



CITY BOARD OF ADJUSTMENT AGENDA

210 N. 27th Street, 2nd Floor City Council Chambers
Wednesday, September 3, 2008 at 6:00 p.m.

NOTICE TO THE PUBLIC

Public Comment:

There will be a Public Comment Section as noted on the agenda. This is the time members of the public may comment on any item not appearing on the agenda. Under State law, matters presented under this section cannot be discussed or acted upon by the Board of Adjustment during this time. For items appearing on the agenda, the public will be invited to make comments at the appropriate time. It is very important to speak clearly, and state your name and address for the record. Please limit your comments to three (3) minutes or less.

- I. **Call the meeting to order.**
- II. **Introduction of City Board of Adjustment Members and Planning Department Staff.**
- III. **Public Comment:**
- IV. **Approval of Minutes:**
Of the meeting of August 6, 2008
- V. **Regular Business:**
 - A. Opening of public hearings.
 - B. Reading of rules for the procedure by which the public hearings will be conducted.
 - C. Reading of notices of the public hearings on the following items:

Public Hearing:

Item #1: Return Item City Variance #1030 – 1407 Lake Elmo Road - A variance from BMCC 27-308 requiring a maximum 30% lot coverage to allow a maximum of 32% lot coverage to allow the construction of an addition to an existing single family home on Lot 15, Block 3 Arrowhead Subdivision in a Residential 7,000 (R-70) zone. Tax ID: A02571. David Harris is the owner.

Item #2: City Variance #1033 – 146 Terry Avenue - A variance from BMCC 27-310(i) requiring a minimum setback for a detached garage of 20 feet to allow a minimum setback of 15 feet to allow the construction of a 22ft X 22ft new detached garage on a 3,000 square foot parcel of land in a Community Commercial (CC) zone, on the North 90 feet of Lot 10 and the West 8 1/3 feet of the North 90 feet of Lot 11, Block 9, Suburban Subdivision. Tax ID: A15889. Joe Sherman is the owner.

Item #3: City Variance #1034 – 215 Burlington - A variance from BMCC 27-308 requiring a maximum lot coverage of 30% to allow a maximum lot coverage of 33% for a new carport on a 7,000 square foot parcel of land in a Residential 7,000 (R-70) zone, on Lots 7 & 8, Block 20, West Side Addition Subdivision. Tax ID: A18037. Daniel and Penny Struckman, owners.

Item #4: City Variance #1035 – 3014 Shady Lane - A variance from BMCC 27-308 requiring a maximum lot coverage of 30% to allow a maximum lot coverage of 50%; from BMCC 27-308 requiring a minimum front yard setback of 20 feet to allow a minimum front yard setback of 15 feet; and from BMCC 27-404 (a) and 27-404(b) requiring no alteration of a nonconforming structure unless it increases the conformity of the structure and allowing no remodeling or reconstruction of a

nonconforming structure that exceeds 50% of a structure's replacement value to allow the reconstruction and expansion of an existing nonconforming structure on a 8,223 square foot parcel of land in a Residential 9,600 (R-96) zone, on Lot 5, Shady Lane Subdivision. Tax ID: A13881. Genia Demis, owner and Robert L. Stephens, agent.

Item #5: City Variance #1036 – Appeal of Administrative Decision – 3103 Solar Boulevard – An appeal of an administrative decision, issued through Zoning Clarification 08-615, that Vietnamese Pot-bellied pigs are classified as swine and therefore considered livestock for the purposes of the Unified Zoning Regulations Sections 27-201 and 27-607. The appellant requests that the Board of Adjustment determine that Vietnamese pot-bellied pigs of a certain weight and number should not be considered livestock but should be considered household pets. The property is located at 3103 Solar Boulevard, on a 10,020 square foot parcel of land in a Residential 8,000 zone, on Lot 4, Block 2 of Terra West Subdivision 3rd Filing. Tax ID A28707. Tim Loudan is the owner and Amber Earp is the agent.

VI. Other Business:

VII. Announcements:

VIII. Adjournment