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ZONING BOARD OF ADJUSTMENT

Monday, March 9, 2015 @ 3:00 PM

Third Floor Council Chamber

101 1st Street SE, Cedar Rapids IA 52401

DECISION AND ORDER

Members Present: Chair Dave Lodge, Todd Barker, Sue Lowder and Nancylee Ziese
Member Absent: Vice Chair Bill Vernon

Staff Present: Kevin Ciabatti, Deanna Thomas, Patricia A Pfiffner Building Services
Joe Mailander, Dave Houg, Vern Zakostelecky Development Services

Others Present: Aaron Vosmek, Phil Garland & Jeff Harding re CR Signs, Inc., Brent Jackman Hall & Hall Engineers, Loren Hoffman Hall & Hall Engineers, Chad Pelly Ahmann Design and Jeff Stull

New Business

Chair, David Lodge called the March 9, 2015 Regular Board of Adjustment meeting to order at 3:00 PM. Attendance taken and a quorum declared. The Board of Adjustment is a Quasi-Judicial Board created by the City of Cedar Rapids. The Board is empowered to vary the regulations of the Zoning Ordinance in harmony with its general purpose and intent where the Board makes Finding of Fact that there are practical difficulties or unnecessary hardships in the way of carrying out the literal provisions of the Ordinance.

This Board reviews Conditional Use requests. When considering a Conditional Use, the Board will keep in mind the following: Is the requested use consistent with the intent and purpose of the Ordinance and with the Future Land Use policy plan; will the use have a substantial adverse effect upon adjacent property and the character of the neighborhood; and will the proposed use be compatible with the immediate neighborhood. This Board also reviews Variance requests. A Variance request should only be granted if the Petitioner establishes that an unnecessary hardship will result if the Zoning regulations are enforced. There are seven criteria for actions on a Variance which were to be addressed in your application. To review they are: Unique Circumstances, Not exclusively for financial gain, Hardship not self-created, Substantial rights denied, not special privilege, not detrimental and No other remedy. A general rule of thumb is that a Variance should prevent a hardship, not grant a special privilege not available to other landowners in similar situation.

Typically "Unnecessary Hardship" means: The land in question cannot yield a reasonable return if used only for the purpose allowed in that zone; the issue in question is due to unique circumstances and not to the central

conditions of the neighborhood; the hardship must not be self-created; and the use authorized by the Variance will not alter the essential character of the locality.

We are an independent volunteer Board of citizens appointed by the Mayor and approved by the City Council. We are not part of the City Administration. We are governed by both City and State Codes and Ordinances. The Board is made up of five Board members. The Chair cannot make a motion but has a vote. There must be three (3) affirmative votes to pass. No motion made by the Board will be the same as a denial. Today we have 4 members present.

As a Board of the City, we welcome all testimony. We make our decisions based on the facts and evidence allowed under City Code, presented at this open meeting. While your case is being read by our Secretary we ask that the Petitioner comes forward so your testimony can be heard and recorded. Please give your name and address for the record. You will then be able to present your case. If the proceedings become lengthy, we may ask that testimony be focused on the new facts or evidence not already presented. We will then ask for any objectors. At that time objectors will come forward, state name and address for the record, and then state your objections. The Board will then give the City Staff an opportunity to present information for the case. I will then call for any Board questions or any Board discussion. Final summaries and additional comments may then take place. Based on a motion and a second the Chair will then call for a vote. If your Variance is approved, please understand that you may still have to comply with other regulations and codes, such as applicable Building Codes, to work within. Please visit with the Building Services Department Official for any clarifications. Today there are 4 Board Members present. You have the option to request your case be Tabled. We do have a quorum. Todd Barker moved to approve the February 9, 2015 Board of Adjustment minutes, seconded by Sue Lowder, motion carried.

No Petitioner present.

COND-2015-16345: A Public Hearing regarding an application submitted by Petitioner Primus Construction re Meth-Wick Manor, (Titleholder/Owner), hereby petitions the Board of Adjustment for approval of a Revised Site Development Plan for a Conditional Use which is listed and described as a health care facility in Subsection 32.04.020. of the Municipal Code, for property located at 1625 Brendelwood Drive NW, Cedar Rapids, IA, in a PUD-1 Zone District, under the authority granted to the Board of Adjustment by Section 32.02.030D of said Municipal Code.

Findings of Fact: The Board finds that the Zoning Ordinance has specific standards. The Board finds that this project constitutes a revision to the site development plan approved as Conditional Use #8-1999. This request is for a 651 square foot addition. Utilities has no objection to granting request for site utilities (water, storm and sanitary) concerns. The Board finds that Engineering asked petitioner to verify if existing storm water treatment will accommodate increased impervious area and for dimensioned drive aisle and parking spaces. The Board acknowledges that the site layout is approved by Fire. The Board acknowledges there will be further review at the time of building plan submittal. The Board acknowledges that the request is not required to be heard by the City Planning Commission because it is a Minor Revised Site Development Plan for a Conditional Use. No objectors present.

Disposition: By a vote of 4-0 the Board of Adjustment granted COND-2015-16345 an application submitted by Petitioner Primus Construction re Meth-Wick Manor, (Titleholder/Owner), hereby petitioning the Board of Adjustment for approval of a Revised Site Development Plan for a Conditional Use which is listed and described as a health care facility in Subsection 32.04.020. of the Municipal Code, for property located at 1625 Brendelwood Drive NW, Cedar Rapids, IA, in a PUD-1 Zone District, under the authority granted to the Board of Adjustment by Section 32.02.030D of said Municipal Code. Therefore, be it resolved by the Board of Adjustment of the City of Cedar Rapids, Iowa that COND-2015-16345 is hereby approved as written.

V11-2015-16089: A Public Hearing regarding an application submitted by Petitioner Aaron Vosmek, CR Signs, Inc., (Titleholder/Owner), hereby petitions the Board of Adjustment appealing the decision of the Zoning Administrator to classify messages currently displayed on an existing On-Premise free-standing digital sign Off-Premise messages. The applicant is requesting messages in question to be classified as On-Premise messages, which then would be allowed to be displayed on an existing On-Premise digital sign. Currently

displayed messages are depicting trademarks, branded signs and Off-Premise locations drawing attention to Off-Premise businesses pictured in those messages and therefore don't comply with the following provisions of the Municipal Code of the City of Cedar Rapids on property located at 4701 1st Avenue SE, C-2 Community Commercial Zone District.

Findings of Fact: The Board finds that the Zoning Ordinance has specific standards. The Board finds that ●Subsection 32.060.040.7. - Separation Distance requires that the minimum distance between each billboard sign shall be 1,000 feet, with the distance to be measured from the nearest part of each sign. This dimensional standard shall apply to all newly constructed billboard signs regardless of sign visibility due to topography, tree cover, or other considerations. The Board finds that ●Subsection 32.060.040.B.2. - The permitted number of billboard signs states that the total number of billboard signs shall not exceed the total number of billboards legally existing in the City on the adoption date of this ordinance, minus any billboards which are removed and not replaced according to section 32.06.040.B.3 of this code. Billboards are permitted to be replaced on a billboard-by-billboard basis. A variance of dimensional standards or a conditional use granted for the placement of a new billboard sign shall not waive the requirement for removal of an existing sign to place a new one. The Board finds that ● Subsection 32.06.040.C.3 – states that Off-Premise directional signs shall be located within 500 feet of the business, organization or establishment that the sign advertises the location of. The distance shall be measured from the nearest corner of the sign or sign structure to the nearest property line on which the business or organization is located. The Board finds that ●Subsection 32.09.020. 15.N. Defines sign as any medium, including its component parts that is used or intended to be used to direct attention to a business, product, service, subject, idea, premises, person, or thing. The Board finds that ● Subsection 32.09.020. 15.N. offers definition of the following signs: C. Sign, Billboard An Off-Premise sign which advertises or draws attention to a business, product, event, service or activity not necessarily located on an adjacent or nearby property. Billboard signs are meant to advertise the business to passing motorists or pedestrians. An Off-Premise sign which does not meet the standards for an Off-Premise directional sign set forth in this section 32.06.040.C shall be considered a billboard sign.

L. Sign, Off-Premise

A sign directing attention to a specific business, product, service, entertainment event or activity, or other commercial activity that is not sold, produced, manufactured, furnished or conducted at the property upon which the sign is located.

M. Sign, Off-Premise Directional

An Off-Premise sign of similar size and scale to On-Premise signage designed to guide or direct the public to a business, service or entertainment activity located on an adjacent or nearby property. Off-Premise Directional Signs typically remain in place for as long as a business is operational and display only the name, address, and logo a nearby business.

N. Sign, On-Premise

A sign whose message and design relates to a business, product, service, event, or other commercial activity sold, offered, or conducted on the same property where the sign is located.

Aaron Vosmek, CR Signs, Inc. appeared to testify stating they had a complaint from MediaQuest Signs, a competitor, stating that we were doing off-premise advertising on our signs. The complaint was filed with the City and the DOT. The DOT dismissed the complaint, thought we complied with Code, and had no authority to enforce the complaint. As the Code states on-premise signage is classified as a sign that consists fully under the name of the establishment or identifies the establishment principal or accessory products or services offered on the property – that would be considered an on premise sign. I really feel that we are in compliance. Everything we do indirectly has a logo on it because we are a custom sign company.

Chair Dave Lodge stated “you read us the definition of on-premise”, he replied yes, Chair again asked for the definition. Vosmek stated the definition for on-premise sign is “a sign consists solely of the name of the establishment or that identifies the establishments principal or accessory products or services offered on the property. Lodge pointed out that Chapter 32 definition for on-premise sign does not say “solely”. Vern agreed. Vosmek stated basically everything they do will have a logo on it of some sort - because that is our business such as a real estate company selling homes – that they were to advertise for a home. We just want to showcase our services to the public, I think it's vital to our business to be able to do this and to show what we offer. He stated the Cedar Rapids Convention Center, there are Energy Drinks, there is Bud Light – all

products that they sell. He also stated that others are going to be impacted by this.

Phil Garland, Nesper Sign Company, appeared to testify. He stated he is amazed that this case is before the Board today stating they just went through this with City Council and he doesn't think Council is anyway interested in going through this hornets' nest again. What CR Signs is doing is basically saying thanks to its customers for buying a sign. I think the City needs to get used to this due to the new technology – Cedar Rapids is not going to be able to stop that. Garland remarked that Freedom of Speech (*from the 1st Amendment to the Constitution*) may come into this. Garland stated that CR Signs should be able to do it; the want is to show a product, a service or whatsoever. Now you visually get to see the product, the service and that is the only difference.

Jeff Harding, MediaQuest Signs, 5100 20th Avenue SW, appeared to testify. Harding wants to clarify for the record that MediaQuest Signs was not the complainant. He stated we now have two companies, MediaQuest Signs & MediaQuest Outdoor. The reason this got brought up in the beginning is there is a billboard that is located very close to CR Signs, the Slumberland sign (215 Collins RD SE), where there is a separation distance issue. Some of the ads being run on there did not have “see our new sign” – they just we're running ads for vapor cigarettes or brands. I do not see an issue with showcasing the products either. Thank you.

Vern Zakostecky wanted to clarify a couple points. He stated that the US Cellular Center does sell Bud Light on site and that the Center's bar is called the Bud Light Lounge. Also, they sell Monster Energy Drinks on site. Some of these businesses are also sponsors of the US Cellular Event Center but we are trying to set up a meeting with the City and the Event Center Manager to review its signage and go over sign regulations to make sure they are consistent with the Code. We did contact other communities regarding on-premise and off-premise advertising signage for their interpretation. Vern presented a slide show for Board's review.

Discussion followed. Board Member, Todd Barker, questioned if the current Code would allow for the text to say something like - “we did the new sign at Hawkeye Paper”? Vern Zakostecky replied that he thinks they probably could do that and stated he believes Nesper Sign Advertising has been doing that in text form. I don't know if we want them to put their address up there. Board Member Sue Lowder stated she is struggling with this request because she thinks that we currently have a very clear on-site code and clear off-site code. I think this just messes them up right in the middle. Secondly, other than their paying for the sign they -- are not paying you for having their name up there – is that right. Aaron replied yes, that's right. Barker stated he does not see the difference between saying “we did the sign at Hawkeye Paper” and “show me the sign”. I'm not sure the difference there, it's a pretty fine line. Sue Lowder stated she thinks these look like advertisements. If I were driving by I would think they are marketing for Hawkeye Paper or Sky Zone – I think it looks like an advertisement. Board Member Nancy Ziese concurred with Sue Lowder. Vern pointed out that initially when they came in to obtain a permit wanting to build this sign they made application for an off-premise advertising sign. It didn't meet a lot of the criteria so they changed it to an on-premise sign. Todd Barker stated he cannot think of every example but would say – they are in the sign business so I think by showing a sign they can say “we did the sign at Transamerica” but they are not showing other businesses that they didn't do a sign for. Sue Lowder asked when they initially came in with the request for an off-premise sign and then transferred to on-premise. Vern replied he thinks it was early 2012. In January of 2013 they applied to change it to an off-premise sign. Sue Lowder stated they got their on-premise and 6 months later when it was constructed they then switched it to be off-premise. Now they are asking again.

Chair David Lodge stated “I wish we knew the intent of the Council” because we have been involved in this billboard thing for some time. Under the code all we have to operate on is the definitions of on-premise and off-premise. We don't have anything else. I feel this is a Council issue and I am sorry to say that because everything cannot go to Council - but this precedent setting. The decision that we make here is pretty significant as for what can be put on on-premise signs. Under what we have to live with right now what I see here is not on-premise sign advertising. Under what we have – the definitions we are working under. I think the precedent is significant enough that it does need to be addressed at Council – because going forward it would be significant. This is fairly broad.

Todd Barker agreed with Lodge stating that when you look at that it is a big decision; a sign with message or what the sign relates too. Barker stated the companies are doing it now with text instead of an image.

Disposition: By a vote of 3-1 the Board of Adjustment denied V11-2015-16089 an application submitted by Petitioner Aaron Vosmek, CR Signs, Inc., (Titleholder/Owner), hereby petitioning the Board of Adjustment appealing the decision of the Zoning Administrator to classify messages currently displayed on an existing On-Premise free-standing digital sign Off-Premise messages. The applicant is requesting messages in question to be classified as On-Premise messages, which then would be allowed to be displayed on an existing On-Premise digital sign. Currently displayed messages are depicting trademarks, branded signs and Off-Premise locations drawing attention to Off-Premise businesses pictured in those messages and therefore don't comply with provisions of the Municipal Code of the City of Cedar Rapids on the property located at 4701 1st Avenue SE, C-2 Community Commercial Zone District. Following discussion about the findings Chair Lodge noted for the record that Board has looked at the Codes, looked at Definition of Off-Premise and On-Premise Signs as stated in Chapter 32, Board has considered this a precedent setting nature and Board heard testimony from Phil Garland, Nesper Sign Company and testimony from Jeff Harding, MediaQuest Signs in favor of the request. Todd Barker moved for approval of V11-2015-16089 citing unique circumstances. The motion died for lack of second. Chair explained that no motion is the same as a denial. Sue Lowder moved for denial of V11-2015-16089. Nancy Lee Ziese seconded, motion carried 3-1. Todd Barker opposed the denial. Board denied request by a split vote 3-1. Therefore, be it resolved by the Board of Adjustment of the City of Cedar Rapids, Iowa that COND-2015-16089 is hereby denied.

V13-2015-16375: A Public Hearing regarding an application submitted by Petitioner Brent Jackman, Hall & Hall Engineers for New Bohemia Station, L.L.C hereby requesting that the Board of Adjustment authorize the issuance of a Building Permit for a 23,604 s.f. 4-story structure that will not provide a required off-street loading berth on the property at 1028 3rd Street SE, C-4 Central Business District and Core area.

Findings of Fact: The Board finds that the Zoning Ordinance has specific standards. The Board finds that Subsection 32.05.020.C.1. requires all non-residential structures containing more than 10,000 s.f. of gross floor area to provide an off-street loading berth. The Board finds that Petitioner asserts that site constraints prevent the provision of the loading berth. Petitioner notes that existing businesses in the vicinity use the streets for loading and unloading of deliveries. Parking spaces are needed in this area more so than loading areas. The Board acknowledges the Development Services Division has reviewed this request and acknowledges the limited area available for this site. Brent Jackman stated this is infill development - they do not want to use valuable parking areas with a loading berth that would take away necessary spaces. Dave Houg stated staff recommends a condition prohibiting any unloading activities occurring upon 3rd Street SE. No objectors present.

Disposition: By a vote of 4-0 the Board of Adjustment granted V13-2015-16375 an application submitted by Petitioner Brent Jackman, Hall & Hall Engineers for New Bohemia Station, L.L.C hereby requesting that the Board of Adjustment authorize the issuance of a Building Permit for a 23,604 s.f. 4-story structure that will not provide a required off-street loading berth on the property at 1028 3rd Street SE, C-4 Central Business District and Core area. Nancy Lee Ziese moved for approval of V13-16375 citing unique circumstances subject to condition that unloading activities be prohibited from occurring upon 3rd Street SE. Therefore, be it resolved by the Board of Adjustment of the City of Cedar Rapids, Iowa that V13-2015-16375 is hereby approved subject to condition:

1. Unloading activities be prohibited from occurring upon 3rd Street SE.

V15-2015-16408: A Public Hearing regarding an application submitted by Petitioner Hall & Hall Engineers for Abode Construction, Inc. hereby requesting the waiver of required bufferyard plantings for a proposed development of 21 duplexes. The development will provide 25' setbacks without landscape plantings in lieu of required 15' side and 25' rear landscaped bufferyards for Crescent View 4th Addition. (803 - 907 Crescent View Drive NE) RMF-1 Residential Multi-Family District.

Findings of Fact: The Board finds that the Zoning Ordinance has specific standards. The Board finds that Subsection 32.05.030.A.4.a. requires a property zoned for multi-family development to provide a landscaped bufferyard when located adjacent to a Residential zone district. The required yard depth shall be either that required for the district in which the property is located, or that required for the adjoining district, whichever is greater, and shall be provided along the adjoining residential lot line. The Board acknowledges that Petitioner notes that while the underlying RMF-1 district requires the screening buffer, the intended development of duplexes would not (if the lot were to be rezoned to R-3D, for example). The only adjoining property not currently owned by the appellant has a reasonable buffer of mature trees. Appellant will add some additional landscaping where adjacent to this property. The Board finds that the Development Services Division has reviewed this request and acknowledges Petitioner's ownership of the majority of adjoining properties and the proposed provision of landscaping along the southwesterly lot line. The Board acknowledges that Staff recommends that approval be conditioned upon the development of duplexes, as opposed to other types of multi-family structures. The Board acknowledges the area to the NE is compatible with the existing neighborhood. No Petitioners present.

Disposition: By a vote of 4-0 the Board of Adjustment granted V15-2015-16408 an application submitted by Petitioner Hall & Hall Engineers for Abode Construction, Inc. hereby requesting the waiver of required bufferyard plantings for a proposed development of 21 duplexes. The development will provide 25' setbacks without landscape plantings in lieu of required 15' side and 25' rear landscaped bufferyards for Crescent View 4th Addition (803 - 907 Crescent View Drive NE), MF-1 Residential Multi-Family District. Sue Lowder moved for approval of V15-2015-16408 citing not detrimental and subject to the condition that approval be conditioned upon the development of duplexes, as opposed to other types of multi-family structures. Therefore, be it resolved by the Board of Adjustment of the City of Cedar Rapids, Iowa that V15-2015-16408 is hereby approved subject to condition:

1. Development of duplexes, as opposed to other types of multi-family structures.

Member Sue Lowder departed.

V16-2015-16413: A Public Hearing regarding an application submitted by Petitioner Ahmann Investments for the Depot Development Group, L.L.C. hereby requesting that the Board of Adjustment authorize the issuance of Building Permits for 4 mixed-use structures that will not provide a required off-street loading berth on the property at 400 12th Avenue SE, C-3 Regional Commercial District and Core area.

Findings of Fact: The Board finds that the Zoning Ordinance has specific standards. The Board finds that Subsection 32.05.020.C.1. requires all non-residential structures containing more than 10,000 s.f. of gross floor area to provide an off-street loading berth. The Board acknowledges that the Petitioner asserts that site constraints prevent the provision of the required loading berth. Petitioner notes that existing businesses in the vicinity use the streets for loading and unloading of deliveries. This area is in need of parking spaces more so than loading areas. The Board acknowledges the Development Services Division has reviewed this request and notes that the site provides sufficient area for off-street loading. Staff recommends that facilities for off-street loading be provided on-site. No objectors present.

Disposition: By a vote of 3-0 the Board of Adjustment granted V16-2015-16413 an application submitted by Petitioner Ahmann Investments for the Depot Development Group, L.L.C. hereby requesting that the Board of Adjustment authorize the issuance of Building Permits for 4 mixed-use structures that will not provide a required off-street loading berth on the property at 400 12th Avenue SE, C-3 Regional Commercial District and Core area. Todd Barker moved for approval citing unique circumstances and subject to the condition that that all off-street loading be conducted on-site. Nancy Ziese seconded, motion carried. Therefore, be it resolved by the Board of Adjustment of the City of Cedar Rapids, Iowa that V16-2015-16413 is hereby approved subject to condition:

1. All for off-street loading be conducted on-site.

V17-2015-16452: A Public Hearing regarding an application submitted by Petitioner Jeff Stull hereby requesting that the Board of Adjustment authorize the issuance of a Building Permits/Certificates of Occupancy

to construct a new single family dwelling on Lot 64 of Auditor's Plat # 133 (currently known as 2673 Fruitland Boulevard SW). Lots number 64 and 65 are currently in common ownership. The new single family dwelling structure would be constructed on a substandard recorded lot in lieu of combining the lots to create one conforming lot. The lots are 50 feet wide in lieu of 60 feet required. The property is located at 2673 Fruitland Blvd. SW, R-2 Single Family Residence District.

Findings of Fact: The Board finds that the Zoning Ordinance has specific standards The Board finds that ●Subsection 32.05.010.B.1. (Table 32.05-1) Dimensional Standards for Residential District requires a minimum lot width of 60 feet at the setback line. The Board finds that ●Subsection 32.05.010.A.2.f. which states in any residential district, a single family dwelling may be established even though the lot area and width do not meet the minimum district requirements, provided all other requirements are met. However, where two of more contiguous substandard recorded lots are in common ownership and are a such size as to together constitute at least one conforming "zoning lot", such lots or portions of such lots shall be joined, developed, and used for the purpose of forming an effective and conforming zoning lot or lots. The Board finds that●Subsection 32.07.050.D. - Development of Unimproved Nonconforming Lots in a Residential Zoning District. The Board finds that if a nonconforming unimproved lot of record in a Residential district was part of a subdivision or other division of land evidenced by a recorded plat or deed, or both, any use allowed as a permitted use in the zoning district pursuant to Table 32.04-1, may be developed on the lot, even though the lot does not meet the minimum lot area or lot width standards established in Section 32.05 Dimensional, Parking, and Development Standards, provided that the development conforms to all other requirements of this Ordinance and applicable building and fire codes. If the lot does not meet the required minimum width for lots in the zone district where it is located, then the minimum required side setback on each side shall be reduced by one (1) foot for each ten (10) feet, or portion thereof, by which the lot width falls below the required minimum lot width in the district. The Board acknowledges the Petitioner submitted the required criteria sheet indicating that dividing two lots of record is not for a financial gain. An existing parcel is approximately 31, 850 square feet in size. The current detached accessory structure 360 square feet in size is located on the lot # 65 was built in 1950. If the parcel is divided into two individual lots, an existing detached accessory structure will be located 3 feet away from the north lot line of the lot # 64. Creating two individual lots of record would not be detrimental to the area. It corresponds to lots found in this development. The single family dwelling located on lot # 65 was built in 1900. The detached accessory structure was constructed in 1950. The newly created individual lot # 64 would be 15, 925 square feet in size (50 x 318.5 feet). The minimum area required by the current Zoning Ordinance is 7, 200 square feet in size. The frontage is 50 feet in lieu of 60 feet. This lot configuration is found along entire Fruitland Blvd SW. Previously considered request of the same nature was V-37-2012. It was approved on May 14, 2012 for 2653 Fruitland Blvd SW. The Board acknowledges that Zoning received no objections since BOA Notification signs are posted. The Variance request has been sent to Community Development for further review/input. No objectors present.

Disposition: By a vote of 3-0 the Board of Adjustment granted V17-2015-16452 an application submitted by Petitioner Jeff Stull hereby requesting that the Board of Adjustment authorizes the issuance of a Building Permits/Certificates of Occupancy to construct a new single family dwelling on Lot 64 of Auditor's Plat # 133 (currently known as 2673 Fruitland Boulevard SW). Lots number 64 and 65 are currently in common ownership. The new single family dwelling structure would be constructed on a substandard recorded lot in lieu of combining the lots to create one conforming lot. The lots are 50 feet wide in lieu of 60 feet required. The property is located at 2673 Fruitland Blvd. SW, R-2 Single Family Residence District. Todd Barker moved for approval citing unique circumstances subject to the condition that a Building Permit is subject to historic review and all applicable codes. Nancy Ziese seconded, motion carried. Therefore, be it resolved by the Board of Adjustment of the City of Cedar Rapids, Iowa that V17-2015-16452 is hereby approved subject to condition:

1. Building Permit is subject to historic review approval and all applicable codes.

Todd Barker moved to adjourn at 3:40 PM, motion carried.

Prepared by Patricia A Pfiffner
Recording Secretary Board of Adjustment

