



Board of Adjustment Minutes for March 5, 2009

Members Present: John Curtis, George Mehler, John Curtis, Brad Snyder, Charles Bourbeau, J.B. Smith, John Archibald

Staff Present: Don Measamer, Assistant Director of Planning

The Chair Mr. Brad Snyder called the meeting to order at approximately 7:00 p.m.

Variance Request to reduce the required front yard setback from 15'6" to 9'6" to construct a new porch located at 1114 10th Street

The chair, Mr. Brad Snyder noted that the actual request is to reduce the front yard from 15'6" to 9'6" rather than 20' to 15'6" to construct a new porch. Mr. Charles Stavig, applicant, explained that the existing residence sits on a substandard lot. He pointed out that the porch would not encroach into the setback any further than the surrounding homes with porches.

In answering a question from, board member Mr. Bourbeau, Mr. Stavig stated that at the time of the previous variance being granted for the new house he did not realize that the steps off the porch would be included into the setback.

Mr. Don Measamer, Assistant Director of Planning, clarified that the code allows for steps or landings less than 18 inches above grade do not need to meet setback requirements. Mr. Snyder clarified that only three of the five risers would actually encroach into the setback per the building code. Mr. Don Measamer, Assistant Director of Planning noted that no comments have been received by city staff.

Per the request of board members, Mr. Measamer verified that the zoning map indicates that one half of the lot is commercial and the other is residential. Mr. Ken Wilson recommended that since the proposed porch is two stories it should be moved back to the 15'6" and that only the steps can be placed within the setback. The Chair closed the public hearing.

Mr. John Archibald made a motion to grant the variance as submitted there was not a second, motion died. Then the Chair, Mr. Brad Snyder made a motion to deny the variance since the structure has not been built the applicant is able to move the structure further back on the lot so that the porch is within the front yard setback, seconded by Mr. Ken Wilson. The vote: Ayes; Mr. Bourbeau, Mr. Mehler, Mr. Snyder, Mr. Wilson: No; Mr. Archibald. Motion passed.

Meeting adjourned at approximately 7:35 p.m.