

BOARD OF ADJUSTMENT MEETING MINUTES
October 8th, 2012

OPENING CEREMONIES AND PRESENTATIONS

I. CALL TO ORDER

Chairman Larry Bares called the meeting to order at 7:30 AM.

II. ROLL CALL

PRESENT: Larry Bares, Pat Bren, Blaine Dukart and Trevor Ernst

ABSENT: Scott Bullinger

STAFF: Ed Courton, Melissa Gjermundson

III. MINUTES

No minutes were submitted for approval.

REGULAR AGENDA

City/County Planner Steven Josephson discussed variances and hardships. Typically, hardships are not the result of something the property owner did. Hardships mostly impact existing structures or platted lots. Mr. Josephson used the example of a setback that has changed since the time the structure was built. A hardship was imposed due to changes in regulations or government actions such as right-of-way acquisition. A variance will not be contrary to public interest. Inconvenience or a desire to make money cannot be the sole basis for granting a variance.

1. **To consider a front yard setback variance from 20 foot to five foot for the Paragon Bowl located at 1125 West Villard. The variance is necessary for the expansion of the business.**

Chairman Larry Bares opened the Public Hearing. Jon Mueller stated the plans to expand his business would include a 7 foot setback from the sidewalk. Mr. Dukart stated that Paragon was going to have two different phases. The first phase will be building north if this setback variance is approved and the second phase will be built to the west. Mr. Courton read the motion requirements to Mr. Mueller.

MOTION BY: Blaine Dukart **SECOND:** Pat Bren

To approve the request with the following conditions:

1. Prior to certificate of occupancy, a 10 foot landscape buffer shall be installed along Villard including a minimum of three trees in front of the building expansion to the satisfaction of the City Planner. The landscaping shall include several shrubs.
2. The property owner shall write a letter to the City agreeing to not allow off-street parking of vehicles, including semi-trucks, RV's and campers, outside the designed parking lot. No parking on dirt or gravel surfaces.

3. The additional parking spaces for the building expansion shall be paved and the bowling alley shall be consistent with the City's parking standards.

DISPOSITION: Motion carried unanimously.

2. **To consider a front yard variance to allow garages to be constructed between the road and buildings for an apartment complex located on Lot 2, Block 1, West Ridge 1st Addition in Section 31, Township 140N, 96W.**

Chairman Larry Bares opened the Public Hearing. Applicant was not present. Item to be continued to the November 13th, 2012 Board of Adjustment meeting.

3. **To consider a variance to allow off-street parking and to reduce the minimum lot size for an existing residence to be converted into a duplex. The residence is located at 145 7th Avenue W. The residence had a duplex in the past.**

Chairman Larry Bares opened the Public Hearing. Sharon Kilzer lives at 145 7th Ave W and is requesting a variance to allow parking on the street. Ms. Kilzer explained that her basement would be converted into a basement apartment to help serve the need for the community. Mr. Courton spoke to a neighbor that requested that the tenant only be allowed to park along 2nd Street West. Mr. Courton read the motion requirements to Ms. Kilzer.

MOTION BY: Pat Bren

SECOND: Blaine Dukart

To approve the request with the following conditions:

1. The variance shall terminate five (5) years from the certificate of occupancy of the basement and the property owner shall comply with City Code relative to the total number of off-street parking spaces from that date on.
2. No on-street parking shall be allowed for tenants of the basement along the eastside of the building – only north along 2nd Street West.

DISPOSITION: Motion carried unanimously.

OTHER BUSINESS

1. **ADJOURNMENT**

There being no further business to discuss.

MOTION BY: Pat Bren

SECOND: Blaine Dukart

To adjourn meeting.

Meeting adjourned at 7:58am.

PREPARED BY:

Melissa Gjermundson

APPROVED BY:

Ed Courton