

**City of Milton  
Zoning Board of Appeals  
January 21, 2021**

**Call To Order**

Administrative Services Director Inga Cushman called the January 21, 2021 meeting of the Zoning Board of Appeals to order at 5:31 p.m.

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

Also Present: Public Works Director Howard Robinson and Administrative Services Director Inga Cushman.

T. Dosch nominated C. Schultz to serve as the chair for the commission. M. Striegl seconded, and the motion carried unanimously.

C. Schultz requested a moment of silence in honor of former Zoning Board of Appeals chairperson Jim Polarski who passed away.

**Approval Of Agenda**

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

**Approval Of Minutes - August 31, 2020**

T. Kevern motioned to approve the minutes. T. Dosch seconded, and the motion carried unanimously.

**Public Hearing, Discussion, And Possible Action To Consider A Request From Robert Seales For A Variance To Allow The Side Yard Setback To Be Reduced To 5 Feet At 625 Saint Johns Avenue**

Chairperson Schultz opened the public hearing at approximately 5:34 p.m.

There was no public comment.

Director Robinson reported staff has received no comments on this variance.

Bob Seales, property owner, provided an overview of the agenda item.

Chairperson Schultz closed the public hearing at approximately 5:36 p.m.

The board asked B. Seales questions about the project.

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. Striegl motioned to approve the variance to allow the side yard setback to be reduced to 5 feet at 625 Saint Johns Avenue. T. Dosch seconded, and the motion carried with T. Kevern opposed.

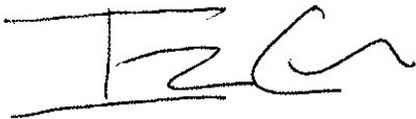
#### **General Items**

T. Kevern encouraged the City to work with the School District of Milton on signage for the high school. Director Robinson said sign permit applications were submitted the previous week, and they match current ordinances.

#### **Motion To Adjourn**

T. Dosch motioned to adjourn the January 21, 2021 meeting of the Zoning Board of Appeals at 6:06 p.m. T. Kevern seconded, and the motion carried unanimously.

Respectfully Submitted,



Inga Cushman  
Administrative Services Director/Interim City Clerk