

d. Discussion:

Mr. Lampe opened the public hearing.

Mr. Ted Sheidel, Specialist with Ag Vantage, FS, stated the request for a new 530 gallon diesel tank on the property will be for fuel for the private fleet of vehicles utilized by Ag Vantage. Mr. Sheidel stated drivers currently drive to Janesville to fuel up and with the tank, would go onto the Bremer Avenue property to fill up the diesel tanks on the trucks. Mr. Scheidel stated the tank will be a double wall construction and in speaking with the State Fire Marshall, will meet minimum State Fire Code standards. Mr. Scheidel stated the 200 foot zoning setback, if enforced, would place a tank on the north side of the fence and within the right of way of Bremer Avenue.

Ms. Mary DeBower, of 400 Terrace Drive, stated opposition to the request due to the tank not meeting setback requirements.

Mr. Kohout stated for the Board the minimum State Fire Code standards require a setback of 10feet between the current propane tank and proposed diesel tank. Mr. Kohout stated the required State Fire Code distance from the south property line for the type of tank proposed with this example is 15 feet. Mr. Kohout stated upon reviewing the City Zoning Code, the 200 foot setback is in place to locate any tanks far enough away from residential properties so as to not provide an adverse visual or safety impact on the residential properties.

There being no one else wishing to speak, Mr. Lampe closed the public hearing.

Mr. Pete Lampe reviewed the history of land development to the south of the Ag Vantage property and stated the residential zoning followed annexation of the property into the City Limits.

Mr. Al Charlson stated support of the request as the minimum State Fire Code standards are being met and due to the pre-existing use status of the property.

Mr. Kohout confirmed for the Board the building setback standards for the common south property line is 30 feet for residences to the south and 50 feet to the north for industrial structures, for a total building distance of 80 feet.

e. Motion by the Board:

Motion By: Charlson

Seconded By: Shea

Move to allow for the new accessory diesel storage tank at 110 feet from the South property line.

Yes: 3

No: 0

Absent: 2

2. Case # 20150902, Variance governing the Waverly Municipal Design Standards for Driveway Width at 123 5th Street NW, Waverly.

f. The Applicant's Requested Zoning Variance:

Deborah Turnball, property owner of 123 5th Street NW, Waverly, Iowa, is requesting a variance to the Waverly Municipal Design Standards governing the driveway width requirements for a proposed approach from the street to the residential property due to the City undertaking a curb and gutter construction project associated with the Dry Run Creek improvement project. The variance requested is from 32 feet to 40 feet.

g. The Zoning Regulations State:

Per the Waverly Municipal Design Standards, residential driveway applications are limited to 32 feet in width and any requests to appeal a denial from the City of Waverly may be heard by the Waverly Board of Adjustments.

h. Interested Property Owners:

Mr. Kohout confirmed there is no correspondence received on this request.

i. Discussion:

Mr. Lampe opened the public hearing.

Mr. Kohout stated due to a City roadway project and installation of curb and gutter, the City is requiring a driveway approach matching current maximum of 32 feet wide be installed.

Ms. Deborah Turnball, property owner, stated due to the number of tenants out of her three unit rental property, the driveway width variance is warranted. Ms. Turnball confirmed for the Board the current paved driveway and gravel portions are in place and exceeding 32 feet wide since 1988 and in order to accommodate the off-street parking demands of the property and to provide for an area to place vehicles off the street during snow removal periods the width of 40 feet is warranted.

Mr. Rod Drenkow, of 203 6th St. NW, spoke with support of the request as he finds it reasonable at this location and thinks it will not be detrimental to the neighborhood.

There being no one else wishing to speak, Mr. Lampe closed the public hearing.

Ms. Karla Shea stated she finds changes to the Municipal Design Standards should be handled in a way that promotes proper access off of the street in question and finds this request appropriate for this situation.

Mr. Lampe stated his recommendation of a potential drive over curb at this location in a similar fashion with the Willow Lawn subdivision as he finds it may help assist in situations such as this case.

There was discussion about the rolled curb and standard curb and gutter amongst the Board.

Mr. Tim Kangas stated he thinks decisions on cases such as this can include the rental inspection guidelines which require off street parking spaces for rental properties such as the subject property. Mr. Kangas stated he thinks for this property, allowing for additional driveway width would allow for more off-street parking access and would allow for more visibility for travelling motorists on the street if it is easier for cars to park on-site.

j. Motion by the Board:

Motion By: Shea

Seconded By: Charlson

Move to allow for the new driveway approach to be 40 feet wide at 123 5th Street NW.

Yes: 3

No: 0

Absent: 2

E. Old Business:

1. Mr. Kohout summarized the Omni Development Subdivision and High Point Second Addition subdivision requests recently considered by the Planning Commission and to be discussed and voted on by the Council on September 14.
2. Mr. Kohout stated the Planning Commission Agenda Items with the Board.

F. New Business:

None

G. Adjournment:

Motion By: Shea

Seconded By: Charlson

That the Board of Adjustment meeting be adjourned.

Yes: 3

No: 0

Absent: 2

Meeting adjourned at 6:30 p.m.

Respectfully Submitted,

Ben Kohout, Secretary