

**City of Milton
Zoning Board of Appeals
March 8, 2022**

Call To Order

Chairperson Schultz called the March 8, 2022 meeting of the Zoning Board of Appeals to order at 6:01 p.m.

Present: Carl Schultz, Mark Doolittle, Theron Dosch, Tom Kevern, and Maxine Striegl

Also Present: City Clerk Jenny Salvo, City Administrator Al Hulick and Public Works Director Mark Langer

Approval Of Agenda

M. Doolittle motioned to approve the agenda. M. Striegl seconded, and the motion carried unanimously.

Approval Of Minutes – February 3, 2022

M. Striegl motioned to approve the February 3, 2022 Zoning Board of Appeals minutes. M. Doolittle seconded, and the motion carried unanimously.

Public Hearing, Discussion and Possible Action To Consider a Request For A Variance to Allow A Driveway To Be Installed Onto a Nonresidential Collector at Lot 9 of the Journey Hills Subdivision

Applicant Jeffrey Leeson provided an overview of the agenda item.

Chairperson Schultz opened the public hearing at approximately 6:05 p.m.

Clerk Salvo reported staff has received no objections to the variance request.

Chairperson Schultz closed the public hearing at 6:08 p.m.

There were no public comments.

Chairperson Schultz reviewed the four standards that must be taken into consideration when granting or denying a variance, and the board discussed each standard.

- Unnecessary Hardship - A situation where, in the absence of a variance, an owner can make no feasible use of a property, or strict conformity is unnecessarily burdensome.
- Unique Property Limitation – A unique physical characteristic of the property, not the desires of or condition personal to the applicant, must prevent the applicant from developing in compliance with the zoning ordinance.
- Protection of the Public Interest –Granting of a variance must neither harm the public interest nor undermine the purposes of the ordinance. The board’s actions should be

consistent with the objectives stated in their local ordinance, which (in the case of a floodplains or shoreline ordinance) has been adopted to meet minimum state statutory requirements.

- Additional Court – Established Principles – Violations by or variances granted to neighboring owners do not justify a variance. Variances attach to the property as a permanent right. Once a variance is granted, it is permanently attached to the property. A new owner of the property may make use of a variance that was granted to the previous owner if all of the conditions that are attached to the variance are met.

M. Doolittle motioned to approve the variance request to allow a driveway to be installed onto a nonresidential collector at Lot 9 of the Journey Hills Subdivision. T. Kevern seconded, and the motion carried unanimously.

General Items

T. Kevern thanked the members for the opportunity to participate in the Zoning Board of Appeals and the education that has been received. He is planning a move out of the City of Milton and will not be continuing as a member of the Board.

Motion To Adjourn

T. Kevern motioned to adjourn the March 8, 2022 meeting of the Zoning Board of Appeals at 6:16 p.m. T. Dosch seconded, and the motion carried unanimously.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Jenny Salvo".

Jenny Salvo
City Clerk