

**BOARD of ZONING APPEALS**  
**MINUTES of MEETING**  
**September 17, 2019**  
**4:30 p.m.**

**Attendance:** Tom Moushey, Dave Lundgren, Mike Aeling, Arnie Hirvela, Eddie Williams, Zoning Inspector Bill Hawley, Asst. Law Director William Morris, and Secretary Theresa DeUnger.

1. **Minutes from the August 20, 2019 meeting:**  
Hirvela made motion to approve minutes. Aeling seconded the motion; Eddie Williams abstained from voting as he was not present. Moushey, Hirvela, Aeling, and Lundgren approved the minutes.  
Moushey read the Board of Zoning Appeals procedures including the appellant recourse.
2. **Siemund Greiner Company LLC -- 33 E. Chestnut St -- Appeal #19-005** – Variance for 14 parking spaces for a medical office, located in a B-3 zone.

Bill Hawley, 504 E Main St, was sworn in. This appeal is from the required 14 parking spaces at 33 E. Chestnut. The property is divided into 3 units. Two of the units are for inside sales and are not affected by the parking. The 3<sup>rd</sup> unit is 2800 sq. ft. and would possibly be used as a medical office. The previous use was similar to the proposed use but it was discontinued 1 ½ years ago when off street parking was not required. The code requires one space for every 200 sq. ft., which is a total of 14 parking spaces. Currently, there is no available off street parking. Hawley said the sale of the property is contingent on the proposed zoning variance.

Willard Beatty, 2108 Cherry Ave., was sworn in. Beatty lives across the street from the proposed business. He is not opposed to the business moving into this space but, he is concerned with too many cars parking on the street. The other concerns he discussed are the snow removal in the winter and ambulances using the street on a daily basis due to the location of the near by ambulance station. Moushey asked Beatty about the parking with the previous business. There was not a problem at that time since there were not many people who worked there.

Charles Miller, 21 E. Chestnut St., was sworn in. Miller has a business west of the proposed variance for 33 E. Chestnut St. Miller stated there might be room for possibly five cars on the street and he is concerned customers would be parking in front of his business. Miller has had to involve the police a few times as cars are blocking his business entrance. He currently has trouble unloading supplies from the trucks for his business and also noted Walgreens uses this street for their trucks as well. Miller stated the same as Beatty, that ambulances use this street frequently.

Jeff First, 2045 Cherry Ave. was sworn in. First property is located across the street from the property seeking the variance. He feels there are 9 parking spots on Chestnut. First shares his parking lot with Walgreens. If they put up no parking signs, people will still park there if there is nothing available on the street. First thinks this will cause problem for the residents. The prior business only had 2 employees that he is aware of. First said they have no problem with Miller's business and the parking.

Dennis Clunk, 2040 S. Union Ave., was sworn in. Clunk stated when they left for this meeting, there was only one parking spot left in their parking lot. Their business does a lot of property

closings and they have a standing agreement with Walgreens. The customers for either business are able to park in either parking lot. He had no problems with the prior business and agrees that there were maybe 2 employees. Clunk said the street is too narrow to accommodate additional parking.

Moushey verified with Hawley the appellant was notified of the meeting. The appellant is the current owner and has a potential buyer for the property if the parking issue is resolved.

Lundgren asked if this variance is turned down, could the appellant refile or is there a time period? Hawley said they would need to alter the office space to make it smaller to allow for parking. They would need to modify the appeal. The same variance could not be requested a 2<sup>nd</sup> time. Moushey said the appellant could appeal the denied variance.

Lundgren made the motion to deny the variance from the required 14 parking spaces at a medical office located in a B-3 zone. Aeling 2<sup>nd</sup> the motion. Unanimously approved the motion.

3. **Other Business:**

Morris said Planning Commission will look at the proposed zoning changes and probably set a public hearing.

Hirvela made motion to adjourn. Lundgren seconded motion. Meeting adjourned at 5:00 p.m.