

The Board of Adjustment meeting was called to order by Chairman Muth at 5:30 PM

Roll Call: Present : Muth, Sissel, Grandon and Eilders

Absent: Robinison

Motion was made by Sissel to Approve the Agenda Second by Grandon All ayes

Minutes of the August 9<sup>th</sup> Meeting were not available. No action taken.

Chairman Muth read the appeal of Tim Stenberg. He requests permission to construct a two story five unit condominium at the southwest corner of 1<sup>st</sup> Avenue South and South 3<sup>rd</sup> St. Permission Denied as the Clear Lake City code of Ordinances 165.14, Medium Density Multi-family Residential Zone RM 20.4 Dimensional Requirements E.-1 front yard 25 feet. This is also a corner lot requiring 25 feet on both 1<sup>st</sup> Avenue South and South 3<sup>rd</sup> Street under Requirements and Exceptions. For established set backs Section 16539.\_B, side yard. This project would require five foot set back for the first story and additional three feet for the second story,eight feet in total from the west side along the alley. Proposed construction will not meet these requirements.

Chairman Muth asked for discussions.

Mr Stenberg stated that his project located in the downtown development district would require 15' setback on 1<sup>st</sup> Avenue South and 3.1' setback on South 3<sup>rd</sup> Street. He compared this request with other neighboring buildings including the Arts Center (2.6' from the property line) and the condo across the street (3.6' from the property line). He also advised that prior to tonight he had received no objections and had met personally or phoned the neighbors involved. He also remarked that his project would benefit the city in several ways and financially increase that property tax to 10 times its current rate.

Chairman Muth wondered about the 24' entrance to the garages. He felt that it would be a challenge to drive a car into the garage . Stenberg advised that they are looking into the problem.

Board member Eilders asked Stenberg if he would be looking for variances on all 4 sides . The answer was yes.

Board member Sissel asked if there would be a drainage problem. Stenberg advised that they are looking into that and will find out after the variances are granted.

Scott Ulve, owner of the Auto Hospital at 107 S 3<sup>rd</sup> St, had distributed a letter to the board with questions and concerns about the project but when questioned by the

**Chairman, he advised that most of his concerns and questions had been resolved in the previous discussions. He did, however, feel that the board had to be concerned with the variances on the south side.**

Melanie Betels, a neighbor who lives at 100-South Shore Drive had issued a letter to the Board asking that the meeting be tabled until after her lawyer could review the proposal. The letter was not received until after the members had gathered for the meeting so she addressed some of her concerns to Mr. Stenberg. She asked if there was a possibility that he could create underground parking for the project. Stenberg replied that it would require 3 stories and that would be too high for the City Ordinance . She was also concerned with air conditioners, snow removal and the location of meters at each unit. Stenberg replied that they are valid concerns and will be working with his architect to make sure neighbors are not displeased .

Shelley Hanson, 201 S. 3<sup>rd</sup> Street, sent a letter that was read to the Board by John Marino. She indicated that she is not in favor of the project as she had been given vague details, and a diagram that is in error. She also felt that she was not given sufficient time to consult with legal counsel

The Board acknowledged the letter but felt that this project may not affect her as her residence is well removed from the proposed property.

Realtor Dave Parks then spoke positively about this project stating the Larry Fredriksen had often said that he wanted a condominium built on his property after his passing, and that the Fredriksen family is very happy with the name Stenberg has chosen, Fredriksen on First.

Chairman Muth advised that the board could approve the project as written but it would have to be the 3.1' on S 3<sup>rd</sup> Street and 15' variances on 1<sup>st</sup> Avenue South. Board member Mike Grandon then moved to approve the variances as stated. Member Sissel 2<sup>nd</sup> the motion and all approved it.

No one opposed the motion.

The meeting was adjourned at 6:00 PM by Chairman Muth.