

**OFFICIAL MINUTES**

Chairperson George Houtman called the Board of Adjustment meeting to order on Thursday, April 16, 2020 at 5:00 PM in the Community Room of the City & County Government Center. Members present were Justin Borns, Jeremy Scott, alternate-Doug Metcalf and Houtman. Present via teleconference were Nick Schmeichel and non-voting alternate-Matt Chandler. Absent was Dustin Edmison. Others present were City Planner Staci Bungard and Community Development Director Mike Struck.

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

**Item #3** – (Borns/Scott) Motion to approve the March 5, 2020 minutes. All present voted aye. **MOTION CARRIED.**

**Item #4a** – JAA Rentals LLC has made a request for a variance on Lot 1 of Outlot “B” of Lot 1, G.C. Andersons Addition, also known as 927 5<sup>th</sup> St. S. The first variance request is to establish a 5 foot greenspace along the west property line. The second request is to establish 23 parking spaces. The ordinance requires 7 feet of greenspace in the side yard and 27 parking spaces.

(Schmeichel/Metcalf) Motion to approve the variance requests. All present voted aye. **MOTION CARRIED.**

**Item #4b** – Todd Voss has made a request for a variance on Lot 7, Block 2, Folsom Addition, also known as 126 6th Avenue S. The variance request is to construct a garage 6 feet into the front yard setback. The ordinance requires a 20 foot front yard setback.

(Scott/Metcalf) Motion to approve the variance request. All present voted aye. **MOTION CARRIED.**

**Item #4c** – Ronald and Laurie Mann made a request for a variance on Lot 10, Block 3, Boulevard Park Addition, also known as 1431 Yosemite Lane. The request is to build twenty-five (25’) feet from the front lot line. The required setback is thirty feet (30’) for this residential lot.

(Borns/Schmeichel) Motion to approve the variance request. **MOTION CARRIED.**

**Item #4d** – Michael and Brandy Weber made a request for a variance on Lot 7, Block 2, Hunters Ridge Second Addition, also known as 1926 Oriole Trail. The variance request is to install a 6 foot high privacy fence 30 feet into the front yard. The ordinance allows a 4 foot fence in the front yard.

(Metcalf/Scott) Motion to approve the variance request. **MOTION CARRIED.**

**Item #4e** – CD Properties LLC has made a request for a variance on Lot 1, Block 4, Arbor Hills Addition, also known as 2005 Grand Arbor Avenue. The variance request is to retain a 6 foot high privacy fence located 4.5 feet from the property line adjacent to

20<sup>th</sup> Street South. The ordinance allows up to a 4 foot fence in the secondary front yard on a corner lot.

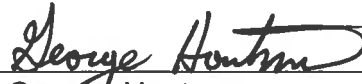
(Borns/Schmeichel) Motion to approve the variance request. **MOTION CARRIED.**

The meeting was adjourned at 5:48 p.m.



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Staci Bungard  
City Planner



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George Houtman  
Chairperson

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**Item #4a** – Mike Struck – Community Development Director, representing the applicant explained that this apartment complex was built many years ago. One of the floors had always been owner-occupied. The applicant recently purchased this property and would like to convert the owner-occupied unit into a rental unit, and this would be a 4 bedroom unit. Because of this conversion, the parking requirements are not being met and landscaping requirements will need to be met. City staff recommends approval of these requests. The applicant will be required to pave the parking lot and install screening along the west property line. Staff also supports landscaping rock between the parking lot and the fence along the west parking lot.

Houtman asked if the paving of the lot would be a requirement? Bungard stated that paving is required because it is more than 5 spaces.

**Item #4b** – Mike Struck – Community Development Director, representing the applicant stated that the applicant is completing a renovation to an older home which was constructed prior to zoning being put into place. The applicant would like to construct an attached garage, to the west, and have it be in line with the front of the house. However, this means the garage will be 14 feet from the front property line. Nick is wondering how this house lines up with the rest of the houses on the street. Struck explained that the units to the west may be set back just a slight bit more.

**Item #4c** – Mike Struck – Community Development Director, representing the applicants explained that the current steps on this house are steep and they would like to make these safer and would also like to improve the aesthetics of this property by adding pillars and a covered porch. The applicants feel that they are investing in the house and bringing some cosmetic appeal to the structure. Metcalf asked if they could have the steps with no covering and meet ordinance? Struck explained that the landing would have to be 4 foot and the Mann's would like to have a 5 foot landing.

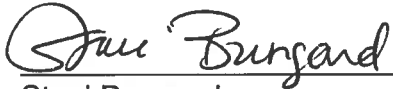
**Item #4d** – Mike Struck – Community Development Director, representing the applicants stated that this is a corner lot on Oriole Trail and 20<sup>th</sup> Street South and by definition they have two front yards. Ordinance states that a fence in a front yard can only be 4 feet high. The applicants will install the fence 23 feet from the south property line (20<sup>th</sup> Street South) so this fence will not cause a sight issue.

**Item #4e** – Mike Struck – Community Development Director, representing the applicants explained that this request is to retain a fence that was mistakenly installed at the wrong setback. This fence is located in the secondary front yard that is 4.5 feet from the property line along 20<sup>th</sup> street South. The applicants would like to install a

fence that will meet up with the back corner of their garage. The minimum setback is 20'. The fence does not cause a sight issue at this location. Shortening up the fence will take away usable space on the lot.

Schmeichel asked why this request is different than the previous one request on the agenda. Struck explained that this house is in a different subdivision, the lot is smaller and the construction of the structure on the lot is positioned just right. Schmeichel asked if they are just meeting the sight triangle. Bungard stated that they have adequate space. Schmeichel asked if there were any neighbor's that objected to this request. Struck explained that staff hadn't received any comments.

The meeting was adjourned at 5:48 p.m.



Staci Bungard  
City Planner



George Houtman  
Chairperson