

Board of Adjustments

MINUTES

The Board of Adjustment met on Tuesday, September 29, 2020 at 12 PM in Council Chambers, City Hall.

Members Present:	Dan Williamson, Ken Kimerly, Julie Thompson, Dusty Tate & Tom Goddard (alternate)
Members Absent:	None
Mayor:	Absent
CAO:	Brian Bender
Council Member:	None
Staff:	Peter Elverum, Matt Bowdish & Cyndi Thompson
Consultants:	None
Guests:	Please see sign-in sheet

1. Call Meeting to Order – Pledge of Allegiance

Mr. Bender called the meeting to order at 12:04 PM and all present recited the Pledge of Allegiance.

2. Welcome new members and Officer appointments: (a) Chairperson & (b) Acting Chairperson

CAO Bender thanked the new member that are serving Dan Williamson, Dusty Tate & Tom Goddard (alternate) to the Board. He continued by saying the Board needs to appoint a new Chairperson and a new Vice Chairperson. Dan Williamson stated he would like to be the new Chairperson. Dusty Tate stated he would like to be the new Vice Chairperson.

- a. Member Thompson motioned to appoint Member Dan Williamson as Chairperson. Member Goddard seconded the motion. The Board approved the motion through a vote of five to zero.
- b. Member Thompson motioned to appoint Member Dusty Tate as Vice Chairperson. Member Kimerly seconded the motion. The Board approved the motion through a vote of five to zero.

3. Approval of Minutes

- a. August 20th

A motion to approve the minutes was moved by Member Thompson and seconded by Member Kimberly. The minutes were approved unanimously.

4. Old Business

a. None.

Appeal to a Board of Adjustment's Decision.

On August 20th, Clifford Kimerly of 622 Kentucky Street sought a variance to install a six-foot high fence in the required front yard. Section 11(1) of Chapter Four of the Zoning Ordinance only allows fence heights of four feet in any required front yard. The R-1 District specifies a front yard of 25 feet from the lot line inward.

With only having three members due to resignations of two members, the Board heard the request as advised by the City Attorney since that was the Board's complement at the time, and the City did not want to delay the project. Despite a vote of two to one in support of the request, the variance was not granted since Chapter 26, Section #3 of the Ordinance requires four affirmative votes to grant a variance or an appeal.

Now, with full complement of members, staff is re-presenting the request to have the Board render a decision consistent with the described Ordinance provision.

Chairperson Williamson motioned with Member Tate seconding to grant the requested variance. The Board approved the motion through a vote of four to zero with one recused.

4. Public Hearings

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6. Public Comment – *Members of the Audience may comment on any non-agenda item. State Statute limits the Board of Adjustment from discussing any introduced item. The Board limits each person to three minutes to ensure there is sufficient time for all comments. The Board respects all comments and will have staff follow up on any questions.*
None.

7. City Planner & Staff Comments

Mr. Bender provided the Board with updates on various projects and permitting history.

8. Announcement of the Next Meeting

- a. November 9th at 12 PM, if necessary. This date was moved from October 12th at 12 PM: Rescheduling occurred since the date October 12th is a federal holiday (Columbus Day).

9. Adjournment

Chairperson Williamson adjourned the meeting at 12:55 PM.

Prepared by: Cyndi Thompson, City Clerk

Dan Williamson, Chairperson

Date

Board of Adjustment

Members

Dan Williamson, Chairperson | Ken Kimerly | Julie Thompson | Dusty Tate | Tom Goddard (alternate)