



Minutes  
Board of Appeals  
20 Second Avenue SW, Oelwein  
February 11, 2020 - 5:30 PM

Roll Call            Present            Kerns, Cockerham, Miller, Lumbus, Benter  
                         Also Present       Building Official Jay Shekleton, City Attorney Pat Dillon

Approve Minutes

1. Consideration of a motion to approve the minutes of the October 1, 2019 meeting  
A motion was made by Lumbus, seconded by Benter to approve the minutes. All voted aye.  
Motion Carried

Appeals

2. Discussion on Warthan appeal request for 320 8th Street SW

On January 24, 2020 the City Building Official placarded the property stating the dwelling was unsafe and unsuitable for occupancy.

Property owner Dave Warthan is appealing this action and presented letters in opposition to the placarding from Greg Bryan of Bryan Construction and licensed engineer Daniel Meyer. Bryan states in his correspondence he does not feel the foundation is unstable or a safety threat based on 50 years' experience in the construction business. Meyer stated in his experience and training there is not an imminent danger of collapse of the house.

A January 8, 2020 document from Upper Explorerland Regional Planning Commission was also reviewed which states "The foundation of the unit has large cracks".

Kerns stated the property has not been condemned, only placarded and cannot be occupied until repairs have been completed.

City Attorney Dillon said the Building Official is following the rules as written in the city code.

Following additional discussion, a motion was made by Miller, seconded by Benter to remove the placard. Three voted aye, Two (Cockerham, Kerns) voted nay.

Motion Carried

It was noted this action does not exempt Warthan from following the rental code and repairs must be made before the property is occupies.

No further business was conducted and the meeting adjourned at 5:45 P.M.

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Jay Shekleton, Building Official