

Board of Adjustment
Minutes
May 26, 2015

Meeting was called to order at 6:00 p.m. by Chairperson Moe Richardson. Those in attendance: Moe Richardson, Roch Player, Gary Ulch and Liz Sparks. Absent: Lori Boren. Also in attendance: Zoning Administrator, Matt Siders, Adam Smith from Guppy's on The Go, Troy Pins from Garling Construction, and residents John Kline and Stan Crocker.

1. Approval of Agenda. Motion made by Player, seconded by Sparks to approve the agenda. Carried all.
2. Approval of minutes from March 3, 2015. Motion made by Ulch, seconded by Player to approve minutes. Carried all, with Sparks abstaining due to not being at the last meeting.
3. Public Hearing and discussion and possible action on a request for a variance for expansion at 1206 1st Street SW, Mount Vernon, Iowa. Zoning Administrator, Matt Siders, stated that the board was meeting today to do a "re-do" from the March 3, 2015 meeting. The variance is pertaining to the building encroaching on the setback. Sparks asked for clarification on how far back from the property line they are requesting the setback be. Siders said the existing minimum setback for Limited Commercial is 10 feet on streetside setback. Their building will go to 6 feet from the property line. Resident Stan Crocker addressed the board and said that he is excited about the update and change this will bring but is concerned about the process that took place for the March 2015 meeting. There was no notice posted on the property and he also feels that more needs to be done to inform nearby property owners, such as letters being mailed out. He is also concerned about the traffic on 10th Avenue and anything that might increase the traffic will impact the area. He would like the City to keep an eye on this and take action if need be. Crocker also stated that the neighbors would also like to see more foliage around the business to soften the transition from commercial to residential. Other concerns are how the exhaust system will work with the pizza smell, trash concerns with increased traffic and smoking by employees. Lighting is also a concern in the neighborhood. Player stated that the main thing that the board can address is the process and asked Siders to make sure that the process was being followed. Siders stated that he was now fully aware of the process and agrees that maybe the neighbors should be contacted in a different way. Sparks asked Crocker if he had concerns about the visibility of the intersection on 10th Avenue if the building is extended closer to the side street. Crocker said he did not until now

but it is something to think about. Adam Smith stated that all of the above concerns would be taken into consideration and as far as the visibility concerns, there is already an existing concrete wall there and the building will not be going out any further than this existing wall. He also stated that the store will be there either way, it's just a matter of making it better for the community.

Sparks asked about what VJ Engineering concluded when they researched the traffic sight lines, both the sight line to the intersection and the sight line to where traffic is coming out of the property onto 10th Avenue. Smith said that VJ Engineering drew up a site plan for the proposed changes. As part of that review this is something they have to take into consideration and they did not have any intersection issues. Sparks said that it is her understanding that Smith is saying that he understood VJ Engineering found that the sight lines with the building extension would conform with and would meet civil engineering traffic standards. Smith said this was correct.

After the March 3, 2015 meeting, the Board of Adjustment discovered that it failed to post notice of the public hearing on the property for which the variance was requested as required by Section 165.1309b(2). For that reason the board set this second hearing with all proper public notice given to hear the variance request. The board is vacating their March 2015 decision on the variance and re-hearing it at this meeting. Sparks moved that the board vacate their decision of the March 3, 2015 meeting regarding the variance request for the property at 1206 1st Street SW, Mount Vernon, Iowa based on the reasons stated previously. Player seconded this motion. Carried all.

Player moved that the board grant the variance from the 10 foot side street setback to permit a 6' side street setback for this expansion. Seconded by Ulch. Those in favor: Ulch, Player, Richardson. Opposed: Sparks. Motion carried.

Meeting adjourned at 6:35 p.m., May 26, 2015.

Respectfully submitted,
Marsha Dewell
Deputy Clerk