

BOARD OF ADJUSTMENT & APPEALS

Council Chambers

June 12th, 2013 5:30 PM

Present: Charles Block, Mike Pulis, Tim Wondra, Tiffany Siefken
Absent: Donna Amandus (excused)
Staff: Doug Krogmeier, Joey Herren, Heather Huebner
Visitors: Jason Haessig, Liza Hirschman

The meeting was called to order at 5:30 PM by Charles Block, Chairperson. A quorum was declared with four members present.

Minutes of the May 8, 2013 meeting were approved on a motion by Mike Pulis ; seconded by Tiffany Siefken . Approval was unanimous.

NON-AGENDA ITEMS: None

Case File #13-0 7: Board review/consideration of a Variance to allow a reduction in front yard setback at 1117 Avenue C for Matthew/Liza Hirschman.

Staff reviewed case report.

Block opened public hearing at 5:33 pm.

Liza Hirschman, 1117 Avenue C, reported that her family would like to sit outside with a little more room and that they often have block parties which her family is usually responsible for doing the grilling. She also informed the Board that she spoke to some of her neighbors and they had no issues with this request.

Block closed the public hearing at 5:35 pm.

Wondra questioned if this would make the house stick out the furthest on the block, Pulis answered that it would not stick out any further than the others. Board reviewed Finding of Fact.

Mike Pulis made a motion seconded by Tiffany Siefken to approve a Variance to allow a reduction in front yard setback at 1117 Avenue C for Matthew/Liza Hirschman.

Vote: 4-yes, 0-no. Motion passed.

Case File #13-09A : Board review/consideration of a Variance to allow a reduction in side yard setback at #1 Tammy Lane for Jason/Brandy Haessig.

Case File #13-09B: Board review/consideration of a Variance to allow a reduction in rear yard setback at #1 Tammy Lane for Jason/Brandy Haessig.

Staff reviewed case report.

Block informed the board that they would discuss both 13:09A and 13:09B together but vote separately. Block questioned specific setback requests for both side and rear. Staff informed that the Planning and Zoning Commission voted (unanimously) the **rear setback at 7 ½'** due to Alliant Energy having an easement and that the Planning and Zoning Commission voted (4- yes, 3-no) to a 2' side yard setback.

Block opened public hearing at 5:40 p.m.

Jason Haessig, #1 Tammy Lane, reported that he is requesting the 2' side yard setback so that they could extend the garage allowing for a two car garage. This would grant them 16' garage doors with 3' on either side of the doors. He then mentioned the nearby neighbors who have been granted variances in the amounts of 2', 3, and 4' setback reductions. Staff confirmed that several variances have been granted on Tammy Lane in the past. Haessig alluded to the fact that his property is a corner lot and only has one neighbor that this affects. Fire Chief Joey Herren, explained his concern is that there is no alley access. Herren prefers structures to be 10' apart due to radiant heat. This prevents fires from jumping building to building and gives a barrier for fire and rescue officials to work with. Herren then mentioned the possibility of a new neighbor moving in and putting up a privacy fence which would cause further issues with emergency access. Lastly Herren addressed the possibility of the neighboring properties requesting a variance and should these variances get approved it leaves little to no options for a variance for the neighboring properties.

Block questioned recommendation from Staff on side yard setback. Herren summarized that he prefers 5' setback with a bare minimum of 3' for the side yard setback due to the nature of the property layout and no alley access.

Block closed the public hearing at 5:48 p.m.

Board reviewed finding of fact.

Pulis commented that he does not see how they could approve anything less than 7 ½' rear setback due to Alliant Energy's easement.

Charles Block made a motion seconded by Tim Wondra to approve a Variance to allow a reduction in rear yard setback to 7 ½ ' at #1 Tammy Lane for Jason/Brandy Haessig

Vote: 4-yes, 0-no. Motion passed.

Board reviewed finding of fact

Mike Pulis made a motion seconded by Charles Block to approve a Variance to allow a reduction in side yard setback to 5 ' at #1 Tammy Lane for Jason/Brandy Haessig.

Vote: 4-yes, 0-no. Motion passed.

Old Business : None

Other/New Business :

Board questioned upcoming cases, staff reported none to date.

Tim Wondra made a motion seconded by Mike Pulis to adjourn. Vote: 4 -yes, 0-no

Meeting adjourned at 5:55 PM.

Charles Block, Chair, Board of Zoning Adjustment and Appeals