



Development Services Department  
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BOARD OF ADJUSTMENT AGENDA  
Monday, November 14, 2016 @ 3:00 PM  
101 1<sup>st</sup> Street SE – Council Chamber Third Floor

Board Meeting Minutes

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

Absent: Nancylee Ziese

DSD Staff: David Houg, Vern Zakostecky, Dani Blin

**CALL MEETING TO ORDER**

Chair Todd Barker called the November 14, 2016 Regular Board of Adjustment meeting to order at 3:00pm. Attendance taken and a quorum declared.

**APPROVAL OF MINUTES**

A move for approval of the October Board of Adjustment minutes will be made during the December, 2016 meeting.

**New Business**

**Item I            COND-023803-2016:            4497 Tower Terrace Road NE**

Consideration of a Conditional Use request for a parking lot in an A, Agriculture Zone District as requested by HJD Investments, LLC (Titleholder). *Case Manager: David Houg*

Disposition: By a vote of 4-0 the Board of Adjustment approved COND-023803-2016. Petitioner present. Zero Objectors present. Following discussion, Bill Vernon moved for approval of COND-023803-2016 subject to conditions. Sue Lowder seconded, motion carried.

**Item II            COND-023802-2016:            4625 Tower Terrace Road NE**

Consideration of a Conditional Use request for Outdoor Amusement in a C-3, Regional Commercial Zone District as requested by HJD Investments, LLC (Titleholder). *Case Manager: David Houg*

Disposition: By a vote of 4-0 the Board of Adjustment approved COND-023802-2016. Petitioner present. Zero Objectors present. Following discussion, Sue Lowder moved for approval of COND-023802-2016 subject to staff recommended conditions with an additional condition that this approval is subject to successful rezoning. Bill Vernon seconded, motion carried.

- Item III**            **VAR-023169-2016:                    707 TUSCANY COURT NE (Tabled 6/2016) VARIANCE**  
Consideration of a Variance request for “Reduced Interior Side Yard Setbacks” in an R-2 Single Family Residence Zone District as requested by Tim Towleron, (Petitioner).  
*Case Manager: Ruth Fuessley*
- Disposition: By a vote of 4-0 the Board of Adjustment approved VAR-023169-2016. Applicant was present. One Objector Present. Following discussion, Sue Lowder moved for approval citing extreme hardship. Jim Vancura seconded, motion carried.
- Item IV**            **VAR- 023914-2016                    4056 Bever AVE SE**  
Consideration of a Variance to install 6 ft. high solid fence in lieu of the allowed 3ft. high fence in the required side yard of a corner lot in an R-1, Single-Family Residence District as requested by Aaron and Jill Byrne (Applicant). *Case Manager: Ruth Fuessley*
- Disposition: By a vote of 4-0 the Board of Adjustment approved VAR-023914-2016. Applicant was present. Zero Objectors present. Following discussion, Jim Vancura moved for approval citing unique circumstances. Sue Lowder seconded, motion carried.
- Item V**            **VAR- 023983-2016                    1901 16<sup>th</sup> AVE SW**  
Consideration of a Variance for a reduced bufferyard in a C-3, Regional Commercial Zone District as requested by Douglas Kohoutek (Applicant). *Case Manager: David Houg*
- Disposition: By a vote of 4-0 the Board of Adjustment approved VAR-023983-2016. Applicant was present. Zero objectors present. Following discussion, Bill Vernon moved for approval citing unique circumstances and subject to the conditions that the two parcels be combined and that the applicant work with the City Arborist to plan a tree barrier between this address and the neighboring property to the south. Sue Lowder seconded, motion carried.
- Item VI**            **VAR- 023915-2016                    645 37<sup>th</sup> ST NE**  
Consideration of a Variance to establish off-street parking in the required front yard in an R-3 Single-Family Residence Zone District as requested by Ean Caskey (Applicant).  
*Case Manager: Ruth Fuessley*
- Disposition: By a vote of 4-0 the Board of Adjustment approved VAR-023915-2016. Applicant was not present. Zero objectors present. Following discussion, Sue Lowder moved for approval citing not detrimental. Bill Vernon seconded, motion carried.
- Item VII**            **VAR- 024012-2016                    6600 Kirkwood BLVD SW**  
Consideration of a Variance for reduced stacking spaces in a C-2, Community Commercial Zone District as requested by MBS Enterprises (Applicant). *Case Manager: David Houg*
- Disposition: By a vote of 4-0 the Board of Adjustment approved VAR-024012-2016. Applicant was present. Zero objectors present. Following discussion, Bill Vernon moved for approval citing unique circumstances, not detrimental. Sue Lowder seconded, motion carried.
- Item VIII**            **VAR- 024025-2016                    1123 21<sup>st</sup> Street SE**  
Consideration of a Variance to maintain an existing detached accessory structure (Garage) without a primary structure/use in an R-3 Single Family Residence Zone District as requested by Ralph Taylor (Applicant). *Case Manager: Ruth Fuessley*

Disposition: By a vote of 4-0 the Board of Adjustment approved VAR-024025-2016. Applicant was present. Zero objectors present. Following discussion, Sue Lowder moved for approval citing unique circumstances and subject to the staff recommended condition that there is a limitation of one (1) year on the time extension. Jim Vancura seconded, motion carried.

**Item IX**

**VAR-024046-2016                      5925 Dry Creek LN NE**

Consideration of a Variance to reduce parking for Iowa Healthcare in a C-2, Community Commercial Zone District as requested by Dry Creek Properties, LLC (Applicant).

*Case Manager: David Houg*

Disposition: By a vote of 4-0 the Board of Adjustment approved VAR-024046-2016. Applicant was present. Zero objectors present. Following discussion, Jim Vancura moved for approval citing unique circumstances. Bill Vernon seconded, motion carried.

Bill Vernon moved to adjourn at 3:59pm. Sue Lowden second, motion carried

Prepared by: Dani Blin, Recording Secretary to Board of Adjustment

NOTICE: Any person needing visual/audio assistance or language interpretation should contact Development Services 319- 286-5705 at least 72 hours prior to the meeting.