

1780 Goodrich

Hearing minutes from 10-07-19

(File #19-081671) The applicant is proposing to construct a two-story, three-car detached garage in the rear yard of an existing single-family dwelling. The following variances are being requested. 1) Accessory buildings must not cover more than 35% of the rear yard (3,021 square feet), or 1,000 square feet, whichever is less. There is an existing 120 square foot shed that would remain and the proposed accessory building footprint would be 1,120 square feet for a total of 1,240 square feet, for a variance request of 240 square feet. 2) Accessory structures with gable style roofs have a maximum building height of 15'. The applicant is proposing a building height of 16'-4", for a variance request of 1'-4".

Mr. Diatta, presented slides of the site and reviewed the staff report with the recommendation for denial based on finding 3, 4, and 6.

The applicant was present and spoke.

Mr. Saylor (chair): (read staff report purpose): The applicant is proposing to construct a detached three car garage in the rear yard of an existing single-family dwelling. The following variances are being requested. 1. Accessory buildings must not cover more than 35% of the rear yard or 1,000 square feet whichever comes first. There is an existing 120 square foot shed that would remain. And The proposed accessory building foot print would be 1,120 square feet or 1,240 square feet total therefore variance request of 240 square feet. 2. Accessory structures of gable style roofs have a maximum building height of 15 feet. The applicant proposing a building height of 16 feet 4 inches. For a variance request of 1 foot and 4 inches.

Mr. Diatta: This is a 61 foot-wide by 225 feet deep lot with alley access to detached garage in rear yard. This is the building we are talking about (photos). This lot is very large; it's not your typical city lot. City lots are usually about 120 by 40. This is a deep lot and very wide. The applicant wants to build an accessory building. Unfortunately, the city code limits the height and limits the lot coverage. Now with the shed being present, and the garage proposal, they are going over the allowable (lot coverage) by 240 (square feet) so that's what the variance is.

Now correct me if I'm wrong (speaking to the applicant) I did not take the pictures, so I don't quite understand the orientation here, but I believe this alley would be the access point to get to the garage in the rear of the property.

The proposal is certainly within the intent of the code to provide parking in order to alleviate congestion to the public street, it's also in keeping with the comprehensive plan in terms of investing in your property, so the challenge is really on findings 3, 4 and 6. And yes, it's a big lot but if you look at garage proposal is 40 feet wide 120 square feet in size and the house is 32.8 feet wide and 1,300 square feet in size. So, if you look at the (difference) between the house and the garage, it's kind of neck and neck there. So typically, the limit on the garage foot print and height will not over power the house, so to speak, and that's not what's going on here. And again, the practical difficulty here is more like 'I have the land; I want to build something proportional' not that I have a challenge with maybe the lot being narrow or the lot having a weird shape or have slopes or anything like that. So, in that sense staff has determined that the variance does not meet finding 3, nor does it meet finding 4 where it talks about unique circumstances that support what they are requesting, and on finding 6 this is based on observation from staff that went out to take pictures and based on their observations they are stating there is no garage with similar size foot print to the proposed garage on this lot. Although there is a garage with similar height that's located on the lot behind this property. And based on that, staff has come to the conclusion that it would handicap the immediate area. District Council, which is the neighborhood's opportunity to provide a conversation forum for people to come and speak up on land usage, they did meet and provide a letter of support. Staff also received a letter in support from neighbors located at 132 Wheeler St S. So, based on findings 3, 4, and 6 staff recommended denial of the variance request.

Mr. Saylor: Thank you Mr. Diatta. Any questions for Mr. Diatta?

Ms. Trout -Oertel: The foot print of the building is 1,300 square feet. But I would like to point out that the variance being requested is not 240 square feet but rather 120 square feet because the options here are 35% of rear yard which is 3,021 square feet.

Mr. Diatta: Correct. The code reads that the garage (accessory building) cannot occupy more than 35% of the rear yard which they do not exceed.

Ms. Trout-Oertel: Right, they are far from taking up that amount.

Mr. Diatta: That's correct.

Ms. Trout-Oertel: So then how do we get a variance request of 240 square feet. The thing they don't meet is the garage is over 1,000 feet.

Mr. Diatta: Right, the garage and include the shed, it's an accessory building.

Ms. Trout-Oertel: But the coverage of the lot is not the issue here. The issue is the garage is over 1,000 square feet and it is 120 square feet over the 1,000 square feet.

Mr. Diatta: Accessory buildings, not the garage alone, accessory buildings, right now, that's the garage and the shed.

Ms. Trout-Oertel: I understand that.

Mr. Diatta: Right, but the garage itself, if you discount the shed, you are correct. But you cannot discount the shed because it's an accessory building. The code says the accessory buildings cannot cover more than 35% of the back yard.

Ms. Trout-Oertel: Will somebody help me out here... the problem is not that the accessory buildings exceed 35% of the back yard.

Mr. Diatta: I get it...the 1,000 square feet you are talking about, that is correct.

Ms. Trout-Oertel: The issue is that it's over 1,000 square feet and it's 120 square feet over 1,000 square feet.

Mr. Diatta: No, that would be 240 square feet.

Mr. Morales: It's the first thing that you said, but then it's also all of the buildings together are 240 (square feet) more than 1,000 (square feet allowable). It's both of those things.

Ms. Trout-Oertel: I understand that.

Mr. Morales: So, look on page 62 it says accessory dwellings must not cover more than 35% or 1,000 square feet (*now we are not working with that*) so together the shed and the garage will be more than 1,000 square feet.

Ms. Trout-Oertel: Right, but it doesn't matter because they are way under the 35%.

Mr. Morales: Nope. It's a "no". It's 35% or 1,000 square feet, whichever is less.

Ms. Trout-Oertel: I understand that. But I will have to go back to that the problem is not the lot coverage. The problem is that the garage is larger than 1,000 square feet and it's larger by 120 square feet.

Mr. Morales: The garage and the shed because they take them together even though they are separate buildings.

Ms. Trout-Oertel: I understand that.

Mr. Morales: Together they make up 1,240 square feet.

Ms. Trout-Oertel: Does nobody else see this?

Mr. Saylor – No.

Ms. Trout-Oertel: I don't know what to say.

Mr. Clarksen: If they tore down the shed you would be right.

Ms. Trout-Oertel: No, they don't have to tear down the shed. Because the shed and the garage are way under the requirements for 35% of the backyard.

Mr. Clarksen- No, it's "and/or".

Ms. Trout-Oertel: So, the problem is the garage alone; that's what we are down to.

Mr. Saylor: No. It's 35% of the lot or a 1,000 square feet, whichever is less. If you have a giant lot you cannot build a 5,000-square foot garage.

Ms. Trout -Oertel: I know...but it's the word "or" that I'm trying to point out here.

Mr. Morales: I think I know what you are saying. Are you saying that you are referring to the difference so because it is less than 35% of the lot?

Ms. Trout-Oertel: Right.

Mr. Morales: Your making an inverse argument based on the way that it reads?

Ms. Trout-Oertel: Yeah.

Mr. Morales: Um so your saying it's not 35%, so that's what we should be focus on instead of the 1,000 feet.

Ms. Trout-Oertel: Right. That's irrelevant because the shed and garage are under the 35%.

Mr. Morales: But it says whichever is less.

Ms. Trout-Oertel: Whichever is less, which is 1,000 feet which is the garage.

Mr. Morales: So, we focus on the 1,000 feet.

Ms. Trout-Oertel: Yes, we have to focus on the 1,000 feet.

Mr. Morales: So, then the 1,000 square feet is also based on the shed.

Ms. Trout-Oertel: No.

Mr. Saylor: It is. Actually, it's 'accessory structures'; so, it's like a 1,000 square foot bucket so you dump everything into it that it fits. So, it's both these things.

Mr. Morales: I think I hear you in the way that you are interpreting the 35% or 1,000 square feet; I hear you on that.

Ms. Trout-Oertel: Yes. Okay.

Mr. Morales: Whichever is less. If you have a massive lot the way that it is here. It's always going to be the 1,000 (square feet), not the 35% that we get guided by.

Ms Trout-Oertel: Right.

Mr. Morales: We are guided by 1,000 square feet of accessory buildings which includes the garage and the shed.

Ms. Trout-Oertel: But what are they over on? They are not over on the 35% lot coverage they are over on the size of that garage.

Mr. Clarksen: They are over on the collective size of their accessory buildings.

Ms. Trout-Oertel: No, they are not.

Mr. Saylor: Yes, they are.

Ms. Trout-Oertel: No, they are not. They are under the 35% of the rear yard.

Mr. Saylor: You are combining the two. You are combining two things. You can have one or the other. Apples or Oranges. You want the apple, go with the apple; you want the orange, go with the orange... Apple is a 1,000 square foot of accessory structure; you can't have orange juice there too.

Ms. Trout-Oertel: I'm about to give this up.

Mr. Saylor: Yeah, you need to.

Ms. Trout-Oertel: I will tell you.

Mr. Saylor: Do we have additional questions or discussion? Thank you. Is our applicant here today?

Mr. Bustos (Applicant): Yes.

Mr. Saylor: Okay it's your turn. Please come up and sit up front, have a seat and give us your name and address please once you are seated.

Mr. Bustos: Dan Bustos- 1780 Goodrich Ave.

Mr. Saylor: Thanks Mr. Bustos, what would you like to add to the presentation Mr. Diatta provided for us here today?

Mr. Bustos: I would like to add that prior to this property we had another property which I built a garage which was about within the confines of the 1,000 square feet. I was unable to have enough space/room for me and my kids to create what we wanted to create. I'm also a woodworker and it's very important that this woodworking, sand and wood, stay contained. What I'm asking for is approximately four (4) feet wide and 1 foot high. It would allow me to have me to have the third stall to contain all of my wood, all my wood shaving, all the sand that's produced; it will keep it away from the upstairs which is where all my very sensitive equipment is. A lot of the things my son does is very sensitive too. The machines, the materials, that I use, they need to be separate from each other so me and my family can create what we want to create.

Ms. Trout-Oertel: I think you spoke well for the use. Thank You.

Mr. Saylor: Mr. Bustos, can you provide, for someone who hasn't done woodwork since middle school, and provide a little more detail of what exactly you are talking about.

Mr. Bustos: The things that I want to do, most of the things that I want to do, are add to the house. It's an old house and there are things that need to be done. There is finished work, the things I want to add are customize things, closets and things like that, and so I'll need space to create these things.

Mr. Saylor: Are these machine tools; that you already own?

Mr. Bustos: I already own the tools. I have a basement right now; unfortunately, there is a big asbestos pole in the basement and it doesn't allow me to do anything that I like to do. It's very, very limiting. And so, all these tools that I've collected over the years, I'm a multimedia artist and I do like numerous things and I have numerous tools and materials. I can't really use them at this time. With this variance I will be able to use them. So, with the woodworking, I do airbrushing and hand painting everything is safe for the environment. There's not going to be any problem there. Standard woodworking tools, sanders, saws things like that. I would like a dust collecting system that would take up a little space as well.

Mr. Saylor: Thanks for the details.

Mr. Clarksen: I'm going to do something I don't normally do here; which is attempt at least for the moment, perhaps advocate for this garage with your help. So, I can come up with a rationality for findings 4 and 5. I'm sorry, I have my packet out of line.

Mr. Saylor: There are six (6) findings we work from. We have to satisfy them and if staff findings are an opposition we need to find ways to create language which help enables us to argue against that. That's what he's talking about.

Mr. Clarksen: I can come up an alternative finding for item 4 and I think I can come up with an alternative finding for item 6. I'm just going to use the item from the code here. What might be a practical difficulty that does not allow you to do what you are trying to do and I'll encourage you to try not to reiterate things you wrote in your report but come up with something that is new. What are the practical difficulties that you would not be able to use the tools you have not yet assembled in a building that's a 1,000 square feet or meeting the height requirements of the code? What's different about what you do that is unique to your property and the way you use your lot?

Mr. Bustos: 1. It would have to be, as I was speaking before, they all have to be separate they cannot be anywhere near. If I don't have that the third-stall will be cutoff/walled off. If any of that dust; that dust just gets everywhere. It needs to be separate. It has to be separate from everything else or I can't woodwork. I

won't be able woodwork, or I won't be able to do any of the other things. I have to make these things separate so if I only have a half of stall to work with that can't happen I can't do it. I can't do woodworking in the basement and I can't do the things I need to do in that basement even for the artistic side. So I'm limited as to what I can do size wise. If I do the woodworking, I don't know if my kids can do the things he creates or the kids I invite over; I have hockey teams that come over and we create team t-shirts together and stuff like that. So, all of that kind of goes away so that's the biggest one I have.

Mr. Miller: So it's not about an economic consideration, it's about the space.

Mr. Bustos: It's about space and what I do with that space. I can tell you I did look into an alternative going to have studio space and studio space would require me to have two studios and if I did that it would be just no point of that, I can't afford having two studios. That's like two rents that would be like \$3,000 a month, plus studio space is limited in size and areas to where I am. When you want to create something quick you don't want to have to drive 15 minutes. We purposely bought this lot for that reason, I did not know there was so many hoops to jump through but I'm learning the process and that's the way that it is. I like to go in my back and create things any time I want. I hope that answers you question.

Mr. Miller: It gives me information. Thank you.

Mr. Saylor: Additional questions for our applicant?

Mr. Morales: So, I was all with you with the practical difficulties. I kind of got that and I also think there are probably ways of knowing that garage in the back and the size of the lot in terms of the scale of the building for the area it's going to be in. The one I'm having trouble with there is something wrong with the property itself that is preventing you from building this a little smaller. The fourth criteria is the plight of the homeowner is due to circumstances that is unique to the property. So, what is unique about this land that requires you to have this much space.

Mr. Bustos: You mean the entire land that I have? Or are you talking about the structure?

Mr. Morales: The only reason why this is a problem because it's the city of St Paul. So, we are talking about the actual area that it is in. What about the land or property in general makes it that you need more space to do this? Cause it sounds more like it's... so I'm leaving the door open so you will be able to answer that. Or the part you just provided a personal preference. But not necessary nothing about the structure of your home or it's on a hill or something like that; that requires you to go that big.

Mr. Bustos: I don't know if I'm going to answer this right. Like, let me tell you this in order to fit what I wanted to do; we took the attic and re-did it?

Mr. Morales: Yeah let's go off of that. So, is there something with your property? You mentioned the basement and the current condition that it is in; is there something about the roof height or something that has to do with the basement itself that would prevent you from using your basement?

Mr. Bustos: The basement...the biggest problem is the basement has a giant pipe that goes all the way length of the basement and it's wrapped in asbestos and you have to duck. Say for instance an art easel I can't physically put one in because I can't, there is just no way to do it. So, I'm limited to just about everything in my basement. I have cut down anything I can do to about an 8th, all my tools are jammed in a corner. I did try to do something in the attic. We redid the attic. We cleaned and spent a lot of money and there were more problems (you don't want to hear that) and what happened, the attic which I didn't realize until you are done, there is only so far you can walk and it's slanted so you would hit your head. So, what looks like a large space it turns into this much space and that was limited as well. If I distributed everything I still can't get what I need; I still can't fulfill the woodworking and sculpturing and everything doesn't fit in the house. So, everything must be there, there is really not much I can put in the basement to relieve it and there is nothing I can do in the attic really, it's just to distributed it just wouldn't work. If I wanted to bring in a 4x8 sheet of something there is no way I could bring it into the house. If I (brought in a) 4x4 sheet of plexiglass and created something on that there, it's a struggle to get in the basement and it's a struggle to get up to the attic. The materials are limited also as to what I can do as well. I hope that answered your question.

Mr. Morales: Perfectly.

Mr. Bustos: I feel like you gave me an open window and I missed it there. I'm sorry.

Mr. Saylor: Follow-up questions?

Mr. Clarksen: I just came from that kind of conversation so I feel your pain. Two follow up questions. I want a really good concrete example of what is a finished product you have done. Give me an example of something recently that you made with a 4x8 sheet of plywood that tells me that you are going to be doing that all the time and you needed to be going down in your basement and you can't.

Mr. Bustos: The thing that I really enjoy is working with large scale paintings I can't really do that. Can you imagine going through a door? It's pretty tough to do. But one thing that I have done not too long ago... I have created a vending machine so there are electronics, there is a face, there a whole.... looking like it is real, it looks commercial. So, there are a lot of materials that go into it. I have to bring in a piece of plywood and cut that down and I have to weld a structure.

Mr. Clarksen: My final thought was what is the clearance in your basement from floor to ceiling? Can you create a legal bedroom down there for instance?

Mr. Bustos: I don't think so.

Mr. Clarksen: You are about 6'1"?

Mr. Bustos: No, I'm 5'10" and I have to duck.

Mr. Clarksen: It's been awhile since you sat down.

Mr. Bustos: Going down the stairs I have to duct. It's just an old house; it's from 1800 something. And that pipe with the asbestos on it; it's the same thing, I have to duck. I looked into trying to remove it and it was like just leave it don't touch it. If you start ruffling stuff, it will be trouble, so we are kind of stuck with it down there. I can't do anything about it.

Mr. Morales: I'm going to move to change the staff findings.

Mr. Saylor: You can, but we have to close out the hearing first.

Mr. Morales: Oh, I'm sorry.

Mr. Saylor: That's okay. Any other questions for our applicant?

Maxine (staff secretary): Did he sign-in?

Mr. Saylor: Did you sign in the red book?

Mr. Bustos: Yes.

Mr. Saylor: Maxine – she will check everything if you didn't she will be after you. Thank you, if we have additional questions we may call you back. Anyone here to speak in favor of this variance request? You want to speak in favor of? Please step forward. Have a seat and please give us your name and address.

Julie Bustos: I'm also at 1780 Goodrich Avenue and it probably comes (as no surprise) to no one in the room that I also support this variance request. I just have a couple of things to say. I understand that ordinances are in place to create kind of a level playing field for the community. As you called out, our lot is much larger and I think when we were thinking about what this variance request would mean for the neighborhood and mean against the ordinances, we gathered that because of our bigger lot they might be more len(ient) in terms of creating a larger structure on this lot; also for all the things Dan (Mr. Bustos) mentioned. We think we could put that space to good use and would be in the character of the surrounding neighborhood and really is an investment in the neighborhood and hopefully bringing up the value for our property, but also for neighboring property as well. Because it's off-set far in the back off of our house, off of the street and on the alley which contains a lot of structures which are necessary super pleasant to look at it will also improve the alley esthetics. I'm happy to answer any questions or just state that opinion.

Mr. Saylor: Any questions? Thanks so much for adding that. Anyone here to speak in opposition to this variance request? Then I will close the public portion of the public hearing. And at this point Commissioner Rangel Morales you are on.

Mr. Morales: I would move to amend findings 3, 4, and 6 and make a recommendation to approve. I would move to amend that the applicant has established practical difficulties (let me rephrase that); That the property owner proposes to use the extra space in a reasonable manner that trying to use it as a woodshed or for the projects that he wants to use it for. There are practical difficulties that are noted with his home in trying to be able do that. At least what he has told us today sounds like reasonable things for someone with hobbies issues and things of that sort. With regards to finding number 6, the variance will not alter the essential character of the surrounding area. There is that garage in the back that is similar in height then what we are talking about is the additional 10 feet or 10x10; 120 square feet and I don't think that given the scope of the year and being so much bigger than the traditional St. Paul yards the magnitude of the (garage) is not going to be the size, is not going to be as intrusive as what otherwise would occur if it was a traditional lot. And then with regard to finding number 4, the plight of the land owners due to circumstances unique to the property. I would say that he talked about his improvements to the attic and basement for the purposes he was trying to accomplish. Rather he has exhausted all options, or not, I would say he has at least done a diligence inquiry to it. (To Mr. Saylor)- are you a lawyer by chance? So, given the age of the house and probably the way that the basement was built would prevent him in using it in the way he trying to.

Mr. Saylor: So, we have a proposal to approve; that is to go against the staff findings are with amendments to findings to 3,4, and 6, that's been proposed. Is there a Second on that motion? Seconded by Clarksen. It's been moved and seconded to approve the variance request for 1780 Goodrich Ave with the 3 amendments to 3, 4, and 6.

Mr. Diatta: Mr. Chair and members of the board. If you are moving to allow the variance that is great however keep in mind that this is a residential home there are rules that go with home occupation and also the manner in which you can use the garage. So, would think of maybe considering to put a condition that says the garage cannot be used as a home occupation or for commercial purposes? I think

that would also protect the property and along with properties in the immediate area.

Mr. Saylor: Can you repeat that language, Mr. Diatta?

Mr. Diatta: The zoning code does not allow home occupations in a garage or in an accessory building. So, what I'm getting at if you could consider putting a condition that says you cannot use the garage for commercial purposes or as a home occupation. Because as you all know, properties change hands. He has good intentions to use it as the way he described it, but (in the) end, the variance goes with the land and (if/when) he sells (it) to someone else and they will have the opportunity to run a commercial business or home occupation (out of the garage).

Mr. Morales: I'll add those suggestions by Mr. Diatta, to add a condition that the garage cannot be used for commercial purposes or for residential (home occupation) purposes. I'll add a caveat, unless it goes through the appropriate accessory dwelling unit provisions that the city does allow. That way, if the property ever changes hands, if the home owner ever tries to make it an ADU 3-dwelling unit then he doesn't have to come back here for the change.

Mr. Saylor: Is that sensible to you commissioner?

Mr. Miller: Well it is; but I was confused by the last thing you said that he doesn't have to come back here for a change. Did you misspeak?

Mr. Morales: No. Home owners (are) allowed to build a place of living above an accessory dwelling, but they would have to go through the appropriate procedure with the city to have it labeled as an accessory dwelling unit. And so, I don't want to just forbid them from doing that. I actual encourage that. So, in the future if they want to do that, they would go through the city process of it instead of having to come here. If we are out right banning any form of unit up there.

Mr. Miller: I think I hear you. I'm on board with what you are saying. I think I heard you say something that didn't sound like what you were saying. So, we are good.

Mr. Saylor: Okay. Clarification.

Ms. Swift: I don't understand the clarification about the accessory zoning unit.

Mr. Morales: The city has created a zoning section for individuals that want to build a unit on top of a garage or away from their home. There are special provisions for that. I think what Mr. Diatta wanted was; there is no living up there what so ever or in the garage.

Mr. Diatta: Not so much living, it's more like a home occupation. A home occupation would be like home based business, where you use the garage maybe as an office for like an accountant; that's a home occupation. You cannot do that in a garage; you can do that in your house. And you cannot use your garage for commercial purposes like to fabricate furniture and then sell it. That would be commercial purpose. That's what I'm talking about. But you turn the garage into living space with a building permit and registration and recording for the ADU. I get that. The business nature is what I am talking about.

Mr. Saylor: That's your concern, right (to Mr. Diatta)?

Mr. Miller: I'm kind of tripping over that now. He's in the business of making art. I presume he gets compensated for it when he's done.

Mr. Saylor: There is compensation for example for the raw materials possibility. The commercial purposes would be if he has a website or Instagram.

Mr. Miller: I don't want to put in a provision for a home occupation that doesn't allow him to do the art that we are sitting here talking about.

Mr. Warner: As Mr. Diatta has spoken, you'll have to press him further on this. But we don't allow home occupations in garages. That would be a use variance and they are illegal in the state.

Ms. Swift: I would (like) to add where we were making amendments to the findings we didn't talk about the use of the shed at all which is 120 square feet, or like, maybe it's not being like a two-story thing. I remember that where the equipment has to be separate. Or even just downsizing to a one or two car garage

vs. the three-car garage. I just wanted to put that out there to make any type of amendment to bring it down just a little like 100 square feet. I don't know what that looks like.

Mr. Clarksen: You may be looking at a condition that recommends the accessory building to bring the overall down.

Ms. Swift: I was going to vote no.

Mr. Saylor: That would be an option. We do have a motion and a second. With those conditions with the amendments that Commissioner Rangel made and Commissioner Clarksen approved. With no home occupation or commercial purposes. So that's what's on the table right now. That's what we shall vote on now. Again, if you say "yes" you are voting the approval of this variance request per the terms of Commissioner Luis Rangel Morales and Commissioner Clarksen have made and seconded. Okay, Maxine, roll call.

Maxine: Clarksen, Yes; Trout-Oertel, Yes; Luis Rangel Morales, Yes; Miller, Yes; Swift, No; and Saylor, Yes.

Mr. Saylor: Thank you. Your variance request has been approved and again Mr. Diatta, can go over very specifically the amendments with you, to make sure we keep on track for you. Okay thank you very much for your time today and good luck with your project.

DISTRICT COUNCIL RECOMMENDATION: District 14 - Macalester-Groveland Community Council provided a letter recommending approval of the variance.

CORRESPONDENCE: Staff received a letter recommending approval from the neighbor located at 132-Wheeler Street South.

STAFF RECOMMENDATION: Based on findings 3, 4, and 6, staff recommends denial of the variance request.

Board member Luis Rangel Morales, motioned for approval with 3, 4 and 6 be amended with conditions to findings 3, 4, and 6 with approving the conditions

that the garage is not to be used as a home occupation or for commercial purposes. Moved By: Morales; Second By: Clarksen Approval 5-1

The Appeal: An appeal of a decision by the Board of Zoning Appeals granting variances of the height and lot coverage requirement for a new, three-car detached garage. 1) A 15' maximum height is permitted; a height of 16'-4" was approved. 2) Accessory buildings cannot occupy more than 35% of the lot or 1,000 square feet, whichever is less; the proposed 1,120 square foot garage and the existing 120 square foot shed total 1,240 square feet.

