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Governmental Body:

Board of Adjustments of Baxter, Iowa

Date of Meeting:Thursday, October 9th, 2025**Time of Meeting:**

6:00 P.M.

Place of Meeting:

Baxter City Hall

Call In Information:**Board of Adjustments Meeting October, 9th, 2025 at 6:00 PM (America/Chicago)****Please join my meeting from your computer, tablet or smartphone.**<https://meet.goto.com/543725309>**You can also dial in using your phone.****Access Code: 543-725-309****United States: +1 (872) 240-3212**

The meeting started at 6:00 pm, called by Charmain Maxwell. Maxwell, Kimberly, Samson, Richardson, and Horn were present. Also present was City Administrator/Clerk Battani, and various members of the public.

Samson moved to approve the agenda, seconded by Richardson. All ayes, motion carried.

Maxwell opened the hearing to advise the board and the public that the new owners of 310 W Buchanan Street are seeking to resolve the setback distance to the property line permanently with this variance, as relocating the shed 6 feet back would impose a hardship on them as property owners. Administrator Battani advised that the shed itself is far enough away from the property line to be compliant; it's the awning that makes it technically less than 6 feet from the property line. Battani advised that our ordinances don't specify whether an awning counts towards an accessory building size. Kimberly posed the question of whether there could be an issue with water runoff. The board decided that it wasn't, being about 50 feet away from the neighboring property's principal building. Motioned by Richardson to approve the variance. Seconded by Kimmberly. Ayes: Maxwell, Samson, Kimberly, Richardson, Horn. Motion carried.

Maxwell opened the hearing to advise the board that Baxter Property Management LLC was requesting a variance for 209 W Rippey Street to allow an existing structure to remain closer than the required 35-foot front yard setback. Dan Kunkel, representing Baxter Property Management LLC, stated that he had previously been advised by a council that the building could be placed closer than the required distance. Administrator Battani advised that, while the City is not pursuing enforcement action regarding the existing structure, an approved variance would be necessary to formally recognize the existing building location and to proceed with any proposed lot split for the property, per the city's attorney. Kimberly made a motion to deny the variance, citing that the setback requirements were known at the time of construction and formal variance approval was not given by the Board of Adjustments. Baxter Property Management LLC disputed that assertion. Samson seconded. Ayes: Maxwell. Nays: Kimberly, Samson, Richardson, Horn. Motion carried. Variance denied.

Horn motioned to end the meeting, seconded by Richardson. Ayes: Maxwell, Samson, Kimberly, Richardson, Horn. Meeting adjourned at 6:39 pm.