

CITY OF DECORAH
BOARD OF ADJUSTMENT
Minutes of October 7, 2020

This meeting was an electronic meeting pursuant to Iowa Code section 21.8 – In circumstances where such a meeting is impossible or impractical due to concerns about COVID-19 and social distancing for the safety of commission members and the public.

In support of Iowa Governor Kim Reynolds' proclamation declaring a State of Public Health Disaster Emergency in Iowa, the current COVID-19 situation makes it "impossible and impractical" to meet in one location. The Decorah City Hall was open. However, seating was limited to ensure proper social distancing. Seating was available on a first-come, first served basis for the October 7, 2020 Board of Adjustment meeting. However, the meeting was available telephonically. The public was able to hear and participate in the Board meeting.

Due to a malfunction of the Zoom platform, the electronic portion of the meeting did not allow online participation in the meeting. To this writer's awareness, only one member of the public was impacted by this malfunction and they were aware of the disconnection.

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

Approval of minutes of the September 2, 2020 regular meeting and September 16, 2020 special meeting

Jenkins moved and Pavlovec seconded a motion to approve the minutes of September 2, 2020 with the noted corrections.

Jenkins noted the term "South garage parking space #12" should be inserted in the motion on page nine of the minutes under the revisions for item #7.

Roll call vote: Ayes: Jenkins, Pavlovec, Hagen, and Sander.

Abstain: Kraig Tweed, as he was not in attendance on September 2, 2020.

Motion was approved.

Tweed moved and Sander seconded a motion to approve the minutes of September 16, 2020 with the noted corrections.

Hagen clarified her comments on page four of the September 2, 2020 minutes for item #2 regarding concerns with parking space 13 blocking 15 and 10 blocking spaces 11 and 12.

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

Motion was approved.

Kendall Thompson for 718 South Avenue requesting permission to construct a detached garage addition contrary to the R-3 Zoning district regulations (17.16.040)

Mr. Thompson presented his application and noted he is need of the addition to the garage for additional storage.

Thompson noted he had received a variance for the first garage addition a few years ago.

Hagen asked if Mr. Thompson had spoken to his neighbors. He indicated he had and there were no issues or concerns.

There were no additional public comments.

The Board had no further questions or comments.

Jenkins moved and Tweed seconded a motion to approve a variance to allow the addition to a detached, non-conforming garage closer to the side lot line than the required 18.75'.

Roll call vote: Unanimously approved.

Cheri White for 717 Winneshiek Avenue requesting permission to replace and extend a front porch contrary to the R-3 Zoning district regulations (17.76.040)

Ms. White presented her application and noted she intends to extend the front porch an additional four feet to the North. She stated the extension would be uncovered and there would be not changes or extensions to the roof line or eaves.

There were no additional public comments.

The Board had no further questions or comments.

Hagen moved and Jenkins seconded a motion to approve a variance to allow the addition to a front porch by four feet, encroaching in to the front-yard setback to create a 19-foot setback.

Roll call vote: Unanimously approved.

Anita Schantz for 809 River Street requesting permission to construct a breezeway from house to the garage contrary to the R-3 Zoning district regulations (17.76.040 & 17.16.030)

Steve Benzing presented the plan for this application. He noted the applicant would like to connect the principle structure with the existing detached garage via a new constructed breezeway.

Bird explained connecting an accessory structure to a principle structure would require the new structure to become compliant with the zoning codes in regards to bulk regulations.

Hagen noted there appeared to be a similar type construction in this neighborhood. Bird confirmed there is another, 803 River Street.

Bird noted one property owner in the neighborhood had called about the project and provided support for the proposal.

There were no additional public comments.

The Board had no further questions or comments.

Tweed moved and Hagen seconded a motion to approve a variance to allow the addition of a breezeway to connect the accessory structure. The variance acknowledges the rear-yard setback to five feet.

Roll call vote: Unanimously approved.

Ren Properties, LLC for 802 Commerce Drive requesting permission to improve a commercial property contrary to the bulk regulations of the C-1 Zoning District – parking lot setback and sign placement (17.52.020 d & 17.40.010 f)

Russell Novak presented his application and noted he is improving the partially built structure at this address.

Bird engaged the Board in discussion regarding parking spaces and said his interpretation of the code provides for at least two options for determining the number of off-street spaces required; 17.52.020 – 11, which requires nine spaces or 17.52.020 – 18, which requires 17 spaces. Bird noted the applicant is showing 14 spaces on the site plan. Bird noted it appears the old, existing parking lot provides 25 spaces but most don't appear to be of adequate size or spacing.

Novak noted he would provide as many as he can and he is working with the city engineer on lot layout.

To aid in this, the applicant would like to put the lot's new hard surface back to where it is today, a non-conforming location on the lot line, a ten-foot variance request.

Novak also noted he proposes to replace the post sign with a new one that would be a little taller and include a model fireplace in the design. Bird noted the code requires all obstacles in the cross-section of intersections to be 40' setback from the right-of-way. He noted this would place the post sign about five feet in front of the building, an impractical location for a sign.

There was board discussion about vehicle line of sight and the current location of the stop sign on South bound Ridgewood Drive.

Bird noted he had received one comment about what the sign might look like and say. He said the caller was fine with the proposed sign.

There were no additional public comments.

The Board had no further questions or comments.

**Jenkins moved and Hagen seconded a motion to find the lot is subject to zoning code section 17.52.20 subsection 11, requiring a minimum of nine (9) parking spaces for the off-street parking lot.
Roll call vote: Unanimously approved.**

**Tweed moved and Pavlovec seconded a motion to approve a zero setback on the South-side of the parking lot to allow for a full remove and replace of the existing parking lot.
Roll call vote: Unanimously approved.**

**Jenkins moved and Hagen seconded a motion to approve a setback for the post sign per the directions and discretion of the City Engineer.
Roll call vote: Unanimously approved.**

Other Business:

Hagen asked about a traffic study for Commerce Drive and Montgomery Street. Bird noted he is working with staff on traffic control and new parking regulations will be implemented once the improvements are completed for Commerce Drive.

Hagen also asked the board about their opinion in hiring a recorder or note taker when there are appeals and actions before the board that require significant time and input from the zoning administrator. Her concern was that the administrator be free to engage in the action and also shield any possible bias in drafting the official minutes and documents.

Sander announced Wednesday, November 4, 2020 at 5:15pm as the next meeting and confirmed member in-person attendance.

There being no other business, the meeting was adjourned at 6:10pm.

Respectfully submitted,

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