



Development Services Department
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ZONING BOARD OF ADJUSTMENT
Monday, July 11, 2016 @ 3:00 PM
Third Floor Council Chamber
101 First Street SE, Cedar Rapids IA 52401

BOARD MEETING MINUTES

Members Present: Cahir Todd Barker, Vice Chair Bill Vernon, Sue Lowder, Nancy Ziese and Jim Vancura

DSD Staff David Houg, Vern Zakostelecky and Patricia Pfiffner

Others Present Doug Brain, Brain Engineering Inc., Megan Hart-Fernandez, Deirdre N Rodriguez, LeRoy Morris, Jillian & David Downs, Randy Dostal, Mark R Heck, Bryan Harper

CALL MEETING TO ORDER

Chair Todd Barker called the July 11, 2016 Regular Board of Adjustment meeting to order at 3:00 PM. Attendance taken and a quorum declared.

APPROVAL OF MINUTES

Nancy Ziese moved for approval of the June 13, 2016 Board of Adjustment minutes with no corrections. Bill Vernon seconded, minutes stand approved.

Chair presented opening statements stating the protocol of the meeting and the purpose of the Board of Adjustment.

Item I **COND-023175-2016: 1010 2nd Avenue SW (Conditional Use)**

Consideration of a Conditional Use request for "Outdoor Service Area" in a C-3 Regional Commercial Zone District as requested by Lyle C Williams Property LLC, (Titleholder) for Beaver Creek Saloon. *Case Manager: Dave Houg*

Disposition: By a vote of 5-0 the Board of Adjustment approved COND-023175-2016. No Petitioner present. No objectors present. Following discussion Nancy Ziese moved for approval of COND-023175-2016 subject to conditions. Sue Lowder seconded, motion carried.

- Item II** **COND-023182-2016: 1525 Hollywood Blvd NE (Conditional Use)**
 Consideration of a Conditional Use request for a “Day Care Center” in an R-3 Single Family Residence Zone District as requested Brain Engineering Inc., for Presbytery of East Iowa (Titleholder). *Case Manager: Dave Houg*
- Disposition: By a vote of 5-0 the Board of Adjustment approved COND-023182-2016. No objectors present. Petitioner has no objections to stated conditions. Following discussion Sue Lowder moved for approval of COND-023182-2016 subject to conditions. NancyLee Ziese seconded, motion carried.
- Item III** **RSDPCOND-023350-2016: 624 CENTER POINT ROAD NE (Minor Revision Conditional Use)**
 Consideration of a Minor Revision to previous Conditional Use for a “Revised Location Outdoor Service Area” for Tom’s Home Port Lounge in a C-2 Community Commercial Zone District as requested by Hart-Fernandez, Megan (Titleholder). *Case Manager: Dave Houg*
- Disposition: By a vote of 5-0 the Board of Adjustment approved RSDPCOND-023350-2016. No objectors present. Following discussion Bill Vernon moved for approval of COND-023350-2016 subject to conditions. Sue Lowder seconded, motion carried.
- ~~**Item IV** **V30-0023169-2016: 707 TUSCANY COURT NE (Tabled 6/2016) VARIANCE**~~
TABLED ~~Consideration of a Variance request for “Reduced Interior Side Yard Setbacks” in an R-2 Single Family Residence Zone District as requested by Tim Towlerton, (Petitioner).
Case Manager: Ruth Fuessley Request to table to August~~
- Item V** **V36-023231-2016: 426 35th STREET SE (Tabled 6/13) VARIANCE**
 Consideration of a Variance requesting “ Reduced Side & Rear Yard Setback” for an in ground swimming pool in a R-3 Single Family Residence Zone District as requested by Deirdre N Rodriguez (Titleholder). *Case Manager: Ruth Fuessley*
- Disposition: By a vote of 5-0 the Board of Adjustment approved V36-023231-2016. No objectors present. Letters of support submitted. Following discussion, NancyLee Ziese moved for approval citing Unique Circumstances, approved as written. Sue Lowder seconded, motion carried.
- Item VI** **V37-023237-2016: 2435 MC CARTHY ROAD SE (Tabled 6/13) VARIANCE**
 Consideration of a Variance for “Fence in Required Front Yard” in an R-3 Single Family Residence Zone District as requested by Leroy Morris (Titleholder). *Case Manager: Vern Zakostecky*
- Disposition: By a vote of 5-0 the Board of Adjustment approved V37-023237-2016. No objectors present. Following discussion Bill Vernon moved for approval as written, citing Unique Circumstances. Jim Vancura seconded, motion carried.
- Item VII** **V43-023360-2016: 1738 MAPLE DRIVE NW VARIANCE**
 Consideration of a Variance for “Reduced Off-Street Parking” in an R-3 Single Family Residence Zone District as requested by Jillian & David Downs (Titleholders).
Case Manager: Ruth Fuessley
- Disposition: By a vote of 5-0 the Board of Adjustment approved V43-023360-2016. No objectors present. Petitioners appeared to testify. Following discussion Sue Lowder moved for approval subject to condition, citing Extreme Hardship Not Self-Created. Bill Vernon seconded, motion carried.
- Item VIII** **V39-023378-2016: 2431 23RD AVENUE SE VARIANCE**

