

BOARD of ZONING APPEALS
MINUTES of MEETING
March 19, 2019
4:30 p.m.

Attendance: Tom Moushey, Dave Lundgren, Mike Aeling, Arnie Hirvela, Eddie Williams, Zoning Inspector Bill Hawley, Asst. Law Director William Morris, and Secretary Theresa DeUnger.

1. **Election of Officers**

Arnie Hirvela made nominations for the Officers.

Tom Moushey –Chairman

Dave Lundgren –Vice-Chairman

Theresa DeUnger –Secretary

Mike Aeling 2nd the motion. Unanimously approved.

2. **Minutes from the December 18, 2018 meeting:**

Hirvela made motion to approve minutes. Aeling seconded the motion; Moushey, Lundgren, Aeling, and Hirvela approved the minutes. Williams was not present at the December meeting and abstained.

Moushey read the Board of Zoning Appeals procedures including the appellant recourse.

3. **Lane E. Yeagley – 3004 Federal Ave. Appeal #19-001** – Variances to place a shed in a side yard of a corner lot at a single family residence, located in an R-1 zone.

Bill Hawley, 504 E Main St, was sworn in. This appeal is for a shed to be placed in a side yard on a corner lot. There are 3 requirements for the placement of a shed:

1. It is required to be 10ft. from the principle building. This shed would only by 3 ft.
2. The shed cannot be closer to the side street than the existing principle building.
3. The shed needs to be in the rear yard area.

These 3 requirements are not met by the proposed shed.

Lane E. Yeagley, owner of 3004 Federal Ave, was sworn in. Yeagley is proposing to purchase a 10 x 16 shed. It will have vinyl siding and include a garage door to match the garage attached to the house. Yeagley does not want to place the shed in the back yard as it is too wet. He showed the board pictures of his lot and where he would like to place the shed. It would be used as a private workshop and storing his mowers and snow blower. Yeagley purchased this home a year ago and the previous owner had a shed up against the house in the back but it was removed. Yeagley is concerned there will be too much water in the back yard for the shed.

Hirvela believes the shed will stick out further than any other house on Santee St. Yeagley said he thought of that but, with the shed only being 13ft out from the house, it should be ok. The driveway will not be extended over to the shed. Grass will remain in front and he would redo landscaping around the shed.

Williams went over the lot dimensions and set back requirements with Hawley. Moushey agrees with Hirvela, the shed will stick out too far and added this does not create a hardship plus violates too many restrictions. Lundgren wondered if the issue would be different if this was not a corner lot. Moushey said in order to put the shed in this area, the right of way would have to be used as the extra space. If this was not located on a corner lot, the extra right of way space would not be there to consider.

Hirvela suggested building the yard up in back and put drains out to the street. Yeagley doesn't feel that is his responsibility because he said the drains belong to the city. He asked his neighbors if they would mind a shed on the side yard and they do not mind.

Hirvela made the motion to deny the variance due to violations of the required 10ft. from the principle building, the shed cannot be closer to the side street than the existing principle building, and the shed needs to be in the rear yard area. Lundgren 2nd the motion. Aeiling, Hirvela, Lundgren, and Moushey voted to deny the variance. Williams voted against the motion. Variance is denied.

3. **Other Business:**

Moushey reported the Zoning Review Board continues to meet. The next meeting is March 28, 2019. The Chairman is projecting this to be the last meeting. There have been many recommendations with many changes coming from the City Engineer.

Bill Morris said the LAMAR dispute is in litigation with the insurance company negotiating on behalf of the city.

No other business.

Aeling made motion to adjourn. Lundgren seconded motion. Meeting adjourned at 5:08 p.m.