

Zoning Board of Adjustment Minutes

Regular Meeting
March 2, 2023 - 4:30 pm
Room 317, City Hall

Members Present: Matt Perry (Chair), Jacob Saufley (Vice-Chair), Anna Callahan, Sally Grans Korsh, Adam Hutchens, Peter Ingraham, Eric Johannessen, Taylor Smrikarova (Quorum: 5)

Members Absent: Annie Wang

Staff : Rachel Blanford

Call To Order

1. Roll Call.

Quorum Present

2. Adoption of the agenda.

Action Taken: Adopted

3. Acceptance of minutes

[Feb 16, 2023 Zoning Board of Adjustment](#)

Action Taken: Accepted

Discussion

4. **Petitions and Communications**

Action Taken: Received and filed

Public Hearing

5. **1153 16th Ave SE, Ward 1**

City Staff: [Sara Roman](#), PLAN15840

The Zoning Board of Adjustment adopted staff findings for the application by Candace Newgard, on behalf of Andy Weitnauer of Wits Office LLC:

A. Variance

Action: The Zoning Board of Adjustment **approved** the variance to permit a pole sign in an industrial district, subject to the following conditions:

1. Approval of the final site, elevation and sign plans by the Department of Community Planning and Economic Development;
2. All site improvements shall be completed by March 2nd, 2025 unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

[1153 16th Ave SE Staff Report](#)

Approved on consent.

6. **223 40th St E, Ward 8**

City Staff: [Alex Kohlhaas](#), PLAN15683

A. Variance.

Action: The Zoning Board of Adjustment **denied** the variance to reduce the minimum required reverse corner front yard from twenty feet to zero feet for a retaining wall not retaining natural grade.

Yea: Callahan, Ingraham, Johannessen, Saufley

Nay: Grans Korsh, Hutchens, Smrikarova

Absent: Wang

B. Variance.

Action: The Zoning Board of Adjustment **denied** the variance to reduce the minimum required reverse corner front yard from twenty feet to 1.3 feet for a ground-level patio.

Yea: Callahan, Ingraham, Johannessen, Saufley

Nay: Grans Korsh, Hutchens, Smrikarova

Absent: Wang

C. Variance.

Action: The Zoning Board of Adjustment **denied** the variance to increase the maximum height of an opaque fence from three feet to six feet in a required reverse corner front yard.

Yea: Callahan, Grans Korsh, Ingraham, Johannessen, Saufley, Smrikarova

Nay: Hutchens

Absent: Wang

D. Variance.

Action: Notwithstanding staff recommendation, the Zoning Board of Adjustment **approved** the variance to increase the maximum impervious surface coverage from 60% to 62.9%, based on the following findings:

Finding 1: Practical difficulties exist in complying with the ordinance due to the size of the subject property and existing encroachments of improvements for the neighboring properties.

Finding 2: The proposed use is reasonable and in keeping with the spirit and intent of the ordinance by facilitating accessible use of this portion of the property.

Finding 3: Following staff analysis.

Yea: Callahan, Grans Korsh, Hutchens, Ingraham, Johannessen, Smrikarova

Nay: Saufley

Absent: Wang

[223 40th St E Staff Report](#)

[223 40th St E Staff Presentation](#)

7. **4200 Wentworth Ave, Ward 8**
City Planner: [Andrew Liska](#)

The Zoning Board of Adjustment adopted staff findings for the application Jacob Englund:

A. Variance

Action: The Zoning Board of Adjustment **approved** the variance to reduce the front yard setback from 39 feet to 31.4 feet, subject to the following conditions:

1. Approval of the final plans by the Department of Community Planning and Economic Development.
2. All site improvements shall be completed by March 2, 2025, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

[4200 Wentworth Ave Staff Report](#)

Approved on consent.

Announcements

8. **Updates**

Action Taken: Received and filed

Addendum

9. **2022 Annual Report**

The draft 2022 Annual Report was provided to the Board for review and comment. Approval of the report is slated for the March 16, 2023 meeting.

[Draft 2022 BOA Annual Report](#)

Adjournment

The meeting adjourned at 5:22 pm.