

Meeting Minutes
New Prague Planning Commission
Wednesday, February 25, 2015

1. Call Meeting to Order

The meeting was called to order at 6:30 p.m. by Planning Commission Chair Bob Gilman with the following members present: Jay Nuhring and Mark Bartusek. Absent were John Roos and Dan Meyer.

City Staff Present: Ken Ondich – Planning Director

2. Approval of January 28, 2015 Regular Meeting Minutes

It was moved by Bartusek seconded by Nuhring, to approve the January 28, 2015 regular meeting minutes as submitted. Motion carried (3-0).

3. Old Business

A. None.

4. New Business

A. Request for Variance #V1-2015 – Front Setback for Attached Garage at 400 Lincoln Ave. N.

Paul Tupy – applicant

Planning Director Ondich stated that 400 Lincoln Ave. N. is located on a corner lot and was constructed in 1955 which predates any zoning ordinance being adopted by the City. He stated that being a corner lot of only a 60' width, the 30' setback along 4th Street NE and the 7' side yard setback on the north side of the lot only leaves a 23' wide buildable area. He stated that the home currently has a single stall attached garage which will be replaced by the attached three stall garage. He stated that the existing garage and the proposed garage would be at the same distance to the front lot line along 4th Street NE at 19' to the lot line instead of the required 30'. He stated that the property is zoned RL-90 Single Family. He stated that the residential neighborhood is of an era that predates the adoption of a zoning ordinance and therefore many of the homes and lots do not meet certain zoning requirements such as setbacks that exist today. He stated that the house is located 17' from the front property line along 4th Street NE while the existing and proposed attached garage is at 19'. He stated that the four homes located to the west on 4th Street NE are all generally the same distance from 4th Street NE as the subject home and proposed attached garage. He stated that the home to the south is also as close to 4th Street NE as the proposed attached garage. He stated that the applicant did not provide a

specific statement of practical difficulty, however the purpose of the variance is to allow the removal of a substandard single stall garage with a more useable and modern three stall attached garage which will add functionality and value to the property as a whole. He stated that staff recommends approval of the variance request with the findings listed in the staff report.

A motion was made by Bartusek, seconded by Nuhring to recommend that the City Council approve Variance #V1-2015 from the required 30' front setback to 19' to allow for the construction of an attached garage to an existing home located at 400 Lincoln Ave. N. with the following findings:

- A. The requested variance to allow the construction of an attached garage to be located no closer to the front property line along 4th Street NE than the existing attached garage at 19' is in harmony with the general purposes and intent of this Ordinance because attached garages are a permitted use in the RL-90 Single Family Residential Zoning District.
- B. The requested variance is consistent with the comprehensive plan because the subject property including the home and attached garage are a permitted use in the RL-90 Single Family Zoning District and provides for more a modern and usable attached garage which will add value to the subject property.
- C. The applicant will continue to use the property in a reasonable manner as the only change will be a larger attached garage will be constructed no closer to the front property line along 4th Street NE than the existing attached garage at 19' instead of the ordinance required 30'.
- D. Unique circumstances apply to this property which do not generally apply to other properties in the vicinity because the lot was created and the home was built in 1955 which predates the existence of any zoning ordinances in the City and the narrow width of the lot is compounded by the fact that it is a corner lot which leaves only a 23' wide buildable area when applicable setbacks have been accounted for while noting that the existing home and attached garage do not meet current setback requirements.
- E. The variance does not alter the essential character of the neighborhood because the subject property and general neighborhood were developed prior to the adoption of a zoning ordinance and therefore many of the homes do not meet current setback requirements. Specifically the subject property and the four homes located to the west along 4th Street NE all are located generally the same distance from the public right of way of 4th Street NE.
- F. The variance requested is the minimum variance which would alleviate the practical difficulty because it would allow the new attached garage to be constructed in line with the same setback to 4th Street NE that the previous attached garage was constructed to and also allows all other aspects of the attached garage to meet the remaining applicable setback requirements.

Motion carried (3-0).

5. Miscellaneous

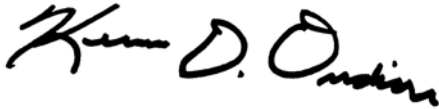
The following miscellaneous items were reviewed as information only:

- A. Monthly Business Update – Planning Director Ondich provided the Monthly Business update to the Planning Commission that had been provided to the EDA earlier in the month.
- B. Industrial Park Traffic Impact Study – Planning Director Ondich provided the recently completed New Prague Industrial Park Development Traffic Impact Study to the Planning Commission as information. He stated that the traffic study was partially paid for through a grant from the Scott County CDA to assist the City in potentially developing an expansion of the City's Industrial Park.

6. Adjournment

A motion was made by Bartusek, seconded by Nuhring to adjourn the meeting at 6:51PM. Motion carried (3-0).

Respectfully submitted,

A handwritten signature in black ink that reads "Kenneth D. Ondich". The signature is written in a cursive style with a large initial "K" and "O".

Kenneth D. Ondich
Planning Director