

**PUBLIC HEARING ON A VARIANCE FOR BUILDING BEING CLOSER
TO LOT LINE THAN PLATO ZONING ORDINANCE ALLOWS**

DECEMBER 9, 2013

First Variance Heard:

PROPERTY OWNER: Cody Hess

ADDRESS: 9 1st St NE, Block -001, Lot 3 and Lot 4

ATTENDEES: Lloyd Graupmann (PPC and Board of Adjustments), Bob Pflipsen (City Council representative on Board of Adjustments), Howard Schuette (Citizen Representative on Board of Adjustments), Cody Hess, Kandi Hess, Tom Pinske, Mark Wilkens, Lois Wilkens (PPC), John Schauer, Gary Koll.

Chairperson Lloyd Graupmann called the meeting to order at 6:00 PM in the Plato Hall. Lloyd read the letter of request to indicate the reason for the meeting was that Cody and Kandi Hess planned on replacing a garage with a new 24 foot x 32 foot garage on the east side of Lot 4. The Zoning Ordinance for R-1 District requires 5 feet as the side yard for an accessory building. On November 4, 2013 the Plato Planning Commission approved a side yard of 39 inches from the east surveyed property line to the garage wall and a 6 inch overhang on the roof. On November 23, 2013 Cody Hess, Tom Sudheimer (Apartment Building owner), Dean Vacek and Lloyd Graupmann met to address questions from Tom Sudheimer who will not be at the December 9th meeting. It was agreed and signed by all parties that the side yard will be 45 inches from the east surveyed property line to the garage wall and a 12 inch overhang will be used on the roof. The Planning Commission also allowed a 15 foot 6 inch front yard setback of that new garage as measured from the north surveyed property line.

Chairperson Graupmann asked for any questions or comments. There were none. He then asked for a motion from the Board of Adjustments to accept the requested variance of 45 inches on the east side yard and 15 feet 6 inches on the north front yard. Member Bob Pflipsen made the motion to accept which was seconded by member Howard Schuette. All were in favor and motion was passed unanimously. Cody Hess & Kandi Hess were asked to meet with the City Council at 7 PM on December 9, 2013 to answer any questions the City Council may have prior to acting on the Planning Commission and Board of Adjustments recommendation for the variance.

Continued next page

Second Variance Heard:

PROPERTY OWNER: The Pinske Edge

ADDRESS: Parcel #18.014.1750, only between the extension of 2nd Ave NE and 3rd Ave NE

Lloyd read the letter of request to indicate the reason for the meeting was that The Pinske Edge Company has future plans of expansion and needed a variance decision in order to make this parcel of land useable as a Manufacturing M-1 Zoning District. Land is zoned as M-1 Manufacturing and the Bulk Requirements for yards found in section 55 of the Zoning Ordinance states a 50 (fifty) foot front yard is required. Tom explained that the lot itself is only 50 (fifty) feet deep plus it has railroad property between it and the railroad tracks, thus it would not allow any building to ever be built on that land if the ordinance was strictly followed. He also stated that all of the current buildings between Main Street and the railroad tracks have a front yard with Main Street that is significantly less than the ordinance suggests, as these were built prior to the Zoning Ordinance adoption. The Plato Planning Commission discussed the importance of keeping all future buildings at the same setback as the current buildings and noted that Section 30.13 Front Yard Exceptions also applied in this situation as a remedy to utilize perfectly buildable land for a manufacturing purpose. An issue is that a water drain is present in that parcel and proper planning with the City Engineer will need to take place to determine how to handle the rainwater without overloading the storm drain system before a building is added to that parcel.

Chairman Graupmann asked for any discussion or comments. John Schauer stated that runoff water is a problem for him as he always had his basement flood with heavy rains, so he wants the water issue to be resolved before a building gets placed. , A motion by Bob Pflipsen with a second by Howard Schuette that any future buildings placed on this parcel of land (#18.014.1750) between 2nd Ave NE and 3rd Ave NE must have the same setback as the Pinske Edge main office and manufacturing building on the south side of Main Street. But in no case will any new building be placed farther north than the northern property line of that parcel. It passed unanimously. Tom Pinske was asked to meet with the City Council at 7 PM on December 9, 2013 to answer any questions the City Council may have prior to acting on the Planning Commission and Board of Adjustments recommendation for the variance.

The building plans and recommendations on the water drainage will be brought before the PPC before the final building permit is issued. Ag Specialists called the chairman before the meeting and stated the only way this would work is if the pipe diameter got larger. They do not want any additional water flowing in their direction.

Meeting was adjourned at 6:28 PM on a motion by Bob Pflipsen and seconded by Howard Schuette with all indicating approval to adjourn. Motion carried.

Lloyd Graupmann
Chairperson of Board of Adjustments