

**BOARD OF ADJUSTMENT  
Regular Meeting**

**DATE:** January 15, 2020

**TIME:** 5:00 p.m.

**PLACE:** City Council Chambers, City Hall

**PRESENT:** Sanchez, Krofchalk, Murphy, Conway, Buege, Kouba, Breza

**ABSENT:**

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Chairman Sanchez called the meeting to order at 5:00 p.m.

Conway moved to approve the minutes from December 18, 2019. Commissioner Krofchalk seconded the motion. All members present voted aye.

**Petition No. 20-2-V, John Hardy, 1473 Gilmore Valley Road**

Chairman Sanchez opened the public hearing and read the petition:

John Hardy – City Code Section 43.03.24 A)5)b) which limits residential properties to one driveway approach. Applicant wishes to install a second driveway approach leading to a new home addition. Property is described as AG/NR & R-R zoning, Sect-31, Twp-107, Range-007, WINONA TWP ANNEX PAR IN SW ¼ NE ¼ COMM IN C OF RD 12' W & 173' SW OF NE COR SW 145', R 89 DEG 751', E 497', R 116 DEG 44', L 93 DEG 300' TO BEG & 3.14 AC IN NW ¼ NE ¼ OLD #19.070.0540 or at 1473 Gilmore Valley Road.

John Hardy, petitioner from 1473 Gilmore Valley Road, came forward and presented the desire for a second curb cut to accommodate an addition to the west of his house and have adequate vehicle access. He stated that his existing driveway and garage do not easily accommodate a vehicle and that an addition to the west is the most feasible opportunity.

Conway asked if there were any plans for the project. Hardy provided preliminary plans showing where the future addition and driveway would be located.

Krofchalk asked if other plans were considered. Hardy reiterated that the current layout cannot accommodate vehicles adequately and that an addition to the east using the current driveway would be infeasible due to setbacks and adjacency to the property line.

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Murphy asked to confirm if the old driveway would remain or if everything would be shifted to the new curb cut and driveway. Hardy responded that the old driveway would remain.

General discussion regarding placement of driveways in yards ensued.

Sanchez opened the public hearing. No members of the public coming forward to speak, the public hearing was closed.

Conway asked the applicant if he was certain of the exact size of the driveway. Hardy responded that he was not certain.

No further discussion forthcoming, the Board considered the findings.

Kouba moved to approve the application as presented. Conway seconded the motion. All members present voted aye.

Petitioner was informed that there was a 10-day appeal period during which time no action could be taken on the petition.

### **Petition No. 20-3-V, Nicholas & Jeffrey Menth, 951 East 8<sup>th</sup> Street**

Chairman Sanchez opened the public hearing and read the petition:

Nicholas & Jeffrey Menth – City Code Section 43.02.23 which requires 8,000 square feet of lot area, and 43.02.24 A) which requires a 25 foot front yard setback and a 12 foot side yard setback for a new two-story duplex in and R-2 Medium Density Residence District. Also, 43.03.22 A) which requires 4 parking spaces for duplexes in an R-2 zoning districts. Applicant wishes to establish a new rental duplex on a corner lot with 7,500 square feet in lot area, an 11' front yard setback, a 2.5 foot side yard setback, and three parking spaces. Property is described as R-2 zoning, Sect-25, Twp-107, Range-007, HAMILTON ADDITION, Lot-006, Block-004, E C HAMILTON'S ADDITION, or at 951 East Sanborn.

Nicholas Menth and Jeff Menth, applicants, presented their case for the conversion of an existing single family home which is set up as a duplex to meet lot dimension and site dimension standards for a duplex.

Sanchez asked to confirm that it is already set up as a duplex. Jeff Menth mentioned that there are two bathrooms and two kitchens with two bedrooms up and two bedrooms down.

Breza asked Nicholas Menth what year he was in school and whether he would stay in the area. Nicholas Menth responded that he was a junior and that he would be staying in the area.

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Kouba raised a concern that the parking could be addressed adequately on the site and that the variance request for the parking is not necessary. Conway noted that a spot could be provided next to the garage.

Sanchez mentioned that the setbacks are less of an issue in his mind as the existing setbacks rules don't reflect the size of lots in town.

Krofchalk asked the applicants how the house was laid out currently. Nicholas Menth responded that there are two existing bedrooms upstairs with a living room that was originally designed like a bedroom with a closet and then two bedrooms downstairs.

General discussion about the number of bedrooms, required number of parking spaces, and owner-occupancy provisions ensued.

No further comments forthcoming, the Board considered the findings.

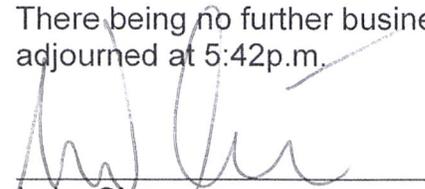
Krofchalk moved to approve the variance with the provision that the duplex be owner-occupied and to not approve the variance request for a reduction in required parking. Buege seconded the motion. All members present voted aye.

Petitioner was informed that there was a 10-day appeal period during which time no action could be taken on the petition.

### Adjournment

Kouba made a motion to adjourn with a second by Krofchalk. The vote of the Board was unanimous.

There being no further business to come before the Board, the meeting was adjourned at 5:42p.m.

  
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Luke Sims  
Acting Secretary