

BOARD OF ADJUSTMENT & APPEALS

Landing Conference Room

June 13, 2018

Present: Charles Block, Donna Amandus, Mike Pulis, Larry Wright  
Absent: Tim Wondra  
Staff: Doug Krogmeier, Emily Britton  
Visitors: James Moss

**Chuck Block called the meeting to order at 6:00.** A quorum was declared with four members present.

**Minutes from the May 9, 2018, meeting were approved as written on a motion by Amandus; seconded by Wright. Approval was unanimous.**

**NON-AGENDA ITEMS: none**

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**Case File 18-07: Variance request to reduce required rear yard setback at #10 Richards Dr.**

Staff reviewed report.

**Block opened public hearing at 6:02pm.**

Staff reviewed report.

Moss explained he needs an additional 2 car garage to park his wife's car and have room for a work bench, tools, and lawn mower. He originally planned on building a 24x24' garage behind his house, but Krogmeier explained a 24x24' garage would not fit on the property and would be cutting into the city right of way. He said the largest size that would fit on the property would be 24x20' and would require a variance. Krogmeier explained to the board that with 24x20' it would sit on the property line so the variance would eliminate the rear yard setback completely, whereas a 24x14' would be a 1 car garage and fit on the property without a variance at all. Amandus asked about the location of the proposed structure and whether it would be attached. Moss said it would be in the back yard, not attached to the house or current garage. He added that it would not create an issue for trash pick up or Fire Department to get through the alley. Block asked if he had checked into that and Krogmeier mentioned that at 24x20' it would leave the city right of way open however the roof would overhang the property line and it could be a tight with the garage directly across the alley to fit large vehicles through.

**Block closed the public hearing at 6:10 pm.**

Pulis commented that he was not comfortable approving a variance to reduce the setback to 0. Wright suggested a 24x16' garage that would give a little extra room and still require a 1.5' variance but would keep the structure from sitting right on the property line. Amandus asked if attaching it to the house was an option, but Krogmeier explained there was not room and it would still require a variance as it would require 35' setback if attached to the house. Wright asked Moss if 16' would work for him. Moss was hesitant and asked for 18', but Amandus explained he could still fit a car and work bench and that 18' would be too close to the property line for the Board to feel comfortable approving. Moss said he wanted 20' but could do 18'. The Board reiterated they were not comfortable with a variance to reduce the setback that much as they do not want to set a precedence and again suggested 16'. Moss said 16' is the smallest he would consider building it.

Krogmeier clarified that most of the code considers a 2-car garage standard, so the existing 1-car garage plus a second 1-car garage would provide a total of two garage stalls and be considered under the "reasonable rights denied" section of the finding of fact. He continued to say a 24x14' would be considered a 1-car sized garage but a 24x18' would be 1.5-car sized therefore going beyond the standard. It was discussed that a 24x16' garage would require a variance to reduce the rear yard setback by 1.5'. Finding of Fact completed.

**Amandus moved, seconded by Block, to approve a variance to reduce required rear yard setback by 1.5' for James Moss at #10 Richards Dr.**

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

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**Old Business:** none

**Other/New Business:** None

**Block moved, seconded by Wright, to adjourn the meeting at 6:26PM.**

**Vote: 4-yes, 0-no.**

**Meeting adjourned at 6:26 PM.**

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**Chuck Block**