

Board of Adjustment  
Meeting Minutes  
September 13, 2011

1.) Chairman Vander Wert called the meeting of the Board of Adjustment to order at 6:00 p.m.

2.) Roll Call.

Members Present: Jim Corbett, Larry Lautenbach, Lyle Vander Meiden, Mike Vander Wert, James Vande Voort.

Members Absent: Merlan Rolffs, Kraig Downs, Vince Nossaman, John Van Den Berg.

Others Present: Jerry Byers, George Wesselhoft, Darin Dux, Jeff Van Sant.

3.) Approval of Agenda.

The Agenda was amended to include the Approval of the Minutes as item 3a.

The Agenda was approved as amended.

3a.) Approval of Minutes.

The minutes for the August 23, 2011 meeting were approved as submitted.

4.) Public Hearing on a Variance Application by Jeff Van Sant concerning a proposed 12 by 28 foot addition to the northwest corner of the existing building located at 90 Truman Road

The applicant is asking to continue the 10 foot setback for the addition which was the approved setback when the original building was built in 1999.

Currently the setback requirement is 25 feet or a difference of 15 feet over the original setback.

Chairman Vander Wert asked if there were any written comments.

Jerry Byers, secretary to the Board, stated there were no written comments.

Chairman Vander Wert opened the floor to oral comments.

Jeff Van Sant, owner of the property, reiterated the information in the Board's packet that he wanted to add a 12 by 28 addition to align with the existing building.

Lyle Vander Meiden asked why the City changed the setback from 10 feet to 25 feet.

George Wesselhoft, Director of Planning and Zoning, stated that the original setbacks were changed due to the complexity of the rules before and they were simplified to a standard 25 foot setback.

Mr. Vander Meiden asked if construction of the addition would hinder fire coverage for the building.

Mr. Wesselhoft commented that the Fire Chief is copied on every variance and there were no comments from the Fire Department on this variance request.

Mr. Wesselhoft continued by indicating that the Fire Chief has expressed concern with certain issues other items in the past such as hydrant location on siteplans.

The public hearing was closed.

5.) Variance Application by Jeff Van Sant concerning a proposed 12 by 28 foot addition to the northwest corner of the existing building located at 90 Truman Road.

Chairman Vander Wert informed the applicants in the audience that the Board of Adjustment was a nine member board and required five yes votes to pass, not just a simple majority.

Chairman Vander Wert asked if there was a motion to approve.

Larry Lautenbach made a motion to approve as submitted based on the variance will not be of substantial detriment to the adjacent property and the character of the district will not change.

Jim Corbett seconded the motion.

Mr. Vander Meiden brought up the fact that if the Board could table the variance request until there were more members in case someone was to vote no.

Discussion ensued concerning the Boards options.

Chairman Vander Wert asked Mr. Byers to call the roll.

Upon vote, motion passed 5 to 0

6.) Public Hearing on a Variance Application by Darin Dux concerning a proposed accessory structure on Lots 3 & 4 of Timber Ridge Subdivision. The request is for a variance to place a new accessory building in the side yard relative to the new home he is constructing.

Chairman Vander Wert asked if any written comments had been received.

Mr. Byers stated that no written comments had been received.

Chairman Vander Wert opened the floor to discussion.

Darin Dux spoke to the Board about having the new location of the garage marked with flags. He continued by explaining that the garage is now back even with the front of the house after moving it back 10 feet.

Mr. Dux talked about a map in the Board's packets showing locations of properties in the immediate area that had detached accessory structures that do not meet the current zoning or only have an accessory structure and not a primary structure which does not meet current zoning. He concluded by saying that what he is trying to do is not out of the nature of the surrounding neighborhood and that he wants to fit in with the neighborhood.

The public hearing was closed.

7.) Variance Application by Darin Dux concerning a proposed accessory structure on Lots 3 & 4 of Timber Ridge Subdivision. The request is for a variance to place a new accessory building in the side yard relative to the new home he is constructing.

Chairman Vander Wert asked if there was a motion to approve.

Lyle Vander Meiden made a motion to approve as submitted based on the variance will not be of substantial detriment to the adjacent property and the character of the district will not change.

Larry Lautenbach seconded the motion.

Upon Vote, motion passed 5 to 0.

8.) Other Business.

There was no other business.

9.) The meeting adjourned at 6:39 p.m.

Respectfully submitted,  
Jerry Byers  
Building Official