

Altoona Board of Adjustment Hearing – July 2, 2013 – 6:30 PM

Members Present – Dale Sikes, John Rullman, Doug Teuber, Robert Hall

Members absent – Lea Morris

Staff Present – John Shaw, Chad Quick, Susi Hoots

Others Present – Jared Harridge

Chairman Rullman called hearing to order.

#1. Consider a variance from Za-Ga-Zig Shrine at 1100 Shriners Parkway to allow an outdoor smoking building to set 12’8” from the north property line. The property is zoned C-2 (General Commercial)

#2 Consider a variance from Za-Ga-Zig Shrine at 1100 Shriners Parkway of the architectural design standards to allow metal exterior siding on the outdoor “smoke shack”. The property is zoning C-2 (General Commercial)

#3 Consider a variance from Za-Ga-Zig Shrine at 1100 Shriners Parkway of the architectural design standards to allow metal exterior siding on the barbeque pit. The property is zoned C-2 (General Commercial)

Jared Harridge, Za-Ga-Zig Business Manager, 1100 Shriners Parkway, Altoona, Iowa, addressed the Board to say that a variance was obtained and a building permit was issued in 2004 or 2005 for a roof over the barbeque pit. The smoke shack was constructed in 2008. He was hired in 2010 and understood the property was in compliance with the city, until he talked with Chad Quick last autumn. He does not know why an application for a building permit and/or variance was not submitted for the barbeque pit walls and the smoke shack and cannot speak for his predecessors.

Harridge said the barbeque pit sits 12’8” from the property line and they are willing to relocate the moveable smoke shack to be in line with the barbeque pit. Adding brick material to the north and south sides of the smoke shack may require some type of footing and the cost may not be in the budget. Therefore, they are seeking the variance to allow the existing white metal siding on the smoke shack.

Harridge continued by stating the barbeque pit was originally built with a roof but no walls. When the smoke shack was constructed in 2008, they added the walls to the barbeque pit. The pit cannot be used when the walls are down. They are seeking a variance to allow the barbeque pit to remain as is. To re-cap: Za-Ga-Zig is seeking variances to allow the barbecue pit to remain the same, to leave the white-metal-sided buildings the same, and to move the smoke shack to line up with the north edge of the barbeque pit structure.

Rullman stated that the barbeque pit structure was originally built without a building permit and stated he appreciates Mr. Harridge was not the Business Manager at that time and would have no knowledge of that.

Sikes explained that in order for a variance to be granted that a hardship must exist.

Harridge said there is no hardship for the smoke shack as if it is moved it can still be used. The walls on the barbeque pit keep out critters and kids, reduce vandalism and insurance costs. It would be a hardship to remove the barbeque pit walls.

Sikes and Rullman reiterated that a hardship must be unique and specific to this property and must restrict the use of the property for which it was intended.

Harridge responded that the smoke shack walls were not intended to have concrete/brick.

Sikes said that if a permit had been properly obtained before construction they would have known how to construct the building so it would comply.

Rullman said that the smoke shack slab/pad allows for the building to be moved southward; or that the building may need to be re-constructed as an addition to the main building.

Sikes pointed out the Za-Ga-Zig Board was aware of the previous issue with the barbeque building and proceeded nevertheless.

Tueber mentioned that it may be best to take down the smoke shack and start over.

Sikes pointed out that the smoke shack can be relocated on the existing slab/pad to meet the required setback.

Rullman asked if any utilities are connected to the smoke shack. Harridge responded that there is an electric box on the northeast side of the slab/pad to supply electric service to the building. Sikes added that no electrical permit was obtained for this electrical connection and asked if there is electrical service to the barbeque pit structure. Harridge said there is no electric service to the barbeque pit structure. Sikes stated that in the event of an electrical fire the city may have some liability as there were no code inspections.

Hall and Teuber voiced that all structures should be brought up to code.

Harridge said all other buildings have been inspected and are code compliant.

Hall asked if IDOT has any issues with the north property line. Harridge stated Za-Ga-Zig has not been approached by IDOT to acquire any additional property.

Harridge said that if the smoke shack variances are not granted, the building will not be re-built because the use/purpose of the building would not justify the cost.

Sikes asked staff if a brick veneer on the barbeque structure would make it compliant. Shaw responded that only the columns would need the brick veneer, that the doors would be OK as is.

Rullman mentioned that adding paint to the doors and paint above the doors along with the proper code compliant veneer on the columns would look nice.

Harridge asked if the barbeque structure roof is acceptable as is. Quick stated the metal roof is allowed.

Harridge asked: Are there no metal exterior buildings within Altoona? Sikes responded that it depends upon the zoning area. Hall said that as the main building is brick it needs to be carried through to all structures on the property.

Sikes moved to deny variance request agenda item number 1 to allow the smoking building known as the “smoke shack” to set 12’8” from the north property line. Seconded by Teuber.
Vote: Yes - Sikes, Teuber, Hall, Rullman. No – None. Variance Denied.

Hall moved to deny architectural design standard variance request agenda item number 2 to allow metal exterior siding on the structure known as “smoke shack”. Seconded by Sikes. Vote: Yes - Hall, Sikes, Teuber, Rullman. No – None. Variance Denied.

Sikes moved to deny architectural design standard variance request agenda item number 3 to allow metal exterior siding on the barbeque pit. Seconded by Hall. Vote: Yes - Sikes, Hall, Teuber, Rullman. No – None. Variance Denied.

Rullman asked Harridge to be sure to apply for proper permits if it is decided to rebuild the smoke shack and to obtain the proper permit for the changes to the barbeque pit structure. Rullman and Harridge agreed it is easier to do it right the first time.

4. Approve minutes of the May 7, 2013 hearing.

Teuber moved to approve the minutes as presented. Seconded by Sikes. Vote: Yes – Teuber, Sikes, Hall, Rullman. No – None.

Next hearing scheduled for Tuesday, August 6, 2013 at 6:30 p.m.

Hearing Adjourned at 7:04 p.m.

Respectfully submitted,
Susi Hoots
Community Services Administrative Assistant