

Regular Spencer Zoning Board of Adjustment Meeting

Monday, May 11, 2026
8:15 AM
Council Chambers, City Hall
101 W. 5th Street
Spencer, Iowa

Agenda

Waller Mechler Schmidt Beneke McAlpine Storey Greenough

1. Pledge of Allegiance

2. Roll Call

3. Motion Adoption

A. Approve Minutes of March 23, 2026

4. Old Business

A. Adjust Request for Variance - Donavon & Lisa Wunschel 1304 15th Ave W
Spencer, IA 51301

1. To request a variance to move the newly reconstructed 34.8 ft W x 63.4 ft L x 20 ft H storage building from the non-conforming / crossing property line location at N edge of property to a new location at the south end of the property up to within 25 ft of the W (front) property line and up to within 13 ft of the E (rear) property line.

At 4008 4th Ave W, TR 642' X 33' X 652' X 144' IN THE NW NW & SW NW W OF RR 31-97-36 L & I in the City of Spencer, Clay County Iowa.

Motion to Approve the Variance Request with / without conditions:

or

Motion to Deny the Variance Request

5. New Business

A. None

6. Items for Future Agendas

A. June 1, 2026 Regular Scheduled Meeting - 1 Item

7. Adjourn

ZONING BOARD OF ADJUSTMENT
March 23, 2026
SPENCER, IOWA

The Zoning Board of Adjustment of the City of Spencer, Iowa, met in Regular Session on the 23rd day of March, 2026, at 8:15 o'clock A.M., in the Council Chambers, City Hall, Spencer, Iowa, pursuant to law, to adjournment and to the rules of said Zoning Board of Adjustment.

The meeting was called to order by Chairperson Waller, and the roll being called, there were present:

PRESENT: Waller, Mechler, Schmidt, Beneke, McAlpine, Storey, Greenough
ABSENT: None

It was moved by Board Member Beneke, seconded by Board Member McAlpine to approve the minutes of the Zoning Board of Adjustment meeting of February 2, 2026. The motion was carried when all Board Members present voted aye on voice call vote.

The Board received a request from **Donavon & Lisa Wunschel, 1304 15th Ave W, Spencer, IA 51301-2965**. Donavon Wunschel, 1304 15th Ave W, was present and spoke. Adam Severson, Planning Director, spoke. The Board received one written comment in favor of from Ken Amundson, President of Midwestern Mechanical, Inc. The request was for a variance to re-construct a storage building (damaged more than 50%) up to within 0 ft of the W (front) property line and up to within 0 ft of the E (rear) property line at 4008 4th Ave W, TR 642' X 33' X 652' X 144' IN THE NW NW & SW NW W OF RR 31-97-36 L & I in the City of Spencer, Clay County Iowa. It was moved by Board Member Mechler, seconded by Board Member McAlpine to approve as presented subject to approval of the City Council. Board Member Greenough made a motion to amend to approve as presented subject to approval by City Council of Infringing Use Agreement and/or Easement Agreement for the building only. Council Member Schmidt seconded.

Upon roll call vote, the vote thereon was as follows:

AYES: Waller, Mechler, Schmidt, Beneke, McAlpine, Storey, Greenough
NAYS: None

The motion was declared carried.

The Board approved original motion made with amendment to approve as presented subject to approval by City Council of Infringing Use Agreement and/or Easement Agreement for the building only.

Upon roll call vote, the vote thereon was as follows:

AYES: Waller, Mechler, Beneke, McAlpine, Storey, Greenough
NAYS: Schmidt

The motion was declared carried.

Items for Future Agendas:

It was moved by Board Member Beneke, seconded by Board Member McAlpine to adjourn the meeting of the Zoning Board of Adjustment at 8:59 o'clock A.M. The motion was declared carried when all Board Members present voted aye on voice call vote.

Steve Waller, Chair

ATTEST:

Kellerie Burns, Deputy City Clerk



APPEAL TO THE SPENCER ZONING BOARD OF ADJUSTMENT

ZONING VARIANCE APPLICATION

Ph: (712) 580-7200 101 W. 5th Street Spencer, Iowa 51301 Hours: 8am - 5pm www.spenceriowacity.com

For questions, contact Anna Harmon, Building Code Officer(x228) or Adam Severson, Planning Director (x217)

OFFICE USE ONLY			
Date Issued:	Date Expired:	Date Paid: re-application	Date Inspected:
Variance #: 2026027	Zoning District: C2	Proposed Hearing Date: 5-11-2026	
Subdivision (lot, block, subdivision name): TR 642' X 33' X 652' X 144' IN THE NW NW & SW NW W OF RR 31-97-36 L & I			

PROPERTY & OWNER INFORMATION	
Owner (Legal) Name: <i>Doreen & Lisa Wunschel</i>	Phone #: <i>(712) 363-6657</i>
Owner (Legal) Address: <i>1304 15th Ave West</i>	Cell #:
Site Address (if different than above): <i>4008 4th Ave W</i>	Email: <i>dwunschel@mwmtech.com</i>
City/State/Zip: <i>Spencer, IA 51301</i>	

APPLICANT INFORMATION (if other than OWNER)		
<input type="checkbox"/> Builder <input type="checkbox"/> Contractor <input type="checkbox"/> Design Professional <input type="checkbox"/> Other:		
Applicant Name (if other than owner):		
Applicant Business Name (if applicable):		
Address:		
City / State / Zip:		
Phone:	Cell:	Email:

JUSTIFICATION FOR THE REQUESTED VARIANCE

A variance is the changing of law in a specific instance in order to lessen a practical difficulty caused by the zoning regulations. Regulations for Variances can be found under **Section 9-12-2: Variance Procedure** in the Spencer Zoning Code. Applicants must include the following:

1. I wish to appeal to the Spencer Zoning Board of Adjustment by **requesting a variance for:** *West & East Property Set Backs 25 ft set back west & upto 13 ft set Back East side*

(Detailed description of the variance requested)

2. Describe specifically what is **unique, special or different about your property** or building(s) that are not present in other buildings or properties in your zoning district: *This is 1 acre of property But a very small buildable area Building is built and wanting to move to better area want to line up building with MWM property*

3. Describe the **practical difficulty that would deny you rights** on your property if the city's zoning code were literally applied to your property or building(s). Describe **why your property value may be reduced or nullified** if you were not granted this variance: The already built building cannot be placed on the property. If not approved will be an empty lot.
4. Give the reasons or presence of a **practical difficulty** that is unique to your property/building which were **not caused by your actions**: There was 2 buildings on this property prior to codes now with both buildings being destroyed it is hard to replace any buildings on this pie shaped property
5. Please list or describe any other information that will be important to the Zoning Board of Adjustment when evaluating this variance application: New building that is already built will be moved and turned 90° to line up with the property to the south (main) The city owns the neighboring property East & West.

REQUIRED ATTACHMENT AND FEES

1. Complete the attached site plan page or provide other sketch or site plan drawings of the property. Such plan shall include at a minimum: lot lines, dimensions of the lot, easements, existing and proposed structures, distances from the proposed new building/structure to the property lines, and other pertinent information showing the requested variance.
2. This application shall be accompanied by a non-refundable fee of \$250 for Building Variances or a non-refundable fee of \$75 for a Fence or Sign Variance. Submitting an application does not guarantee approval; the Board considers the applicant's information and the attached criteria when reviewing a request.

The Board of Adjustment's power to grant variances does not require approval by the City Council. If the applicant disagrees with a decision of the Board, an appeal may be filed with District Court. Such petition of appeal shall be presented to the court within thirty (30) days after the filing of the decision with the Zoning Administrator.

ACKNOWLEDGEMENT & SIGNATURE

The property owner, by signature, acknowledges and agrees to the conditions of this variance; and that provisions of the building, fire, electrical, plumbing, accessibility, and energy codes may be applicable to the submitted project; and the building & zoning regulations outlined in the Spencer City Code. I hereby will defend, indemnify, protect and hold harmless the City of Spencer and its employees from any and all liability from any claim or cause of action which any person may claim to have by reason of any actual or alleged failure on the part of the undersigned applicant to comply with the terms and provisions thereof. I hereby certify that I have read and examined this application and its attachments and know the same to be complete, true, and correct. All provisions of laws and ordinances governing this type of work shall be complied with whether specified herein or not. I agree and will provide notification of any change prior to construction. The granting of this variance does not presume to give authority to violate or cancel the provision of any other state or local laws regulating construction or the performance of construction. The approved permit allows the construction of the building/structure as noted on this variance application and any submitted documentation. Any unauthorized change to approved plans or use of property as presented will render this variance null and void.

Signed: *Dorothy Wunsche* Date: 4-22-2026
 Property Owner

Signed: _____ Date: _____
 Contractor, Applicant, or other Authorized Representative (as applicable)

OFFICE USE ONLY

Board of Adjustment Criteria: (To be answered by BOA at the scheduled Hearing for official record)

1. If this variance is not granted, can this property yield a reasonable return under the current zoning requirements (development regulations allowed per zone)? Yes No

Comments:

2. Is the plight of the owner due to unique circumstances that are not general conditions of the neighborhood in which this property is located? Yes No

Comments:

3. Is this practical difficulty self-created? Yes No

Comments:

4. Will granting this variance alter the essential character of the neighborhood? Yes No

Comments:

Reviewed by: _____ **Date:** _____

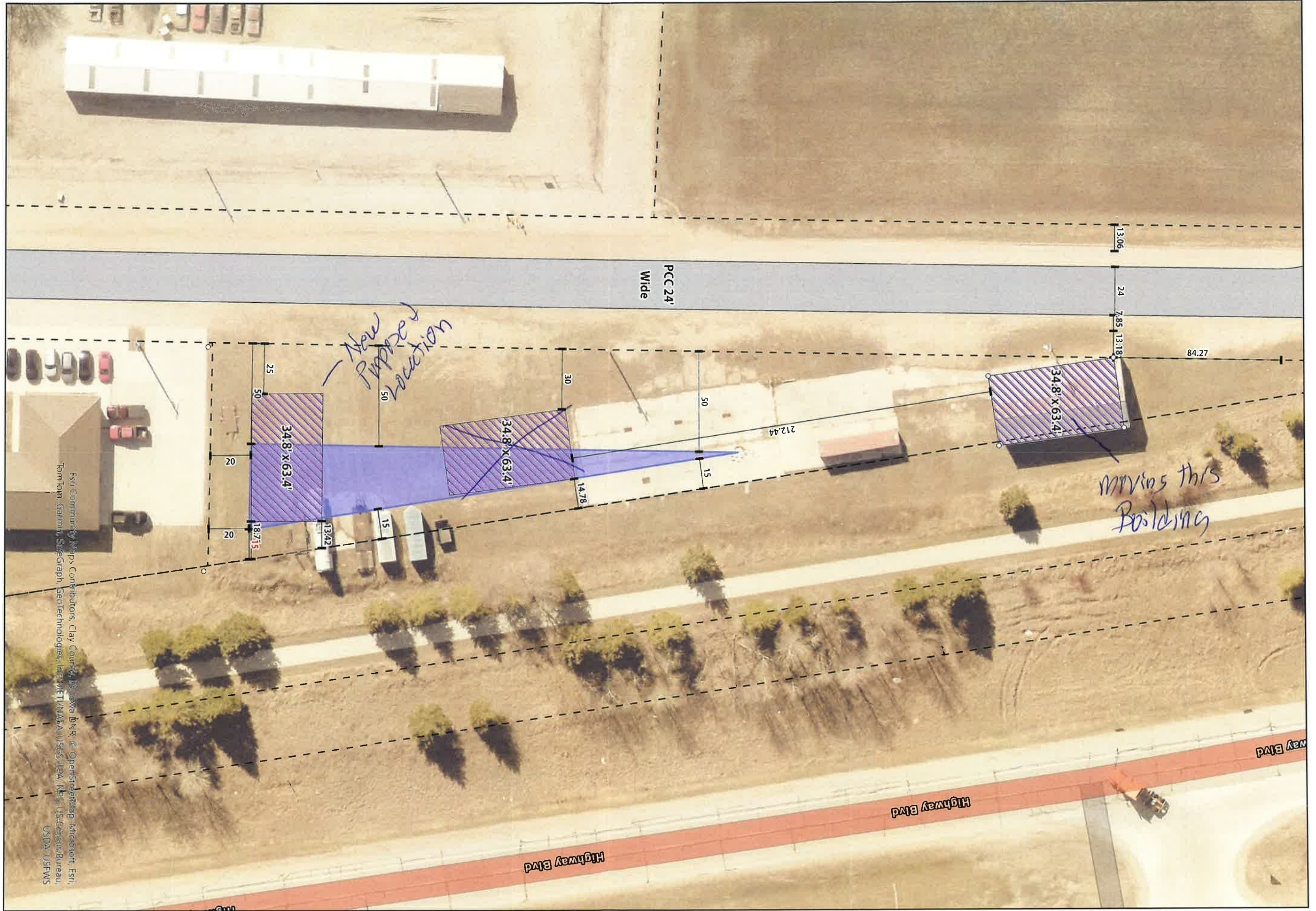
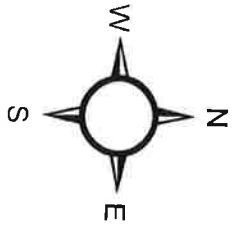
Building Code Official or Authorized City Representative

Variance Approved

Variance Denied

Conditional Approval - *conditions required:*

Book # _____ Page # _____



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0 25 50 75 100 Feet

CITY OF SPENCER
ZONING BOARD OF ADJUSTMENT

OFFICIAL NOTICE OF PUBLIC MEETING

8:15 o'clock A.M.

May 11, 2026

**Council Chambers, City Hall
101 West 5th Street, Spencer, Iowa**

TO WHOM IT MAY CONCERN:

You are hereby notified that **Donavon & Lisa Wunschel** have re-filed an adjusted Variance request with the Zoning Board of Adjustment requesting:

To request a variance to move the newly reconstructed 34.8 ft W x 63.4 ft L x 20 ft H storage building from the non-conforming / crossing property line location at N edge of property to a new location at the south end of the property up to within 25 ft of the W (front) property line and up to within 13 ft of the E (rear) property line.

At 4008 4th Ave W, TR 642' X 33' X 652' X 144' IN THE NW NW & SW NW W OF RR 31-97-36 L & I in the City of Spencer, Clay County Iowa.

A public hearing will be held on the 11th day of May 2026 at 8:15 o'clock A.M. in person or through conference call. Any interested persons will be heard for or against said proposition at said time.

Mary Beth Breidinger, City Clerk
Secretary
Zoning Board of Adjustment

Posted on Property 5-1-2026

Sent to Applicant 5-1-2026

Sent to Adjacent
Property Owners 5-1-2026

OWNER:

Donavon & Lisa Wunschel
1304 15th Ave W
Spencer, IA 51301-2965

ABUTTING PROPERTIES:

D&T Office, LLC
17214 Walnut Lane
Spirit Lake, IA 51360-6837

City of Spencer
Attn: Kevin Robinson
101 W 5th St
Spencer, IA 51301-3821