

City of Milton
Zoning Board of Appeals
May 7, 2020

Call To Order

Chairperson James Polarski called the May 7, 2020 meeting of the Zoning Board of Appeals to order at 5:33 p.m.

Present: Chairperson James Polarski, Tom Kevern, Theron Dosch, Ken Holland, Carl Schultz, and Maxine Striegl.

Also Present: Becky Sexe, Steve Sexe, Public Works Director Howard Robinson, and Administrative Services Director Inga Cushman.

Approval Of Agenda

M. Striegl motioned to approve the agenda. K. Holland seconded, and the motion carried.

Approval Of Minutes - June 18, 2019

C. Schultz motioned to approve the minutes. T. Kevern seconded, and the motion carried.

Public Hearing And Discussion And Possible Action To Consider A Request Received From Steve And Becky Sexe For A Variance To Allow An Accessory Building Exceeding 200 Square Feet Per Section 78-1 And 78-342(2) Of The City Of Milton Code Of Ordinances

Chairperson Polarski summarized the agenda item.

Chairperson Polarski opened the public hearing at 5:35 p.m.

There were no public comments.

Chairperson Polarski closed the public hearing at 5:45 p.m.

Chairperson Polarski read the standards that must be taken into consideration when granting or denying a variance, and the board discussed the request.

- Unnecessary Hardship - which is 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. The board confirmed the absence of a variance 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 development in compliance with the zoning ordinance. Because of the green space, the request isn't objectionable.
- Protection of the Public Interest – in 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. There was no public opposition.

- 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. Striegl motioned to approve the variance for 232 N. John Paul Road to classify the 352 square foot structure as a utility building, contingent upon resizing the building to match the existing home and new garage. T. Dosch seconded, and the motion carried.

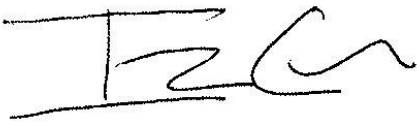
General Items

There were no general items.

Motion To Adjourn

T. Kevern motioned to adjourn the May 7, 2020 meeting of the Zoning Board of Appeals at 5:58 p.m. T. Dosch seconded, and the motion carried.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'IC' followed by a stylized flourish.

Inga Cushman
Administrative Services Director