

CITY OF DECORAH
BOARD OF ADJUSTMENT
Minutes of November 6, 2019

Sue Sander called the meeting to order at 5:15 p.m. and the following answered roll:
John Jenkins, Carol Hagen, and Janelle Pavlovec. Pavlovec arrived later to the meeting.

Absent: Kraig Tweed

Also, in attendance: Zoning Administrator Chad Bird.

Approval of Minutes of the September 4, 2019 meeting

Hagen moved and Jenkins seconded a motion to approve the minutes of September 4, 2019.

Roll call vote: Ayes: Hagen, Jenkins, and Sander. Motion was approved.

Karen Schluter for 909 South Mill Street requesting permission to construct a new duplex contrary to the R-3 residential zoning district regulations

Karen Schluter reviewed her plans to build a two-family duplex at the address noted. She indicated this would be a narrower, but long duplex with concrete slab on grade construction.

Hagen asked if the units would be sold or rented and Schluter noted they would be sold.

Bird reviewed the application and noted the variance request is for a less than required lot size of 5,904 square feet versus the required 10,000 square feet, and variances for side, rear, and front-yards; 21.5' for the front, 5' for the side-yards, and 21.5' for the rear-yard on this double frontage lot.

Jenkins asked about landscaping and indicated he would like to see some type of buffer between the lots. Bird noted a buffer would be required, as Jenkins noted in the comprehensive plan, between residential and commercial lots.

Pavlovec arrived at this time.

In public comments, Robin Schultz, 911 South Mill Street, asked if the lot would be surveyed and what construction time line would apply. Bird responded and noted a survey is recommended and an applicant would have two years to complete construction.

Schultz also raised a question as to where the setback is measured from, the foundation or the eaves / roof overhang? Bird stated the setback is measured from the structure foundation.

In board discussion, Jenkins restated his concerns with the buffer between the land uses and lots and wanted to see some type of fence and landscaping on the south side of the lot. Schluter indicated she was agreeable to that stipulation.

Jenkins moved and Hagen seconded a motion to approve the construction of a two-family duplex subject to the property owner completing a lot survey, installing proper storm water runoff control, and providing for a landscaping buffer between the properties in different zoning districts in accordance with the City Comprehensive Plan.

Roll call vote: Unanimously approved.

Kirk Neubauer for 708 Valley View Drive requesting permission to construct an attached garage addition contrary to the R-1 residential zoning district regulations

Neubauer presented his application to the board and stated he is trying to improve his property by providing for more inside garage and storage space. His plan is to add a stall on the West side of his garage but would like to encroach to one foot of the West property line.

Neubauer noted his neighbor is alright with the proposed additions.

Jenkins expressed some concerns with fire safety and asked Bird about fire codes. Bird noted the City does not have adopted building codes but that the zoning setbacks would act as that fire buffer, reducing the setback, granting the variance, changes that buffer between buildings.

Bird noted he received an email from Luther College that they had no objections to the application.

In board discussion, Jenkins restated his concerns with fire code and there was brief discussion.

Jenkins moved and Pavlovec seconded a motion to approve the variance application to allow for a one-foot side-yard setback for a garage addition. Roll call vote: Ayes – Jenkins, Pavlovec, Sander. Nays – Hagen. Motion carried 3 – 1.

Vaughan Pultz for 706 W. Broadway Street requesting permission to replace a detached garage with a new attached garage contrary to the R-2 zoning district regulations

Elise Harless and Steve Munkel presented the application and stated the proposed project is to remove and replace the accessory structure / detached garage on this lot. They noted the existing garage is non-conforming. They also noted they had the lot surveyed and it shows several irregular lines and that the existing garage is over the South property line.

Jenkins asked about the siding on the new garage. Munkel noted it would be wood siding. He added that the property owners are very sensitive to the historical aspect of the residence and desire to return it to original conditions as much as possible.

In public comments, Tim and Marky Kate Lynch, 804 Oakwood Place, asked for the decision on this application be tabled until the neighbors return from a trip. Lynch noted there should be full engagement with the neighbors as to the proposed design.

Mike Harman spoke about the "Strong Towns" presentation he recently attended and said the community should be willing to accept some level of chaos in zoning and planning issues.

Jenkins moved and Pavlovec seconded a motion to table the action pending full engagement of the neighbors until tentatively Monday, November 25, 2019 at 5:15pm. Roll call vote: Roll call vote: Unanimously approved.

Other Business:

The board set Monday, November 25, 2019 at 5:15pm as the next meeting date pending agreement with the Pultz application participants.

Bird distributed copies of the final updated Comprehensive Plan and also noted it is linked on the City's website.

Bird shared the Board's terms and noted Pavlovec's term is coming due on December 7, 2019.

There being no other business, the meeting was adjourned at 6:25pm.

Respectfully submitted,

