

MEETING MINUTES - BOARD OF ADJUSTMENT

November 7, 2022 – 5:15 p.m.

City Hall Commission Room

1. Call to order

Weller called the meeting to order at 5:15 pm.

2. Roll Call

Board members: Rich Ivey, Slade Weller, Kyle Kurth, Ron McMahon

City Staff present: Matt Elberson, John Childs

Applicants present: Chuck Forell, Chad Hettermann, Terry Olson, Guy Ferris, Troy Bowers

3. Approval of Minutes

Kurth moved to approve, seconded by Ivey. Minutes of 10/3/22 were approved 4-0.

4. Request for Variance Application - Chuck & Dawnita Forell, 1812 E Dakota Ave

Owner/Applicant seeking approval for the following variances:

- a. (2) Encroachments into required street side setbacks on an industrial lot
 - i. Encroachment into E. Dakota Ave setback
 - ii. Encroachment into S. Taylor Ave setback

Forell stated that he changed the plans, now the larger units are moved to the middle and the entire structure is 12" closer to the existing building to gain additional frontage and a better view at the end. He wants to be able to park a bus, camper or motor home in the larger units. They are there every day to observe the property, there is not a lot of traffic. He will make sure that the tenants don't block the road and there will be no parking in front of the units.

Weller asked if Forell had spoken with the neighbors, Forell said he had, he gets along well with the neighbors and they have no concerns. Weller asked if the city had heard any comments, Elberson said they had not.

McMahon said he can see the concerns about sight distances for traffic, Forell said that loaded trucks go down (Polk Ave), and there is not a lot of traffic on Taylor Ave. Forell will keep an eye on the property and watch the parking (on Taylor). McMahon asked if the City had concerns about the proposed building, Childs said the modification is better. Childs agreed that Forell does a good job of managing his properties, but what about the next owner? The city does not have plans now to improve Taylor Ave but the city does have concerns about incursions into the right-of-way and Taylor Ave setbacks.

Ivey asked if the "conclusion" was a new document, Elberson stated it was the same but revised to be bullet points.

Kurth asked about the structure to the north and what would require it to be changed, Elberson said if it was damaged 50% or greater it would have to be brought into conformance.

Weller asked if there was any other comments, there being none he asked if anyone wanted to make a motion. McMahon moved to deny, there was no second. Weller stated that the item is not approved for lack of action.

5. Request for Special Use Permit - Chad Hettermann, Parcel No. 008748, US Hwy 14

Owner/Applicant seeking approval for the following Special Use Permit:

- a. Place a billboard sign on an undeveloped parcel south of the line where billboards are permitted.

Olson said the old billboard had blown down in a storm and they wanted to ask permission to put up a new one. They filled out a permit application and it was approved so they moved steel to the site. They were ready to build, then were told the permit was pulled. They are asking the city to reconsider as the billboard will be the same size. Olson can answer any questions.

Weller asked if the city had received any comments, Elberson said they had not.

Ferris said that he supports the action and that the billboard company does a good job.

McMahon asked if the state had a say inside city limits, Childs said sort of. The ordinance says no billboards south of Ninth St. and the city will reserve the right to have the billboard removed if the area is developed, but it is not likely in the near future. Olson noted that DOT does not have jurisdiction in the city and the city ordinance is more restrictive.

Kurth moved to approve, seconded by McMahon. Special use approved 4-0.

6. Additional Items

None addressed

7. Adjournment

McMahon moved to adjourn, seconded by Kurth. 4-0 to adjourn. Meeting adjourned at 5:35 pm.