

CITY BOARD OF ADJUSTMENT

MINUTES February 1, 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										
Dave Hagstrom	Board member	1	1										
Paul Hagen	Board member	1	1										
Frank Chesarek	Vice Chairman	1	1										
Oscar Heinrich	Board member	1	1										
Martin Connell	Board member	1	1										
Mark Noennig	Chairman	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										

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 3rd Avenue North.

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

Attending: Robert White

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 Chesarek made a motion for the approval of January 4, 2017 minutes. Board member Connell seconded the motion. Minutes were approved by unanimous voice vote 7-0.

Disclosure of Conflict of Interest

Chairman Noennig asked for disclosures of conflict of interest.

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	

Disclosure of Outside Communication

Nicole Cromwell explained there are times applicants communicate directly with Board members or visit the site and this should be communicated to the Board members in a public forum.

Board member	Yes	No	Site visit?	Comments
Jeff Bollman		x	n	
Dave Hagstrom		x	y	
Paul Hagen		x	y	
Frank Chesarek		x	n	
Oscar Heinrich		x	y	
Martin Connell		x	y	
Mark Noennig		x	n	

Public Hearings

Zoning Coordinator 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 #1249**:

Nicole Cromwell presenting:

Variance 1249 – 434 Terry Ave - Lot Area - A variance from 27-308 requiring a minimum lot area of 7,000 square feet to allow a minimum lot area of 6,300 square feet for the demolition of an existing single family residence and construction of 2 new single family structures in a Residential Multi-family-Restricted (RMF-R) zone on the east 20 feet of Lot 29 and Lot 30, Block 9, Yellowstone Addition Subdivision, a 6,300 square foot parcel of land. Tax ID: A19013.

RECOMMENDATION

Planning Staff is recommending conditional approval.

Questions for Staff:

Board member **Bollman** asked if a site plan of the new construction had been submitted. Staff explained a site plan was not required to apply for the variance and if approved the applicant would be required to meet all set back and lot coverage requirements.

Board member **Heinrich** asked how much parking is required with a 2 unit build. Staff replied 2 spaces for each dwelling. He then inquired if access from the alley is allowed? It is.

Board member **Hagen** mention the lot size seeming to be very small and indicated his concern that 2 dwellings would make it very crowded. Staff reminded the board of the 55 percent lot coverage requirement in this area and pointed out other large dwellings in the immediate area.

Board member **Heinrich** asked if there were any negative responses from the surrounding property owners. There were none.

Chairman **Noennig** confirmed this lot is 700 square feet shy of the 7000 square foot requirement. Board member **Heinrich** asked what could be constructed after demolition if this variance were denied. One single family dwelling.

Chairman **Noennig** confirmed the 55 percent requirement applies whether 1 or 2 dwellings are constructed.

Public Hearing

Chairman Noennig opened the public hearing and asked if there was anyone wishing to speak in favor or against **City Variance #1249**.

Robert White, agent

The original intent was a total remodel. However, the owner would rather start new, demolishing all the existing buildings and building 2 units, one for herself and the other for a family member or caretaker. They have considered the parking requirements. A 2 story building in the front and rear. The rear being handicap accessible.

No site plans have been started as they are waiting on this variance approval.

Board member Chesarek asked if the conditions set forth for approval were acceptable and what the time frame is for the dwelling construction.

Mr. White indicated the conditions were agreeable and the intention was to build both dwellings immediately and simultaneously.

Opposed

NONE

Discussion

Board member BOARD MEMBER Heinrich made a motion and BOARD MEMBER Chesarek seconded the motion to approve City Variance #1249 with the Findings of Fact presented by Staff.

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		

Board member	Yes	No	Abstain	Not Present
Jeff Bollman				
The motion to approve City Variance #1249 passed 5-2.				
Paul Hagen				
Frank Chesarek				
Oscar Heinrich				
Other business:				
Mark Noennig				

Chairman Noennig requested a sign in sheet for Ex Parte Communications, Conflict of Interests and Site visits. The Board was in favor and this will be implemented at the next scheduled meeting.

The next meeting will be on March 1, 2017.

The meeting adjourned at 6:21 PM.

ATTEST: DRAFT. To be approved by a motion on March 1, 2017.

