

BOARD OF ADJUSTMENTS MINUTES

July 1, 2019 – 5:15 p.m.

City Hall Commission Room

Members Present: Kevin Tveidt, Kristin Gabriel, Kari Williams, Dave Kelley, Andy Johnson

Guests in attendance: Guy Ferris, Ellen Lee, Leon Schochenmaier, Slade Weller, Gerrick McComsey, Ted Spencer

Staff Present: Jeff Runyan

Chairperson Tveidt called the meeting to order at 5:16

Tveidt requested discussion on the June minutes or a motion. Gabriel made the motion to approve the minutes as submitted, and Williams seconded the motion. All voted in favor, minutes approved.

Tveidt then reviewed the rules that govern the Board of Adjustments:

1. Must show a hardship
2. Grant the minimum variance needed
3. Variance must not change the character of the neighborhood
4. Super majority of the Board is needed to approve a variance

First item on the agenda was **Buhl Limited Partnership, LLP, 410 South Central Avenue**, requesting a 7” variance for the side yard setback. Gerrick McComsey stated that the existing garage caught fire and was destroyed. The new garage was built without a permit but was placed in the exact same spot as the original garage. Overhang is too close to the north property line. Johnson asked for clarification that is was the garages just to the south of the fire station and McComsey indicated that it was. Gabriel asked if the City had received any public comment, and Runyan replied that no comments were received. Kelley stated that he is part owner in an adjoining property but did not have any issues with the request. Tveidt asked if the overhang on the garage was the same size as the original and McComsey stated it was. With no further discussion Williams made a motion to approve the request and Johnson seconded the motion. All voted in favor, variance approved.

Next item on the agenda was **SF Group LLC, 341 North Evans Street**, requesting an 11.5 foot variance for side yard setback. Ted Spencer addressed the board and stated that the property was a rental for his parents. He would like to build a new garage that matches the existing one. If the new garage were to meet setbacks he would have to remove a few mature trees, and there are other garages in the neighborhood that are closer to the street. The driveway would be placed so that vehicles could not block the sidewalk. Gabriel asked the reason for needing the new garage and Spencer stated he needs more off-street storage. Tveidt asked if the new garage will be single story and Spencer confirmed. Johnson asked if there had been any public comment and Runyan stated that none had been received. Kelley asked if Spencer had talked to the neighbors and Spencer indicated that none of them had any issues. Kelley made a motion to approve the request and Gabriel seconded the motion. All in favor, variance approved.

Third item on the agenda was **Cabrini Arendt, 401 East Sioux Avenue**, requesting a 10 foot variance to the front yard setback. Slade Weller stated that the existing building would be removed and a new building would be constructed. The setback is needed in order to make room on the rear of the building for vehicle traffic. Weller stated that the current building is very close to property line and the adjacent building is also closer that the proposed building. The current building blocks sign lines and causes issues with snow removal. One of the adjacent land owners did contact the group proposing the new building and they are currently working to address his issues. Gabriel asked if the parking would be adjacent to the alley and Weller stated that it would and that the proposed building would be a drive thru only. Tveidt asked if staff had received any public comment and Runyan replied that none had been received. Tveidt stated that he felt the setback would be an improvement over what is there currently, and Johnson stated that snow removal would also be improved. Johnson made the motion to approve the variance and Kelley seconded the motion. All in favor, variance approved.

Last item on the agenda was *Capital Area Counseling Services Inc., 2001 Eastgate Avenue*, requesting a 5 foot variance to the front yard setback. Leon Schochenmaier addressed the board and gave a brief description of the project and the facility. They currently have several facilities scattered throughout town and they would like to construct a single maintenance building to house all of the maintenance equipment. The proposed building would be at the north end of the parking lot and would be placed so that the garbage containers could be stored inside so the building needs to be centered in the parking lot. There are conflicts with the storm sewer if the building were to be placed at the 40 foot setback, and the proposed location does not cause any line of sight issues. The proposed building will match the new building architecturally. Tveidt asked if staff had received any public comment and Runyan replied that none was received. Kelley made the motion to approve the request and Williams seconded the motion. All in favor, variance approved.

With no further business Gabriel motioned to adjourn and Williams seconded. Meeting adjourned at 5:39

Minutes submitted by Jeff Runyan