

BOARD OF ADJUSTMENT
ABBREVIATED MEETING MINUTES
July 22, 2025

A regular meeting of the Board of Adjustment was held at 4:38 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 the roll: Ross, Bostinelos, Hegarty, Glisar, Brockshus, Reynolds and Wagner.

The following staff members were also present: Marty Dougherty, Economic and Community Development Director; Chris Madsen, Planning Manager; Wade Schuldt, Planner; Gabriel Fordjour, Planner; Ron Kueny, Zoning Enforcement Officer; Steven Postolka, Assistant City Attorney; Stefanie Konz, Administrative Secretary; and Ruby Dominick, Student Intern.

Glisar read the opening statement.

Agenda Item 2025-057: Requested conditional use permit pursuant to Municipal Code Section 25.06.134.4 (3) Expansion of Nonconforming Uses for the property located at 4721 Morningside Avenue. (Petitioner: Jon Froehlich).

Schuldt presented the requested conditional use permit for the property located at 4721 Morningside Avenue. The petitioner, Jon Froehlich, is requesting to maintain the existing shipping container on their property. Schuldt stated that an auto repair business is a prohibited use in the SC (Suburban Commercial) zoning district, however, this property was grandfathered in. Schuldt also stated that an expansion of nonconforming use for longer than a three-month period is allowed with the issuance of a conditional use permit. Schuldt also stated that staff acknowledge the mural but clarified the issue is regarding the shipping container itself and not the mural.

Petitioner, Jon Froehlich, stated that currently they are leasing the property for five years, and the shipping container provided them with a less expensive alternative to storing tires than a permanent expansion. Froehlich stated the mural on the shipping container is visually appealing and they are trying to be a responsible business owner by storing their materials in the shipping container rather than outside. Froehlich stated he didn't think allowing them to keep the shipping container would set a precedent if one were to look into the details of the situation.

Michael Koehler and Cheryl Prater spoke in favor of the shipping container stating it is a nice addition to the neighborhood and they both prefer the container over the storage of tires outside.

The Board of Adjustment held a general discussion regarding whether allowing this conditional use permit would set a precedent. Ross stated that he did not think it would set a precedent, and the Board of Adjustment could review future applications on a case-by-case basis. The Board of Adjustment also discussed setting a time requirement of two or five years on the conditional use permit to review in a few years and ensure the shipping container is well maintained.

Ross (Bostinelos) moved to approve Agenda Item 2025-057 with the condition that the conditional use permit comes back in two years for review. Motion Carried. 7-0-0 (Yes: Wagner, Hegarty, Reynolds, Ross, Glisar, Bostinelos, and Brockshus. No: 0 Abstain: 0).

Other Business

- a. Other items brought forward by the Board and / or staff.

Staff stated that City Council remanded the conditional use permit for 2110 Summit Street back to the Board of Adjustment to rehear due to the petitioner reaching out to staff to have the item withdrawn. Postolka also discussed the law on regulating BYOB (Bring your own Beverage) was not clear to staff at the time and after investigating determined that the Board of Adjustment cannot regulate businesses on allowing BYOB (Bring your own Beverage). Hegarty asked for clarification on what the Board of Adjustment can regulate in terms of liquor licenses. Postolka stated that it is not the license itself, and that the Board of Adjustment can regulate hours and days of sale, just not the business allowing customers to bring their own beverages in.

b. Approval of the minutes of the July 8, 2025, meeting.

Hegarty (Ross) moved to approve July 8, 2025, minutes. Motion Carried. 7-0-0 (Yes: Bostinelos, Glisar, Brockshus, Ross, Wagner, Brockshus and Hegarty. No: 0 Abstain: 0).

There being no further business, Hegarty motioned, Brockshus seconded, and with a 7-0-0 vote the meeting was adjourned at 5:17 p.m.

Submitted by Stefanie Konz

ANDREW GLISAR, CHAIR

*MARTIN J. DOUGHERTY, ECONOMIC &
COMMUNITY DEVELOPMENT DIRECTOR*