

Planning and Zoning Commission
Thursday, September 20, 2012
7:00 P.M.
City Council Chambers
Minutes

MEMBERS PRESENT:

John Schaber
Jerel Mockenhaupt
Wayne Getz
Bruce Dorman
Brent Kemple
John Schaber
Jeff Doberstein

STAFF PRESENT:

Nick Koverman, City Administrator

MEMBERS ABSENT:

Nancy Heim

OTHERS IN ATTENDANCE: Dale and Veronica Gathje, Julie Haas and Pat Burke

ESTABLISH QUORUM/CALL TO ORDER

Quorum was established and Nancy Heim called the meeting to order at 7:03 p.m.

APPROVAL of AGENDA

Motion to approve: Bruce Dorman

Seconded by: Brent Kemple

Motion declared carried

APPROVAL of MINUTES-September 6, 2012

Motion to approve: Wayne Getz

Seconded by: John Schaber

Motion declared carried

BUSINESS ITEMS:

4a. Public Hearing 4' Height Variance and Front Yard Variance Dale and Veronica Gathje. 220 Connection Street.

A motion was made to open the public hearing at 7:04 p.m.: Wayne Getz

Seconded by: Bruce Dorman

Motion declared carried.

Administrator Koverman provided a background of the request as it related to the front yard variance request and the request 4' height variance. He reviewed the 3 part variance test and his review of the tests outlined in his September 17 memo as well as the reasons outlined in a letter provided by the petitioner. Acting chairman Jerel Mockenhaupt asked for comments from the audience. Mr. Gathje felt Admin. Koverman had covered all of the issues adequately.

Members of the Commission discussed the look of the garage that was agricultural in nature and fit with the natural setting. Given the location of the proposed garage in order to maximize the agricultural land, the slope of the property to use for building space and all the items listed in the memo, the Commission felt that the front yard variance would be applicable to the situation whereby

the terrain and slope would hinder the location, thus creating the reasonable request for placement in the front yard. He reviewed the factors below:

First factor: *Is the use of the property or request reasonable? Given the description provided and discussion with the petitioner, both the height variance of four and a half feet (21.5' total) and a front yard location are reasonable. In a review, is the location of the garage reasonable given the terrain, setting, and maximizing the best possible use of the space. Yes.*

Second factor: *Is the problem unique to the property and not caused by the landowner. The location to maximize the benefit of the property while maintaining its agricultural use is hindered due to the physical characteristics of the property because of the sloping topography. It is not practical to locate the structure in the rear or side yard, especially given the location of the proposed driveway in conjunction with the structure. Given the amount of acreage for the property use, the height will not impede the location and will more likely add to the general character of the area and will not seem out of place.*

Third factor: *If granted, the variance will not alter the essential character of the locality. Given the rural look of the land and the expansive lot, the proposed structure will be in keeping with its surrounding and not be detrimental to any other property as there are no other properties located in the area. The variance from the front yard provision will in no way jeopardize the essential character as it will not infringe on any adjacent property owner's rights.*

Admin. Koverman reviewed the Findings of Fact with the Commission and asked if there were any others that the Commission would want as part of the record if the variances were recommended for approval. No additions were offered.

The Findings of Fact were read as the following:

Based on the discussion with the petitioner and representations made to the St. Charles Planning Commission as well as the letter dated September 10, 2012 the following facts are recommended:

- 1. The proposed location and height variance and use of the property is reasonable given those assignments made in the statements.*
- 2. The variance is required due to the unique circumstances to the property not caused by the landowner as outlined in the representations and letter dated September 10, 2012.*
- 3. The height variance nor the location will alter the essential character of the locality based on the discussions and letter submitted September 10, 2012.*

Mr. Mockenhaupt asked once, twice, three times for comment. Hearing none, he called for a motion to close the public hearing at 7:15 p.m.

Motion to close: **John Schaber**

Seconded by **Bruce Dorman**

Motion carried.

After concluding their discussion the Commission moved to approve the recommendation of Resolution #27-2012 (height variance), Resolution #28-2012 (frontyard variance) and the Findings of Fact related to the matter.

Motion to approve: **Bruce Dorman**
Seconded by: **Brent Kemple**
Motion declared carried.

Motion to adjourn at 7:16 p.m.: Bruce Dorman
Seconded by: Wayne Getz
Motion declared carried.