

NORWALK BOARD OF ADJUSTMENT MEETING 10-10-2013

The Board of Adjustment meeting was held Thursday, October 10, 2013 at Norwalk City Hall, 705 North Avenue, Norwalk, Iowa. Acting Chairperson Christin Grant called the meeting to order at 6:00 pm. Members present at roll call were: Chad Stevens, Brent Hinders, Dennis Cassady and Christin Grant. Absent: Stephen Davidson.

City Staff present were Josh Heggen, Community Development Director and Shelley Heisdorffer, Development Services Assistant.

13-09 – Motion by Stevens and seconded by Cassady to approve the agenda. Approved 4-0.

13-10 – Motion by Stevens and seconded by Hinders to approve the minutes from the May 21, 2013 meeting. Approved 4-0.

Chairperson Grant welcomed the guests present and asked for public comment on any topic not related to the agenda. With no one wishing to speak, the business portion of the meeting was opened.

The first item on the agenda was Public Hearing for Special Use Permit Request (13-03) Automotive Repair, 730 Main Street. Ms. Grant opened the public hearing at 6:03 p.m.

Domonick Cimino, 729 Main Street, stated he is the owner of the hardware store across the street from the proposed automotive repair business. Mr. Cimino is in favor of the automotive repair shop. He stated he has been in his building for 22 years and that building has always been some type of an automotive repair business.

Gary Purdy, 3032 Cumming Road, Van Meter informed the Board that he bought this building originally with the intentions of opening an auto repair business there, and was told that it was zoned properly to do that. After he fixed it all up, he received an offer to rent it out.

Mr. Purdy takes good care of his rental properties and has no complaints from neighbors. He is in favor of the special use permit allowing Mr. Leto to open his auto repair business and will be glad to have a paying tenant in the space again.

Ilene Tuttle, 706 Main Street spoke in favor of the auto repair business. She and her husband have lived in their house for over 30 years and the building has always been occupied by some type of an auto repair business. They do not have any concerns with Mr. Leto opening his auto repair business there.

Tina Gravitt, 815 South Ave stated she is a neighbor of the proposed business. She is in favor of allowing auto repair in this building.

Mr. Heggen presented an email that he received from Alan & Clara Stults stating they have no issues with the change of business to auto repair.

The Public Hearing was closed at 6:08 p.m.

Chairperson Grant asked Mr. Heggen if this had gone in front of the Planning and Zoning Commission since it seems like a zoning issue. Mr. Heggen reported that it had gone before them and they sent it to council with the recommendation that they allow it with a special use permit to protect the residents in the neighborhood.

Mr. Cassady stated he would like to make sure that outside storage had restrictions.

Mr. Heggen pointed out the staff recommendations to this request is to approve special use with the following conditions:

- The automotive repair business operates within the approved business definition.
- Hours of operation. The business is limited in operation from 7 a.m. to 9 p.m. seven days a week.
- Any future complaints regarding the business, (noise, smell, vehicle storage, etc) can require reasonable accommodations be made by the business to abate the complaints.
- Any site improvements which would require a building permit will require the parking lot meet current off-street parking requirements (hard surface).

13-11 Motion by Stevens and seconded by Cassady to Approve Special Use Request (13-03) Automotive Repair – 730 Main Street with the following conditions: The automotive repair business operates within the approved business definition; the business is limited in operation from 7 a.m. to 9 p.m. seven days a week; any future complaints regarding the business (noise, smell, vehicle storage, etc.) can require reasonable accommodations be made by the business to abate the complaints; any site improvements which would require a building permit will require the parking lot meet current off-street parking requirements (hard surface). Approved 4-0.

13-12 – Motion by Stevens and seconded by Hinders to adjourn meeting at 6:14 p.m. Approved 4-0.

Christin Grant, Chairperson

Josh Heggen, Community Development
Director