

**CITY BOARD OF ADJUSTMENT**

MINUTES December 6, 2017

Name	Title	01/04/2017	02/01/2017	03/01/2017	04/05/2017	05/03/2017	06/07/2017	07/06/2017	08/02/2017	09/06/2017	10/04/2017	11/01/2017	12/06/2017
Jeff Bollman	Board member	1	1	E	1	E	1	1	1	1	E	1	1
Dave Hagstrom	Board member	1	1	1	1	1	1	1	1	1	E	1	1
Paul Hagen	Board member	1	1	1	1	1	1	1	1	1	E	1	1
Frank Chesarek	Vice Chairman	1	1	E	1	1	1	1	1	1	1	1	1
Oscar Heinrich	Board member	1	1	E	1	1	1	1	1	E	1	1	1
Martin Connell	Board member	1	1	1	1	E	1	1	1	1	1	1	1
Mark Noennig	Chairman	1	1	1	E	1	E	1	1	1	1	1	1

TOTAL NUMBER OF APPLICATIONS 2017	01/04/2017	02/01/2017	03/01/2017	04/05/2017	05/03/2017	06/07/2017	07/06/2017	08/02/2017	09/06/2017	10/04/2017	11/01/2017	12/06/2017	TOTAL
Variance	1	1	7	2	1	3	1	3	1	1	1	1	23

Chairman Noennig called the meeting to order at 6:00 p.m. The City Board of Adjustment met in the first floor conference room of the Miller Building located at 2825 3<sup>rd</sup> Avenue North.

Nicole Cromwell introduced the City Board of Adjustment members and Planning Department staff. Attending Staff members are Nicole Cromwell, Zoning Coordinator; Karen Husman, Planner I and Robbin Bartley, Administrative Support.

**Attending:** Mike Amenx

**Public Comment**

Chairman Noennig opened the public comment period and asked if there was anyone wishing to speak during the public comment portion of the meeting. There were none. Chairman Noennig closed the public comment period.

**Approval Meeting Minutes**

Board member Hagen made a motion for the approval of November 1, 2017 minutes. Board member Connell seconded the motion to approve. Minutes were approved by unanimous voice vote 7-0.

**Disclosure of any Conflict of Interest, Ex Parte Communications and Site Visits**

A new form has been implemented for any disclosures. If any Board member circled yes to a Conflict of Interest or Ex Parte Communication, it will be explained here.

Board member Chesarek disclosed he is familiar with Jean Neyrinck.

### **Public Hearings**

Nicole Cromwell reviewed the procedures for public hearings and stated the Board will open a public hearing and allow public comment this evening. She reviewed the hearing and presentation processes for the meeting and acting on each variance.

Nicole Cromwell read the legal description for **Variance #1270**:

**City Variance 1270 –204 Wyoming Avenue – Lot Area** - A variance from Section 27-308 requiring a minimum lot area of 9,600 square feet for an existing two-family dwelling on an undivided parcel to allow a minimum lot area of 6,500 square in a Residential 7,000 (R-70) zone, on Lots 45 & 46, Block 15, West Side Subdivision, a 6,500 square foot parcel of land. The purpose of the variance is to allow the re-financing of an existing property and no construction or reconstruction is proposed at this time. Tax ID: A17948A

### **RECOMMENDATION**

Planning staff has reviewed this variance and is forwarding a recommendation of conditional approval of the request based on the criteria for variances as presented within this report.

1. The variance is to allow an existing two-family dwelling a minimum lot area of 6,500 square feet in a Residential 7,000 zone. No other variance is intended or implied with this approval.
2. The variance is limited to a portion of Lots 45 & 46, Block 15, West Side Subdivision. Generally located at 204 Wyoming Avenue.
3. Any future re-construction of the existing structures will require compliance with other all other zoning regulations and city ordinances that apply at the time of re-construction.
4. These conditions of variance approval shall run with the land described in this authorization and shall apply to all current and subsequent owners, operators, managers, lease holders, heirs and assigns.

### **Questions for Staff:**

Board member Heinrich asked if this is a two family dwelling. This was deferred to the agent for answering.

Chairman Noennig **opened the public hearing at 6:07 PM** and asked if there was anyone wishing to speak in favor or against **City Variance #1270**.

### **Mike Amenx, 1040 Governors Blvd**

Mr. Amenx stated that the dwelling is one big house added to and divided in 1930.

### **OPPOSED**

None

### **Discussion**

Board member Hagstrom inquired who is Jean Neyrinck? Staff stated that Jean Neyrinck is the owner under contract.

BOARD MEMBER Chesarek made a motion and BOARD MEMBER Bollman seconded the motion to approve **City Variance #1270**.

Board member	Yes	No	Not Present
Jeff Bollman	x		
Dave Hagstrom	x		
Paul Hagen	x		
Frank Chesarek	x		
Oscar Heinrich	x		
Martin Connell	x		
Mark Noennig	x		

The motion to approve with conditions, City Variance #1270 passed 7-0.

**The public hearing was closed at 6:10 PM.**

**Other business:**

The next meeting will be on January 3, 2018.

**The meeting adjourned at 6:11 PM.**

**ATTEST: DRAFT. To be approved by a motion January 3, 2017.**