

BOARD OF ADJUSTMENT MEETING MINUTES
March 14, 2011

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, Scott Bullinger, Pat Bren, Richard Welk and
Trevor Ernst

ABSENT: None

III. MINUTES

Minutes of the February 14, 2011 meeting submitted for approval.

MOTION BY: Pat Bren **SECOND:** Richard Welk
to approve minutes of the February 14, 2011 meeting.

DISPOSITION: Motion carried.

REGULAR AGENDA

1. TO CONSIDER A LOT VARIANCE TO EXCEED THE MAXIMUM ALLOWABLE ACCESSOR BUILDING SQUARE FOOTAGE OF 2250 SF TO 2824 SF ON THE PROPERTY DESCRIBED AS LOTS 1, 2, & 3, BLOCK 1, BRAUN 2ND SUBDIVISION.

Chairman Larry Bares opened the Public Hearing. Jeff Wallander stated he has signed a purchase agreement with Kurt Braun to purchase three lots in the Braun 2nd Subdivision along the west side of St. Patrick's Cemetery and 14th Street East if this variance request is approved. Wallander stated one of the stipulations of the buy/sell agreement is that the lots will be combined as one lot. Wallander provided an updated drawing which shows his house will sit back one lot on Lot 2 and he has moved the garage back behind the house onto Lot 3. The garage will be directly behind the house with no visibility from the street. Kurt Braun will be the only homeowner who will have visibility of the shop which will be 26' x 36' to be used for toy storage. The garage will have a 10' sidewall height on the visible side and 12' sidewall height on the interstate side. The garage will be accessed from the east property line. Wallander stated he will not have to remove any trees between the cemetery and this property or any trees on the Lot 2 property line.

Kurt Braun stated he is in favor of the project, adding Anderson's have a similar garage behind the house across the street to the north. He feels it will be very nice and he is the only neighbor who will see the garage.

ENCLOSURE TO AGENDA

ITEM #1

Scott Bullinger asked about the stipulation to combine the three lots and how the city could be assured of that. City Engineer Shawn Soehren stated that once platted and constructed the lot could still be split and sold making the lot a non-conforming use sometime in the future.

MOTION BY: Richard Welk **SECOND:** Scott Bullinger
to approve the request to exceed the accessory structure maximum square
footing of 2250 SF to 2824 SF.

DISPOSITION: Motion carried.

2. **TO CONSIDER A LOT VARIANCE TO REDUCE THE 20' REAR YARD
SETBACK REQUIREMENT TO 12' ON LOT 8, BLOCK 9, NORTH RIDGE
ESTATES 1ST ADDITION.**

Todd Dorval stated he is still trying to purchase 8' from Dave Kitzan which would make his request unnecessary. They are waiting for Kadrmas, Lee and Jackson and Dickinson Title so Mr. Kitzan can complete the purchase. He said he will still pursue purchasing the 8' strip but once the snow melts, he has a contractor lined up and would like to be ready to build so he needs the variance. City Engineer Soehren concurred Mr. Dorval is still interested in purchasing the eight feet needed to fit the code requirement making the variance unnecessary but added time is a factor and the plat may not be recorded until mid summer when the title company finishes up everything they need.

Scott Bullinger noted an adjacent property owner had some concerns when this was originally discussed and asked if that had been resolved. Dorval stated he talked with him and he was okay with everything once he realized the house would be 60' from his fence.

Chairman Bares noted that there is only a 16' portion of the house that extends back into the required setback. Dorval stated that was true. Bares said that if the house was built within the required setback, a 10' x 12' storage shed could be placed in that same area even without a building permit. City Inspector Mel Zent stated that was true. Zent added that another way to look at it was if that lot was turned and that area was considered sideyard, the setback requirement would be at six feet. The lot is 135' east to west and 87' deep.

MOTION BY: Trevor Ernst **SECOND:** Pat Bren
to approve the variance request to reduce the required 20' rear yard setback
requirement to 12'.

DISPOSITION: Motion carried.

Pat Bren asked that the Board be informed of the final outcome on this situation if he is able to purchase the additional eight feet or not.


OTHER BUSINESS

1. ADJOURNMENT

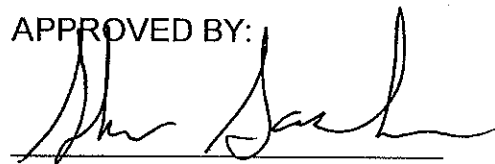
There being no further business to discuss

MOTION BY: Pat Bren **SECOND:** Scott Bullinger
to adjourn meeting. Meeting adjourned at 7:50 AM.

PREPARED BY:


Karen Amann

APPROVED BY:


Shawn Soehren