

BOARD OF ADJUSTMENT MEETING MINUTES
July 9th, 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, Scott Bullinger, Blaine Dukart and Trevor Ernst

ABSENT: None

STAFF: Ed Courton, Melissa Gjermundson

III. MINUTES

Minutes of the June 11th, 2012 meeting submitted for approval.

MOTION BY: Pat Bren **SECOND:** Scott Bullinger
To approve minutes of the June 11th, 2012 meeting.

DISPOSITION: Motion carried.

REGULAR AGENDA

1. To consider a lot width variance from the required 60-foot to 50-foot and to allow a detached garage to be placed in front of a new residence. The site is located at 517 1st Ave SE.

Chairman Larry Bares opened the Public Hearing. Applicant was not present and did not show up by time the meeting was adjourned.

MOTION BY: Pat Bren **SECOND:** Blaine Dukart
To deny application. If applicant wishes to reapply then the board will place the application on agenda again.

DISPOSITION: Motion carried.

2. To consider a variance to exceed the maximum accessory structure by 624 sq feet for Lots 7 & 8 in Hillard & Manning Addition.

Chairman Larry Bares opened the Public Hearing. Paul Johanson and Michelle Stevier-Johanson stated that their existing detached garage is falling down and they would like to rebuild a new detached garage and is requesting a variance to exceed the maximum square feet. Due to this property being in an older,

established neighborhood, the property owner is unable to attach the garage to the residence. Mr. Courton explained the City Code has no exceptions for older neighborhoods and due to this request not being a hardship per the variance criteria, City staff recommends denial.

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

To deny request as proposed but would be in favor for the structure to be built to meet code requirements.

DISPOSITION: Motion carried.

3. To consider a variance to exceed the maximum height of a fence in the rear yard setback from 6.5ft to 8ft. The site is located at 1031 12th Ave W.

Chairman Larry Bares opened the Public Hearing. Edgar Hintz explained that his neighbor approached him regarding building a fence. Mr. Hintz agreed and wanted a pine tree removed before the fence was put up. Due to miscommunication with the tree removal company, Mr. Hintz's lilac bushes were also removed. The lilac bushes provided privacy for Mr. Hintz's sun room. Because of an elevation difference of 3 feet between his house and his neighbors house, a regular height fence would not provide the privacy they desire. Mr. Hintz is requesting a variance to increase the fence height above the maximum height of 6.5 feet, so his family can have privacy again in their sun room.

MOTION BY: Trevor Ernst **SECOND:** Blaine Dukart

To deny requested height variance.

DISPOSITION: Motion carried.

Mr. Hintz asked how soon he had to become compliant with the ordinance since the fence was already in erected. Mr. Courton says the City will allow him one month to get a quote and to set-up a meeting with staff to bring the fence into compliance.

4. To consider a variance to reduce the south side yard setback from a minimum 6' to 5'4". The site is located at 605 5th Ave SE in the Southview Addition.

Chairman Larry Bares opened the Public Hearing. Tracey Hanson with Combined Asset Management explained his company is putting up houses with 24x24 garages in the Southview Addition. Mr. Hanson requests an additional 8 inches from the south side yard setback so they could build a house and garage. Mr. Ernst asked if Mr. Hanson owned the lot to the south and possibly he could take the 8 inches from that lot. Mr. Courton stated he spoke to the applicant and recommends approval since the request is less than 1 foot, contingent upon the abutting lot does not change minimum lot size.

MOTION BY: Scott Bullinger **SECOND:** Pat Bren
To approve variance as petitioned.

DISPOSITION: Motion carried.

OTHER BUSINESS

1. **ADJOURNMENT**

There being no further business to discuss

MOTION BY: Blaine Dukart **SECOND:** Scott Bullinger
To adjourn meeting.

Meeting adjourned.

PREPARED BY:

Melissa Gjermundson

APPROVED BY:

Ed Courton