

## **OFFICIAL MINUTES**

Chairperson George Houtman called the Board of Adjustment meeting to order on Monday, June 21, 2021 at 5:00 PM in the Chamber's Room of the City & County Government Center. Members present were Matt Chandler, Jake Russell, Jeremy Scott, Nick Schmeichel – via telephone, and Houtman. Borns and Edmison were absent. Others present were City Planner Ryan Miller, Community Development Director Mike Struck, Kyle Prodoehl owner of Brookings Investment Company, and Greg Heiberger.

### **Item #1 – Roll Call**

**Item #2 –** (Schmeichel/ Chandler) Motion to approve the agenda. All present voted aye.  
**MOTION CARRIED.**

**Item #3a** – Brookings Investment Company has made a request for a variance on the North ½ of Lots 6 & 7, Block 8, Morehouse Addition, also known as 811 9<sup>th</sup> Ave. The request is for the continuation of a nonconforming use through the replacement of restoration of foundations or structural elements.

(Scott/Chandler) Motion to approve the variance request.

(Schmeichel/Russell) Motion to table the variance request. All present voted aye. **MOTION CARRIED.**

The meeting was adjourned at 6:01 p.m.

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Ryan Miller  
City Planner

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George Houtman  
Chairperson

### **OFFICIAL SUMMARY**

Chairperson George Houtman called the Board of Adjustment meeting to order on Monday, June 21, 2021 at 5:00 PM in the Chamber's Room of the City & County Government Center. Members present were Matt Chandler, Jake Russell, Jeremy Scott, Nick Schmeichel – via telephone, and Houtman. Borns and Edmison were absent. Others present were City Planner Ryan Miller, Community Development Director Mike Struck, Kyle Prodoehl owner of Brookings Investment Company, and Greg Heiberger.

**Item #3a** – Prodoehl explained that he was in the process of installing drain tile and egress windows. During the process, a portion of the basement collapsed. He would like to return the house to its previous existing position, with a new foundation under it. Houtman asked if the setback requirements will be met when put back onto its original spot. Prodoehl stated that the front yard setback will be 15 feet. Miller stated that the setback starts at the front of the houses (not the porch) and therefore the setback is 20 feet. He also clarified that this variance request for to continue the non-conforming use, a boarding house, through this work and also the non-conformance of the setback. Struck explained that boarding houses are no longer an allowed use, so therefore this variance request is required and if not approved the structure will need to be converted to a single family residence to meet conformance.

Heiberger, 819 9<sup>th</sup> Ave, is concerned with this property, the use and the physical condition. He is in favor of the property being improved. He however is concerned about the long term plan of the property and the nonconforming use. He is in favor of the improvements but not the continuation of the non-conforming use.

Prodoehl stated that he thought his variance request was for only a setback variance. And not a non-conforming use variance. He doesn't want to change the use of the property, he wants to improve the physical condition of the property.

Houtman asked if the parking requirements are met with this property. Prodoehl stated that there are 7 bedrooms. Miller stated that the property is licensed for 7 bedrooms but 8 people and that 8 parking spaces are required.

Schmeichel asked why the City wanted to move away from boarding houses. Struck explained that when they went through the boarding house process, there was significant opposition to the boarding houses in neighborhoods. They found it wasn't relevant to go through the time of debating issues with boarding house uses. They allowed for boarding houses could continue until a change was made to the property. Then the owner would need to apply for a variance for the continuation of this non-conforming use. Schmeichel wondered if this property could potentially become a duplex if the boarding house use isn't granted? Miller stated yes, but they would need to apply for a minimum square footage variance. Prodoehl stated that he has another property that was a boarding house and he converted it into a tri-plex, however that won't be a possibility with this property at 811 9<sup>th</sup> Avenue. Schmeichel asked if this could easily be converted to a duplex? Prodoehl stated no.

Schmeichel wondered if an amendment could be made to approve the setback variance, but table the non-conforming boarding house request.

The meeting was adjourned at 6:01 p.m.

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Ryan Miller  
City Planner

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George Houtman  
Chairperson