

PLANNING AND ZONING COMMISSION MONTHLY MEETING

Council Chambers

3/24/15 6:00 P.M.

Present: Ron Welder, Larry Wright, Joel Amandus, Ed Delaney, Lyle Brown  
Absent: Neal Boeding, Brenda Parker  
Staff: Doug Krogmeier, Emily Britton, Council Liaison Kevin Rink  
Visitors: Jody Dodson

**Ron Welder called the meeting to order at 6:00 P.M. with five members present.**

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ACTION ON MINUTES

**The minutes from February 24, 2015 were approved on a motion by Amandus, seconded by Delaney.**

NON AGENDA ITEMS

None

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**Case File: 15-04 Variance request to reduce front yard setback from 25 feet to 13 feet at 3001 Ave C for Jody Dodson to build a 12x16 covered front porch.**

Staff reviewed report.

Welder asked if this porch could have been added when the house was built, and Krogmeier said probably not because there is a 25 ft setback and it would not have met that. He continued to explain this is a unique, reversed, lot (facing the side street). Brown asked about the written comment that referred to a covenant and Krogmeier said he did not know of any active covenants in town at this time. Wright commented that his experience, living under a neighborhood association and covenant, was that the covenant was active as long as the association was active, so he wanted to be sure about how this could affect the situation. Welder asked Jody Dodson if he signed any form of neighborhood agreement when he purchased the property, and Dodson answered he did not sign anything nor was informed of anything when he purchased the property over a year ago. Krogmeier then added that neighbors would still have until Board of Adjustment's meeting to provide their input and/or a copy of a legal covenant. He also said if that does not happen and there is a covenant in place it is up to the neighborhood association to enforce it at that point.

**Welder opened the public hearing at 6:10P.M.**

Charles Wood, 3033 Ave C, stated that he has no problems with the addition of a porch/deck and added that he was also unaware of any covenant in place for the neighborhood.

Jody Dodson commented that he currently he basically has no back yard and would like to have a space to comfortably enjoy outside with his grill, table and chairs. He does not believe it will hinder anyone's view from any direction and it will improve the appearance of the property. Then asked if the commission were to approve 8' instead and Dodson said with that he would not consider it worth building. Rink asked for clarification as to where it will be placed, and Dodson explained it will be 16' along the stretch of the peak by 12'. Krogmeier pointed out that a 4x6' access deck is always allowed to be added without a variance, so if this is approved and enclosed later that 4x6' access could potentially be added on later so it would only end up being 10' from the sidewalk. Amandus asked about the property line and Krogmeier said this particular property line is 4' from the sidewalk.

**Welder closed the public hearing at 6:15P.M.**

The commission discussed the Variance Finding of Fact.

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**Amandus made a motion, seconded by Brown, to approve the variance request to reduce front yard setback from 25 feet to 13 feet at 3001 Ave C for Jody Dodson to build a 12x16' covered front porch.**

**Motion passed. 5-yes 0-no**

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OLD BUSINESS

None

OTHER/NEW BUSINESS

None

**Delaney moved, seconded by Brown, to adjourn.**

**Motion was passed unanimously. The meeting adjourned at 6:20P.M.**

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Ron Welder, Chairman of Planning and Zoning Commission