

CITY OF DECORAH
BOARD OF ADJUSTMENT
Minutes of January 3, 2018

Steve Johnson, as vice-chair called the meeting to order at 5:15pm and the following answered roll. Present: Carol Hagen, Janelle Pavlovec, and Sue Sander.

Absent: There is one seat vacant

Also in attendance: Zoning Administrator Chad Bird

Consider election of Board Chair and Vice-Chair

The board discussed waiting until the fifth seat was filled but also acknowledged the new member would have junior status on the board.

To that end, no action was taken.

Approval of Minutes of the December 6, 2017 meeting

Sander moved and Hagen seconded approval of the minutes as presented.

Roll call vote: Unanimously approved.

Jarred Falck for 131 Elm Court, requesting a side-yard variance for a residential structure contrary to the R-2 Single to Four-Family Residential District zoning requirements

The first item was an application from Jarred Falck for property at 131 Elm Court. Mr. Falck noted his application is for the construction of an attached garage addition to the existing single car garage added to the principal structure. He noted that the lot is smaller and adding an addition to the garage is difficult given the required ten-foot setback.

Mr. Falck is proposing a 9' 9" extension to the side of his existing single car garage. He presented information relative to his project including photos and drawings to illustrate his proposed addition.

The applicant is proposing a 1' 6" setback on this south side-yard. Mr. Falck noted a retaining wall on this side-yard and that he does not plan to extend beyond the retaining wall. He noted the proposed addition will be attached to the existing structure using the existing three walls and roof as noted in the attached drawings. He noted no proposed changes to front or rear-yard setbacks.

Johnson asked for public comments and Mr. Dennis Tiernan, owner of the adjoining property at 111 Elm Court spoke about the application.

Tiernan expressed concern about the storm water issues that have been prevalent in past years. He also expressed concern about the accuracy of the survey and / or the south lot lines. Mr. Tiernan noted that he had calculated the proposed garage addition's square footage and that his calculated increase of 400 sq ft of roof space was a concern in regard to storm water run-off to his property.

Tade Kerndt, owner of 100 Elm Court spoke in support of the project and noted that it would be an improvement to the property and the neighborhood. He sees this proposed project as a "clean-up" effort on the cul-de-sac.

There were no other public comments and Johnson closed the public comment portion of the meeting.

In board discussion,

Hagen noted that she felt part two of the application questions was adequately addressed by the applicant but acknowledge that it appears storm water drainage is a concern.

Johnson expressed concern about the storm water run-off issues. He noted he would be comfortable with the application if the south side of the proposed addition did not include an overhang or eaves.

Hagen asked the applicant, Mr. Falck, if he had considered storm water run-off in his proposed project. Mr. Falck indicated he had and added that the retaining wall was installed with drainage tiles to help alleviate storm run-off. He also noted that current downspouts are pointed on and down the concrete driveway to divert storm water away from the side-yard.

Pavlovec noted that the owner should ensure the driveway slopes away from the adjoining property.

Johnson asked Mr. Falck if he would eliminate the south side overhang or eaves and install a commercial grade or large storm gutter system on that side of the garage addition. Mr. Falck indicated he would do that.

The board did not have further questions of the applicant.

**Sander moved and Hagen seconded a motion to approve the application for Jarred Falck requesting a side-yard variance to 1-foot 6-inches.
Roll call vote: Unanimously approved.**

Mr. Tiernan asked about the appeal process and Bird indicated any appeals are made through district court.

Other Business

In other business, Bird shared with the board that the planning & zoning commission would consider some changes to the zoning code in regard to the accessory structure maximum heights. The next meeting is February 7, 2018.

There being no other business, the meeting was adjourned at 5:52pm.

Respectfully submitted,

