

Board of Adjustment  
Meeting Minutes  
September 22, 2015

**1.) Call the meeting to Order**

Chairperson Jim Corbett called the meeting of the Board of Adjustment to order at 6:00 p.m. Chairperson Corbett welcomed new member Karissa Hastings to the Board of Adjustment.

**2.) Roll Call.**

Members Present: Jim Corbett, Vince Nossaman, Merlan Rolffs, John Van Den Berg, Lyle Vander Meiden, Mike Vander Wert, Karissa Hastings.

Members Absent: Glenn Van Wyk.

Others Present: George Wesselhoft – Planning and Zoning Director, Jerry Byers – Board Secretary, Darren McGriff – Sweatshop, Stacy McGriff – Sweatshop, Jerry Roorda, Jim Mueller - Mayor.

**3.) Approval of Agenda**

John Van Den Berg made a motion to approve the agenda as submitted. Vince Nossaman seconded the motion. Upon vote, all voted yes. The agenda was approved.

**4.) Approval of Minutes**

Merlan Rolffs made a motion to approve the Minutes of the August 25, 2015 meeting as submitted. Mike Vander Wert seconded the motion. Upon vote, all voted yes. The minutes were approved as submitted.

**5.) Special Use Permit Application by The Sweatshop, 602 Franklin St., Pella, IA**

Public Hearing on Special Use Permit application by The Sweatshop concerning a Personal Improvement Services use at 602 Franklin Street, Pella, Iowa 50219.

Chairperson Corbett informed the audience that the Board of Adjustment was a nine member board. Due to member Byron Vander Molen passing, there were

eight members, seven of which were present. An approval would require a five member yes vote on any motion to be approved. If the motion failed the applicants only avenue for recourse would be to go to District Court

Darren McGriff said they understood and would like to continue with the meeting.

Chairperson Corbett asked if there were any written comments.

Jerry Byers, Secretary to the Board, stated there were written comments attached to the packet by Bryan Gaylor, owner of Boat's Home Furnishings.

Lyle Vander Meiden made a motion to accept the letter into the minutes

Vince Nossaman second the motion.

Upon vote, motion passed unanimously to accept the letter into the record.

*(See attached)*

The public hearing was open to oral comments.

Jerry Roorda owner of In't Veld Meat Market spoke to the Board about trying to promote Pella as a destination. He continued by saying that he'd been to Galena Illinois and that there were no service businesses in their downtown.

Mr. Roorda went on to talk about Pella as a retail destination and trying to keep retail in the downtown as opposed to service businesses.

Jim Mueller, City of Pella Mayor, reiterated what Mr. Roorda had spoken to the Board about and stated that they would like to protect the area of the downtown for retail business.

He continued stating that he wished to speak about the parking issue in the downtown as well as the retail issue to the Board.

He stated that he was told that any special use permit could be denied for any reason, whether it be parking concerns, retail support concerns or other issues.

Stacy McGriff spoke to the Board about the hairdressers, hair salons, and attorneys, supporting area community and getting area residents into the downtown. She commented not only should the community be concerned with people coming in as tourist but also taking care people that live in the City of Pella.

John Van Den Berg asked if The Sweatshop was open for business.

Mr. Byers indicated that City staff found out about the business when the sign contractor brought in the application for businesses signage.

Ms. McGriff stated that they do not open until October 1, 2015.

Ms. McGriff stated that they were able to rent and had received no information from the landlord that they could not open their business there.

Vince Nossaman asked City staff if the information about what businesses are available in the downtown is available to realtors.

Mr. Wesselhoft answered the question, stating that the information was available on the City website and that many persons call and ask questions about available properties as far as zoning regulations. However, he continued by stating that Pella is a small community and no official business license was required in the city, and that staff only found out about the use of the space due to the application for the sign.

Merlan Rolffs asked if a building permit was required.

Mr. Byers replied that interior cleanup and painting would not require a permit.

Ms. McGriff stated that they feel they do offer something to the City of Pella that coincides with the health and wellness of the citizens.

There was discussion about the use of the space, and timeframe of the length they would use the downtown space before moving to a larger facility.

Ms. McGriff stated that they do have a small amount of retail and went on to list the items that they would be selling.

Lyle Vander Meiden asked City staff about a special use permit and putting a time limit on the granting of the permit.

Mr. Wesselhoft stated that he would refer the question to the City Attorney which he commented was available by phone. Mr. Wesselhoft continued by stating that there had only been two other special use permits issued that come to mind in the time frame he had been with the City.

Mr. Nossaman confirmed with Mr. McGriff that they had a month to month lease and would be moving soon if things went well with the business.

Chairperson Corbett asked if the Board would like to confirm with the City Attorney, as to whether it would be acceptable to placing restrictions and a time limit on to the special use permit.

Discussion ensued.

Mr. Corbett continued stating there were two issues in front of the Board. One being what type of businesses we were going to be having in the downtown, which he stated the Board of Adjustment could not be addressing. City Council had given the Board of Adjustment responsibility to address special use permits.

Lyle Vander Meiden stated he still wanted to know what conditions he could place on the special use permit use permit if he made a motion such.

Lyle Vander Meiden made a motion to take a 10 minute recess to allow Mr. Wesselhoft time to call City Attorney to find out about the possibility of putting restrictions on the special use permit.

Vince Nossaman second the motion.

Upon vote motion is approved unanimously.

There was a 10 minute recess.

The meeting was called to order after the recess by Chairperson Corbett.

Mr. Wesselhoft stated that the City Attorney said that either the special use permit meets the criteria and qualifications or it does not.

He continued by stating that you could not put a time limit on the special use permit, however, he said you could put a special use on this particular business, that once they moved out that no other business could move in and continue with that special use. He stated that the hours can be regulated but he said the big concern would be enforcement and who would enforce hours of use and the monitoring of the number of clients and/or people in the business.

The public hearing was closed.

**6.) Special Use Permit Application by The Sweatshop, 602 Franklin St, Pella, Iowa.**

Public Hearing on Special Use Permit application by The Sweatshop concerning a Personal Improvement Services use at 602 Franklin Street, Pella, Iowa 50219.

Vince Nossaman made a motion to deny the special use permit for The Sweatshop. He continued by saying that the Board has to respect what the City Council is trying to do with the Central Business District. He stated that their intent is to try and keep it more retail in the downtown and based on that he made a motion to deny.

John Van Den Berg seconded the motion.

Upon vote, motion passed unanimously 7 to 0.

**7.) Other Business**

None

**8.) Adjournment**

The meeting adjourned at 7:20p.m.

Respectfully submitted,  
Jerry Byers  
Building Official

**From:** Bryan Gaylor [<mailto:bryan@bhfpella.com>]  
**Sent:** Tuesday, September 15, 2015 4:40 PM  
**To:** George Wesselhoft <[gwesselhoft@cityofpella.com](mailto:gwesselhoft@cityofpella.com)>  
**Subject:** RE: Board of Adjustment - Email

George,

I would like to provide my input of the potential personal training studio at 602 Franklin Street. As much as I have an appreciation for anyone to establish a new business, I am concerned about the location desired. I have a great deal of respect and admiration for Mr McGriff, however the location that is being request may not help enhance the features that our downtown district offers. We are a destination community with many tenured destination stores, eateries, and places of interest. If we are to continue to enhance the downtown district into a growing tourism destination, then we need to do so with retail stores or places of business that will attract tourists to travel to Pella. Our marketing and PR directives for Boat's Home Furnishings focuses on enticing tourists to spend a day or a weekend in Pella - to not only shop at our store, but take in the true experience that Pella has to offer.

Again, we do not have anything against Mr McGriff's efforts, we feel that it can be better suited in an area where our tourism economy is not so reliant on proximity.

Thank you for your consideration.  
Bryan

**Bryan Gaylor**  
**President/Owner**  
Showroom 641-628-2040  
Fax 641-628-9303  
[Bryan@bhfpella.com](mailto:Bryan@bhfpella.com)  
[www.BoatsHomeFurnishings.com](http://www.BoatsHomeFurnishings.com)  
620 Franklin St, Pella Iowa 50219

**BOAT'S**  
HOME FURNISHINGS  


*"Since 1938, we've proudly turned houses into homes - for generations of enjoyment."*