

PUBLIC HEARINGS/BOARD BUSINESS

Case #1: Continued - Request for a Variance to Rear Yard Setback in the R-1 Residential (MUSA) District at 5971 143rd Circle NW; Case of Dale and Sharon Grundberg

Presentation

Planning Manager Miller presented the Staff Report.

Board Business

Ms. Miller stated the applicant is willing to grant an extension. The extension would be done in 60 day increments and the ordinance process to amend the setback would take approximately 60 days.

Chairperson Van Scoy asked Mr. Grundberg when he purchased the home and asked for clarification that the porch was already constructed on the home when he purchased it.

Dale Grundberg, 5971 143rd Circle NW, the applicant, stated he purchased the home in 1999 and the porch was constructed on the home when he purchased it. He stated an extension is acceptable to him.

Board Member Brauer stated it was commendable that City Engineer Himmer offered the sale of land at the last meeting; he is concerned that it would set precedence for the City. He also is concerned about setting precedence for all porches in the city where someone decides to enclose it and say they are unaware of the rules. The third concern he has is asking what changing the ordinance does for the city.

Associate Planner Gladhill stated the intent of the rear yard setback is to keep living spaces separated from the adjacent living spaces. So the amendment to the ordinance would look at publically dedicated open space, dedicated parks and other permanent open areas, which could consider mitigating that rear yard setback concern.

Board Member Brauer stated that makes more sense. Clearly there is nothing in back, there is no open park land being used for athletics and other kinds of things which could have an impact on the use of the park. The language should be clear that this is a pond and not an athletic field behind his house.

Associate Planner Gladhill clarified that it is more than dedicated park, but something that will permanently and physically separate.

Associate Planner Gladhill asked the applicant if he understands that he can force a decision from the Board this evening and asked if he is willing to give an extension for the decision and willing to sign something to that effect.

Mr. Grundberg responded yes.

Board Member Dunaway requested information of the number of properties that would be affected by an ordinance change.

Board Member Levine stated he would like the ordinance to specifically talk about this type of situation.

Chairperson Van Scoy stated that existing natural buffers should be utilized as well.

Board members concurred that the changes should be to the R-1 Musa zoning district only.

Motion by Board Member Levine, seconded by Board Member Dunaway to direct staff to modify the ordinance.

Motion carried. Voting Yes: Chairperson Van Scoy, Board Members Levine, Dunaway, Brauer, and Rogers. Voting No: None. Absent: None.

Motion by Board Member Levine, seconded by Chairperson Van Scoy to table this request.

Motion carried. Voting Yes: Chairperson Van Scoy, Board Members, Levine, Brauer, Dunaway, and Rogers. Voting No: None. Absent None.

BOARD INPUT

None

Motion by Chairperson Van Scoy, seconded by Board Member Levine, to adjourn the meeting.

Motion Carried. Voting Yes: Chairperson Van Scoy, Board Members Levine, Brauer, Dunaway, and Rogers. Voting No: None. Absent: None.

ADJOURNMENT

The regular meeting of the Board of Adjustment adjourned at 7:17 p.m.

Respectfully submitted,

Amber Miller
Planning Manager

ATTEST:

JoAnn Shaw