

**BOARD OF ADJUSTMENTS MINUTES**  
**Monday, November 7<sup>th</sup>, 2016 – 5:15 p.m.**  
**City Hall Commission Room**

**Members Present:** Kevin Tveidt, Dave Kelley, Kari Williams, Andy Johnson, Kristin Gabriel

**Guests in attendance:** Mathew McNickle, Jamie Rutschke, Maria Vazquez

**Staff Present:** Jeff Runyan

Chairperson Tveidt called the meeting to order at 5:15 p.m. Tveidt asked if there were any changes to the October 3<sup>rd</sup>, 2016 minutes. Hearing none, he asked for a motion. Gabriel made a motion to approve the October minutes and Kelley seconded the motion. All voted in favor, motion passed.

Tveidt reviewed the rules that govern the Board of Adjustments:

1. Must show a hardship
2. Grant the minimum variance needed
3. Variance must not change the character of the neighborhood
4. Super majority of the Board is needed to approve a variance

First item on the agenda was *Maria & Antelmo Vazquez, 2712 Bushfield Dr.*, requesting a 7' variance for the front yard setback. Vazquez spoke that the need for the variance was to fit a 76' mobile home on the property. There is a retaining wall on the property that hinders the mobile home from being placed to the rear of the property. Kelley asked if the mobile home was going to be placed tight against the retaining wall. Vazquez stated that there would be a couple of feet between the home and the retaining wall. Gabriel asked if the sightline would be blocked if the variance was granted. The board discussed the stop sign on Case Dr., and determined that the sightline would not be impeded because traffic would have to stop at the intersection. Tveidt asked if the City Staff received any comments on the issue, and Runyan stated there were no comments.

Tveidt asked if there were any further discussion, and hearing none he asked for a motion. Kelley made a motion to approve the request and Williams seconded the motion. All in favor, motion passed.

Next on the agenda was *Mathew McNickle & Jamie Rutschke, 1916 E. Capitol Ave.*, requesting a variance for yard space encroachment for a front deck. McNickle talked about the size of the original deck and that he assumed it met the current ordinance. McNickle stated that he did not want the new deck to be placed in the middle of the front window so that he wanted to enlarge the deck. He stated that there was some confusion on his part on the front yard setback on his part and there were 3 decks in the area that are the same size as his. Kelley asked if McNickle thought the setback was measured from the curb and McNickle agreed and said it was an honest error. Runyan explained the City Ordinance, and stated that no public comments were received on this issue.

Tveidt asked if there were any further discussion, and hearing none he asked for a motion. Johnson made a motion to approve the request and Kelley seconded the motion. All in favor, motion approved.

Submitted to the minutes of the meeting, Kristin Keller had a name change to Kristin Gabriel.

With no further business Tveidt asked for a motion to adjourn the meeting. Johnson made the motion, and Kelley seconded the motion. All in favor, motion approved.

Minutes submitted by Jeff Runyan.