

BOARD OF ADJUSTMENT & APPEALS

Council Chambers

October 9, 2013

Present: Tim Wondra, Tiffany Siefken, Donna Amandus
Absent: Charles Block, Mike Pulis
Staff: Doug Krogmeier, Emily Britton,
Visitors: Douglas Kutz, M. Palini, Jeff Evers, Soheil Daneshvan, Mark Lamm

The meeting was called to order at 5:32 by Tim Wondra. A quorum was declared with three members present.

Minutes from the September, 11 2013 meeting were approved on a motion by Donna Amandus; seconded by Tiffany Siefken. Approval was unanimous.

NON-AGENDA ITEMS: none

Case File # 13-13: Review/consideration of a Special Use Permit to allow on premises consumption of alcohol at 622 – 7th Street for MAYA Enterprises (located at Ivy Bake Shoppe):

Staff reviewed case report.

Wondra opened public hearing at 5:34pm.

No comments by public.

Wondra closed public hearing at 5:35pm.

No comments from commission.

Donna Amandus made a motion, seconded by Tiffany Siefken, to approve the Special Use Permit to allow on premises consumption of alcohol at 622 7th Street.

Vote: 3-yes, 0-no. Motion passed.

Case File # 13-14: Review/consideration of a Special Use Permit to allow a new business (24hr Fitness Center) within the B-4 district at 2328 Ave L for Chris Evers.

Staff reviewed case report.

Wondra opened public hearing at 5:37pm.

Mark Lamm questioned if the alley is being paved by the city and paid for by taxpayers. Tim Wondra and Doug Krogmeier explained that it is not asphalt, it is millings, and it is being done throughout the city not specific to this location. Lamm explained that he is the owner of 24/7 Fit, and by allowing this new 24hr fitness center it will negatively affect his business. Wondra explained that he understands that, however business competition is not a matter this commission addresses. Lamm then explained that if the city is laying millings on the alley there, they should do the same for the alley behind his business. He said the dust from the alley gets into his air conditioners and he must climb up to the roof to flush them out every other week.

Wondra closed the public hearing at 5:42pm.

No comments from commission.

Tiffany Siefken made a motion, seconded by Donna Amandus, to approve the Special Use Permit to allow a new business (24hr Fitness Center) within the B-4 business district at 2328 Ave L.

Vote: 3-yes, 0-no. Motion Passed.

Case File # 13-15: Review/consideration of a Variance request to exceed accessory structure height at 1326 Ave B for Douglas Kutz.

Staff reviewed case report.

Wondra opened public hearing at 5:44pm.

Donna Amandus asked to clarify that it will not be an apartment above the garage. She then asked if it would be blocking anyone's view, and Kutz explained that the only building it would block view for is another garage located behind it. Wondra asked if any neighbors expressed concern with it. Krogmeier said he received some phone calls, but nobody was against it.

Wondra closed public hearing at 5:45.

No comments from commission.

Donna Amandus made a motion, seconded by Tim Wondra, to approve the Variance request to exceed accessory structure height at 1326 Ave B.

Vote: 3-yes, 0-no. Motion passed.

Old Business: none

Other/New Business: none

Tim Wondra made a motion, seconded by Donna Amandus, to adjourn the meeting.

Vote: 3-yes, 0-no.

Meeting adjourned at 5:47pm.

Tim Wondra, Acting Chairperson