

(These minutes are not approved until the next Commission meeting.)

City of West Branch Board of Adjustment Meeting

May 27, 2015

West Branch City Council Chambers, 110 North Poplar Street

Chairman, Craig Walker opened the regular meeting of the Zoning Board of Adjustments at 6:30 p.m. by welcoming the audience which included the following City Staff: Zoning Administrator Paul Stagg. Board members Craig Walker (Chair), Wayne Frauenholtz, Frank Frostestad, Jennie Embree and Kami Poppen were present.

Approve minutes from the April 22, 2015 Zoning Board of Adjustment meeting.

Motion by Embree, second by Frostestad. AYES: Embree, Frostestad, Frauenholtz, Poppen, Walker. NAYS: None

Approve variance of City Code Section 165.44.8 for a building permit application for a fence at 508 N. Oliphant Street. / Move to action.

Chairperson Walker requested a two part discussion to allow the resident's representative and the Zoning Administrator to give background information for the reason of the recent denial to the 2015 fence permit. Zoning Administrator Stagg cited the zoning requirements for fences on corner lots and that the fence permit was denied based on the current code. The attorney for the resident presented several items for consideration including a permit obtained in 2011 and approved by the prior zoning administrator. The commission confirmed that the current zoning requirements were applied to the permit request and correctly denied by the Zoning Administrator based on the Code. The commission also reviewed the Code to determine if the variance should be considered. The commission confirmed that the request did not meet the requirements in order to grant the variance. The commission concluded that Code Section 165.44.8 should be reviewed for intent and suggested that a recommendation be sent to the Planning & Zoning Commission for further review.

Motion by Embree, second by Frauenholtz to overturn the Zoning Administrator's interpretation. AYES: None. NAYS: Embree, Frauenholtz, Frostestad, Walker, Poppen. Motion failed.

Motion by Poppen, second by Frauenholtz to grant the variance of City Code Section 165.44.8. AYES: Poppen. NAYS: Frauenholtz, Frostestad, Embree, Walker. Motion denied.


Chair Walker – Update on Chapter 29 Zoning Board of Adjustment.

Walker reported on the draft of the creation of Chapter 29 Zoning Board of Adjustment that would delineate the Zoning Board of Adjustment from the Planning & Zoning Commission. It is currently being reviewed by Attorney Olsen.

Adjourn

Motion by Frostestad, second by Poppen. Motion carried on a voice vote. Meeting adjourned at 7:20 p.m.

To zoning Board of Adjustment

I, Keen , Attorney for City of

West Branch, state that no open meetings

violated by considering administrative appeal and

variance at this meeting



| <u>SIGNATURE OF BOARD MEMBERS</u> | <u>DATE</u> | <u>APPROVED</u> | <u>DENIED</u> |
|-----------------------------------|----------------|-------------------------------------|-------------------------------------|
| <u>Kami Poppen</u> | <u>5-27-15</u> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <u>Wayne Franenholz</u> | <u>5.27-15</u> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>Janet Snelsted</u> | <u>5/27/15</u> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>[Signature]</u> | <u>5-27-15</u> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <u>[Signature]</u> | <u>5-27-15</u> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

(Name) DEVIN LEWIS VARIANCE REQUEST
 ___ approved / denied on the 27 day of May,
2015. Building Permit No. _____.