



**North Liberty Board of Adjustment
Wednesday, December 18, 2024, 6:00 PM
North Liberty City Council Chambers
360 North Main Street, North Liberty, Iowa 52317**

This meeting may be accessed live by the public in person or on the internet at northlibertyiowa.org/live, on Facebook at facebook.com/northliberty or on YouTube at youtube.com/northliberty. Meetings are rebroadcast on cable and available on-demand on northlibertyiowa.org.

Call to Order

- 1. Roll Call**
- 2. Approval of the Agenda**
- 3. Election of Chairperson**
- 4. Election of a Vice-Chairperson**
- 5. Public Comment** on any topic not on the agenda
- 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.
 - a. Staff Presentation
 - b. Applicant/Appellant Statement
 - c. Staff/Appellee Statement
 - d. Rebuttal by Applicant/Appellant
 - e. Rebuttal by Staff/Appellee
 - f. Board Discussion and deliberation
- 7. Approval of Previous Minutes**
- 8. Old Business**
- 9. New Business**
- 10. Adjournment**



To **City of North Liberty Board of Adjustment**
 From **Ryan Rusnak, Planning Director**
 Date **December 12, 2024**
 Re **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.**

Organizational Matters:

Section 166.01(6) of the North Liberty Code of Ordinances provides for an appeal of an interpretation by the Code Official to be submitted to the Board of Adjustment and such interpretation shall be considered final.

In accordance with adopted Procedural Rules:

Formal decisions shall be made in writing, setting forth findings of fact and conclusions of law, as required by Iowa Law.

Request Summary:

This application appeals the Code Official's decision that a canopy (constructed without a building permit) attached to a detached garage causes the garage to exceed the maximum 850 square foot maximum foot floor limitation. Johnson County Assessor records indicates that the canopy is 297 square feet in area.

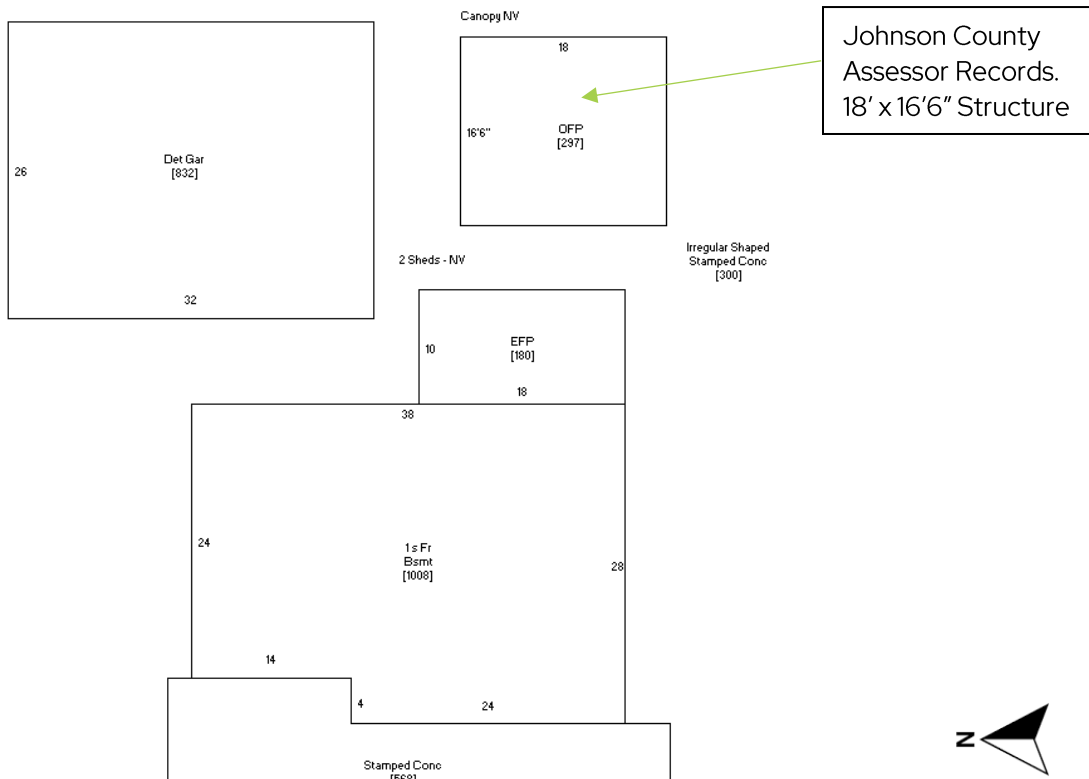
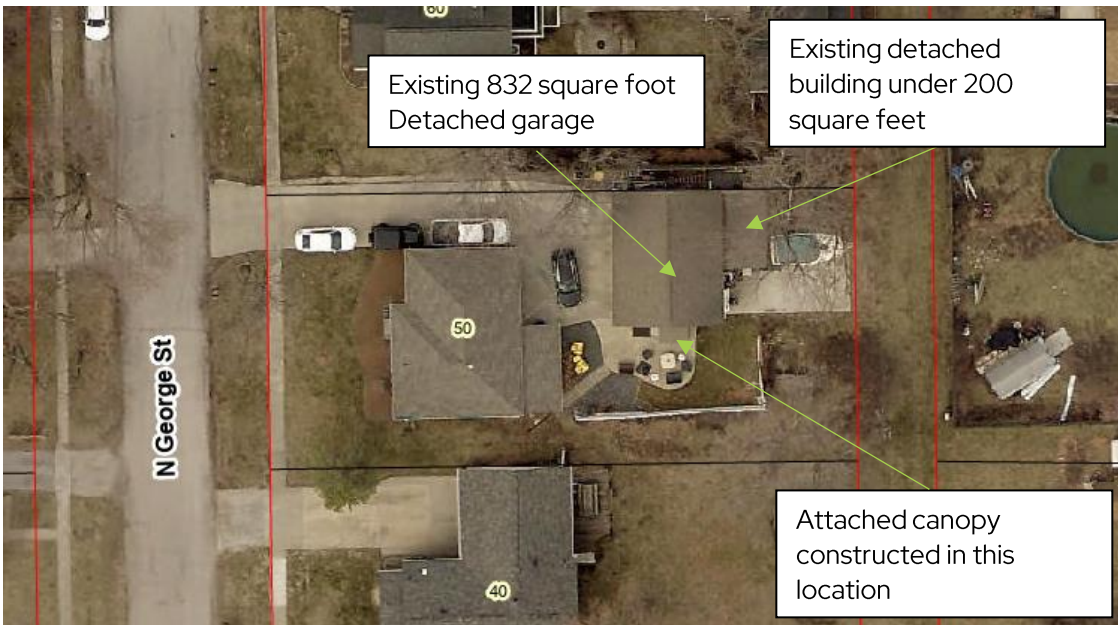




Image Capture by City Staff on May 15, 2024



2023 Johnson County GIS Map (Canopy not shown since it was constructed in 2024)

Summary of Events Leading up to this Request:

1. Spring 2024. The City became aware of an attached structure being constructed without a building permit.
2. May 20, 2024. City staff member Clint Conklin sends a courtesy letter via regular mail. See Exhibit A.
3. June 17, 2024. City staff member Clint Conlin sends a notice of violation letter via regular and certified mail. See Exhibit B.
4. September 18, 2024. City staff members Ryan Rusnak (Planning Director), Ben Yoder (Senior Building Inspector) and Clint Conklin (Planning Technician) meet with Joel and Dawn Baker. During this meeting, the Baker's indicated it was their interpretation that the structure was a canopy and separate from the garage. Therefore, the garage did not exceed the maximum gross floor area of 850 square feet. Ryan Rusnak indicated that staff would research this and follow up.
5. September 24, 2024. Code Official Ryan Rusnak sends a Zoning Ordinance interpretation letter. See Exhibit C.
6. October 25, 2024. The application appealing the Code Official's decision is submitted. See Exhibit D.

Current Zoning and Relevant Zoning Ordinance Regulations:

The property is currently zoned RS-8 – Single-Unit Residence District. This is a residential zoning district.

Section 169.05(2) of the North Liberty Code of Ordinances reads:

2. Freestanding Garages, Storage Buildings, Greenhouses, Gazebos, Pergolas, and other Similar Structures greater than 200 Square Feet Gross Floor Area.
 - A. RS, RD and ID districts shall be subject to the following:
 - (1) A maximum of one freestanding garage building, greenhouse, gazebo, pergola, or other similar structure greater than 200 square feet gross floor area.
 - (2) Freestanding garages. A maximum gross floor area of 850 square feet. RS district exception: on properties exceeding .5 acres but less than .75 acres, the maximum gross floor area shall be 1,000 square feet. On properties exceeding .75 acres but less than one acre, the maximum gross floor area shall be 1,200 square feet. On properties exceeding one acre, the maximum gross floor area shall be 1,400 square feet. Notwithstanding the foregoing, the gross floor area shall not exceed the total footprint of the residence.
 - (3) All other structures besides freestanding garages. A maximum gross floor area of 600 square feet.
 - (4) May be located within the rear yard subject to a five foot side and rear setback.
 - (5) May be located within a side yard subject to meeting the required side and rear yard setbacks for the main building.
 - (6) Must be situated a minimum 20 feet from a public or private right-of-way or improved alley.

- (7) May not be located within any utility, sewer, drainage, access or walkway easement, where such easement is dedicated to the City or to public use.
- (8) A maximum height of 15 feet.

Section 167.01 of the North Liberty Code of Ordinances (Canopy, Private Garage, Gross Floor Area and Structure only) reads:

"Canopy" means a roofed structure constructed of fabric or other material supported by the building or by support extending to the ground directly under the canopy placed so as to extend outward from the building providing a protective shield for doors, windows, and other openings.

"Garage, private" means a structure, either attached or detached, designed and/or used for the parking and storage of vehicles as an accessory structure to a residence.

"Floor area, gross" means the sum of the horizontal areas of floors of a building measured from the exterior face of exterior walls or, if appropriate, from the centerline of dividing walls; this includes courts and decks or porches when covered by a roof.

"Structure" means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Staff Statement:

Section 169.05 provides for the following:

- A maximum of one freestanding garage building, greenhouse, gazebo, pergola, or other similar structure greater than 200 square feet gross floor area.
- If the structure greater than 200 square feet gross floor area is a detached garage, it may be allowed up to 850 square feet.
- If the structure greater than 200 square feet gross floor area is not a detached garage, it may be allowed up to 600 square feet.

Based on the Zoning Ordinance definition of "structure", the canopy and garage are joined together.

Section 169.05 allows **one** detached structure over 200 square feet gross floor area. However, the maximum size is 850 square feet if it's a detached garage. Otherwise, that one detached building would be limited to 600 square feet. Since a portion of the structure is a detached garage, staff interprets that the one structure is subject to the larger of the size restrictions, which is 850 square feet.

As mentioned, the canopy portion of the structure is greater than 200 square feet gross floor area. Even if the Board were to grant the appeal and consider the detached garage and attached canopy separate accessory structures, there would be a violation of Section 169.05 because there can only be "A maximum of one freestanding garage building, greenhouse, gazebo, pergola, or other similar structure greater than 200 square feet gross floor area."

City staff was able to find precedent for this interpretation. On August 13, 2019, Joel Baker applied for a building permit at 50 North George Street for 240 square foot carport attached to the east side of the existing 832 square foot detached garage. On August 14, 2019, the Building Department informed Mr. Baker that the "Permit can not be approved. Garage is 832 SqFt without addition of carport. Max size per North Liberty zoning code is 850 SqFt." See Exhibit E.

Findings of Fact and Recommendation:

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.

Staff recommends the Board of Adjustment accept the three listed findings of fact and uphold the Code Official's interpretation.

Attachments:

Exhibit A - May 20, 2024 Courtesy Letter

Exhibit B - June 17, 2024 Notice of Violation Letter

Exhibit C - September 24, 2024 Code Official Interpretation Letter

Exhibit D - Appeal Application

Exhibit E - North Liberty Permit Record #9965

Exhibit E - North Liberty Permit #9965

[← Back](#)

Permit Information

Permit Number:	9965	Permit Expiration:	02/09/2020
Permit Date:	08/13/2019	Notes:	
Permit Type:	Building	Special Conditions of the Permit:	
Request Type:	Residential Alteration	Construction Value:	1,500.00
Applicant:	Joel Baker	Date C.O. Issued:	
Project Description:	Adding a car port	Status:	Denied

Contractors

Property Information

Parcel #: 0612489002
 50 N George St
 NORTH LIBERTY, IA 52317

Plan Reviews

08/13/2019 - SFD Alteration
 Date:
 - car port

Completed - Ben Yoder
 Completed Date:

Uploaded Files

Files
[Choose Files](#)

Note:

- 08/14/2019 - Permit can not be approved. Garage is 832 SqFt without addition of carport. Max size per North Liberty zoning code is 850 SqFt.

Notes

08/13/2019 - BEN-THERE IS AN EXPIRED PERMIT LISTED FOR THIS PARCEL FROM OCTOBER 2011 OLD BLACKBEAR PERMIT 12712 OR BP2011-300.

Uploaded Files

- [App & Plans BP9965.pdf](#)

Files
[Choose Files](#)

[Accessibility](#)



STAFF USE ONLY
 RECEIVED BY:
 DATE: **BP9965**
8/13/19

Building Permit Application
Single Family, Duplex & Townhouse Dwellings
 BUILDING, ELECTRICAL, PLUMBING, MECHANICAL, BUILDING SEWER & WATER SERVICE
 (Dated 10/28/2016)

Applicant must complete numbered items and highlighted spaces.

1	JOB ADDRESS: 50 N. George St.			
2	OWNER Joel + Dawn Baker	MAILING ADDRESS 50 N. George St.	CITY STATE ZIP N.L 52317	PHONE# 631-8100
				EMAIL
3	APPLICANT Joel + Dawn	MAILING ADDRESS 11	CITY STATE ZIP 11	PHONE#
				EMAIL
4	GENERAL CONTRACTOR Joel + Dawn	MAILING ADDRESS 11	CITY STATE ZIP 11	PHONE#
				EMAIL
5	ELECTRICAL CONTRACTOR	MAILING ADDRESS	CITY STATE ZIP	PHONE#
				EMAIL
				STATE LICENSE #
6	PLUMBING CONTRACTOR	MAILING ADDRESS	CITY STATE ZIP	PHONE#
	—			EMAIL
				STATE LICENSE # BEGINNING 7/1/09
7	HVAC CONTRACTOR	MAILING ADDRESS	CITY STATE ZIP	PHONE#
	—			EMAIL
				STATE LICENSE # BEGINNING 7/1/09
8	SEWER & WATER CONTRACTOR	MAILING ADDRESS	CITY STATE ZIP	PHONE#
	—			EMAIL
				STATE LICENSE # BEGINNING 7/1/09
9	DESCRIBE WORK:			
10	TOTAL SQ. FT. OF HABITABLE FINISHED AREAS	11	TOTAL SQ. FT. OF UNFINISHED / STORAGE 240	12
				TOTAL SQ. FT. OF GARAGE AREA
13	USE OF BUILDING OR STRUCTURE CAR PORT	14	VALUATION \$ 1,500.00	15
				NUMBER OF WATER METERS 0

STATE OF IOWA ENERGY EFFICIENCY REQUIREMENTS
 Compliance shall be demonstrated by either meeting the requirements below or meeting the requirements of International Energy Conservation Code Section 405 by providing a *Compliance Report*

CLIMATE ZONE	FENESTRATION U-FACTOR B	SKYLIGHT U-FACTOR B	CEILING R-VALUE	WOOD FRAME WALL R-VALUE	MASS WALL R-VALUE I	FLOOR R-VALUE	BASEMENT WALL R-VALUE C	SLAB R-VALUE AND DEPTH D	CRAWL SPACE WALL R-VALUE C
5	0.32	0.55	49	20 or 13 + 5 <small>(See footnote h)</small>	13/17	30 <small>(See footnote g)</small>	15/19	10,2 ft	15/19

Minimum Requirements
for Residential Plot Plan

The plot plan must be accurately drawn to an engineer scale displaying the following information:

Minimum paper size 8 1/2"x11"
Maximum paper size 11" x 17"

General Information:

1. Applicant(s) name.
2. Legal description.
3. Site address.
4. Current zoning classification.
5. Zoning setback lines.
6. Specify the lot area per dwelling unit
7. An identifiable scale.
8. North directional arrow.
9. Property line dimensions and bearing directions.
10. Official property iron pins.
11. Existing structures including decks, porches, garages and sheds.
12. Proposed structures or additions including decks, porches, sunrooms, garages and sheds.
13. Dimensions of all buildings.
14. Roof overhangs.
15. Existing or proposed fences.
16. Driveways, sidewalks, patios and retaining walls. (engineering required for retaining walls when the height exceeds 4-ft from the bottom of the footing to the top of the wall)
17. Distances between building walls and lot lines.
18. Water service size and location.
19. Building sewer size and location.
20. The sump pump discharge line location. (minimum 3" diameter)
21. Place two points on the side line lots where the front wall intersects the side lot lines. Indicate the distances from the front corner iron pins to the two points and from the two points to the building corners.
22. Statement on the site plan that all property iron pins shall be visible and marked during the entire construction process.

Engineering Information :

1. Public utilities abutting the property. (storm sewers, sanitary sewers & water mains)
2. Location and dimensions of all public and private easements. (see property title and subdivision final plat)
3. Flood zones.
4. Minimum low opening elevations.
5. Elevations of top of foundation walls, final grade at foundation walls, final grade at 10 feet from foundation walls, top of lowest floor elevation, top of curb, property corner elevations and storm sewer conveyance openings.
6. Storm water surface flow arrows.

REQUIREMENTS FOR SUBMITTING DRAWINGS
(one set of plans required for each application)

1. Scaled floor plans with designated room uses, square footage of habitable space, square footage of unfinished/storage spaces, doors and windows.
2. Indicate locations of smoke and carbon monoxide detectors.
3. Foundation plan showing all footings, stem walls, basement walls, slabs, foundation damp proofing material, drainage system and slab vapor barrier. Sizes, locations and cross sections showing reinforcement of each. All bearing load number from engineered girders and beams shall be noted. If engineered foundation is used or required, stamped plans shall be submitted with the permit application for approval.
4. Floor framing plans, which include size, type of material, spans, and bearing points of all joist, girders, beams and columns. Show method of all connections to the footings or foundation.
5. Wall cross sections providing framing details showing interior wall finish, vapor barrier, insulation, wall bracing, sheathing, weather barrier, flashing and exterior wall coverings.
6. Header sizes and materials of openings exceeding 4-feet in width.
7. Roof framing details indicating roof system to be used, sheathing, underlayment, ice dam, covering.
8. Stair details showing rise, run, guards and handrails.
9. Decks and porches showing footing locations, depth and size, columns, floor and roof framing materials and connection methods throughout the entire structures.
10. Location of all heating appliances and type of fuel to be used.
11. Location of electrical service and panel boards.
12. Show all insulation materials used to comply with energy code requirements.
13. If mail order plans are used and changes are made, the plans will need to be modified prior to submittal for permit.
14. Show all design standard requirements of Chapter 169 of the Zoning Code.

Requirements to Maintain a Valid Permit

- Address placard shall be placed so that the address number is visible from the public street.
- The approved set of plans, specifications and other data must be kept on the job site and protected from weather.
- Advance one day notice is required for inspection request. See inspection policy for exceptions.
- Contractors shall maintain required business license, contractor's license, bonds and insurances.
- The permit holder is required to review and follow the approved plans, specifications.
- The permit holder is responsible to ensure plan review comments are communicated to all subcontractors and provided or resolved before scheduling an inspection.
- A common rule of thumb for inspections is "never cover anything until the City Inspector has seen it and signed off."

The undersigned has submitted the required plans, specifications and plot plan which are hereto attached, incorporated into and part of this application. The undersigned agrees to comply with all applicable codes; give full notification to the building inspector when required inspections are needed; that he or she will not use or occupy this structure or structures covered by the permit until the certificate of occupancy has been issued; and will not proceed with construction until the permit is issued.

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or waive the provisions of any other laws required by Federal, State, and City or covenants regulating construction or the performance of construction.

Signature of Owner or Authorized Agent

Date

PLEASE PRINT ABOVE NAME HERE:

Joel Baker

8-13-2019

Jocel Baker 631-8100

Back
Yard
58' x 12'
6,650 y
30% = 1995

Ally

Red Heads Every 2 ft + corners
2x10 Trusses Hangers + clips

24058' x 12'
CAR Port

20'

12'

95'

150'

Garage

82' x 12'

Patio

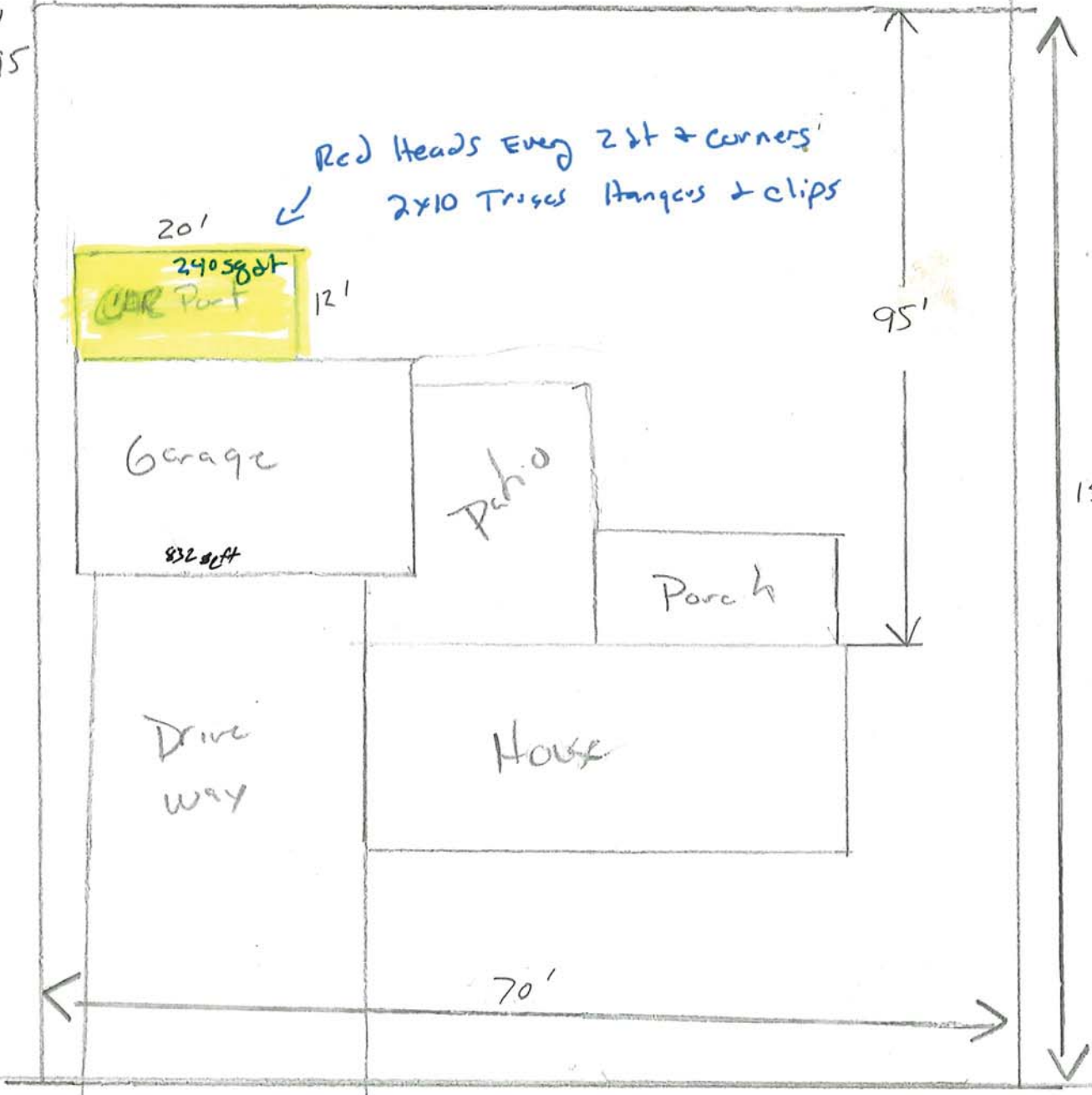
Porch

Drive
way

House

70'

George St.





N GEORGE ST

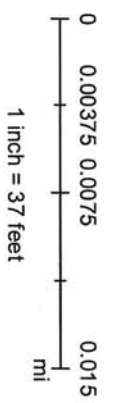
W CHESTNUT ST

Johnson County



Property Information Viewer

Printed: 8/12/2019



The information presented herein is intended to be an accurate representation of existing records. Johnson County is not liable for errors or omissions. Users relying on this information do so at their own risk.

Exhibit D - Appeal Application

Appeal of Interpretation Application



Project Name: Canopy over Patio
Site Location (address or legal description): 50 N George Street , North Liberty, Iowa

Property Owner: Joel Baker	
Owner Mailing Address 50 N George Street	
Phone: 319-631-8100	Email: stoddard1968@gmail.com

Applicant: Joel and Dawn Baker	
Applicant Mailing Address: 50 N George Street	
Applicant Contact Person: Dawn or Joel Baker	
Phone: 319-331-4512	Email: customcutscontractor@gmail.com

Pursuant to Section 166.01(6) of the City of North Liberty Code of Ordinance: Interpretations. The interpretation and application of the provisions of this code shall be by the Code Official. The decision of the Code Official may be appealed to the Board of Adjustment, however, such appeal must be made within 30 days of a written decision. The Board of Adjustment will take formal action on appeals.

What interpretation is being appealed? Please see attached letter. Thank you.
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Please attach additional pages if necessary and provide evidence to support the appeal.

OFFICE USE ONLY Date Submitted:

Joel Baker
50 N George Street
North Liberty, Iowa 52317

Attachment: Appeal of Interpretation Application

City of North Liberty Board of Adjustments

RE: Canopy Covering Patio at 50 N George Street

Dear Board;

Respectfully, we are appealing the interpretation of our canopy structure:

We met twice with Clint Conklin, Planning Technician/Code Compliance, once with Ben Yoder, Building Inspector, and Ryan Rusnak, Planning Director, to discuss the letter we received from Clint Conklin regarding what they interpreted as a canopy that has increased our garage's *gross floor, area*.

We found the decision was misinterpreted, and our canopy does not increase the size of our detached garage as outlined in the North Liberty Code of Ordinance Section 169.05. The letter states, "structure exceeds the maximum 850 square foot maximum **gross floor limitation** and must be brought to compliance."

At these two meetings, we were offered no alternative solutions or direction from anyone present on how to resolve the issue of a canopy over our patio, which is open on three sides for protection from the elements and as a pass-through to the rear yard.

Our prior canopy over our patio, which was never questioned or an issue, was destroyed and ended up in our neighbors' yards during August 10, 2020, Derecho. I witnessed how a free-standing canopy we had secured with bolts to our patio space was easily blown away, and our next canopy needed to be attached to our exterior wall to protect our property and neighbors' property from damage in the future.

We reviewed the North Liberty Code of Ordinances and, as stated in Ryan Rusnak's letter, have constructed a canopy. We rebuilt it at great expense in the spring of 2024. We recognize we may need a permit for the canopy to comply with the 2021 International Residential Code.

We will present all evidence at the Board of Adjustment meeting according to **Board of Appeals: Article VI: HEARING: #5 Application Representation** as allows. Thank you for your time helping us resolve our Appeal of the Interpretation.

Joel and Dawn Baker
50 N George Street
North Liberty, Iowa 52317
Email: stoddard1968@gmail.com



September 24, 2024

Joel Baker
Dawn Baker
50 N George Street
North Liberty, IA 52317

Re: Unpermitted structure at 50 N George Street

Joel and Dawn,

Thank you for meeting with Ben Yoder, Building Inspector II, Clint Conklin, Planning Technician/Code Compliance Professional and me on 9/18/2024 to discuss the unpermitted structure attached to the existing detached garage at your residence. At this meeting you indicated that the unpermitted structure was greater than 200 square feet in area.

At the meeting, I indicated that I would perform additional research on a code regulation you questioned. Specifically, you suggested that the canopy structure attached to the existing 832 square foot detached garage should not be included in the maximum 850 square foot gross floor area requirement for freestanding garages set forth in Section 169.05 of the North Liberty Code of Ordinance (please see attached).

As the Planning Director for the City, it is my role to interpret the provision of the Zoning Ordinances pursuant to Section 166.01 of the North Liberty Code of Ordinances. Any conversations I had with the City Attorney were limited to the legality of that interpretation. My thoughts are as follows:

First, I agree that the structure is a canopy as defined in Section 167.01 of the North Liberty Code of Ordinances as follows:

"Canopy" means a roofed structure constructed of fabric or other material supported by the building or by support extending to the ground directly under the canopy placed so as to extend outward from the building providing a protective shield for doors, windows, and other openings.

Also relevant is the term, "structure," as defined in Section 167.01 of the North Liberty Code of Ordinances:

"Structure" means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Based on the City's observations and information you provided at the 9/18/2024 meeting, the canopy structure is attached to the detached garage, and therefore, one structure. Accordingly, I find that the structure is subject to and exceeds the maximum 850 square foot maximum gross floor limitation and must be brought into compliance.

Additionally, in accordance with the 2021 International Residential Code, the canopy structure requires a building permit (please see attached).

I researched permit records for your property and found a permit was applied for (but not approved) for a carport addition to the garage in 2019. Correspondence within the file indicates that the Building Department informed you that the permit cannot be approved because the structure would exceed the maximum 850 square foot gross floor limitation. It is the City's understanding that you alternatively installed a detached building 200 square feet or less east of the detached garage, which appears permissible (please see attached).

In accordance with Section 166.01 of the North Liberty Code of Ordinances, my decision may be appealed to the Board of Adjustment, however, such appeal must be made within 30 days of this written decision. The Board of Adjustment will take formal action on appeals.

In the alternative, or subsequent to an appeal, application for a variance to allow the structure to exceed the maximum 850 square foot gross floor limitation may be submitted pursuant to Section 166.03 of the North Liberty Code of Ordinances.

Failure to resolve this matter by October 28, 2024 will result in the City's issuance of a municipal infraction citation, which may necessitate a court appearance. The City will delay the issuance of a municipal infraction if a completed application is submitted and accepted for an appeal and/or a variance, at least until such time as the appeal or application is resolved.

Please contact me at 319-626-5747 or r_rusnak@northlibertyiowa.org with any questions.

Sincerely,

Ryan Rusnak



Planning Director
City of North Liberty
360 North Main Street
North Liberty, Iowa 52317

Attachments: Section 169.05(2) North Liberty Code of Ordinances, Sections R105.1 and R105.2 of the 2021 International Residential Code, City Building Permit Record #9965.

Section 169.05(2) North Liberty Code of Ordinances

2. Freestanding Garages, Storage Buildings, Greenhouses, Gazebos, Pergolas, and other Similar Structures greater than 200 Square Feet Gross Floor Area.
 - A. RS, RD and ID districts shall be subject to the following:
 - (1) A maximum of one freestanding garage building, greenhouse, gazebo, pergola, or other similar structure greater than 200 square feet gross floor area.
 - (2) Freestanding garages. A maximum gross floor area of 850 square feet. RS district exception: on properties exceeding .5 acres but less than .75 acres, the maximum gross floor area shall be 1,000 square feet. On properties exceeding .75 acres but less than one acre, the maximum gross floor area shall be 1,200 square feet. On properties exceeding one acre, the maximum gross floor area shall be 1,400 square feet. Notwithstanding the foregoing, the gross floor area shall not exceed the total footprint of the residence.
 - (3) All other structures besides freestanding garages. A maximum gross floor area of 600 square feet.
 - (4) May be located within the rear yard subject to a five foot side and rear setback.
 - (5) May be located within a side yard subject to meeting the required side and rear yard setbacks for the main building.
 - (6) Must be situated a minimum 20 feet from a public or private right-of-way or improved alley.
 - (7) May not be located within any utility, sewer, drainage, access or walkway easement, where such easement is dedicated to the City or to public use.
 - (8) A maximum height of 15 feet.

2021 International Residential Code

R105.1 Required.

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

R105.2 Work exempt from permit.

Exemption from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this *jurisdiction*. *Permits* shall not be required for the following:

Building:

1. Other than *storm shelters*, one-story detached *accessory structures*, provided that the floor area does not exceed 200 square feet (18.58 m²).
2. Fences not over 7 feet (2134 mm) high.
3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon *grade* if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall that do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
10. Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above *grade* at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.4.

City Building Permit Record #9965

Joel, Please see plan review notes. Your permit can not be approved. You also still have an expired permit still open for the garage from 2011.



Permit #: 9965

Permit Date: 08/13/2019

Review Date: 08/13/2019

Review Type: SFD Alteration

Target Date:

Scheduled Time: 00:00

Completed Date:

Description: car port

Review Status: Completed

Assigned To: Ben Yoder

Time In: 00:00

Time Out: 00:00

Hours: 0.30000001

Notes

08/14/2019 Permit can not be approved. Garage is 832 SqFt without addition of carport. Max size per North Liberty zoning code is 850 SqFt.

Property Information

Parcel#: 77740000

Joel A Baker

50 N. George St.

Zoning: RS-8Lot: 5Block: 1

Joel A Baker

50 N. George Street

North Liberty , IA 52317

319-631-8100

stoddard1968@gmail.com



STAFF USE ONLY

RECEIVED BY:

DATE:

BP9965

8/13/19

Building Permit Application
Single Family, Duplex & Townhouse Dwellings
 BUILDING, ELECTRICAL, PLUMBING, MECHANICAL, BUILDING SEWER & WATER SERVICE
 (Dated 10/28/2016)

Applicant must complete numbered items and highlighted spaces.

1	JOB ADDRESS:				50 N. George St.					
2	OWNER	MAILING ADDRESS	CITY STATE ZIP		PHONE#					
	Joel + Dawn Baker	50 N. George St.	N.L 52317		631-8100					
					EMAIL					
3	APPLICANT	MAILING ADDRESS	CITY STATE ZIP		PHONE#					
	Joel + Dawn	11	11							
					EMAIL					
4	GENERAL CONTRACTOR	MAILING ADDRESS	CITY STATE ZIP		PHONE#					
	Joel + Dawn	11	11							
					EMAIL					
5	ELECTRICAL CONTRACTOR	MAILING ADDRESS	CITY STATE ZIP		PHONE#					
					EMAIL					
					STATE LICENSE #					
6	PLUMBING CONTRACTOR	MAILING ADDRESS	CITY STATE ZIP		PHONE#					
	—									
					EMAIL					
					STATE LICENSE #					
					BEGINNING 7/1/09					
7	HVAC CONTRACTOR	MAILING ADDRESS	CITY STATE ZIP		PHONE#					
	—									
					EMAIL					
					STATE LICENSE #					
					BEGINNING 7/1/09					
8	SEWER & WATER CONTRACTOR	MAILING ADDRESS	CITY STATE ZIP		PHONE#					
	—									
					EMAIL					
					STATE LICENSE #					
					BEGINNING 7/1/09					
9	DESCRIBE WORK:									
10	TOTAL SQ. FT. OF HABITABLE FINISHED AREAS		11	TOTAL SQ. FT. OF UNFINISHED / STORAGE		12	TOTAL SQ. FT. OF GARAGE AREA			
			240							
13	USE OF BUILDING OR STRUCTURE				14	VALUATION		15		NUMBER OF WATER METERS
	CAR PORT				1,500.00					0

STATE OF IOWA ENERGY EFFICIENCY REQUIREMENTS

Compliance shall be demonstrated by either meeting the requirements below or meeting the requirements of International Energy Conservation Code Section 405 by providing a *Compliance Report*

CLIMATE ZONE	FENESTRATION U-FACTOR B	SKYLIGHT U-FACTOR B	CEILING R-VALUE	WOOD FRAME WALL R-VALUE	MASS WALL R-VALUE I	FLOOR R-VALUE	BASEMENT WALL R-VALUE C	SLAB R-VALUE AND DEPTH D	CRAWL SPACE WALL R-VALUE C
5	0.32	0.55	49	20 or 13 + 5 <small>(See footnote h)</small>	13/17	30 <small>(See footnote g)</small>	15/19	10, 2 ft	15/19

Minimum Requirements
for Residential Plot Plan

The plot plan must be accurately drawn to an engineer scale displaying the following information:

Minimum paper size 8 1/2"x11"
Maximum paper size 11" x 17"

General Information:

1. Applicant(s) name.
2. Legal description.
3. Site address.
4. Current zoning classification.
5. Zoning setback lines.
6. Specify the lot area per dwelling unit
7. An identifiable scale.
8. North directional arrow.
9. Property line dimensions and bearing directions.
10. Official property iron pins.
11. Existing structures including decks, porches, garages and sheds.
12. Proposed structures or additions including decks, porches, sunrooms, garages and sheds.
13. Dimensions of all buildings.
14. Roof overhangs.
15. Existing or proposed fences.
16. Driveways, sidewalks, patios and retaining walls. (engineering required for retaining walls when the height exceeds 4-ft from the bottom of the footing to the top of the wall)
17. Distances between building walls and lot lines.
18. Water service size and location.
19. Building sewer size and location.
20. The sump pump discharge line location. (minimum 3" diameter)
21. Place two points on the side line lots where the front wall intersects the side lot lines. Indicate the distances from the front corner iron pins to the two points and from the two points to the building corners.
22. Statement on the site plan that all property iron pins shall be visible and marked during the entire construction process.

Engineering Information :

1. Public utilities abutting the property. (storm sewers, sanitary sewers & water mains)
2. Location and dimensions of all public and private easements. (see property title and subdivision final plat)
3. Flood zones.
4. Minimum low opening elevations.
5. Elevations of top of foundation walls, final grade at foundation walls, final grade at 10 feet from foundation walls, top of lowest floor elevation, top of curb, property corner elevations and storm sewer conveyance openings.
6. Storm water surface flow arrows.

REQUIREMENTS FOR SUBMITTING DRAWINGS
(one set of plans required for each application)

1. Scaled floor plans with designated room uses, square footage of habitable space, square footage of unfinished/storage spaces, doors and windows.
2. Indicate locations of smoke and carbon monoxide detectors.
3. Foundation plan showing all footings, stem walls, basement walls, slabs, foundation damp proofing material, drainage system and slab vapor barrier. Sizes, locations and cross sections showing reinforcement of each. All bearing load number from engineered girders and beams shall be noted. If engineered foundation is used or required, stamped plans shall be submitted with the permit application for approval.
4. Floor framing plans, which include size, type of material, spans, and bearing points of all joist, girders, beams and columns. Show method of all connections to the footings or foundation.
5. Wall cross sections providing framing details showing interior wall finish, vapor barrier, insulation, wall bracing, sheathing, weather barrier, flashing and exterior wall coverings.
6. Header sizes and materials of openings exceeding 4-feet in width.
7. Roof framing details indicating roof system to be used, sheathing, underlayment, ice dam, covering.
8. Stair details showing rise, run, guards and handrails.
9. Decks and porches showing footing locations, depth and size, columns, floor and roof framing materials and connection methods throughout the entire structures.
10. Location of all heating appliances and type of fuel to be used.
11. Location of electrical service and panel boards.
12. Show all insulation materials used to comply with energy code requirements.
13. If mail order plans are used and changes are made, the plans will need to be modified prior to submittal for permit.
14. Show all design standard requirements of Chapter 169 of the Zoning Code.

Requirements to Maintain a Valid Permit

- Address placard shall be placed so that the address number is visible from the public street.
- The approved set of plans, specifications and other data must be kept on the job site and protected from weather.
- Advance one day notice is required for inspection request. See inspection policy for exceptions.
- Contractors shall maintain required business license, contractor's license, bonds and insurances.
- The permit holder is required to review and follow the approved plans, specifications.
- The permit holder is responsible to ensure plan review comments are communicated to all subcontractors and provided or resolved before scheduling an inspection.
- A common rule of thumb for inspections is "never cover anything until the City Inspector has seen it and signed off."

The undersigned has submitted the required plans, specifications and plot plan which are hereto attached, incorporated into and part of this application. The undersigned agrees to comply with all applicable codes; give full notification to the building inspector when required inspections are needed; that he or she will not use or occupy this structure or structures covered by the permit until the certificate of occupancy has been issued; and will not proceed with construction until the permit is issued.

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or waive the provisions of any other laws required by Federal, State, and City or covenants regulating construction or the performance of construction.

Signature of Owner or Authorized Agent

Date

PLEASE PRINT ABOVE NAME HERE:

Joel Baker

8-13-2019

Jaci Baker 631-8100

Back
Yard
sq ft
6,650 y
30% = 1995

Ally

Red Heads Every 2 ft + corners
2x10 Trusses Hangers + clips

20'
2405 sq ft
CAR Port

12'

95'

150'

Garage
832 sq ft

Patio

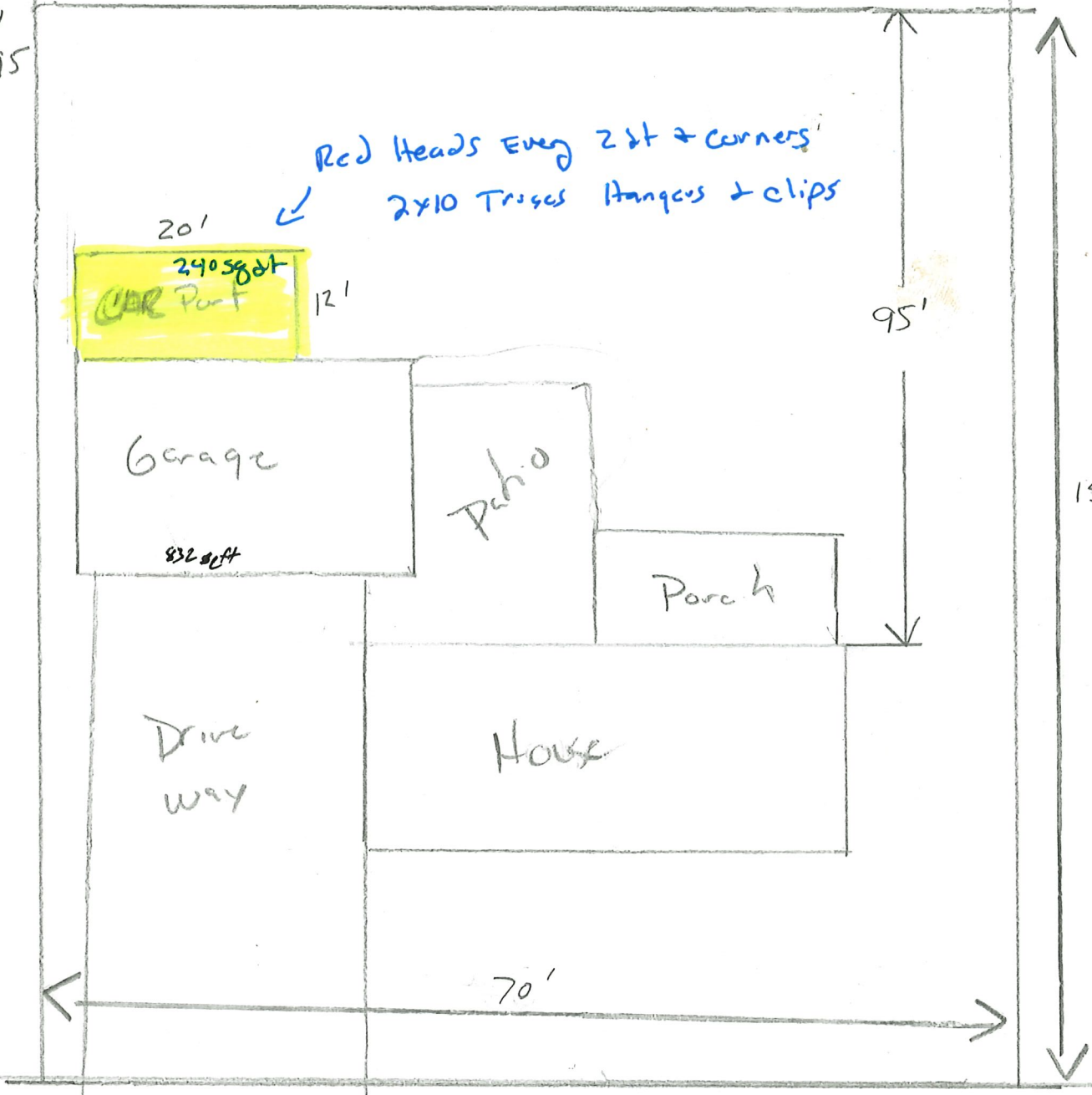
Porch

Drive
way

House

70'

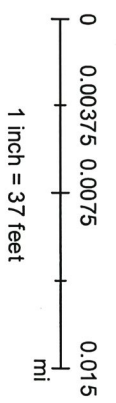
George St.





Johnson County
Property Information Viewer

Printed: 8/12/2019



The information presented herein is intended to be an accurate representation of existing records. No liability for errors or omissions is assumed by users relying on this information do so at their own risk.



6/17/2024

Joel A Baker
50 N George St
North Liberty IA 52317

Re: Notice of Violation, garage exceeding maximum size at 50 N George St.

Dear Joel,

City staff observed an unpermitted addition being constructed on the south side of the existing detached garage. City records indicated that the floor area of the existing garage (without any additions) is 832 square feet. With the addition, it appears that the garage, exceeds the maximum gross floor area limitation of 850 square feet.

169.05 ACCESSORY STRUCTURES AND USES.

2. A. (2) Freestanding garages. A maximum gross floor area of 850 square feet. RS district exception: on properties exceeding .5 acres but less than .75 acres, the maximum gross floor area shall be 1,000 square feet. On properties exceeding .75 acres but less than one acre, the maximum gross floor area shall be 1,200 square feet. On properties exceeding one acre, the maximum gross floor area shall be 1,400 square feet.

Notwithstanding the foregoing, the gross floor area shall not exceed the total footprint of the residence.

The City did not receive a response to the courtesy letter regarding this violation sent to the above address on 5/20/24.

A building permit, which demonstrates consistency with Zoning Regulations and Building Codes, for the above-described work must be obtained by 7/1/2024. Failure to comply will result in the issuance of a municipal infraction and may necessitate a court appearance.

North Liberty Planning Department
Clint Conklin
Planning Technician
319-626-5728
cconklin@northlibertyiowa.org



5/20/2024

Joel A Baker
50 N George St
North Liberty IA 52317

Dear Joel,

City staff observed a structure being constructed without an approved building permit within the rear yard, attached to the garage.

City permit records indicate that a permit was issued for an 832 square foot detached garage in 2011. It appears that an unpermitted addition was constructed in or after 2019.

The City's zoning regulations limit detached garages to a maximum of 850 square feet. With the new structures being attached to the garage, it appears to exceed the maximum square footage allowed.

Additionally, it appears that a shed doesn't meet the required rear setback.

Please contact me at your earliest convenience to discuss alternatives to remedy these violations.

North Liberty Planning Department
Clint Conklin
Planning Technician
319-626-5728
cconklin@northlibertyiowa.org



**Board of Adjustment
September 20, 2023
City Council Chambers, 1 Quail Creek Circle**

**Members: Beau Brown
Laura Hefley
Nicholas Gulick
Janet Norton
Eric Ruttum
Alan Wieskamp**

1. **Roll Call:** The meeting was called to order by Chairperson Ruttum at 6:30 p.m. Members present were: Hefley, Gulick, Ruttum and Wieskamp. Norton was absent.

Staff present: Ryan Rusnak and Grant Lientz

2. **Approval of the Agenda.** Motion by Wieskamp, second by Gulick to approve the agenda. Vote to approve was 4-0.
3. **Election of Chairperson.** Motion by Gulick, second by Hefley to elect Ruttum as Chairperson. Vote to approve was 4-0.
4. **Election of a Vice-Chairperson.** Motion by Gulick, second by Wieskamp to elect Gulick as Vice Chairperson. Vote to approve was 4-0.
5. **Public comment.** There was none.
6. **Public Hearing for Conditional Use:** Request of North Liberty Storage LLC to approve a Conditional Use for an outdoor self-storage facility on 2.71 acres. The property is located at the southern terminus of North Madison Avenue (Proposed Lot 11 of Water Tower Place Subdivision).

Rusnak summarized the request and provided the staff recommendation.

Findings:

1. The outdoor self-storage facility use will not be detrimental to the health, safety, or general welfare of the surrounding area and that the proposed use is necessary or desirable and provides a service or facility that contributes to the general well-being of the surrounding area; and
2. The outdoor self-storage facility use, with condition imposed, will comply with the regulations and conditions specified in the Zoning Ordinance.

Recommendation:

Staff recommends the Board of Adjustment accept the two listed findings and approve the Conditional Use for an outdoor self-storage facility on 2.71 acres subject to the following condition:

1. All facades shall be subject to the 60% masonry requirements set forth in Section 169.10 unless the ordinance amendment for outdoor self-storage facilities is adopted, which would eliminate the required masonry on facades not facing the exterior of the property.

Mike Bails spoke on behalf of the applicant.

Ruttum opened the public hearing for any public comment. There were none.

There were general questions from Board members.

Motion by Gulick, second by Hefley to accept the two listed findings and approve the Conditional Use, subject to the condition recommendation listed by City staff. Vote to approve was 4-0.

7. Approval of Previous Minutes. Motion by Wieskamp, second by Hefley to approve the previous minutes. Vote to approve was 4-0.

8. Old Business. There was none.

9. New Business. There was none.

10. Adjournment. The Chairperson declared the meeting adjourned at 7:00 PM.