

BOARD OF ADJUSTMENT & APPEALS

Council Chambers

March 14, 2018

Present: Charles Block, Larry Wright, Donna Amandus, Tim Wondra, Mike Pulis,  
Council Liaison Chris Greenwald

Absent:

Staff: Doug Krogmeier, Emily Britton

Visitors: Bridget Prado, Aaron Prado, Jenna Prado, Craig Abolt, Arthur Prado

**Charles Block called the meeting to order at 6:00.** A quorum was declared with five members present.

**Minutes from the October 25, 2017, meeting were approved with corrections on a motion by Wondra; seconded by Amandus. Approval was unanimous.**

**NON-AGENDA ITEMS: none**

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**Case File 18-01: Special Use Permit for a Cottage Business at 1222 33<sup>rd</sup> St for Aaron Prado.**

Staff reviewed report and passed on neighbor concerns.

**Block opened public hearing at 6:06pm.**

Krogmeier explained one neighbor had complaints about a skunk smell and another had concerns regarding increased traffic in an already narrow alleyway. Aaron Prado, 1222 33<sup>rd</sup> St, explained that he had skinned a skunk previously in a different garage across the alley, however that was not part of his business as it was for personal use. He continued to say he did not believe traffic will increase significantly as there are already numerous businesses in the area and with the grade school close by there is already a lot of traffic activity in the area. He will be providing off-street parking and does not expect more than about ½ dozen people per day to start and did not believe there would be an issue. Krogmeier asked if he would be doing something similar to the skunk in the business, and he said he will avoid doing skunks to keep the smell down. Amandus asked for clarification on the process from trapping to skinning, tanning and using the furs. Prado explained that he does trap as a hobby but plans to purchase and use finished furs that are already tanned to make products such as hats for his business. Block asked if he will be skinning on site and he said if he continues to skin it will likely be in his grandma's garage across the alley. Amandus shared her concerns about the narrow alley leaving no room to get by if vehicles are parked on the side, to which Wondra replied Prado plans to have off-street parking in the yard by setting the structure back off the alley and using gravel to provide spaces so vehicles will likely not be parking in the alley. Block asked for clarification on the use of the proposed structure which will be used half for the business and half for personal use as a garage. Block also asked how many parking spaces will be provided and Prado expects to have 3 spaces to start and plans to remove more fencing to create more spaces as needed. He further explained that he is only looking to start the business here and will move to a more accommodating location once the business is established and growing. Amandus suggested finding a location outside city limits to skin the animals but Greenwald added that it is legal for him to do so for personal use in city limits so there should not be an issue with that. Krogmeier added that a noxious smell could be considered a nuisance if it bothers neighbors but otherwise there was no reason he can't skin the animals in town. Amandus asked how he would store and dispose of carcasses, and Prado said he can dispose of them at the landfill and when Amandus asked about when the landfill is closed he said he would have a deep freezer to store them until disposal as needed to keep the smell down. Wright voiced concerns about meeting the criteria of the Finding of Fact, specifically sections A, B, and C considering the animals could be a concern for public safety and the smell could hinder the use and enjoyment of neighboring properties and in doing so affect property values and future development of the area. Krogmeier agreed that smell was his main concern for the neighborhood and asked if there would be a floor drain installed for quick cleanup and commented that it would need to be properly attached to the City sewer as opposed to a normal drain. Prado said he does plan to install the floor drain and keep the area clean as well as use the deep freeze to keep the smell down. Krogmeier reminded the Board they are able to put conditions on an approval, such as re-review after x amount of time to get neighbor feedback. Block asked if the Special Use Permit is approved and there are neighbor complaints later how it would be handled. Krogmeier explained that any Special Use Permit can be reviewed upon neighbor complaints at any time and suggested the idea of a condition to ensure re-review at a later time after the business opens. Amandus asked about a sign and Prado said he plans to put a small sign on the structure to let people know they are in the right place, but they would have to know it's there as it will not be visible

from the highway or main roads. Amanus also asked for clarification on the required number of parking spaces per the code and Krogmeier answered 1 ½ spaces are required for a residential unit, however as the Cottage Business will be less than 2000sq ft there are no additional requirements for it. Greenwald commented that both Cabelas and Bass Pro Shops began similarly in someone's garage and he believed it could be a great asset to the community. Prado replied he does not know of any other bait shops in town currently.

**Block closed the public hearing at 6:33 pm.**

Completion of Finding of Fact.

**Wondra made a motion, seconded by Pulis, to approve the Special Use Permit for a Cottage Business at 1222 33<sup>rd</sup> St for Aaron Prado.**

Amandus asked when the business would open and suggested making a condition to re-review 6 months after opening. Prado said he's unsure as they'll have construction of the garage first so it will depend on how long that takes but he's hoping to open beginning of summer.

**Wondra moved, seconded by Pulis, to amend the previous motion to approve the Special Use Permit for a Cottage Business at 1222 33<sup>rd</sup> St for Aaron Prado with a condition to re-review complete with neighbor notices 6 months from the time the business opens.**

**Vote: 5-yes, 0-no. Motion passed.**

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**Case File 18-02: Variance to reduce side yard setback at 11 High Point for Craig Abolt.**

Staff reviewed report. Block asked how far the structure is from the property line. Krogmeier explained the property line as shown on Beacon appears to be only 3 ft from the garage however upon personal inspection and finding property pins it looks more like 20ft. He continued to explain this is not unusual considering the layout of the land and ravines which can cause lines to show up incorrectly on Beacon. He also noted the owner of the neighboring property had no concerns with the garage location and would likely be the only neighbor to see it.

**Block opened public hearing at 6:43pm.**

Abolt agreed with Krogmeier that Beacon does not show the property line accurately and his property is unique with ravines and even a cliff making placement of the garage limited. Krogmeier agreed that to have the garage attached and considering the unique property the placement just made sense.

**Block closed the public hearing at 6:45 pm.**

Review of Finding of Fact.

**Block moved, seconded by Amandus, to approve the Variance to reduce side yard setback at 11 High Point for Craig Abolt.**

**Vote: 5-yes, 0-no. Motion passed.**

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**Old Business:** none

**Other/New Business:** None

**Wondra moved, seconded by Block, to adjourn the meeting.**

**Vote: 5-yes, 0-no.**

**Meeting adjourned at 6:48 PM.**

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**Charles Block**