

b) *The Zoning Regulations State:*

The proposed construction of an attached garage and house addition would protrude into the north side-yard setback requirement approximately 2.5 feet, leaving a 2.5-foot setback and protrude into the west rear-yard setback requirement approximately 7.2 feet, leaving a 6-foot setback. Code of Ordinances Sections 100.21.02.1 and 100.21.02.2 state that for lots of record, the side-yard setback must be 5 feet and the rear-yard setback must be twenty percent of the depth of the lot.

c) *Interested Property Owners:*

No written or verbal comments were submitted.

d) *Discussion:*

Attorney Gaylen Hassman represented Mr. Hansen and began the discussion. Mr. Hassman reviewed the previous request and the discussion that took place at the previous meeting. He detailed the existing conditions of the structures that are on site and their state of non-conformance. Mr. Hassman then described the new request in comparison to the old request. The primary difference is that the west rear-yard setback has been increased to 6 feet instead of 3 feet. The west setback was viewed as the more critical issue in relation to the neighboring buildings. Mr. Hassman stated that Mr. Hansen has spoken to both the west and north neighbors of the property and said that they did not have any objections.

Member Brown clarified the proposal for the west yard and the existing structures that will be modified to create a 6-foot setback. Vice-Chairperson Lampe also discussed the west yard and found a discrepancy between the new plot plan versus the old plot plan. The Board along with Mr. Hansen clarified that 6 feet will be maintained along the west yard.

Member Brown asked about the neighbors house to the north and if it was as much a concern as the house to the west. The Board discussed the neighboring homes and viewed the west yard to be more critical than the north. Mr. Hassman mentioned that this project would be a great improvement to the property if it were allowed. Member Brown expressed that the new proposal does not seem to be as large and imposing as the previous proposal.

e) *Motion by the Board:*

Motion By: Chris Foy

Seconded By: Pete Lampe

Move that a variance to allow the attached garage and house addition with a north side-yard setback of 2.5 feet and a west rear-yard setback of 6 feet at 104 4th Avenue NW be approved.

Yes: 4

No: 0

Absent: 1

Board of Adjustment Minutes
July 9, 2001

F. Old Business: None

G. New Business: None

H. Adjournment:

Motion By: Pete Lampe

Seconded By: Pat Brown

That the Board of Adjustment meeting be adjourned.

Yes: 4

No: 0

Absent: 1

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