

BOARD OF ADJUSTMENT
Regular Meeting

DATE: **October 7, 2020**

TIME: **5:00 p.m.**

PLACE: **Zoom Online Meeting**

PRESENT: **Buege, Breza, Conway, Kouba, Krofchalk, Murphy**

ABSENT: **Sanchez**

Acting Chairman Murphy called the meeting to order at 5:00 p.m.

The minutes from the Board's September 16, 2020 meeting were approved unanimously upon motion by Dave Kouba and seconded by Tim Breza. All were in favor of approving the minutes.

Petition No. 20-27-V, Molly Randall

Acting Chairman Murphy opened the public hearing and read the petition:

Molly Randall – City Code Section 43.01.25 D) which allows nonconforming uses to be substituted for another not more objectionable nonconforming use when authorized by the Board of Adjustment. Applicant wishes to turn an existing nonconforming auto-repair use in an R-1 residential zoning district into a private tattoo studio. Property is described as Sect-27 Twp-107 Range-007 SUNNYSIDE ADDITION Lot-007 Block-002 ALL NLY OF HWY 61, or at 828 West Sarnia.

Molly Randall, 804 Gilmore Avenue, addressed the Board. Ms. Randall is requesting to move her existing tattoo business into 828 West Sarnia. Jon Krofchalk noted that a variance was granted for the existing auto mechanical business approximately three years ago.

With no further questions from the Board, Acting Chairman Murphy closed the meeting to the public and opened it up for additional discussion.

Jon Krofchalk mentioned he was talking with Staff regarding the zoning district and the comprehensive plan may include a business like this to change the zoning so the applicant would not need to come to the Board of Adjustment.

Tom Conway noted that it has been difficult to make these types of businesses, like an auto repair shop to stay in business because of extenuating reasons.

Jon Krofchalk also said that Ms. Randall would be doing some clean-up of the auto repair business and fixing the building up making improvements as far as the overall look from the exterior.

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Staff noted that several letters from neighbors were in support of the business.

It was also noted that Ms. Randall would only be taking appointments and not having walk-in traffic.

The Board went through the variance finding questions and question number one asked if the variance was in harmony with the purpose and intent of the ordinance? Yes, its use will be less invasive than the previous years and will qualify as an existing non-conforming property.

Is the variance consistent with the Comprehensive Plan? Yes.

Does the proposal put the property to use in a reasonable manner? Yes, it is consistent with the previous use and actually will be an overall improvement to the property.

Are there unique circumstances to the property not created by the landowner? Yes, the property has been used and appears to continue to be used for commercial application.

Will the variance, if granted, retain the essential character of the locality? Yes, it will remain as a commercial use and may in fact improve the property as far as aesthetics and use of the building.

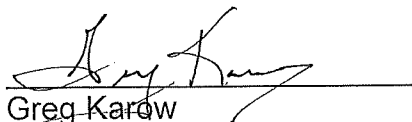
Jon Krofchalk made a motion to approve the variance request as submitted; it was seconded by Dave Kouba. All were in favor of approving the variance as request. The motion passed.

Petitioner was informed that there was a 10-day appeal period during which time no action could be taken on the petition.

Adjournment

Tim Breza made a motion to adjourn with a second by Dave Kouba. The vote of the Board was unanimous.

There being no further business to come before the Board, the meeting was adjourned at 5:20 p.m.


Greg Karow
Secretary