

BOARD OF ADJUSTMENT MEETING MINUTES
September 10th, 2012

OPENING CEREMONIES AND PRESENTATIONS

I. CALL TO ORDER

Chairman Larry Bares called the meeting to order at 7:45 AM.

II. ROLL CALL

PRESENT: Larry Bares, Pat Bren, Scott Bullinger, and Trevor Ernst

ABSENT: Blaine Dukart

STAFF: Ed Courton, Sylvia Saylor

III. MINUTES

July 9th, 2012 and August 13th, 2012 minutes submitted.

MOTION BY: Scott Bullinger

SECOND BY: Pat Bren

Motion to approve minutes.

DISPOSITION: Motion carried (5-0, all in favor)

REGULAR AGENDA

1. To consider a front yard setback variance from 20 foot to zero 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. John Mueller is presenting a 40' x 100' addition to the current Paragon Bowl building. Chairman Bares questions if it will be connected to the current building and where the muffler shop lines up with the property. Mueller explains that the addition would be connected to the current building and the muffler shop is behind the property – it is 50' from the sidewalk. Mr. Bullinger asks if the property lines are to the sidewalk. City Planner, Ed Courton, clarifies that they are probably 5' or to the sidewalk, but can't be certain without a survey.

Mr. Courton addresses requirements for the variance. He says an expansion is a good idea but the applicant doesn't meet the requirements. He believes moving forward towards Villard Street does not meet the criteria. He mentions the reasons for front yard setbacks on Villard. Mr. Mueller mentions that there are other buildings that are all the way to the sidewalk in that area. Mr. Courton adds that those buildings have been there for many years. Mr. Mueller states that expanding to the west would not be feasible. He wants to add more room for the bar and restaurant.

Chairman Larry Bares opens the hearing for public comment. No one from the public was here to comment.

MOTION BY: Pat Bren

SECOND BY: Scott Bullinger

Motion to deny application.

DISPOSITION: Motion carried. (5-0, all in favor)

Blaine questions if it would be possible for Mr. Mueller to take the current deck of and rebuild. Mr. Courton states that he believes this is an issue for the Planning and Zoning Commission. He also adds that he has talked to DOT, and they are not planning on expanding. So they make take and look at this area for reduced setbacks.

Discussion ensued regarding hardships and adjustments to variances. Mr. Bullinger stated he would like more clarification on hardships. There was general discussion regarding what constitutes a hardship and how decisions on variances had been made. Mr. Courton offered to provide a presentation on hardships at the October BOA meeting.

OTHER BUSINESS

1. ADJOURNMENT

There being no further business to discuss.

MOTION BY: Blaine Dukart
To adjourn meeting.

SECOND BY: Trevor Ernst

Meeting adjourned at 8:20 am.

PREPARED BY:

Sylvia Sayler

APPROVED BY:

Ed Courton