

b) The Zoning Regulations State:

The proposed rebuilding of the Premiere Auto Wash structure would protrude into the 50-foot front-yard setback requirement approximately 35.5 feet. See Code of Ordinances Section 100.13.05.2.a(1).

c) Interested Property Owners:

Mr. Keith Baskins of 2412 Carstensen Drive stated his favor for the request and stated that he believed it made common sense. Mr. Butch Kehe also spoke in favor of the request and stated the traffic flow as his main concern. Mr. Ernest Brandt of 2410 Carstensen Drive also spoke in favor of the request and agreed with the other statements.

d) Discussion:

Secretary Passmore reviewed the regulation that requires a 50-foot setback for both of the front-yards on the corner lot. He stated the request is simply to replace the building as it existed prior to the fire that substantially damaged the structure. Member Foy clarified that it was due to the amount of damage done to the structure that in order to rebuild it is treated as a new structure. Mr. Passmore further stated that the building existed as a non-conforming structure. The structure was damaged by more than sixty percent and per the zoning code is required to meet all applicable regulations.

Mr. Ron Collum reviewed his request to replace the building in its original footprint. He stated the building has been there for 22 years and that the traffic flow is very good around the site. He further mentioned the good site visibility in the way the car wash was laid out. Mr. Foy confirmed the request and asked about the other option presented to the board. Mr. Collum reviewed the other option which rotates the structure yet meets the required setbacks. He mentioned that the other option would create a greater traffic hazard with cars potentially backing up into the street.

Chairperson Lampe confirmed that the structure will need to be torn down to its foundation. Mr. Collum explained why the entire structure will need to be completely removed. Member Shea asked if the rotated option would be a substantial increase in cost. Mr. Collum agreed with this statement and mentioned that the entire parking lot would need to be redone. If rotating the building is the only option, he mentioned he likely would not do the project at this location. Mrs. Shea mentioned that she was a witness to the fire but did not believe it was of relevance to the proceedings.

Mr. Foy asked about the history of the car wash. Mr. Lampe reviewed that in order to enclose the last bay along Industrial Street a variance was required and granted in 1981. Mrs. Shea stated that she believed that a hardship was proven due to the circumstances of the entire situation. Mr. Foy stated that to deny the request would not allow a reasonable return for the property.

e) *Motion by the Board:*

Motion By: Pat Brown

Seconded By: Chris Foy

Move that a variance to allow the proposed rebuilding of the Premiere Auto Wash structure to extend into the front-yard setback requirement approximately 35.5 feet off of Industrial Street at 2510 5th Avenue NW be approved.

Yes: 4

No: 0

Absent: 1

E. Old Business: None

F. New Business:

Secretary Passmore reiterated the upcoming workshop and mentioned to the Board to read the recent Planning and Zoning Commission minutes in regards to Huygens Chiropractic Clinic. The Clinic will likely be in front of the Board in the upcoming months.

G. Adjournment:

Motion By: Chris Foy

Seconded By: Karla Shea

That the Board of Adjustment meeting be adjourned.

Yes: 4

No: 0

Absent: 1

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