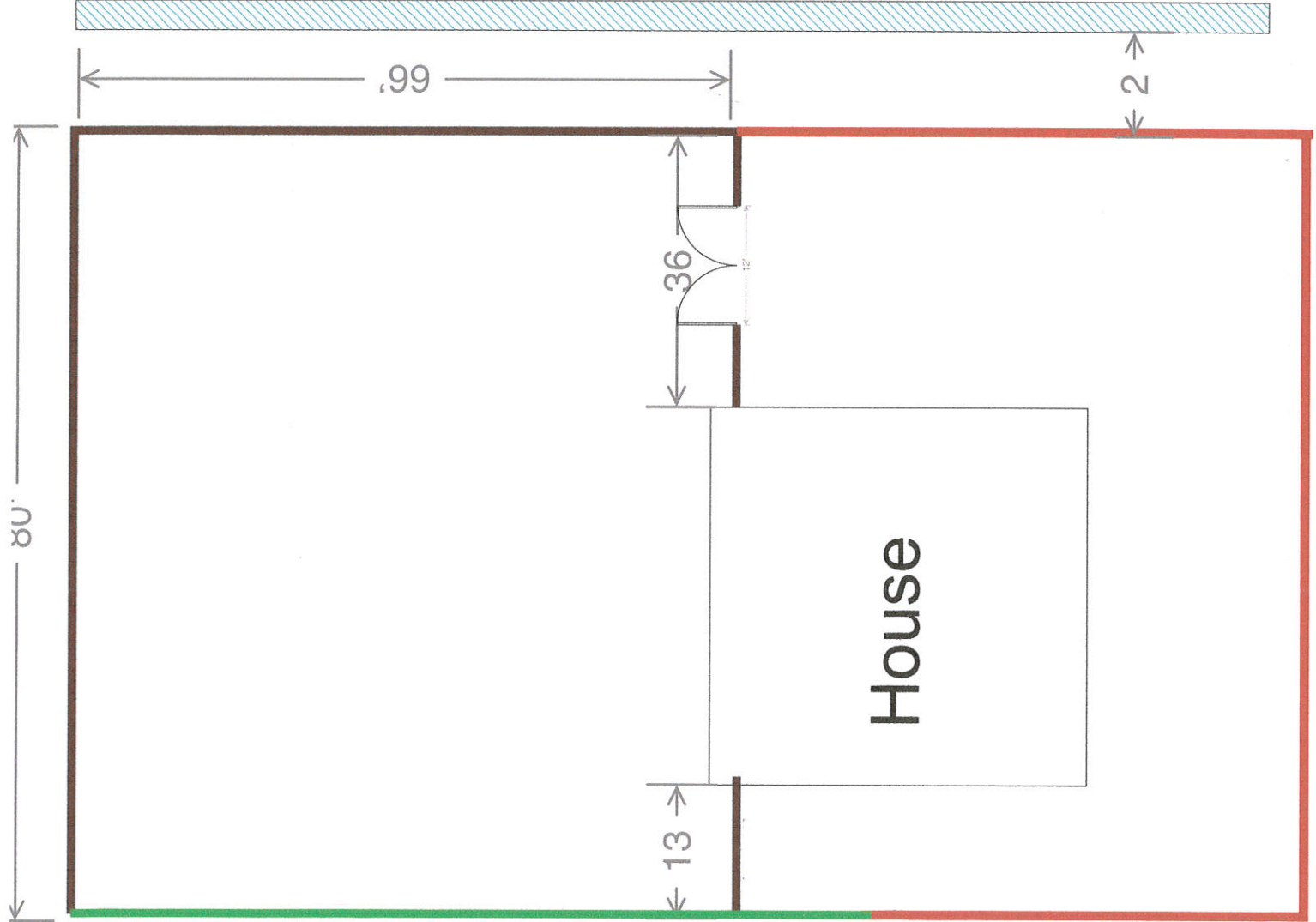
DATE

Alicia Seller

APPLICANT'S SIGNATURE

Alicia Seller





**Lot Lines**

**Proposed fence**

**Existing fence owned by others**

**City sidewalk**