

## **MINUTES OF THE ZONING BOARD OF APPEALS MEETING HELD ON AUGUST 16, 2018**

The meeting was called to order by Chairman Ken Hartman at 7:30 PM.

Roll call was taken: **Present: Goessling, Hagenow, Boothman, Loerch, Gibbs and Hartman.**  
**Absent: Kaempfe**

Chairman Hartman asked if there were any additions or corrections to the minutes of the July 19, 2018 meeting. Childers mentioned that under Petition Z-18-07-03 there is no mention of how the members voted, and would like to add the following under this petition:

**Members voted as follows: YES – Goessling, Hagenow, Loerch, Gibbs and Kaempfe.**

**Motion carried.**

Also, under Petition Z-18-07-02, Loerch, not Boothman, seconded and voted for the petition. A motion was made by Loerch and seconded by Hagenow to approve the minutes of the July 19, 2018 meeting as amended. Motion carried.

The Chairman asked if there were any citizens to address the Zoning Board of Appeals. There were none.

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

### **OLD BUSINESS:**

The Vice Chairman asked if there was any old business. There was none.

### **PETITIONS:**

**Z-18-08-01 A Petition on behalf of David and Gene Schneidwind (owners of the Circle K Convenience Store) for a variance from the requirements of 40-2-3(A) of the Zoning Code of the City of Waterloo regarding the rear yard setback requirement for the property located at 209 South Market Street, Parcel No. 07-25-281-021-000.**

The Zoning Administrator commented that the public notice for this petition was published in the Waterloo Republic Times on July 14, 2018, and the postal notifications have been received and verified. Mr. Richard Kotva, T.L. Vinyard, was present to speak on behalf of this petition. The petitioner would like to construct a gaming room on the west side of the current building. The store would be remodeled to accommodate the addition and the exterior brick of the new extension would match the existing exterior of the building. The new addition would be one (1) foot from the property line. Parking lines could be added on the north side of the building for better organized parking. It was mentioned that the addition could not be added on the north side due to the coolers. The Zoning Administrator stated that the Mayor was concerned about traffic flow due to the close proximity of the ATM, employee and customer parking for First National Bank.

**Motion was made by Gibbs and seconded by Boothman to approve a variance from the requirements of 40-2-3(A) of the Zoning Code of the City of Waterloo regarding the rear yard setback requirement for the property located at 209 South Market Street, Parcel No. 07-25-281-021-000 as presented and as shown for a 6 foot by 20-foot gaming room on the west side of the existing building.**

**Members voted as follows: YES – Goessling, Hagenow, Boothman and Gibbs.  
NO - Loerch and Hartman**

**Motion carried.**

**Z-18-08-02 A Petition on behalf of Romero Properties Inc. (owners of Casa Romero Mexican Restaurant) for a variance from the requirements of 40-2-3(A) of the Zoning Code of the City of Waterloo regarding the front yard setback requirement for the property located at 512 South Market Street, Parcel No. 07-25-435-007-000.**

The Zoning Administrator commented that the public notice for this petition was published in the Waterloo Republic Times on August 1, 2018. Mr. Mike Lasky, contractor, was present to speak on behalf of this petition, however he did not have the required postal notifications to hear the petition.

**Motion was made by Loerch and seconded by Goessling to table Petition Z-18-08-02 until the required postal notification receipts were presented.**

**Motion carried unanimously.**

**Z-18-08-03 Z-18-08-03 Review and Comment on a Proposed Zoning Text Amendment to consider a Zoning Text Amendment to Section 40-2-3(B) to remove “Apartments” from the list of uses under “Special Use Permit Required” in the R-2, Single Family Residence Zone District and the R-3, Single Family Residence Zone District.**

The Zoning Administrator spoke on behalf of this petition, and commented that the public notice for this petition was published in the Waterloo Republic Times on August 01, 2018. Postal notifications are not required since this is a City-wide zoning change. The request is to provide better stability in the single-family zoned districts. The Planning Commission unanimously voted in favor of this petition.

**Motion was made by Gibbs and seconded by Hagenow to approve a Proposed Zoning Text Amendment to consider a Zoning Text Amendment to Section 40-2-3(B) to remove “Apartments” from the list of uses under “Special Use Permit Required” in the R-2, Single Family Residence Zone District and the R-3, Single Family Residence Zone District.**

**Members voted as follows: YES – Goessling, Hagenow, Boothman, Loerch, Gibbs and Hartman.**

**Motion carried.**

In the interest of time, as the postal notifications for Petition Z-18-08-02 were in route:

**Motion was made by Loerch and seconded by Hagenow to remove Petition Z-18-08-02 off the table.**

**Motion carried unanimously.**

Mr. Mike Lasky, as stated, was present to speak on behalf of this petition. The request is for a variance to the front yard setback requirements to install a permanent cover over the existing patio. The patio cover would be made of a composite material and have an adobe appearance. The alternative would be a canvas cover or table umbrellas. During the petition the postal notification receipts were received and verified.

**Motion was made by Gibbs and seconded by Hagenow to recommend approval for a variance from the requirements of 40-2-3(A) of the Zoning Code of the City of Waterloo regarding the front yard setback requirement for the property located at 512 South Market Street, Parcel No. 07-25-435-007-000.**

**Members voted as follows: YES – Goessling, Hagenow, Boothman, Loerch, Gibbs and Hartman.**

**Motion carried.**

**NEW BUSINESS:**

The Chairman asked if there was any old business. There was none.

**COMMENTS:**

The Chairman asked if there were any comments. There were none.

**Motion to adjourn the meeting at 8:25 PM was made by Loerch and seconded by Hagenow. Motion carried.**

Minutes respectively submitted by Mechelle Childers.