

**CITY BOARD OF ADJUSTMENT**

MINUTES July 11, 2018

Name	Title	2018											
		01/03/2018	02/07/2018	03/07/2018	04/04/2018	05/02/2018	06/06/2018	07/11/2018	08/01/2018	09/05/2018	10/03/2018	11/07/2018	12/05/2018
David Mitchell	Member	1	1	1	E	1	E	1	-				
Dave Hagstrom	Member	1	1	A	1	1	1	1	-				
Paul Hagen	Member	1	1	E	1	1	1	1	-				
Frank Chesarek	Vice Chair	1	E	1	E	E	E	1	-				
Oscar Heinrich	Member	1	1	1	1	1	1	E	-				
Martin Connell	Member	1	1	1	1	1	1	1	-				
Mark Noennig	Chair	1	1	1	1	1	1	E	-				

TOTAL NUMBER OF APPLICATIONS 2018	2018												TOTAL
	01/03/2018	02/07/2018	03/07/2018	04/04/2018	05/02/2018	06/06/2018	07/11/2018	08/01/2018	09/05/2018	10/03/2018	11/07/2018	12/05/2018	
Variance	2	2	3	2	3	1	1	-					14

Vice Chair Chesarek 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:** Joel Parker

**Public Comment**

Vice Chair Chesarek opened the public comment period and asked if there was anyone wishing to speak during the public comment portion of the meeting.

**Approval Meeting Minutes**

Member Hagen made a motion for the approval of June 6, 2018 minutes. Member Connell seconded the motion to approve. Minutes were approved by unanimous voice vote 5-0.

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

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

### **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 #1284**.

Karen Husman presenting:

**City Variance 1284 – 1324 O’Malley Dr –Rear Setback for an Attached Garage** - A variance from Section 27-308 requiring a minimum rear setback of 20 feet to allow a 4-foot rear setback in a Residential 9,600 (R-96) zone, on Lots 11 & 12 of Block 1, Carlson Subdivision, a 9,980 square foot parcel of land. The purpose of the variance is to allow the construction of a new attached garage. Tax ID: A04101.

### **Recommendation:**

Staff recommends conditional approval of the variance.

### **Questions for Staff:**

Member Mitchell clarified the building permit time restrictions of 6 months and 1 year completion.

Member Connell asked which of the 7 criteria do they meet? Staff explained the lot shape fell into Condition number 1. Member Connell asked if accessing from the alley would make a difference.

Staff answered with an explanation of a 20 foot setback requirement.

Vice Chair Chesarek asked if the intent is to access from O’Malley. Yes.

Vice Chair Chesarek **opened the public hearing at 6:10 PM** and asked if there was anyone wishing to speak in favor or against **City Appeal Variance #1284**.

### **Joel Parker 1324 O’Malley**

Mr. Parker would like to have a garage for storage of miscellaneous things. Member Connell asked about the email received stating this is being used as commercial property. Mr. Parker indicated that his father, who is now deceased, had used it as an insurance business in years past but it is no longer happening.

### **OPPOSED**

None

### **Discussion**

### **The public hearing was closed at 6:12 PM.**

Member Hagstrom made a motion and Member Hagen seconded the motion to approve **City Variance #1284 with conditions listed by Staff**.

Member	Yes	No	Not Present
David Mitchell	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 #1284**, passed 5-0.

**Other business:** No variances for July. No meeting in August.

**The meeting adjourned at 6:14 PM.**

**APPROVED by a motion September 5, 2018.**

