

ZONING BOARD OF APPEALS MINUTES  
September 3, 2013, 7:00 p.m.

PRESENT: Chairman Pete Lokemoen, Dean Haas, Ron Burrow, Bill Schneider, Mark Peterson, Zoning Administrator Pagel.

Absent: Jim Koebe

Chairman Lokemoen called the meeting to order at 6:00 pm.

**Motion to approve the August 6, 2013 minutes Mr. Haas; seconded by Mr. Schneider; and carried.**

**Motion to open the hearing for the first item Mr. Haas, second Mr. Schneider, and carried.**

Chairman Lokemoen explained the process for the hearing. Zoning Administrator Pagel explained the request for variance for 816 N State Street. Dennis Robinson, owner, explained that he had built the decks to improve his property and was unaware of needing permits for either deck. He had submitted to the Board a list of neighbors in favor of the improvements he had made. He stated there was a deck there previously but it was smaller than the one he had built in the front. He also stated his daughter is impaired and he needed the deck size for maneuverability. With no one else to speak for or against.

**Motion to close the hearing Mr. Peterson, second Mr. Haas, and carried.**

Chairman Lokemoen explained to Mr. Robinson that the hearing was closed and he was only allowed to speak if asked a question from the Board. The Board deliberated the code requirements and asked Mr. Robinson about timeframes for correcting building code violations. Mr. Robinson stated he had not yet completed the deck and was planning to meet the building code requirements. He then reiterated his previous testimony in regards to being granted a variance. ZA Pagel explained the criteria for granting a variance in regard to unnecessary hardship versus self-imposed hardship. Chairman Lokemoen again asked Mr. Robinson to refrain from commenting unless asked. After a short discussion.

**Motion to approve the variance with the condition that the front deck would need to be removed to a point even with the front setback of the existing house, also, the side deck could remain, by Mr. Peterson, seconded Mr. Haas, and carried with Mr. Schneider voting against.**

Next item on the agenda was a variance request by Mark Gartmann for a property at 402 N. Prospect St. ZA Pagel explained the variance request for a 4' sideyard on an attached garage proposed to be built by Mr. Gartmann. ZA Pagel explained that Mr. Gartmann was out of Town but could be reached by telephone with any questions. With no one to speak for or against.

**Motion to close the hearing Mr. Haas, second Mr. Burrow, and carried.**

After a short discussion by the Board.

**Motion to approve the variance Mr. Schneider, second Mr. Peterson, and carried unanimously.**

Next meeting date will be set by ZA Pagel when needed. With no public comment.

**Motion to adjourn Mr. Peterson, second Mr. Schneider, and carried.**

Meeting Adjourned 6:35 pm.

Darin Pagel, Recording Secretary.