

CITY OF OSKALOOSA  
BOARD OF ADJUSTMENT  
Regular Meeting Minutes  
March 24, 2020

A regularly scheduled meeting of the Board of Adjustment for the City of Oskaloosa was called to order at 5:00 P.M. on Tuesday, March 24, 2020 by Chairman, Tim Murry at the City Hall Council Chambers 220 South Market Street, Oskaloosa, Iowa. This meeting was also offered electronically in accordance with Section Nine of the Iowa Public Health Emergency Declaration signed by Governor Kim Reynolds.

COMMISSION MEMBERS PRESENT: Perry "Tim" Murry, Wyndell Campbell, Cody Landgrebe and Scott Moore

COMMISSION MEMBERS ABSENT: None

CITY STAFF PRESENT: Mike Flahive & Becki Gatton

OTHERS PRESENT: Brian Booy and John Lanser (joined electronically)

Approval of minutes from 12/23/19 meeting.

It was moved by Campbell, seconded by Moore to approve the December 23, 2019 Board of Adjustment minutes. All Ayes, motion carried unanimously.

Citizens to be heard

None

Consider a request for a variance to waive the public sidewalk installation requirement for the property located at 809 15<sup>th</sup> Ave East.

Brian Booy will be building a new home at 809 15<sup>th</sup> Ave E and is seeking to have the board waive the public sidewalk requirement. Flahive explained to the board that the City does have a capital improvement project to install sidewalks on this street with the first phase being from Market Street to South 5<sup>th</sup>. Booy pointed out that there would be many obstacles on his side of the road so that when the time comes to do the phase east of South 5<sup>th</sup> that it would make more sense to continue sidewalks on the south side of the road. Flahive did confirm that at this time the City does not know which side of the street the sidewalk will be located on. Landgrebe stated that with the City not knowing for sure what side the sidewalk would be located that he didn't see a benefit to Booy putting in sidewalk right now and there are too many unknowns to apply a hardship. Discussion was had if the City had the ability to impose a time limitation on the variance so that if the City moved forward with the sidewalk project within a certain time period on the north side of the road then the property would need to tie in. There were talks of tabling the issue to the next month to allow for more information on a plan from Engineering or granting a conditional variance. Booy said he preferred to have a yes or no answer at this meeting. It was moved by Landgrebe, seconded by Moore to approve a variance for sidewalk installation on this property in connection with the redevelopment of the site.

Ayes: Murry, Landgrebe & Moore. Nays: Campbell.

Consider a request for a variance from the minimum rear yard and side yard setback for the property at 470 North 9<sup>th</sup> Street required by the City of Oskaloosa municipal code.

John Lanser is seeking a reduction in the minimum rear yard setback requirement from 5' to 0' and a reduction in the minimum side yard setback from 4' to 0'. Lanser is proposing to tear down the existing garage and build a new 22' x 28' garage on the south and east property lines. Campbell asked Lanser if

he had considered purchasing the adjoining alley to expand his property and be able to meet setback requirements. Lanser stated he wasn't opposed to buying the alley but didn't know if he would get the needed support from his neighbors. The board also questioned Lanser if he had considered changing the orientation of the garage. After further discussion, Campbell made a motion, seconded by Moore to approve the variance request for the side yard setback on the southern property line provided the owner meets the proper structure separation as allowed by code. All Ayes, motion carried unanimously. It was then moved by Campbell, seconded by Landgrebe to deny the variance request for the rear yard setback. All Ayes, motion carried unanimously.

Miscellaneous Business

None

With no further business, Campbell made a motion seconded by Moore to adjourn the meeting at 6:17 P.M.

Minutes by Becki Gatton