



## **Eldridge Board of Adjustment May 4, 2023, 6:00 p.m., Eldridge City Hall**

### **Minutes**

The Eldridge Board of Adjustment meeting was called to order by Karl Donaubauer at 5:59 p.m. at Eldridge City Hall on May 4, 2023. Board members present were Karl Donaubauer, Dean Ferguson, Paul Hayungs and Bob Kuehl. Eric Gruenhagen was absent. Also present were Nevada Lemke, Jeff Martens, Bruce Cheek, Brian Dockery, Ashley Atkins and Ron Iossi.

The minutes from the previous meeting were presented. A motion was made by Hayungs to approve the minutes, seconded by Ferguson. Motion carried 4-0 by voice vote.

Donaubauer stated the purpose of the meeting was to check on the progress of Ashley Atkins home build at 880 S. 1<sup>st</sup> Street.

During the public comment section of the agenda Martens provided board members with comments received from Michael Bristley a neighbor located at 850 S. 1<sup>st</sup> Street. Martens let the board know that most of the comments concerned a civil dispute over an access easement located on Bristley's property and summarized the situation for the board. Martens let the board know that he would respond to Bristley's questions and that he had previously advised Atkins not to use this driveway since it was in dispute until a legal ruling on the matter was obtained by one of the parties involved. Brian Dockery also spoke during the public comment section and said his opinion was that the access easement issue was a civil matter that the city should have no involvement in. Dockery also stated that he saw three options moving forward, the first that the city could cite Atkins to have the building removed which would be unfair since the city allowed her to build it in the first place, the second would be to offer her the opportunity to apply for another Use on Review to ask for an extended period of time to build a house or three to offer her the opportunity to apply for a Variance to make the existence of the accessory building legal without a primary structure on the property. Martens agreed that these were the options he also felt were available as the Zoning Enforcement Officer for the city.

Martens also shared that he had inspected the property on March 20 and at that time the camper was removed from the building and found no evidence that Atkins was still living on the property. Atkins confirmed this for the board.

Donaubauer then gave Atkins the opportunity to share information on the progress she had made toward building a house on the site. Atkins presented plans that were being finalized with a builder she has hired. She said the builder was completing a house in Long Grove that would be finished in approximately six weeks and she was next on the list for her home build. She is working with a lender to secure financing and was hopeful she would be able to move forward

Eric Gruenhagen

Karl Donaubauer  
Dean Ferguson

Paul Hayungs  
Bob Kuehl

with a new home. She said as a last resort she could look at bringing her accessory building up to code for occupancy as a residence but does not want to have to do so.

Atkins then asked if she turned the accessory building into a nursery or greenhouse if she would be in compliance with city code. She said that she has been working with a farm agency for a couple of months on this project. Martens let her know that a nursery and greenhouse are both permitted uses for this zoning district and that if the accessory building was being used for one of those uses it would then be compliant with the city code. Atkins said 78 trees were being delivered and she was interested in high tunnels for greenhouse use.

Martens confirmed for the board that this was a permitted use and no further action was needed. Atkins will be pursuing building a single family home on the property as well as a nursery/greenhouse operation.

Motion to adjourn by Ferguson at 6:50 p.m. Second by Kuehl. Motion carried 4-0 by voice vote.

Respectfully submitted,  
Jeff Martens  
Assistant City Administrator