

**MINUTES OF THE WATERLOO BOARD OF ADJUSTMENT REGULAR MEETING  
HELD ON AUGUST 26, 2014, IN THE HARROLD E. GETTY COUNCIL CHAMBERS,  
CITY HALL**

Vice Chairperson Sandy Goldsberry called the regular meeting of the Waterloo Board of Adjustment to order at 4:00 p.m. Board members in attendance were: Chizek and Reisinger. Board members absent were: Sass & Holdiman. Staff in attendance was Anderson, Schroeder, Western, and Andera. There were 5 people from the public in attendance.

I. Approval of the Agenda for August 26, 2014.

*It was moved by Chizek, seconded by Reisinger, to approve the agenda as submitted. Motion carried unanimously.*

II. Approval of the Minutes of the Regular Meeting on July 22, 2014.

*It was moved by Reisinger, seconded by Chizek, to approve the minutes as submitted. Motion carried unanimously.*

III. Decision Items

1. Request by Greg Coppoer on the behalf of U-Haul Real Estate Co. for a special permit to allow for the construction of 2,485 SF storage facility building (warehouse storage) in a "C-2" Commercial District, located at 3633 University Avenue.

Western gave the staff report nothing that the applicant is requesting a special permit to allow for an additional warehouse storage building to be constructed at the current U-Haul location at 3633 University Avenue. Western noted that the Planning and Zoning Commission recommended approval of the request 6-0, with the condition that there not be any outside storage allow at the site in question, that a full site plan be submitted prior to construction, and that the final site plan meet all applicable city codes, regulations, etc. including but not limited to parking, landscaping, drainage, etc.

The applicant had no additional information for the board and no additional discussion took place.

*It was moved by Chizek, seconded by Reisinger, to approve the request for a special permit to allow for the construction of a 2,497 SF storage facility to be located to the east of the existing U-Haul building at 3633 University Avenue be approved subject to the conditions 1) that there not be any outside storage allowed at the site 2) a full site plan be submitted prior to construction 3) the final site plan meet all applicable city codes, regulations etc. including but not limited to parking landscaping, drainage, etc. Motion carries unanimously.*

**SPECIAL PERMIT REQUEST APPROVED**

2. Request by Nagle Signs Inc. for a variance to allow for a menu sign with a loud speaker to be approximately 76' from an abutting Residential Zoning District, 24' less than the 100' required, located at 3658 Kimball Avenue.

Miller gave the staff report noting that the applicant is requesting to replace a loudspeaker at the McDonalds location on Kimball Avenue to accompany the location of the new building. Miller noted that staff recommends approval of the request.

The applicant had no additional information for the board and no additional discussion took place.

*It was moved by Chizek, seconded by Reisinger, to approve the request for a variance to allow for a loud speaker within 100' of a residentially zoned district. Motion carries unanimously.*

#### VARIANCE REQUEST APPROVED

3. Request by Cedric Culp for a variance to allow for a 24'x48' (1,152 SF) accessory structure to be constructed on a residential lot without a Principal Permitted Use, utilize vertical steel siding, and exceed the 850 SF maximum allowed by 302 SF, located at 428 Peek Street.

Miller gave the staff report noting the applicant would like to construct an accessory structure on property he owns at the southeast corner of Peek Street and Ricker Street. Miller noted that staff is recommending denial of the request due to the potential of a precedent for future requests, the request being out of character and have a negative impact on the surrounding residential neighborhood and the request not being in conformance with the Future Land Use Map of the area being Low Density Residential.

Reisinger questioned if there would be a cement floor or not. Miller noted that the plans submitted by the applicant indicated that there would not be a cement floor.

Cedric Culp, 500 Ricker St, noted that there would be a concrete floor and the building would be utilized for personal storage and not for commercial purposes. Culp noted that the building would not be an eye sore to the surrounding neighborhood like other properties in the area are.

Clinton Bohls, contractor, noted that there are many commercial properties in the area, one being located approximately 300 yards to the east and is currently a pallet company.

Eva Culp, 110 Webster St, noted that she is the applicant's mother and noted that his residence at 500 Ricker Street is very well maintained that the addition of the accessory structure would be beneficial to the surrounding area. Eva also noted that the proposed accessory structure would only be a block from the applicant's home.

Cedric Culp questioned the accessory structure located adjacent to the KBBG building. Schroeder noted that the KBBG location was zoned "R-2, C-Z" but it is a permitted use after a special permit is issued by the Board of Adjustment. The building was a part of that special permit request and is on a parcel of land that abuts the primary KBBG building.

Cedric Culp questioned the zoning of the parking lot located south of 803 Ricker Street along with the zoning of the surrounding residence. Schroeder noted that the parking lot was zoned

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"M-2" and the surrounding residence were zoned "R-2" therefore the parking lot was permitted and the surrounding residence were permitted also.

Lynn Kloberdanz, 4788 Clover Lane, stated she lives in a dense residential neighborhood zoned "R-1" and there is a similar structure located on a property with a home. She does not consider it a problem and if her neighbors were allowed to construct a similar structure with vertical steel siding that so should the applicant.

*It was moved by Reisinger, seconded by Chizek, to deny the request to allow for a 24'x48' accessory structure to be constructed on a residential lot without a Principal Permitted Use, utilize vertical steel siding and exceed the 850 SF maximum allowed by 302 SF, located at 428 Peek Street due to 1) the request potentially setting a precedent for future requests in dense residential neighborhoods 2) Motion carries unanimously & 3) the request would not be in conformance to the Future Land Use Map of the area being low density Residential.*

### VARIANCE REQUEST DENIED

4. Request by Concrete Foundations, Inc. for a variance to allow for a temporary portable concrete batch plant to be located in a "C-P" Planned Commercial District, located across from and east of 4550 Hess Road.

Schroeder gave the staff report noting that the request would be a temporary location for a county road project. Schroeder noted that staff is recommending approval to the request with a condition of the batch plant be there no later than October 31, 2014.

Robert Hanson, Croell Redi Mix, indicated that the batch plant would be at the location for a temporary period of time and they picked this location due to safety and lower road miles for the drivers. Hanson stated that they would level the area and reseed the property if the owner would like.

*It was moved by Chizek, seconded by Reisinger, to approve the request for a variance to allow for a temporary portable concrete batch plant. Motion carried unanimously.*

### VARIANCE REQUEST APPROVED

5. Request by Champion Garage Builders for a variance to allow for the construction of a 24'x24' (576 SF) accessory structure and have a setback of 10' from the side street property line, 5' less than what is required, located at 472 Progress Avenue.

Miller gave the staff report indicating that the applicant is requesting a garage along the southern portion of the property along Acorn Lane.

Reisinger expressed concern having a detached structure close to the home for safety reasons such as a fire.

David Delagardelle, 472 Progress Ave, stated that he is the owner of the property and they would not like to impede on the growth of the surrounding trees. Delagardelle indicated that

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there would be sufficient room to put in a sidewalk if necessary and also supplied the Board with letters of support from surrounding neighbors.

Chris Howard, Champion Garage Builders, stated that the garage will esthetically be similar to the residence with similar colors and siding.

*It was moved by Reisinger, seconded by Chizek, to approve the request for a variance to allow for a 24'x24' garage be constructed 10' from the side street property line, 5' less than what is required. Motion carried unanimously.*

### VARIANCE REQUEST APPROVED

6. Request by City Builders for a variance to the front yard setback requirement to allow for the construction of a 12'x14' (168 SF) three seasons room addition with a setback of approximately 10' from the front property line, 10' less than what is required, located at **419 Holm Street.**

Western gave the staff report indicating that the applicant is requesting a variance to allow a 10' variance to build a three seasons room addition at the northeast corner of the property. Western noted that staff is recommending the request be denied for the following reason: 1) the request would appear to have a negative impact on the orderly appearance in the surrounding area 2) the request would not appear to meet the requirements of the zoning ordinance.

Dennis Wildeboer, City Builders, submitted folders to the Board members and explained the information inside. Wildeboer indicated that there are many similar structures throughout the neighborhood as noted in the packet.

Sara Kersenbrock, 419 Holm St., stated that the deck area was already in place when they purchased the home in 1994.

Schroeder stated that the structure is visible in 1994 aerials but not in 1982 aerials so the deck would not be considered grandfathered or legal non-conforming.

Reisinger questioned what the owner would do if the request was denied.

Sue Shoeman, 419 Holm St., stated that they would update the existing deck by replacing rotting boards.

Reisinger indicated that he believes the proposed three seasons room would be an improvement to the area.

Schroeder questioned if the applicants would be keeping the fence.

Wildeboer indicated that they will be removing a majority of the fence and bring the rest of the fence into conformance with the Zoning Ordinance to meet the 4 foot requirements in the front yard.

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*It was moved by Reisinger, seconded by Chizek, to approve the request for a variance to the front yard setback requirement to allow for the construction of a three seasons room with a setback of 10' from the front property line with the condition that the fence be brought into conformance and be no taller than 4'. Motion carried unanimously.*

VARIANCE REQUEST APPROVED

IV. Adjournment

*It was moved by Chizek, seconded by Reisinger, to adjourn the meeting at 5:28 p.m. Motion carried unanimously.*

Respectfully submitted,



Adrienne Miller,  
Associate Planner