

**BOARD OF ADJUSTMENT
MINUTES**

Regular Meeting:

Tuesday:

April 28, 2015

The Regular Meeting of the Board of Adjustment of the City of Fargo, North Dakota, was held in the City Commission Room at City Hall at 9:00 o'clock a.m., Tuesday, April 28, 2015.

The Members present or absent were as follows:

Present: Dominic Fischer, Michael Love, Deb Wendel-Daub, Russell Ford-Dunker

Also present: Nicole Crutchfield, Jason Loos, and Chris Rose

Absent: Ken Lepper, Mark Lundberg

Acting Chair Wendel-Daub called the meeting to order.

She noted the applicant can reschedule as only 4 members present today. Applicant stated he would like the meeting to continue.

Item 1: Approval of Minutes: Regular Meeting of February 24, 2015

Member Love moved the minutes of the February 24, 2015 Board of Adjustment meeting be approved. Second by Member Fischer. All Members present voted aye and the motion was declared carried.

Item 2: Old Business

No old business was discussed.

Item 3: New Business

a) Variance Request – 1514 14½ Street South: Request for a variance of Section 20-0403 of the Land Development Code. The requested variance is to allow construction of an addition onto the top of an existing detached garage that would exceed the maximum allowable height for an accessory structure within the SR-2, Single-Dwelling Residential zoning district.

Before this item was presented, Acting Chair Wendel-Daub explained with 4 of the 5 Board Members present and the requirement of 4 affirmative votes for a motion to pass, the applicant has the option to reschedule. Applicant Troy Neilson stated he would like to continue.

Planner Aaron Nelson presented the staff report for the requested variance.

Applicant and property owner Troy Nielson spoke on behalf of the proposal.

Board discussion included revisiting the definition of height in the Land Development Code regarding different roof lines, the pitch level, what is required to meet code, possible differences in how the height is being calculated by the applicant versus staff; and when is a variance needed.

Member Love moved to approve the requested variance for a maximum building height of 16 foot, 8 inches on the accessory structure on the basis that the review criteria of Section 20-0914.E.1 have been met. Second by Member Fischer.

Acting Chair Deb Wendel-Daub moved to amend the motion to clarify if the 16 foot, 8 inches applies to the peak or to the mid-measurement of the trusses.

Member Love moved to amend the motion, and approve the variance for the accessory structure as proposed in the applicant's application. Second by Member Fischer. Upon call of the roll Members Love, Fischer, Wendel-Daub, and Ford-Dunker voted aye and the motion was declared carried.

Item 4: Other Business

No other business was discussed.

Item 5: Adjournment:

Member Fischer moved to adjourn the meeting at 9:27 a.m. Second by Member Love. All Members present voted aye and the motion was declared carried.