

BOARD OF ADJUSTMENT
ABBREVIATED MEETING MINUTES
October 14, 2025

A regular meeting of the Board of Adjustment was held at 5:11 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, Wagner, and Reynolds. Absent (Excused): Brockshus.

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; Arah Montagne, Environmental Services Manager; Jesse Dunn, Civil Engineer; Nicole Dubois, City Attorney; and Stefanie Konz, Administrative Secretary.

Glisar read the opening statement.

Agenda Item 2025-087: Requested variance from Municipal Code Table 25.03.020.3 for side and rear setbacks for the proposed attached garage for the property located at 2904 Chicago Avenue. (Petitioner: Jerry McWilliams and Matt Habeger).

Schuldt presented the requested variance for the property located at 2904 Chicago Avenue. The petitioners, Jerry McWilliams and Matt Habeger, are requesting a reduction in side setbacks from 20' to 14' 6" and rear setbacks from 25' to 10' to construct an attached garage on their property. Schuldt provided a review of House File 652 which discusses a recent law change regarding variances.

Petitioner, Matt Habeger, stated that the current garage on the property will be removed and the current shed may be moved or removed if need be. Habeger stated that the reason for the garage was to shelter his boat due to the weather and safety concerns. The requested design of the garage is the only design that would fit and provide adequate storage. Glisar and Wagner asked for clarification on how the proposed garage would tie into the house. Habeger provided an explanation of his plans to construct the roof to best tie the house to the proposed garage. Wagner asked what his plans were for water runoff. Habeger stated he plans to build a swale in between his and his neighbor's house to help mitigate water runoff.

Ross (Reynolds) moved to approve Agenda Item 2025-087. Motion carried. 6-0-0 (Yes: Ross, Glisar, Bostinelos, Reynolds, Hegarty and Wagner. No: 0 Abstain: 0).

Agenda Item 2025-088: Requested conditional use permit pursuant to Municipal Code Section 25.02.190 (19) Salvage Facilities or Yards for the property located at 1530 Stueben Street. (Petitioner: Trevor Cole).

Fordjour presented the requested conditional use permit for the property located at 1530 Stueben Street. The petitioner, Trevor Cole, is requesting to operate a salvage facility to shred loose tires. The petitioner intends to shred the tires in a gated or fenced area. Fordjour stated the surrounding area is zoned as GI (General Industrial). Fordjour stated that the Environmental Services had several comments, and Fordjour provided an overview of those comments. Fordjour also presented a video to the Board of Adjustment provided by the petitioner of the tire shredding process. The Board of Adjustment felt the shredding should be in a building rather than a fenced area.

Ross (Reynolds) moved to approve Agenda Item 2025-088. Motion denied. 0-6-0 (Yes: 0 No: Reynolds, Hegarty, Wagner, Bostinelos, Glisar, and Ross. Abstain: 0).

Agenda Item 2025-089: Requested conditional use permit pursuant to 25.02.130 to operate a borrow pit on property commonly known as 3312 Morgan Street. (Petitioner: Oban Construction Inc.).

Schuldt presented the requested conditional use permit on the property commonly known as 3312 Morgan Street. The petitioner, Oban Construction Inc., is requesting to operate a borrow pit on the property. Schuldt provided a history of the property and the previous plats and subdivisions that were approved. In March of 2025 Oban Construction Inc. was advised that they needed an updated grading plan, quantity and rate of material removal, and a Stormwater Pollution Prevention Plan (SWPP) before any new grading could proceed. The petitioner has stated borrow operations would be completed by July 1, 2026, if approved. A new preliminary plat is expected to be submitted at a later date.

Petitioner, Brandon Victor, stated that they do intend for operations to be completed by July 1, 2026. Victor stated there was some confusion with the process but that he does have the documents ready for Engineering. Victor stated he will start moving dirt as soon as possible.

Terry Ivener spoke in favor of the requested conditional use permit stating he would just like to have the project completed and that the grading will improve the land. Larry Lafluer stated that his property flooded when the project initially started and expressed concerns with water runoff. Victor stated he intends to work with Lafluer to ensure that there are no water runoff issues.

Ross (Wager) moved to approve Agenda Item 2025-089 for a period of 1 year. Motion carried. 6-0-0 (Yes: Wagner, Bostinelos, Reynolds, Glisar, Hegarty, and Ross. No: 0 Abstain: 0).

Other Business

- a. Other items brought forward by the Board and / or staff.
- b. Approval of the minutes from the September 23, 2025, meeting.

Ross (Reynolds) moved to approve the minutes of the September 23, 2025, meeting. Motion carried. 6-0-0 (Yes: Glisar, Ross, Bostinelos, Wagner, Reynolds, and Hegarty. No: 0 Abstain: 0)

There being no further business, Glisar motioned, Bostinelos seconded, and with a 6-0-0 vote the meeting was adjourned at 6:01 p.m.

Submitted by Stefanie Konz

ANDREW GLISAR, CHAIR

MARTIN J. DOUGHERTY, ECONOMIC &
COMMUNITY DEVELOPMENT DIRECTOR