

**BOARD OF ZONING APPEALS MINUTES**  
**Tuesday, June 12, 2018 @ 6:00 p.m.**

**Members Present:** Jason Krone, Merle Parks, Lloyd Mesmer, Sherri Neff, and Craig Stephan

**Staff Present:** Don E. Slone, AICP, CFM, City Planner

The Chairman Mesmer called the meeting to order at 6:00 p.m. and called roll. Roll call listed above. Craig Stephan arrived late at 6:03 p.m.

Chairman Mesmer introduced **ITEM NO. 1: Approval of Minutes:** The Board of Zoning Appeals meeting held May 15, 2018.

Chairman Mesmer asked for a motion. Merle Parks made a motion to approve the minutes with a second from Sherri Neff. Motion was approved 4-0. Craig Stephan was not present at the time of the vote.

Chairman Mesmer introduced **ITEM NO. 2: Variance: BZA-113: "Delta Innovative Services, Inc."**, a request by Danny Boyle, Boyle Midwest, LLC, property owners of record for the following variance:

Article XIX, "I-2", Heavy Industrial District, Section 6, Use Limitations, Paragraph 5, "Outside storage areas shall be paved with an all-weather, dust free surface".

**Note:** This request is to permit a custom designed gravel lot, which will be oil treated seasonally in lieu of asphalt that would be maintained as needed."

Chairman Mesmer opened the public hearing at 6:04 p.m. and asked for Staff presentation. The City Planner presented the Staff Report with a recommendation to approve the Variance subject to the listed conditions including the background on the case.

Chairman Mesmer asked if the applicant would like to make a statement. The applicant **Danny Boyle, Boyle Midwest, LLC** stated that he was asking for approval as the need for this type of business they will be opening works much better on a gravel surface. He then stated that he would be glad to answer any questions. They want to be good neighbors.

Chairman Mesmer closed the public hearing at 6:08 p.m. and asked for a motion. Merle Parks made a motion to approve the variance with the listed conditions with a second from Jason Krone.

Jason Krone asked who determines when the gravel is treated. The City Planner stated they would have to treat it as needed if they have complaints.

Merle Parks stated that this is not really a variance, it is more of an interpretation and they have several options. One is to just do it, take it to the Council or bring it to us to see if it would fly. This is probably the most economical way to do this. Can this be revoked if there is a problem? The City Planner stated that if they get complaints they will go back to their letter which states they will follow all the rules and regulations for the variance.

Merle Parks stated this will set precedence for other applicants to come and do the same thing. The City Planner stated the difference here is there is no variance for the off street parking and that the property was screened in the back by natural growth. Mr. Parks stated that if they approve this it should show that the property behind is screened by natural growth and that it is zoned heavy industrial.

Merle Parks asked the City Planner does the vote have to be unanimous in order for the variance to be approved and the City Planner stated yes.

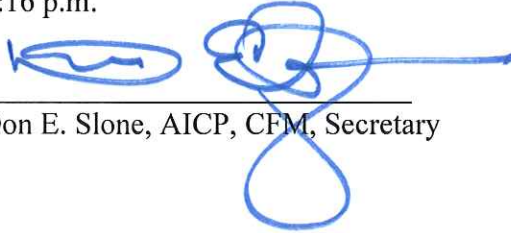
Chairman Mesmer stated that if they pass this variance it does not mean that anyone else wanting the same type of variance will be approved. They would have to go through the Board of Zoning Appeals for review and approval.

Craig Stephan stated the variance is for the addition what about the existing gravel lot being treated and the applicant stated that they could treat the existing gravel lot also.

Merle Parks asked if they approve this variance will it be contingent on the Planning Commission approving the Site/Landscape Plan. The City Planner stated yes.

Chairman Mesmer asked for the vote. Motion was approved 5-0.

Chairman Mesmer asked if the Board had any additional business, seeing none, he adjourned the meeting at 6:16 p.m.

A handwritten signature in blue ink, consisting of a series of loops and a long horizontal stroke extending to the right.

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Don E. Slone, AICP, CFM, Secretary