



## BOARD OF APPEALS

July 7, 2023

### MINUTES

---

#### 1. **Call to Order**

The meeting was called to order at 4:30 PM.

Upon calling the meeting to order, the committee determined that Preston Jones would resume his role as the Chair of this committee.

#### 2. **Roll Call**

Present: Preston Jones, Roger Russove and Randall Ammerman

Excused: Jayne Rulseh

Also Present: Keith Kauffman, Owner – Applicant, and Community Development Director, Elizabeth Runge.

#### 3. **Statement of Public Notice**

Elizabeth Runge confirmed the statement of public notice.

#### 4. **Public Hearing**

Prior to the public hearing, Chairman Jones invited Mr. Kauffma to describe his proposed project. Mr. Kauffman presented an overview of his application and the request to build an accessory pavilion with enclosed storage in the street sideyard. He explained that his house is situated on a corner lot on 17<sup>th</sup> Street and Zlatnik Drive.

Staff reviewed the summary memo that was sent to the BOA committee. The city's current ordinance Section 10-1-15 F. 4(b) and 4(c) regulate the location for accessory structures. The proposed location in the variance, and the design presented is not permitted under the current ordinance.

The statutory standards for a variance of unnecessary hardship, unique property limitation, and protecting the public interest are not met and therefore the staff recommendation is to deny the variance request. The applicant does have use of the property.

Next, Chairman Jones opened the public hearing. The first and second and the third and final call of the hearing was opened for public comment. There were no comments made during the public hearing calls for comment. At the end of the third call, the public hearing was closed.

**6. Action to be Taken**

The Board discussed the standards for a variance to be granted and the requested variance as proposed.

A motion was made to deny the variance request to accessory pavilion with enclosed storage in the location proposed as it did not meet the statutory standards of unnecessary hardship, unique property limitation and the protection of public interest.

Motion made by Mr. Ammerman and seconded by Mr. Russove.

Roll call vote.

Voting Yes: Jones, Russove, and Ammerman

Motion carried.

**7. Adjournment**

Motion by Mr. Ammerman seconded by Ms. Russove to adjourn at 5:00 PM.