

**CITY BOARD OF ADJUSTMENT**  
MINUTES January 4, 2023

Name	Title	01/04/2023	02/01/2023	03/01/2023	04/05/2023	05/03/2023	06/07/2023	07/05/2023	08/02/2023	09/06/2023	10/04/2023	11/01/2023	12/06/2023	
		David Mitchell	Member	1										
Dave Hagstrom	Member	1												
George Warmer	Member	E												
Jeff Bollman	Vice Chair	1												
Oscar Heinrich	Chair	Z												
Chris Hayes	Member	1												
Josh Sayer	Member	1												
<b>TOTAL NUMBER OF APPLICATIONS 2022</b>		<b>01/04/2023</b>	<b>02/01/2023</b>	<b>03/01/2023</b>	<b>04/05/2023</b>	<b>05/03/2023</b>	<b>06/07/2023</b>	<b>07/05/2023</b>	<b>08/02/2023</b>	<b>09/06/2023</b>	<b>10/04/2023</b>	<b>11/01/2023</b>	<b>12/06/2023</b>	<b>TOTAL</b>
<b>Variance</b>		<b>1</b>												<b>1</b>

\* Returning variance

Chair Heinrich called the meeting to order at 6:03 p.m.

Chair Heinrich 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 Assistant.

**Chair Heinrich made the first order of business to elect Chair and Vice Chair positions for the 2023 calendar year.**

Vice chair nomination of Board member Bollman by Boardmember Hagsrom and seconded by Boardmember Heinrich. Unanimously decided.

Chair nomination of Board member Heinrich by Board member Mitchell and seconded by Boardmember Bollman. Unanimously decided.

**Attending:** Cory Hess and Chris Marks

**Public Comment**

Chair Heinrich 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.

**Approval of Meeting Minutes**

Meeting minutes for December 7, 2022 were delayed.

Disclosure of Exparte Communications: None

Disclosure of Site Visits: Chair Heinrich

Disclosure of Conflict of Interest: None

**The new City resolution was clarified by Nicole Cromwell, Zoning Coordinator.**

**Board member Bollman asked if there is a limit to zoom attendance. Staff replied the resolution would be reviewed and the question answered at next meeting.**

**Public Hearings**

**City Variance 1355 – Intersection of Golden Acres Dr and Southern Bluffs Lane – Location of the attached garage entry in NX2 -** A variance from 27-308 – Table 27-300.7 requiring a garage entry to be located on the rear or street side façade, to allow garage entries to be located facing the front street in a Mixed Residential Neighborhood 2 (NX2) zone, on Lot 6, Block 2 of Falcon Ridge Estates, 2<sup>nd</sup> Filing, a 14,261 square foot parcel of land. The purpose of the request is to allow the construction of a 4-unit building with attached garages that face the front streets. Karen Husman, Planner I, presenting.

**Recommendation:**

Staff is recommending Conditional Approval for the variance request:

**Recommended Conditions:**

1. This approval is to allow a front loading garages on the front of the property, two single garages on Golden Drive and two single garages on Southern Bluffs Lane. No other variance is intended or implied.
2. The variance is limited to Lot 6, Block 2 of Falcon Ridge Estates, 2nd Filing.
3. Each unit is allowed to have a garage entry no more than 10 feet in width on the front façade. The preferred arrangement is to have both garage entries side-by-side, so one driveway from the street serves at least two units.
4. The applicant will apply for and receive approval for a building permit within 1 year and complete construction within 3 years of BOA approval. Failure to meet the time limits of this condition will void the variance.
5. There will be no construction activities before 7 a.m. or after 8 p.m. daily.
6. The applicant shall meet all other city code requirements in place at the time of construction except for the variance granted herein.
7. 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, leaseholders, heirs and assigns.

**Questions for staff:**

Chair Heinrich asked staff if this is a case of the old zoning code changing to the new code. There are no alleys and all other homes are rear loading.

Board member Bollman asked if a corner lot requires rear garage entry, staff replied yes.

**Public Hearing opened at 6:20 PM**

**Applicant:** Christopher Marks, no address given

**Questions for Applicant**

**In Favor:**

**Opposed:**

**Public Hearing closed at 6:21 PM**

**Discussion**

**Motion**

Board Member Mitchell made a motion and Board Member Bollman seconded the motion to approve the **City Variance 1355 with staff conditions and recommendations.**

<b>MEMBER</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAINED</b>	<b>NOT PRESENT</b>
David Mitchell	X			
Dave Hagstrom	X			
George Warmer				X
Jeff Bollman	X			
Oscar Heinrich	X			
Chris Hayes	X			
Josh Sayer	X			

**The motion to approve City Variance 1355 passed with a 6-0 vote.**

**Other Business:** Board member Hayes will be unavailable in February and Board member Bollman in March.

**ADJOURNMENT: The meeting adjourned at 6:25PM.**

**ATTEST: DRAFT. To be approved by a motion at the next regularly scheduled meeting.**  
*Robbin Bartley, Administrative Assistant.*