

CITY OF DECORAH
BOARD OF ADJUSTMENT
Minutes of April 6, 2015

Jon Christy called the meeting to order at 5:00pm and the following answered roll. Present: Janelle Pavlovec, Jon Christy and Steve Johnson. Absent: Sue Sander and John Moeller.

Also in attendance: Zoning Administrator Chad Bird

Christy asked for consideration of the minutes of the March 2, 2015 meeting.

**Johnson moved and Pavlovec seconded approval of the minutes as presented.
Roll call vote: Unanimously approved.**

The first item on the agenda was a request from Kevin Thompson for 301 Pershing Avenue requesting permission to construct an attached addition to the current garage contrary to R-3 Zoning requirements.

Mr. Thompson noted that his application was to construct a carport over the existing concrete slab on the south side of this property. He noted that his current residential structure is only about four feet from the rear property line and thus, to keep his proposed construction in line with the residence a variance is necessary. Mr. Thompson's request is for encroachment into the required 25 foot setback for a rear-yard to 10 feet.

There were no questions or comments from neither the public nor the Board.

**Pavlovec moved and Johnson seconded a motion to approve the variance for a rear-yard setback not-to-exceed 10' for an attached garage addition contrary to R-3 Zoning regulations.
Roll call vote: Unanimously approved. Application is approved.**

The second item on the agenda was a request from Gary Gulrud for 501 Iowa Avenue requesting permission to construct an addition to the current primary structure contrary to R-2 Zoning requirements.

Mr. Gulrud presented his application and noted he wished to remodel the rear portion of the residential structure and increase the size. He noted there is a required 25 foot rear-yard setback and he wishes to apply for a one foot variance. Mr. Gulrud believed this was alright with the neighbors and that it would afford him the best use of his property.

There was considerable discussion by the Board about one foot variance requests and that they have not approved them in the past. The Board believes there should be more separation for the movement of light and air and to allow for maintenance around the building. There was also some discussion about the allowance for overhangs and eaves.

**Johnson moved and Pavlovec seconded a motion to deny the variance for a rear-yard setback of 1 foot for a principle permitted use expansion contrary to R-2 Zoning regulations.
Roll call vote: Unanimously denied. Application is denied.**

The third item on the agenda was a request from Luther College for 810 Pole Line Road requesting permission to construct addition to existing solar array under terms of existing Special Use Permit in a C-5 Zoning district

Mr. Jay Uthoff presented the plans for the College's expansion of a solar array in the existing field as granted by a special use permit in January 2012. City zoning code contemplates amending the special use permit if the project were to expand or be enlarged by the applicant. Luther College is proposing doubling the size of the solar array.

There were no comments from the public.

Johnson moved and Pavlovec seconded a motion to approve amending the special use permit and allow for additional solar array panels in the C-5 zoning district. Roll call vote: Unanimously approved. Application is approved.

The fourth item on the agenda was a request from Dean & Lois Humpal for 404 Vernon Street requesting permission to construct an attached garage contrary to R-3 Zoning requirements.

Mr. Humpal proposed an attached garage to 4 feet of the North property line, rear-yard. The required set back is 25 feet. He noted that access to the property would be off of River Street to the east but that he also owned that adjoining property so there should be no issues.

In Board discussion there were questions about where the garage would be situated east and west on the property and if the owner had made provisions to protect the structure from the Dry Run Creek wall. The owner discussed that he could meet the 10' setback on the east for the side-yard and that he was aware of the retaining wall issues.

There were no comments from the public.

Johnson moved and Christy seconded a motion to approve the application for an attached garage to a 4' rear-yard setback contingent on the owner securing and submitting an easement document showing access rights off of River Street contrary to R-3 Zoning regulations. Roll call vote: Unanimously approved. Application is approved.

Other Business

There being no other business, the meeting was adjourned at 5:35pm.

Respectfully submitted,

