

# **MEETING MINUTES - BOARD OF ADJUSTMENT**

**May 15, 2023 – 5:15 p.m.**  
**City Hall Commission Room**

## **1. Call to order**

Kelley called the meeting to order at 5:15 pm.

## **2. Roll Call**

Board members: Rich Ivey, Slade Weller, Kevin Tveidt, Dave Kelley, Ron McMahon

City Staff present: Matt Elberson

Applicants present: Tonya Kierstead, Rock Kierstead, Brock Wallman

## **3. Approval of Minutes**

Tveidt moved to approve, seconded by Weller. Minutes of 5/1/23 were approved 5-0.

## **4. Request for Variance Application - Brock Wallman and Matt Northrup, 424 W. Capitol Ave**

Owner/Applicant seeking approval for an encroachment into a required rear yard setback on a corner lot in a 'Multi-Family' zoning district.

Kelley asked the applicant to explain the request. Wallman said they are building a new duplex. They have the apartment building on the above lot, and would like to put up a second duplex. Both would meet the setbacks on Capitol and Oneida. They want the variance to allow the proposed duplex to be closer to the apartments. There will be no sight issues as there is adequate setback.

Weller asked if it was originally one lot or two, Wallman said they replatted and squared off the apartment lot and moved it to the duplex lot. There was an old garage there before.

Tveidt asked why it was pushed back, Wallman said it was for the parking. Tveidt also asked if it was upstairs/downstairs units, Wallman said yes, and that they were upgrading the units.

Ivey asked if there were any concerns from the apartments, Wallman said no, and that they own them. Tveidt asked if the city had heard of any concerns, Elberson said they had not.

McMahon asked if there was proper fire separation, Elberson noted that it met all Code fire separation requirements.

Kelley then asked if there were any other questions, there being none he asked if anyone would make a motion. McMahon moved to approve the request, seconded by Weller. Request approved 5-0.

## **5. Request for Variance Application - Rock and Tonya Kierstead, 1922 E. Park St**

Owner/Applicant seeking approval for an encroachment into a required side yard setback on a corner lot in a 'One-Family C' zoning district.

Tonya Kierstead said they own the mobile homes at 1920 & 1922 E Park St. (John) Irvine previously required that they have separate water and sewer services, which were put in then. The trailer at 1920 is a 1969 unit that they want to remove and replace, but they have to be on separate lots. The

replat would leave a 3'-7" encroachment on the 1922 lot. They would get an encroachment easement to allow the (HUD required) 2<sup>nd</sup> exit to remain.

Kelley asked if they had the easement yet, Kierstead said no, they wanted to get the variance approved first. McMahon asked if the easement was for the existing trailer that remains, Kierstead said yes. Ivey then asked if that one was removed, would the easement go away, Elberson said yes because any newly placed mobile home would have to meet current setbacks.

Tveidt moved to approve the property with the conditions stated, Seconded by McMahon. Weller then mentioned that the property will be replated and that the easement will become null and void if and when the remaining mobile home is removed.

Motion approved 5-0.

**6. Additional Items**

No new items.

**7. Adjournment**

McMahon moved to adjourn, seconded by Kelley. 5-0 to adjourn. Meeting adjourned at 5:26 pm.