



Minutes

Board of Appeals

Oelwein City Hall, 20 2nd Avenue SW, Oelwein

January 19, 2022 – 5:30 PM

Roll Call

Present: Kerns, Cockerham, Miller, Lumbus, Benter

Also Present: Ron Winter, Rod/Arctic Seal Owner, Warren Fisk, Peggy Sherrets

Approve Minutes

1. Consideration of a motion to approve the minutes of the April 6, 2021, meeting

A motion was made by Miller, seconded by Lumbus to approve minutes. All voted aye.

Appeals

2. Discussion on 310 6th St SW appeal

Kerns explained to the board that they were present to discuss issues regarding the property located at 310 6th St. SW. We are not here to discuss the rental program or personal issues.

Shekleton went through the pictures with the board and explained the items in each picture.

Shekleton explained to the board, the process that was to be followed by Winters before any repairs to the structure could be completed.

Winters and Rod stated that the spray foam started around 8 O'clock AM and the Inspector arrived around 10 O'clock AM to document the condition of the foundation before it was spray foamed.

Ron questioned why the city passed the spray foam on the permit application.

Shekleton explained that the city does not require an inspection for spray foaming of the foundation. The Inspector was directed to take photos of the condition of the foundation at the time of excavation, before the spray foam was applied.

The Inspector was not present at the meeting and could not be contacted for comments.

Kerns read the letter from the Building Official with the 4 requirements to be completed before any further repairs are made structure. Kerns stated that these items are the reason the appeals board was meeting.

Winters stated that he called to have the inspector come to inspect the foundation. Winters stated that the inspector gave Winters permission to continue with the spray foaming. Winters also stated that the permit had been issued and passed. Winters stated that if the inspector told him the foundation was not in good repair, he would not have spent the money to spray the foundation.

Cockerham commented that the idea of inspection of the foundation was to document the condition of the foundation before it was spray foamed.

Shekleton stated that the inspector was directed to take pictures for documentation only and that permits, and inspections are not required for this type of work. Shekleton also stated that he could not answer as to why the inspector marked the inspection as passed.

Cockerham explained what he thought should have been repaired on the foundation before it was covered by spray foam.

Winter stated that it is a low caliber home and has it sold to a single person and this is what he wants.

Winter stated that if the inspector wouldn't have passed the foundation, he would have not spray foamed the foundation and spent thirty-six hundred dollars.

Lumbus asked the Building Official what the owner is supposed to do if the inspector passed the inspection. Lumbus stated that he was just pointing out the conflict.

Discussion over the conditions of the structure between Kerns and Winter. Kerns also asked the foam contractor what the specs are on the foam. The contractor could not provide that information at the time of the meeting.

Miller commented about areas of the foundation that are completely missing. Ron stated that is was an old window well.

Cockerham commented about the size of the tree and the roots of the tree may be causing some of the foundation issues.

Miller asked Winters what they fixed or repaired on the foundation before the spray foam applied. Winters stated that the foam was applied directly to the soil.

Shekleton stated that the spray foam did not fix any of the foundation deficiencies, it only covered the deficiencies.

Discussion on items and deficiencies in the foundation by the board members.

Benter asked Winters how he is going to fix the foundation. Winters answered he didn't know.

Winters voiced his concern with the inspector passing the foundation.

Miller stated that the responsibility for repairs to the structure falls on the property owner/contractor.


A motion was made by Benter and seconded by Miller to deny the appeal. All voted aye.

Old Business

New Business

Adjournment

Motion to adjourn was made by Kerns



Jay Shekleton, Building Official