Culver Board of Zoning Appeals

Minutes: October 19,2017 @ 6:30 P.M.

Dan Adams led the Pledge of Allegiance to our Flag

The Culver Board of Zoning Appeals met in a called session with the following in attendance; Dan Adams President, Bill Harris Vice-President, John Helphrey Secretary, Margaret Dehne, Patrick Jensen, and Chuck Dewitt Building Commissioner.

Motion to approve the September 21, 2017 minutes passed unanimously 5-0.

BZA Petition No.2017-008B: Patrick Jenson and John Helphrey recused themselves from this petition hearing. Mr. Jensen is the Contractor/Builder for this project and will represent the property owner, Jay Brosius, 434 N Forest Place, at tonight's meeting. Mr. Helphrey is Mr. Brosius's Brother-in -law. Therefore, the three remaining board members must have a unanimous vote in favor of this project in order for the request to pass.

Mr. Brosius, who was not present at tonight's meeting is requesting a Development Standard Variance to allow a North side yard setback of 8 feet from the required 10 feet and a rear yard setback of 4 feet 6 inches from the required 25 feet for the construction of a new 2 ½ car garage that will be attached to the main house. Mr. Jensen explained that this property is not a perfect rectangle, but a parallelogram which skews the project dimensions by at least a foot. Rather than amend this request, he will adjust the construction of the structure to comply. He also advised that the old shed/garage that is sitting partially over the neighbor's property line to the south will be removed, which will return that side yard setback to 10 feet. In addition, the proposed garage will have wider vehicle entry and exit rear doors for easier and safer access. Since parking is very limited on Forest Place, the garage will accommodate the owners vehicles as well as providing much needed storage space. Mr. Jensen finished his presentation with assuring the Board that the impervious surface area will be at least 55 % .

The three Board members had a few questions and clarifications which were satisfied. No neighbors attended. Mr. Adams requested the Board move to finding of facts and a vote. Motion to approve Variance No. 2017-008B was made by Mrs. Dehne and seconded by Mr. Harris. The Motion passed unanimously 3-0.

New Business: Jim Easterday attended tonight's meeting on behalf of a client who owns property on the Lake and needs handicap assistance in the new house they plan on building. The client wanted to know if the BZA Board would consider hearing a request for some type of a transportation lift from the house, which is on a steep hill to the lake. They would also like to know if a variance is required for a walkway within the 10 foot side yard setback. The Board was not aware of an ordinance relating to the walkway and advised Mr. Easterday that they would hear his clients request. Mr. Harris suggested that Mr. Easterday bring his questions before the next Planning Commission meeting for the possibility of more clarity.

Old Business: None

Building Commissioners Report: Mr. Dewitt provided the Board with the third quarter Building Permit results and year to date Revenue Sharing income with Marshall County. He advised that he and the Town are continuing efforts to resolve the problems with the owners of properties on College Ave and Obispo. He also stated that three properties owners have initiated legal action against a contractor named Nagel who has been banned from doing any more business in Marshall County.

Meeting Adjourned : 7:45

Submitted By Secretary John Helphrey

Dan Adams	Bill Harris	John Helphrey
Margaret Dehne	Patrick Jensen	