

CITY OF OSKALOOSA
BOARD OF ADJUSTMENT
Regular Meeting Minutes
October 26, 2021

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, October 26, 2021 by Chairman, Perry "Tim" Murry at the City Hall Council Chambers, 220 South Market Street, Oskaloosa, Iowa.

COMMISSION MEMBERS PRESENT: Perry "Tim" Murry, Royce Spoelstra and Scott Moore.

COMMISSION MEMBERS ABSENT: Cody Landgrebe.

CITY STAFF PRESENT: Mike Flahive.

OTHERS PRESENT: Ryan Smithart and John Duncan.

Approval of minutes from the July 27, 2021 meeting.

It was moved by Moore, seconded by Spoelstra to approve the July 27, 2021 Board of Adjustment Commission minutes. All Ayes, motion carried unanimously.

Citizens to be heard

None

Consider a request for a variance to waive the fence height requirement for the property located at 902 5th Ave East, required by the City of Oskaloosa municipal code.

Ryan Smithart asked for a variance for a fence height of eight feet to help keep his dogs contained in the rear yard of his property. Ryan explained the challenges of keeping his dogs from jumping over the six foot tall fence that he had previously constructed, which is the max height requirement by the City of Oskaloosa municipal code. Moore asked if the dogs were jumping onto a structure in the yard and then jumping over the fence. Ryan explained that the dogs were not jumping onto a structure, rather, were jumping directly from the ground over the fence due to their athleticism.

Spoelstra expressed his concerns with allowing the request without a true hardship to support the variance and felt this would be setting a precedence for other property owners if allowed. Murry asked about the grade height in the rear yard as well as the property lot lines. Flahive stated that the property line is typically located right inside the sidewalk and was not an issue of concern. After further discussion, it was moved by Moore, seconded by Spoelstra to deny the variance as requested. All Nays, motion carried unanimously.

Miscellaneous Business

There was no new business.

With no further business, Spoelstra made a motion seconded by Moore to adjourn the meeting at 5:15 P.M.

Minutes by Mike Flahive