



*b) The Zoning Regulations State:*

The proposed addition is required to meet a 25 foot rear-yard setback from the rear property line. See Code of Ordinances Section 100.13.05.

*c) Interested Property Owners:*

No communications were received from notified property owners.

*d) Discussion:*

Mr. Carmi reviewed the request. He stated their desire to add a loading dock onto the existing building and that the current set-up of the property and other buildings does not allow for a dock to be added into an existing building. He desires to use his Waverly operations and properties to store more materials that are currently outside of the city and state. Mr. Carmi stated that the other options that were considered would block access to other buildings and other useable space within the property. The proximity of the proposed addition adjacent to the main access driveway allows for the best use of the property. The length of the truck and trailer also make it difficult to turn around if the current proposal is not used.

Member Charlson confirmed that the current 50-foot access easement along the south boundary would not be encroached upon and that the addition would extend to the edge of that easement. The Board discussed the drainage of the property and surrounding area. Mr. Carmi noted that there is an existing waterway that travels along the front (east) and side (north) of his property that also prohibits his useable ground. The proposed addition of the structure would not extend any further into the rear-yard setback than the current building does presently extend. Vice-Chairperson Brown mentioned that the affective line of sight would stay the same for the structure.

The Board questioned the adjacent easement on the parcel of land to the west. Mr. Passmore stated that there is a City sanitary sewer line and respective easement that occupies the adjacent land. Mr. Charlson considered the option of the owners purchasing 10 feet of land from the adjacent parcel to accommodate for the setback requirement. Member Shea stated that this property contained a unique situation with the neighboring owner not being able to build near the common property line. Mrs. Brown mentioned that the current building exists as non-conforming and a variance would continue that non-conformance, and that the neighboring property may not build near the common line. Mr. Charlson stated that seemed to be a reasonable request with no adjoining property being affected. The Board reviewed the definition of a variance and viewed the existing waterway and easements as reasons to allow a variance.

e) *Motion by the Board:*

Motion By: Shea

Seconded By: Charlson

Move that a variance to allow the proposed addition to be 15 feet from the rear property line at 2100 4<sup>th</sup> Street SW be approved.

Yes: 3

No: 0

Absent: 2

E. Old Business: None

F. New Business:

The Board discussed the recent flood and the potential of any requests relating to a floodplain variance. Mr. Passmore stated that these may come forth in the future after property owners are able to consider all their options, but that at this time none have surfaced.

G. Adjournment:

Motion By: Shea

Seconded By: Charlson

That the Board of Adjustment meeting be adjourned.

Yes: 3

No: 0

Absent: 2