

**CITY OF OSKALOOSA
BOARD OF ADJUSTMENT**

Meeting Minutes
January 24, 2023

A regular meeting of the Board of Adjustment was called to order at 5:00 P.M. on Tuesday, January 24, 2023 by Chair Perry “Tim” Murry at City Hall, 220 South Market Street, Oskaloosa, Iowa.

1. Roll Call

Present: Perry “Tim” Murry, Royce Spoelstra, Steve Kaisand, Judy Uitermarkt

Absent: Cody Landgrebe

Staff: Shawn Christ

Others: Earl and Belinda Ramirez, Mauree Haage, Ron Groenendyk, Darrell Lanser

The group welcomed new member Judy Uitermarkt.

- 2. Approval of Minutes.** It was moved by Spoelstra, seconded by Uitermarkt to approve the October 25, 2022 Board of Adjustment Commission minutes. Motion carried unanimously.

- 3. Citizens to be Heard.** None

4. New Business

- A. Consider a request for a conditional use permit for property located at 604 North B Street.

Earl Ramirez described his request for a Conditional Use Permit to allow a Recreational Club with meeting facilities in an R-2 zoning district on property located at 604 North B Street. The property was originally a neighborhood school (Whittier) and was more recently a daycare. It is currently used by a church. The proposed conditional use permit would add several indoor activities including golf and archery simulators for local teams and members, gym rentals for meetings and gatherings, an arcade room, arts and crafts, light concessions, equipment consignment, and a scholarship program. Exterior activities would include a corn hole league or tournaments and children’s fun day. The owner is also currently storing four personal RVs on the property. Ramirez stated he wants to help kids and the facility will be members only with no alcohol.

Maureen Haage, 309 D Avenue West, provided handouts and stated her concerns with the application. The neighborhood is not conducive to this type of business. Their application to rezone their property was denied and the only difference is to charge a membership fee and drop alcohol on the premises. They are illegally storing RVs. The owners were also in the news for their behaviors when the daycare was open. These uses are already available in the city limits.

Ron Groenendyk, 516 North D Street, stated his church works with boy scout cadets and this will do a world of good for their boys who are in need of a facility to earn their archery merit badge.

Darrell Lanser, 511 North B Street, stated he hopes there are controls on liquor and beer. They have a nice neighborhood, the bus picks up kids on A Street at the parking lot. Cars parked on B Street can cause visibility issues.

Murry asked if the ball field is still used. Earl Ramirez said no, and parking will be in the parking lot, not on the street. Belinda Ramirez said the main entrance will be in the parking lot, and they will also not sell alcohol. Earl Ramirez said the RV storage will only

be for personal or family use, and not rented. Spoelstra asked if parking was studied in this area. Christ said yes, the city council did recently study no-parking restrictions on North A Street and North B Street. Note: on January 3 the city council passed an ordinance prohibiting parking on the east side of North B Street from B Avenue to College Avenue.

Murry asked if the board can put conditions on this permit. Christ stated yes, and he is recommending conditions in the report. Spoelstra asked if a hardship is needed for a conditional use. Christ stated no, a hardship is needed for a variance, but not for a conditional use permit. Perry asked if the conditional use would expire if the area changes or if something happens to it. Christ said yes, the use runs with the land and the owners, and if it ceases it could not be reestablished without coming back to the board. Spoelstra said it would be nice to have a use in this building and it was previously a daycare so there was high traffic in this area. He asked if they give a conditional use if other city ordinances must be adhered to. Christ said yes that's correct. Murry asked if there are nuisances on the property the city can take action. Christ said that's correct.

Spoelstra asked about the recommended conditions. Christ stated staff recommends approval of the conditional use permit with the following conditions:

1. Exterior operations shall end by dusk with no added exterior lighting for activities.
2. Interior operations and activities shall end by 8:00 pm.
3. There shall be no exterior storage except two (2) personal trailers, RVs, or vehicles may be stored on the property exterior at any given time. This limit may increase to no more than four (4) personal trailers, RVs, or vehicles if visibly screened from the adjoining streets.

It was moved by Spoelstra, seconded by Kaisand, to approve the conditional use permit for a Recreational Club with meeting facilities with the above stipulations. Motion carried unanimously.

5. **Miscellaneous Business**

- A. Election of officers for 2023. It was moved by Spoelstra, seconded by Kaisand, to elect Tim Murry as chair for 2023. Motion carried unanimously. It was moved by Murry, seconded by Kaisand, to elect Royce Spoelstra as vice chair for 2023. Motion carried unanimously. Members discussed electing a secretary pro-tem and decided to not do so, as the meeting date can be changed to meet staff's availability.
6. **Adjournment**. With no further business it was moved by Spoelstra, seconded by Uitermarkt, to adjourn the meeting at 5:32 pm. Motion carried unanimously.