



CITY OF INDIANOLA BOARD OF ADJUSTMENT MEETING

October 6, 2021

6:00 PM

City Council Chambers

Minutes

1. Call to Order

Meeting was called to order at 6:02pm.

2. Roll Call

On roll call the following members were present:

Bill Mettee

Amy Mitchell

Lee Bash

Members not present: Wes Sharp, Rene Soldwisch

Staff Present: Charlie Dissell, Cortney Marmon, Tim Little

Public Present: Eileen and Stan Thompson 1205 W Iowa, Daniel Moeller 1009 Robin Glen, Bob Kling 905 N Buxton, Gilbert Dawes 1101 Stephen Ct, Joe and Barb Moody 1109 Ann Pkwy.

3. Agenda Approval

The agenda for the 10/06/2021 meeting was approved on a motion by Lee Bash and seconded by Amy Mitchell. On voice vote: All ayes.

4. Minutes Approval

The minutes for the 09/01/2021 meeting were approved on a motion by Amy Mitchell and seconded by Lee Bash. On voice vote: All ayes.

A. Approval of the 09/01/2021 BOA meeting minutes.

5. New Business

A. Consider request from Bob Harmon, on behalf of the Karen Buddhist Association of Iowa for a special use permit, under the terms of Section 165.02 (3)(B)(3)(c) of the Code of Ordinances of Indianola, Iowa, that would permit the use of religious organization at 1200 West Iowa Avenue

Mr. Dissell provided an overview.

Daniel Mohler asked for clarification on whether anything new would be built on the site.

Mr. Dissell said that the applicant intends to leave everything the same but that we still need more information on the project.

Mr. Mohler asked if a letter would be sent out with new updates.

Mr. Dissell said we could email that information.

Gilbert Dawes wanted to welcome the new use of the property.

Barb Moody wanted to know if everyone would be informed when the site plan is received for review.

Mr. Dissell said we could send out new letters.

Barb wanted to know if they would take care of asbestos and black mold.

Mr. Little said they would have to remediate it.

Stan Thompson wanted to know if the applicant would maintain prairie grass.

Mr. Dissell said it would have to be kept up to City Code.

Motion to table this item until further information and clarification on site plan is received from the applicant was made by Board Member Lee Bash. This motion was seconded by Board Member Amy Mitchell. On voice vote: All, ayes. Motion passed unanimously.

- B. Consider request from Justin Kappelman for a variance under the terms of Section 165.02 (3)(B) of the Code of Ordinances of Indianola, Iowa, to permit the construction of a detached accessory building (garage) at 510 West 2nd Avenue, to which if allowed as requested, would not be in conformity with the requirements of Section 165.04(2)(D) of the Code of Ordinances of Indianola

Mr. Little provided an overview.

Mr. Mettee asked how far the applicant was in the alley vacation process.

Mr. Dissell stated he had just started that process.

Motion was made by Board Member Amy Mitchell to approve the request as submitted. This motion was seconded by Board Member Lee Bash. On voice vote: All, ayes. Motion passed unanimously.

- C. Consider request from Dusty Jordan on behalf of Jim Bailey for a variance under the terms of Section 165.02(3)(B) of the Code of Ordinances of Indianola, Iowa to permit the construction of a covered deck at 601 North 12th Street that would not be in conformity to the setback requirements found in Section 165.05(2) of the Code of Ordinances of Indianola, Iowa. This section requires a 35-foot rear setback, except for stoops, stairs, decks, and patios, not enclosed or covered by a roof, which may encroach up to 20 feet into the required rear setback

Mr. Little provided an overview.

Motion was made by Board Member Amy Mitchell to approve the request as submitted. This motion was seconded by Board Member Lee Bash. On voice vote: All, ayes. Motion passed unanimously.

- D. Discussion and direction on regarding proposed residential rental housing ordinance and program

Mr. Dissell provided an overview.

Mr. Bash wanted to know the provisions for a landlord when they fail an inspection.

Mr. Dissell said it would be situational. In some cases, we may be able to issue the rental certificate with conditions.

Mr. Mettee agreed to changing the locks per tenant request at move in.

Mrs. Mitchell asked if the landlords were concerned about the cost of changing locks all the time.

Mr. Dissell said yes.

Mrs. Mitchell suggested that if the tenant requests to have the lock changed, then it needs to be done at that time.

Mr. Dissell said that we could have it listed as a requirement if requested by the tenant and the expense of it would be on the landlord.

Mr. Little said his only concern would be making sure tenants know that's an option.

Mr. Dissell said we are working on informational resources for new tenants.

Mr. Bash said a lot of towns we had listed for comparison were college towns that had more turnover.

Mr. Little talked about radon testing and advised there was no state code for this.

Mrs. Mitchell said that if a rental was tested for radon and it's more than 4 ppm's the landlord should have to mitigate that.

Mr. Little agreed.

Mr. Mettee asked how radon is mitigated.

Mr. Little said that a hole is made in the basement floor and filled with pea gravel. A pipe is then added. He stated it is difficult to mitigate one hundred percent.

Mr. Bash said if he was a landlord he would be worried about the radon testing process too, because it can get very expensive.

Mr. Little said there is not enough known about radon, in his opinion, at this point.

Mrs. Mitchell said maybe if the landlord could not mitigate it the tenant would have the option to break the lease.

Mr. Dissell said he would have to check with legal on that option.

Mr. Mettee said he didn't think anyone was firmly opposed but that maybe we didn't want to add radon testing into the code as of yet.

Mr. Mettee suggested bringing a radon mitigation expert to a public meeting.

Mr. Little said that radon testing is more of a peace of mind thing.

Mr. Moller asked how you prove a landlord actually tested.

Mr. Dissell said we would have to put a process in place.

No motion required, discussion item.

6. Comments

7. Adjourn

The meeting was adjourned on a motion by Amy Mitchell and seconded by Lee Bash. On voice vote: All Ayes.