

MINUTES OF THE ZONING BOARD OF APPEALS MEETING HELD ON FEBRUARY 15, 2024

The meeting was called to order by Vice Chairman Ken Gibbs at 7:33 PM.

Roll call was taken: **Present: Poettker, Loerch, Boothman, Powell, and Gibbs.**

Absent: Spielman and Hartman

Vice Chairman Gibbs asked if there were any additions or corrections to the minutes of the October 19, 2023 meeting. There were none.

A motion was made by Poettker and seconded by Boothman to approve the minutes of October 19, 2023, as presented. Motion carried.

The Vice Chairman asked if there were any petitions by citizens on non-agenda items. There were none.

The Vice Chairman asked if there were any corrections or deletions to the agenda. There were none.

PETITIONS:

Z-24-02-01 Review and Comment on a Petition for a Special Use Permit for an extension of a nonconforming use in the R-3 Zoned District located at 404 West Third Street Parcel No. 07-25-183-008-000 as requested by owner, Tony Groves.

The Zoning Administrator commented that the public notice for this petition was published in the January 31, 2024 edition of the Waterloo Republic-Times. Five of the seven postal notification receipts were received. The Zoning Administrator reached out to the two remaining adjacent property owners. Ms. Stephanie Brandt was in attendance at the meeting and commented that the green card receipt was still attached to her mailing. In addition, regular mailings were sent beyond the required list of recipients. The last missing adjacent property owner was called and his concerns were addressed Monday, February 12, 2024, at the Planning Commission meeting.

The Vice Chairman clarified that, per ordinance, a nonconforming use may be extended only by a special use permit.

Mr. Tony Groves, owner of Groves Investments, was present to speak on behalf of this petition. Mr. Groves is looking to move his business office from 113 N. Main and Grove Investments storage at 214 Flower Street to the 404 West Third address. A consolidated location will make managing the business easier. The business office would continue to be used for administration services. The remaining area would be used for storage. Storage items will consist of paint, fans, doors, plumbing supplies, and basically items for rental property repairs. There will be no heavy equipment housed on the property. There should be no more than two to five people at the location at any given time, and the noise level should be no louder than a car. Updates will be made to the building and utilities will be extended to the property. Mr. Groves is looking to approve the curb appeal of the building and will be applying for a façade grant.

Ms. Barbara Wack, an adjacent property owner, submitted a letter in opposition to the Special Use Permit citing numerous concerns, which were addressed during this meeting. Ms. Wack, however, was not present at the meeting this evening.

Motion was made by Boothman and seconded by Loerch to recommend approval for a Special Use Permit for an extension of a nonconforming use in the R-3 Zoned District located at 404 West Third Street Parcel No. 07-25-183-008-000 as requested by owner, Tony Groves on the condition that the Special Use Permit be consistent with the recent previous use as an office space and storage.

Members voted as follows: YES –Boothman, Powell, Poettker, Loerch, and Gibbs.

Motion carried.

COMMENTS:

The Zoning Administrator commented on the following business items:

- ZBA Appointments – Mr. Ken Hartman and Ms. Lauren Poettker were recently reappointed to the Zoning Board of Appeals for an additional five (5) year term.
- Green Brier Trailer Park on Mill Street – The abatement process is scheduled to begin this week and finish by February 19, 2024, and the demolition of the mobile homes is set to begin on February 20, 2024. There is a thirty-day term to have the place cleaned up. Ownership of the property will be transferred to the City of Waterloo, and there are discussions about vacating the alley. The Zoning Administrator is interested in rezoning the property to R-3, but it might fall slightly short of the minimum lot requirements.

Motion to adjourn the meeting at 8:11 PM was made by Poettker and seconded by Powell.

Motion carried.

Minutes respectfully submitted by Mechelle Childers.