

**HIAWATHA BOARD OF ADJUSTMENT MINUTES
REGULAR SCHEDULED MEETING
January 14, 2019**

The Hiawatha Board of Adjustment met in regular session on January 14, 2019. Board Chair, Andrew Sweeney called the meeting to order at 5:30 p.m. Members present: David Matthews, Brian Vogel, Tom Day and Mike Freeman. Members Absent: None. Staff present: Community Development Director, Pat Parsley, Assistant Building Official, Jim Fisher. Guest in attendance: Jason Zbornik, Julie Zbornik, Jim Thatcher, Judy and Jessica Drees.

Board Member David Matthews moved to approve the agenda, second by Brian Vogel. Motion carried.

Board Member Brian Vogel moved to approve the December 10, 2018 minutes, second by Dave Matthews. Motion carried.

PUBLIC HEARING – Consider Resolution to approve the Conditional Use Request submitted by Nexus Entertainment Arts for the property located at 1145 Industrial Dr., Hiawatha, Iowa.

Public Hearing Opened At 5:31 p.m.

Andrew Sweeney asked if there was anyone present to speak in favor of the variance request. Jason Zbornik addressed the Board. He explained the packet submission and asked if the Board had any questions.

Andy Sweeny asked if the fire department had been back through to inspect the upgrades. Jason said they hadn't but everything the fire department requested has been done. He added they would welcome another inspection.

Mike Freeman asked for occupancy clarification. Pat Parsley explained they have a limit of 10 children per class but could have more than 10 for adult classes and meetings. Jason pointed out the information in the packet and said he understood there would be no assembly allowed.

Tom Day asked when and if the City inspects the building. Pat Parsley explained that the city does not have a schedule for that at this time. He added the Fire Department is working on adding it. Currently inspections are complaint generated.

Tom Day then asked if it would be considered a school. Pat Parsley said it is not and explained a school requires a curriculum and includes k-12 aged children.

Andy Sweeny asked why the fire department inspected in the first place. Jason Zbornik explained they thought it would be ok to have an assembly function at the property and the Fire Department was called. They now understand that it is not okay and have made necessary upgrades and have followed protocol.

Pat Parsley added the building department still needs to inspect the upgrades.

Andy Sweeny asked if there would be any remodeling. Jason stated since there would not be assembly, no remodeling would be needed.

Tom Day asked if the building was sprinkled. Pat Parsley stated it isn't and that was another reason it would not accommodate assembly occupancy.

Andy Sweeny asked what square footage of space they are using. Jason Zbornik stated approximately 4800 sq.ft.

Andy Sweeny asked if there were any other questions. There were none.

Andrew Sweeney asked if there was anyone present to speak against the variance request. There were none.

Public Hearing Closed At 5:41 p.m.

Board Member, Brian Vogel moved to approve the Conditional Use request submitted by Nexus Entertainment Arts for the property located at 1145 Industrial Dr., Hiawatha, Iowa. with the following conditions:

1. There be no "gathering uses" which will create a gathering space or additional parking requirements.
2. The building will be remodeled to accommodate the change of use as required by the building and fire code.

Second by Tom Day.

Roll call vote: BRIAN VOGEL, TOM DAY, ANDREW SWEENEY, DAVID MATTHEWS, AND MIKE FREEMAN.

AYES: MIKE FREEMAN, DAVID MATTHEWS, ANDREW SWEENEY, BRIAN VOGEL, TOM DAY

NAYS: NONE

ABSENT: NONE

APPROVED

Discussion

Discuss the possibility of electronic meeting packets.

Board Member, David Matthews moved to receive monthly meeting packet through the web site. Second by Brian Vogel.

AYES: MIKE FREEMAN, DAVID MATTHEWS, ANDREW SWEENEY, TOM DAY AND BRIAN VOGEL

NAYS: NONE

ABSENT: NONE

APPROVED

There being no other business David Matthews moved to adjourn the meeting at 5:45 p.m. Second by Mike Freeman. Motion carried.

Andrew Sweeney, Chair

Date Signed

ATTEST:

Jennifer Goerg, Community Development Clerk