

The Dallas Center Board of Adjustment met in electronic meeting via Zoom on November 9, 2020 at 7:00 pm due to Iowa Governor Kim Reynold's October 16, 2020 updated Proclamation of Disaster Emergency, which among other matters, encouraged all vulnerable Iowans to limit their activities outside of their home including their participation in gatherings of any size and any purpose. The Governor's Proclamation allows a community gathering (such as a public meeting) of more than ten persons so long as the venue capacity is limited and social distancing of at least six feet is maintained. The Governor further suspended state laws requiring a public meeting or hearing to the extent the laws could be interpreted to prevent a governmental body from limiting the number of people present for an in-person location of the meeting, providing the governmental body provides a means for the public to participate by telephone or electronically.

Board Chair Gary Park called the meeting to order at 7:00 pm. Board members on the call/Zoom meeting were Gary Park, Sandy Gannon, Bret Van De Pol, Todd Lawton and Eliza Johnson.

Board Chair Park opened a public hearing for the purpose of hearing comments on the request of Jeffrey L. and Karmen K. Weddle that the Board of Adjustment permit an Exception to the District regulations of the Dallas Center Zoning Code by permitting them to utilize their home at 1607 Walnut Street in Dallas Center for small gatherings for religious and celebratory functions, which uses may be for a fee which will generate income to the owners. Jeff and Karmen Weddle gave some background information on their home and the proposed use of their home. Their attorney, Scott Hall, also made comments. Bob Haxton stated his opposition to the Exception being granted. Jim Nervig, attorney for Julie Becker, made statements against the granting of the Exception. Julie Becker stated her opposition to the Exception. Randi Boelkes, Megan Dickenson and Bob King stated their support of the Exception being granted. The public hearing was closed at 8:06 pm.

Board members made comments in regard to the consideration of request for Exception under Dallas Center Code Sec. 165.13(4)(C).

City Attorney Brown reviewed the Background Recitals and suggested that two additional paragraphs be added: On November 6, 2020 Jeffrey and Karmen Weddle, through their attorney Scott Hall, submitted to the Board the proposed Findings of Fact and a proposed Decision. And on November 9, 2020, Julie Becker, through her attorney James E. Nervig, submitted to the Board a Resistance to Request for Exception. Motion by Gannon, 2<sup>nd</sup> by Lawton to add the two paragraphs. Roll call all ayes, motion passed.

Motion by Park, 2<sup>nd</sup> by Gannon to approve the Background Recitals. Roll call all ayes, motion passed.

Park suggested the Findings of Fact be modified by adding in Paragraph M the following sentence: "The requested uses are in harmony with the general purpose and intent of the Zoning Code". Motion by Park, 2<sup>nd</sup> by Gannon to approve the addition to Paragraph M. Roll call all ayes, motion passed.

The Board reviewed the Findings of Fact. Motion by Johnson, 2<sup>nd</sup> by Van De Pol, to approve the Findings of Fact. Roll call all ayes, motion passed.

The Board reviewed the proposed Decision. Motion by Gannon, 2<sup>nd</sup> by Lawton to approve the Decision granting the requested Exception. Roll call all ayes, motion passed.

Motion by Gannon, 2<sup>nd</sup> by Lawton to adjourn the meeting at 8:25 pm. Roll call all ayes, meeting adjourned.

Gary Park, Chair