

CITY OF DECORAH
BOARD OF ADJUSTMENT
Minutes of September 4, 2019

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

Also, in attendance: Zoning Administrator Chad Bird.

Approval of Minutes of the August 7, 2019 meeting

Jenkins moved and Tweed seconded a motion to approve the minutes of August 7, 2019.

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

Kwik Star for 1101 Montgomery Street requesting permission to construct a new commercial building contrary to the C-1 zoning district regulations

Bird reviewed the site plan and noted it had been approved by the Planning & Zoning Commission. He noted during the staff review of the site plan and P&Z's final recommendation, there were three areas that necessitated a review and application for variances. One is a North property line setback from the required 25' to 11'6", the second is from the required 33 parking spaces to proposed 27 parking spaces, and the third is for permission to install a digital message sign contrary to sign regulations.

Mr. Scott Zietlow was present and describe each item. He noted that given the speed of convenience and the in-and-out nature of the business his company was asking for a variance from parking requirements as they believed the full required number of spaces was not necessary.

Bird and Zietlow noted the North property limit is already encroaching into the setback and the new site plan proposed is no more than what is already in place.

Zietlow noted the proposed sign at the Short Street location is 25.91 sq ft but they would propose a smaller retro sign at 15.229 sq ft. He noted the proposed sign is smaller than the one across the stream at the church (Stoneridge Church).

Patrick Falck, 3192 US Hwy 52, Decorah, owns property adjacent to the project site and is concerned about overflow parking. He is worried the area will become too congested and urged the Board to not waive the off-street parking regulation.

Sander asked if there were any comments from the public; hearing no further comments, she closed the public hearing.

In Board discussion, Jenkins asked Falck about the Nordic Express, the previous convenience store on this site, and if there were parking issues with that business. Falck noted there were none he was aware of.

Hagen asked about truck traffic and deliveries for the new store. Zietlow noted there is a specific loading area, as noted on the plans for those vehicles and maneuvers. He also noted fuel deliveries occur between 10:00pm and 3:00am and grocery item deliveries last less than 30 minutes in the special loading area.

Hagen also expressed concerns about traffic control, especially at Commerce Drive and Montgomery Street and also with Montgomery Street and Hwy 9. Bird noted Montgomery and Hwy 9 is already a controlled intersection and it would be monitored and movement could be adjusted as needed if traffic increased or became a problem.

Jenkins asked Zietlow, why this store at this location. Zietlow noted this will be a Gen II store and needs the larger foot print.

**Sander moved and Hagen seconded a motion to approve the Kwik Star request for three variances; North property line setback to 11'6", reduction to 27 parking spaces, and the installation of a digital sign. Hagen noted her second on the motion included contingencies that Bird verify the on-street parking situation along Commerce Drive and if not restricted the requested variance was alright; and second that city staff complete a traffic study or monitor traffic conditions at Commerce Drive and Montgomery Street and Montgomery Street and Hwy 9 and make changes as traffic flows increase.
Roll call vote: Unanimously approved.**

City of Decorah (airport) /Gundersen Lutheran Air for 2343 Shagbark Lane requesting permission to put up a sign contrary to the A-1 zoning district regulations

Bird reviewed this sign variance application and noted it is for the new Gundersen Hangar at the airport. He also noted he had granted permission for the larger sign ahead of Board consideration and approval at his own peril. Bird noted the reason for the larger sign is the distance it needs to setback from the street due to the property layout and length of the driveway. Bird stated the hangar and property is city property and he was trying to help Gundersen navigate the sign approval process.

Bird noted the property is zoned A-1 agriculture and the sign regulations limit signs to 10 sq ft - 2' x 5' in this zone. Bird noted Gundersen's sign is 24 sq ft - 4' x 6'.

Sander asked if there were any comments from the public; Craig Chyle, 406 East Main Street expressed frustration with the City allowing installation ahead of an application review and Board approval. He noted similar concerns and issues with his business and a previous commercial sign on East Broadway. He thought it disheartening the way he is seeing the City conduct business. There were no other public comments.

In Board discussion, Hagen wondered if the City could call for a special meeting if situations like this arise in the future.

**Hagen moved and Pavlovec seconded a motion to approve the Gundersen Air application for a variance for a sign.
Roll call vote: Unanimously approved.**

Sarah Frydenlund / Ben Moore for 708 Washington Street requesting permission to place an accessory building in the front-yard contrary to the R-3 zoning district regulations

Ms. Frydenlund reviewed her application with the Board and stated she is seeking to construct a carport on the side of her residence.

She noted the regulations require such a structure to be in the rear-yard, but she noted her rear-yard is only about 20 feet and such a building would not fit.

She also noted the carport would not be attached to the side of the residential structure. Bird added if that is the case then the structure only needs to be five feet from the side-yard property line and the variance is for the placement of the structure in the side-yard.

Sander asked if there were any comments from the public; there were none.

In Board discussion, there was a question about the type of siding planned for the structure and Ms. Frydenlund noted she is planning on a slatted design.

**Tweed moved and Jenkins seconded a motion to approve Sarah Frydenlund's request for a carport on the side-yard area of her premise.
Roll call vote: Unanimously approved.**

Pam Kester for 502 E. Main Street requesting permission to construct a house addition in the rear-yard contrary to the R-3 zoning district requirements

Ms. Kester reviewed her application with the Board and noted she is looking to add on to the existing porch in the rear-yard. She also noted her residence is currently not conforming to city code.

She is proposing the addition to be in line with existing lines of the home, but because the existing home is not conforming to code, she would be adding to a non-conforming. She noted the improvements will not interfere with any of the existing lot or building dimensions.

Sander asked if there were any comments from the public; Craig Chyle, 406 East Main Street stated he supported the proposed addition to the home. Alice Holdiman, 405 East Water Street also spoke in favor of the proposed improvements. There were no other comments.

In Board discussion, there were general questions about the way the addition would be constructed. Ms. Kester noted entry would be off the side, as this is the side entry she commonly uses.

**Tweed moved and Pavlovec seconded a motion to approve Pam Kester's request for a room addition on the rear of the principle structure to intensify a non-conforming use.
Roll call vote: Unanimously approved.**

Other Business:

The board set Wednesday, October 2, 2019 at 5:15pm as their next meeting date.

There being no other business, the meeting was adjourned at 6:12pm.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "C. A. King", is written below the text "Respectfully submitted,".