Due to the restrictions put in place to prevent the spread of COVID-19, there was no in-person public attendance at this Board of Adjustment Meeting. This restrictive action is in accordance with Section 9 of Governor Reynolds’ additional State Public Health Emergency Declaration issued March 20, 2020 as set out in part as follows:

Electronic Meetings and Hearings, Section Nine. - Pursuant to Iowa Code § 29C.6(6), and at the request of the Iowa League of Cities on behalf of numerous local governmental bodies, I temporarily suspend the regulatory provisions of Iowa Code §§ 21.8, 26.12, and 414.12, or any other statute imposing a requirement to hold a public meeting or hearing, to the extent that the statutes could be interpreted to prevent a governmental body from holding the meeting by electronic means, provided that the governmental body properly notices the meeting or hearing and includes a telephone conference number or website address that permits the public to participate in the meeting or hearing. I also temporarily suspend those statutes to the extent they could be interpreted to prevent a governmental body from limiting the number of people present at an in-person location of the meeting, provided that the governmental body provides a means for the public to participate by telephone or electronically as provided in this section.

PUBLIC PARTICIPATION - This Board of Adjustment Meeting was broadcast live on Sparklight Cable, Community Channel 56, and streamed live on YouTube from the City’s website, www.sioux-city.org/councilvideos. During this meeting the City provided telephone number: (712) 224-4996 for citizens to provide comment on Agenda items during the meeting.

A regular meeting of the Board of Adjustment was held at 5:10 p.m. on this date in the City Council Chambers located on 5th Floor, City Hall, 405 - 6th Street, Sioux City, Iowa. The following members were present on call of roll: Bostinelos, Geary (participated in person) Ross, Stewart, Anderson, and Glisar (participated by telephone). Absent: O’Neill.

The following staff members were also present: Jeff Hanson, CD Operations Manager, Steven Postolka, City Attorney, Chris Madsen, Senior Planner, and Larissa Carrell, Administrative Secretary.

Agenda Item 2020-0034: Requested conditional use permit to Municipal Code Section 25.02.100.02 for property located at 4233 Fremar Drive. (Petitioner: Lakeport View, LLC)

Madsen presented the conditional use permit for the property located at 4233 Fremar Drive. The Petitioner would like to build a three-unit townhouse structure on the property. The subject property was rezoned and a final plat was approved by the Planning and Zoning Commission on March 24, 2020 and by the City Council on April 6, 2020. The rezoning and final plat allowed for single family attached units on the subject property. The Petitioner is proposing to build a similar structure to the existing adjacent three-unit townhouse. That conditional use permit was approved on May 24, 2016 by the Planning and Zoning Commission and by the City Council on June 6, 2016. Madsen stated City Staff would recommend approval.

Geary asked some general questions about allowing this use by right instead of having to get a conditional use permit. Madsen stated it has been in discussion, but no decision has been made.
Gary Wenell, 4225 Fremar Drive, Sioux City, Iowa, spoke in opposition of the conditional use permit for many reasons. Wenell stated that this affects him directly because he owns the single-family home to the west of the subject property. Wenell brought up his concerns of water runoff, drainage, density, and his property value being decreased due to this development.

Brad Cummings, Petitioner’s Agent, Orchard, Nebraska, stated that this is just an addition to the housing development that has already been started on Fremar Drive. Cumming also addressed Wenell’s concerns and stated he has spoken with him previously on the water runoff and drainage issues with the subject property and Mr. Wenell’s property. Cummings stated the issue will be addressed during the building process and should not happen anymore once the property is developed.

Ross (Anderson) moved to approve item 2020-0034. Motion carried. 4-2-0 (Yes: Bostinelos, Geary, Ross, Glisar, No: Anderson, Stewart, Abstain: 0).

**Other Business**

a. Other items brought forward by the Board and / or staff.
   b. Approval of the minutes from February 25, 2020 meeting.

O’Neill (Bostinelos) moved to approve the February 25, 2020 minutes. Motion carried. 5-0-1 (Yes: Geary, Stewart, Anderson, Glisar, Ross No: 0, Abstain: Bostinelos).

There being no further business, Bostinelos motioned, Glisar seconded, and with a 6-0-0 vote the meeting was adjourned at 5:35 p.m.

*Submitted by*
Larissa Carrell

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CHAIR  PLANNING DIRECTOR