

MINUTES FOR MINSTER ZONING BOARD OF APPEAL

7:00 PM

08/08/17

I. Zoning Board Present (P) or Absent (A):

Steve Bruns	P	Brad Garmann, Pres	P
Ned Sielschott	A	Linda Kitzmiller, Vice Pres	P
Jean Hinker	P	Jim Hearn	P
Don Harrod ZA	P		

Also Present:

Dennis Kitzmiller	Robb Otting
Ron Arling	Rich Larger
Marilyn Larger	Ed Gerbert
Joel Wuebker	Carol Huecker
Bob Huecker	Ian Schulze
Kim Schulze	

II. Public meeting called to order by President Garmann at 7:00 pm
Two items were discussed in the public meeting:

1) A variance request by Ron Arling a partner in the Arling RDT LLC, owners of the property located at 106, 106 1/2, and 108 North Main Street. The owners of the property are requesting a corner lot split in a commercial district for the purpose of erecting a principal building on a second lot. R. Arling explained that the lot is 220 feet deep and they would like to build a double or single unit condo on the back half of the lot. B. Garmann asked if the unit would have a two car garage and R. Arling stated that they would more than likely have a two or at least a one and one half car garage. B. Garmann stated that at a minimum each unit would need to have is two off street parking spots. B. Garmann asked if the shed on the back of the property would be removed. R. Arling stated that it would. J. Hinker inquired about whether there would be access off of the alley. R. Arling responded that there would not be. L. Kitzmiller asked about the distance between the existing apartment building and the proposed new building. R. Arling stated that it would be approximately 55 to 60 feet. L. Kitzmiller also stated that the front yard setback was 15 feet not 10 feet. R. Arling stated that he would need to reconfigure the drawing based upon that setback.

2) A conditional use permit request by Rich and Marilyn Larger owners of the property locate at 46 South Paris Street. The Larger’s represented by Robb Otting, their son-in-law would like to add on to an existing accessory building and make it into a single family dwelling. The proposed remodeled structure would be the second single family dwelling on the lot. The Zoning Code call for one principal structure per lot. R. Otting explained that they would like to add onto an existing garage and turn it into a small apartment where the Largers would live while Mr. Otting would live in the current residence. R. Otting explained that the new apartment would never be considered as a rental, its sole purpose was to allow the Largers the opportunity to live on the property. B. Garmann stated that if the Ottings sell the property in the future, who is going to make sure the new owner wouldn’t rent the apartment out. I. Schulze, a neighboring property owner, asked if the property could be split. D. Harrod stated that it could not be split. J. Wuebker, a neighboring property owner, stated that his biggest concern was the unknown and what would happen if the property sold in the future and how would the value of his house be affected. B. Garmann stated that the board has had other requests and the board is very concerned about setting a future precedent. K. Schulze, a neighbor stated that she felt allowing the request would have a negative impact on property values.

3) President Garmann called the regular meeting to order at 7:17 pm.

III. The minutes from the June July 11, 2017 meeting were read. D. Harrod explained that there was one change and that was who called the meeting to order. S. Bruns motioned to approve the minutes and J. Hinker seconded the motion. All members voted in favor of the motion to approve the minutes.

IV. New Business:

- 1) A variance request by Arling RDT LLC owners of the property located at 106, 106 ½, and 108 North Main. The owners would like to split a corner lot in a commercial district for the purposes of adding a residential structure to the back half of the lot. A variance to allow the lot split in a commercial zone would be needed. B. Garmann stated that lot splits of these kind have occurred in the past. J. Hinker inquired about whether residential or commercial setbacks would apply. B. Garmann stated that the questions is only dealing with allowing the lot split. Being no further discussion, J. Hinker motioned to approve the variance. S. Bruns seconded the motion. Three members voted in favor and one was opposed.
- 2) A conditional use permit request by Rich and Marilyn Larger owner of the property located at 46 South Paris Street. The owner would like to add onto an existing accessory building and make it into a single family dwelling. The proposed remodeled structure would be the second single family dwelling on the lot. B. Garmann stated that the board has had similar request in the past and have given the issue much debate. L. Kitzmiller stated that she did not want to break the precedent that has already been set and was against the request. B. Garmann stated that the request creates potential problems in the future when the property changes hands. He stated that expansion to the existing residential structure might be a solution and that a two family dwelling was permitted in a residential district. B. Garmann stated that the precedent could create problems in the future with those that have the 220 foot deep lots and have alley access. He explained that there are other solutions that may be more viable. Being no further discussion, S. Bruns made a motion to deny the request and the motion was seconded by J. Hinker. All members voted in favor of the motion.

V. Old Business

- 1) It was stated that a car of some sort was moved into the driveway of a house on Sixth Street and that it was covered with a tarp. Harrod stated that he would look into the situation.

VII. Comments:

- 1) L. Kitzmiller brought up the possibility of changing the zoning district for the properties on Main Street from Commercial to Residential. She thought that many of the property owners do not know that they are zoned commercial. D. Harrod explained that the Village of New Bremen just switched their district to allow mixed development consisting of commercial and residential on their Main Street. It was suggested that the topic is better suited for the planning commission as they would make a recommendation to council on the possibility of a zoning change.

VIII. Adjournment

- 1) L. Kitzmiller moved and S. Bruns seconded a motion to adjourn at 7:38 pm. Motion passed.