

CITY OF DECORAH  
BOARD OF ADJUSTMENT  
Minutes of June 6, 2016

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

Absent: Jon Christy

Also in attendance: Zoning Administrator Chad Bird

Moeller asked for consideration of the minutes of the May 2, 2016 meeting.

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

The first item on the agenda is an application for Douglas and Shirleen Sturtz for 601 West Main Street, requesting permission to raise the garage roof contrary to the R-3 zoning regulations.

Mr. Sturtz reviewed his application and noted they intend to add on to the top of their garage by adding living quarters above the existing garage. The request for a variance is for the increased height of the structure as the applicants propose to increase the height from the existing 17 feet to 25 feet. Mr. Sturtz noted the purpose of the extension to convert the structure to an apartment and add solar panels on the roof. The increased height is necessary to reach the sun due to the taller structures surrounding the property. He noted he proposes to install approximately 9Kwz solar to the roof of the structure.

There were no other public comments.

In board discussion there was general conversation about the height of the proposed building and the surrounding landscape. Sander noted the higher retaining wall around the adjoining church building parking lot.

**Johnson moved and Sander seconded a motion to approve the variance application as presented.**

**Roll call vote: Aye – Johnson, Sander, Pavlovec and Moeller.  
Application is approved.**

The second item on the agenda is an application from Gary and Mary Lukes for 505 Plum Street, requesting permission to construct a house addition contrary to the R-3 zoning regulations.

Jim Berg was present and reviewed this application. He noted that the plan is to add a room addition to the rear of the residential structure. Berg noted that the proposed 18' wide by 20' deep room addition the applicants are requesting requires a variance to 23' for the rear-yard. Sander inquired as the reason for the additional two feet on the depth of the structure as it is apparent that an 18' by 18' addition would be code compliant. The reason given is that the applicant believes the longer 20' addition better suits their needs. Berg also noted that it would provide for a better configuration for a proposed stair case.

Pavlovec asked if the structure was single-story. Berg noted that it is a basement and main level addition.

There were no other public comments.

There was no additional board discussion.

**Johnson moved and Sander seconded a motion to approve the variance application for a rear-yard setback to 23'.**

**Aye – Johnson, Sander, Moeller and Pavlovec.**

**Roll call vote: Unanimously approved.**

The third item on the agenda is an application from Duane & Shirley Bushman for 2387 Red Oak Road, requesting permission to construct a garage contrary to the R-3 zoning regulations.

Duane Bushman presented his application to construct an accessory structure on a lot without the principal structure being constructed as city code section 17.16.030 B prohibits an accessory structure without the principal building. Bushman noted he intends to construct a 40' by 48' accessory structure with no main building being proposed.

Bushman noted the building will meet all regular setbacks required for the R-3 zoning district as noted on the application. He also stated that the building and finished materials will match or otherwise be consistent with the main residence.

Steve Downing noted that the proposed structure would meet all the subdivision's covenant requirements.

There were no other public comments.

There was no additional board discussion.

**Johnson moved and Sander seconded a motion to approve the variance application for an accessory structure on a lot without the principal structure.**

**Aye – Johnson, Sander, Moeller and Pavlovec.**

**Roll call vote: Unanimously approved.**

The fourth item on the agenda is an application from Kathryn Preston for 502 Mound Street, requesting permission to construct a fence in the front yard contrary to the R-2 zoning regulations.

Jeff Scott, the contractor for the project presented this application and noted he proposes to construct a deer screen fence in the front-yard of this residence at 6.5 feet tall. He noted the zoning code limits front-yard fences to four feet. The applicant proposes a 6.5 foot fence to keep deer out of the garden and landscaping proposed for the front-yard.

Scott noted that the fence would be constructed of an open wire material that would allow visibility.

There were no other public comments.

The board discussed the new zoning code in regards to fencing. Moeller noted that the community seemed to love building fences. Johnson, too thought the fence was too high for the front-yard.

**Johnson moved and Sander seconded a motion to deny the variance application for a taller fence in the front-yard. Johnson then rescinded his motion and the motion died for lack of a second or further action.**

**Johnson moved and Sander seconded a motion to approve the variance application for a 6.5 foot tall metal mesh fence to be located in the front-yard.  
Aye – Johnson, Sander and Pavlovec. Nays - Moeller  
Roll call vote: Motion carried 3-1 - approved.**

#### Other Business

In other business the board indicated an interest in a joint meeting with the Planning & Zoning Commission to discuss matters of mutual interest. Bird also discussed with the board changes on the application for relating to applicants completing a section on defined hardships. The board agreed that each application should be completed in its entirety before the board would consider the application.

There being no other business, the meeting was adjourned at 5:44pm.

Respectfully submitted,

