

**Minutes  
Board of Adjustment  
First Floor Conference Room  
City Hall  
Tuesday, April 20, 2010  
7:00 p.m.**

**Members Present**

**Chairman John Kolander  
Tim Johnson  
Robert Kummer  
Lee Van De Walle  
Erik Helland**

**Members Absent**

**Roger Mack  
Chris Schiltz**

**OLD BUSINESS**

Case: 10-08: Variance in (1.) the required side yard setback from 15' to 5'; and (2.) the required front yard setback from 18' to 9'5"

Applicant: Van De Walle Associates

Address: 329 S Omaha Ave

**Deferred to May 18, 2010 Meeting**

**NEW BUSINESS**

Case: 10-15: Withdrawn

Case: 10-16: Variance in the required side yard setback from 5' to 3'6"

Applicant: Brian Hockenberry

Address: 2012 E Allen Dr

A motion was made by Kummer, seconded by Van De Walle to approve a variance in the required side yard setback from 5' to 3'6".

Vote to approve: Roll Call: Yeses, Johnson, Kummer, Helland, Van De Walle, and Kolander, 5. Noes, 0. **Motion Passed.  
Variance approved.**

Case: 10-17: Withdrawn

Case: 10-18: Variance in required lot width from 50' to 46'.

Applicant: William C. Smith

Address: 600 S Lincoln Avenue

A motion was made by Johnson, seconded by Kummer to approve a variance in the required lot width from 50' to 46'

After discussion between the board members concerning the drainage issues Mr. Johnson made an amended motion subject to approve the variance based on a drainage plan be approved by the City Engineers office before a building permit is issued, seconded by Kummer.

Vote on the amendment to the motion: Roll Call: Yeses, Johnson, Kummer, Helland, Van De Walle, and Kolander, 5. Noes, 0.

**Amendment to the Motion Passed. Approved.**

Vote on main motion as amended: Roll Call: Yeses, Johnson, Kummer, Helland, Van De Walle, and Kolander, 5. Noes, 0.

**Motion as Amended Passed. Approved Variance.**

**The variance to 46' in lot width is approved based on a drainage plan being approved by the City Engineers office before a building permit can be issued.**

Case: 10-19 Withdrawn

Case: 10-20: Variance in required rear yard setback from 25' to 19'

Applicant: The Davis Company

Address: 4919 S Lewis Avenue

A motion was made by Johnson, seconded by Helland to approve a variance in the required rear yard setback from 25' to 19'.

Vote to approve: Roll Call: Yeses, Johnson, Kummer, Helland, Van De Walle, and Kolander, 5. Noes 0, **Motion passed.**

**Variance approved.**

Case: 10-21: Withdrawn

Case: 10-22: Deferred to May, as board signs are not up

Case: 10-23: Variance to allow parking pad in the required front yard setback

Applicant: Toni Diez

Address: 1700 S Judy Avenue

A motion was made by Helland, seconded by Johnson to approve a variance to allow parking pad in the required front yard setback.

Vote to approve: Roll Call: Yeses, Johnson, Kummer, Helland, Van De Walle, and Kolander, 5. Noes, 0. **Motion passed.**  
**Variance approved.**

### **Adjournment**

A motion was made by Johnson, seconded by Van De Walle to adjourn the meeting at 8:10 p.m. Vote to adjourn: Roll call: Yeses, Johnson, Kummer, Helland, Van De Walle, and Kolander, 5. Noes, 0. **Motion passed.**

**Accessibility:** Upon request, accommodations for this hearing will be provided for persons with disabilities. Please contact the Zoning Office at 367-8254 at least 48 hours in advance.

**For questions concerning this hearing, please call (605) 367-8254 for assistance.**