

CITY OF OSKALOOSA
BOARD OF ADJUSTMENT

Meeting Minutes
May 23, 2023

A regular meeting of the Board of Adjustment was called to order at 5:00 P.M. on Tuesday, May 23, 2023 by chair Perry “Tim” Murry at City Hall, 220 South Market Street, Oskaloosa, Iowa.

1. Roll Call

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

Absent: none

Staff: Shawn Christ, Adam Eklofe

Others: Matthew Moore, Scottie Moore

2. **Approval of Minutes.** It was moved by Uitermarkt, seconded by Landgrebe, to approve the March 28, 2023 Board of Adjustment minutes. Motion carried unanimously.

3. **Citizens to be Heard.** None

4. New Business

- A. Consider a for a variance to waive the public sidewalk installation requirement for Outlot One of Van Zetten Subdivision.

Matthew Moore, representing his parents Eugene and Scottie Moore, described the request for a Variance to waive the sidewalk requirement at Section 17.08.120 for Outlot One of Van Zetten Subdivision. There is no assigned address and the lot is located east of 1902 North Park, parcel ID 1118277023. Mr. Moore distributed an annotated aerial map to include with the application and referred to the map, various photograph submitted with the application, and the Mahaska County Beacon aerial map during the discussion. There is no sidewalk from the end of C Avenue East to Outlot One, roughly one-half mile. North Park curves and narrows to one lane, going downhill with no shoulder and a steep embankment, approximately 70 degrees. Neighbors are fine with the request. Mature trees are holding the embankment in place. There is only a few feet from the edge of the road to the embankment.

Murry asked about right-of-way width. Christ said it varies here. Spoelstra asked Moore if he plans to build a house. Moore said yes, but it can't be built on if a sidewalk is required. Uitermarkt asked if there are plans for a sidewalk on North Park. Christ replied no there are not. Landgrebe clarified that the code requires sidewalks to be installed with new development and said this appears to meet all requirements for a variance. He asked if there is a time limitation. Christ said the code does not stipulate a time limitation, and the variance will run with the land. Spoelstra expressed concerns with an open-ended variance since the city is trying to make neighborhoods more walkable. Moore said there are development limitations on all property to the north. Landgrebe mentioned the city has not yet enacted 2-mile zoning so there will not be a sidewalk connection to the trail. Christ said lots are already built out and the terrain is a significant challenge. Sidewalks will not likely be built here until the road is widened and rebuilt into a new street to city standards. Granting the variance will not prohibit the city from constructing a public sidewalk in the future.

It was moved by Landgrebe, seconded by Kaisand, to approve the Variance to waive the sidewalk requirement at Outlot One of VanZetten Subdivision due to exceptional topographic conditions resulting in practical difficulties and undue hardship. Motion carried unanimously.

5. **Miscellaneous Business.** Christ introduced new Building Inspector Adam Eklofe. Adam will eventually take over staffing for the Board.
6. **Adjournment.** With no further business it was moved by Spoelstra, seconded by Uitermarkt, to adjourn the meeting at 5:21 pm. Motion carried unanimously.

Minutes by Shawn Christ