

Minutes of Meeting Zoning Board of Adjustment Regular Meeting

December 6, 2023

ROLL CALL: Board members present: Billingsley, Birkenholz, Rossow, Otto
Board members absent: Hanson
STAFF PRESENT: Brian Dunkelberger, City Planner

A quorum being present, Chair Rossow called the meeting to order at 4:30 PM

Minutes

The Board reviewed the minutes of the previous meeting from August 9, 2023. **Motion** by Billingsley, **seconded** by Birkenholz to approve the minutes as written. **Voice vote:** approved, 4-0.

Public Hearing

- A. CU23-6: Conditional Use Permit to authorize an accessory structure with a footprint exceeding 1,000 sq. ft. at 1200 East 19th Street South. Joe Hartgers, applicant.

Dunkelberger reviewed the prepared staff report and shared maps and images of the subject property along with the plot plan provided by the applicant. Dunkelberger shared that no comments or questions were submitted by neighbors or residents in advance of the meeting.

Joe Hartgers, applicant, introduced himself and described how the garage would be used for vehicle parking and personal storage. He described how the existing detached garage would be removed from the property and the new garage would be built in its place. Hartgers also shared that the appearance of the new garage would match the house and that construction won't begin until likely next spring.

Hearing no additional questions or comments, Chair Rossow called for a motion to close the public hearing.

Motion by Birkenholz, **seconded** by Otto. **Voice vote:** Approved 4-0.

Board members discussed out how Hartger's property was a large lot, so there was ample space for the large detached structure. Rossow determined that the request fit the 4 criteria for granting conditional use permits and felt comfortable approving the application. Birkenholz pointed out how the request is essentially an increase of the accessory structure's footprint from the existing 24' x 24' to 40' x 48' on the property. Billingsley expressed a concern about the total size, but members reviewed the size of the lot and how no objections were presented by the neighborhood.

Motion by Otto to approve CU23-6: a conditional use permit application authorizing a 40' x 48' accessory building at 1200 E. 19th St. S., **seconded** by Billingsley. **Roll call vote:** Approved 4-0.

- B. CU23-7: Conditional Use Permit to authorize an accessory structure with a footprint exceeding 1,000 sq. ft. at 800 N. 15th Ave. W. Paulette Elscott, applicant.

Dunkelberger reviewed the prepared staff report and shared maps and images of the subject property along with the plot plan provided by the applicant. Dunkelberger shared 4 statements of support from surrounding neighbors that were submitted in advance of the meeting.

Birkenholz asked a clarification question about agricultural zoning compared to R-2 residential zoning. Dunkelberger answered. Lee Dittmer, fiancé of the applicant, introduced himself and described how the pole barn would be used for storage of equipment, horse trailers, and vehicles. He shared how the space is very needed and that it would provide a secure space protected from the elements.

Hearing no additional questions or comments, Chair Rossow called for a motion to close the public hearing.

Motion by Birkenholz, **seconded** by Billingsley. **Voice vote:** Approved 4-0.

Otto described how she always appreciates a person choosing to invest in their property and emphasized the impact of the 4 statements of support from surrounding neighbors. Billingsley agreed.

Motion by Birkenholz to approve CU23-7: a conditional use permit application authorizing a 48' x 60' accessory building at 800 N. 15th Ave. W., **seconded** by Otto. **Roll call vote:** Approved 4-0.

- C. V23-4: Variance to authorize the average height of the accessory structure at 800 N. 15th Ave. W. to be 18.75 feet which exceeds the maximum allowable height of 15 feet. Paulette Elscott, applicant.

Dunkelberger reviewed the prepared staff report and shared maps and images of the subject property along with the building plans provided by the applicant. Dunkelberger reminded the Board about the 4 statements of support that were shared during the report for CU23-7.

Billingsley inquired about the reason for such a tall building. The applicant answered and shared that they own horse trailers that would be parked in the building and needed the taller height for tall enough doors. Otto reiterated the generally supportive feedback from neighbors and identified that no objections were raised. Billingsley pointed out how the building would also be setback a good distance from the road and block the view of a natural gas station to the north. Otto shared her appreciation for a thoughtful design and location, and thanked the applicants for following the appropriate procedures.

Hearing no additional questions or comments, Chair Rossow called for a motion to close the public hearing.

Motion by Otto, **seconded** by Billingsley. **Voice vote:** Approved 4-0.

Motion by Otto to approve V23-4: a variance authorizing the average height of the accessory structure at 800 N. 15th Ave. W. to be 18.75 feet which exceeds the maximum allowable height of 15 feet established by the Zoning Code, **seconded** by Birkenholz. **Roll call vote:** Approved 4-0.

Old Business

None.

New Business

Dunkelberger shared that Gregg Hanson informed him that he had chosen to step down from his seat on the Board. A search for a new member would begin immediately, and Dunkelberger requested suggestions from members if they knew of anyone who might be interested in serving.

Motion by Birkenholz to adjourn the meeting, **seconded** by Otto. **Voice Vote:** approved, 4-0. The meeting was adjourned at 4:59 PM.