

WAHPETON BOARD OF ADJUSTMENT
REGULAR SESSION
TUESDAY, AUGUST 17, 2021
5:00 PM WAHPETON CITY HALL

The Wahpeton Board of Adjustment met in regular session on Tuesday, August 7, 2021 at 5:00 p.m. in the Wahpeton City Hall. Present were Dick Gauck, Doug Westerman, Roger Mouw, Larry Den Herder and Bob Koerselman. Ted Kourousis and Cara Elbert from NWIP&D, and City Administrator Bonnie Tielbur were also present.

Den Herder moved and Westerman seconded to call the meeting to order with the adoption of the agenda changing Hauge variance request first and Vohs second, and adding a raingarden discussion under further business, all ayes – motion carried.

Mouw moved and Den Herder seconded to approve the minutes of July 20, 2021. All ayes – motion carried.

The board considered a variance request for Judy and Gene Hauge, 1002 Lighthouse Court, Milford IA 51351. Hauge's have proposed a new home construction plan and are requesting a setback variance to the front yard setbacks to 23.4' on the northeast side, 27.0' on the southeast side, along with 21.1' on the south side. 1002 lighthouse court (LOT 12) is on the end of the cul-de-sac. No correspondence was received. Jon Hjelm currently owns properties surrounding this lot. The board felt the plans fit well on the property. With the property being close to the trail, if Hauge's decide to put up a fence there is a permit process that will need to be considered. Westerman moved and Koerselman seconded per Chapter 165.17.5.6-7 of the Wahpeton Code of Ordinance, the board approves the variance request as presented. Roll call vote: Gauck --aye, Westerman – aye, Mouw – aye, Den Herder – aye, Koerselman - aye. All ayes – motion carried.

Next, the board considered a variance request for Sheree Vohs, 1507 Kansas Ave, Milford IA 51351. Vohs is requesting a variance for front yard setback to be .4' from the lot line, rear yard setback variance to be 11.3' on the southeast corner and in the rear yard 10.1' from the approximate ordinary high water mark (12-09-2020) of the residence. The proposed additions to the front yard of the home are 11.85' x 4.69' and a 24.80' x 4.70', along with a proposed concrete 15' 11 1/2" x 10' 8 1/4" patio on the northwest corner of the home. Proposed west side addition of 5.75' x 18.75' and proposed second floor addition of 53' 6 1/2" x 36'9". All which are non-conforming due to not meeting the Residential District setbacks: 165.04.5 & 165.14.5.3. A letter was received objecting to the variance. Sheree Vohs talked with Sharon Swenning about purchasing 5-10 ft. of property. Stacy Tegtmeier with Beck Engineering suggested the board approve the variance as proposed pending a deed showing proof of purchasing the necessary property from Sharon Swenning. Koerselman had issues with the north side of the property

being .4 ft. from the property line. Den Herder also expressed concerns about the driveway that they currently use is on Swenning's property. A purchase of land would need to be made to guarantee a minimum of at least 5 feet from the proposed structures most protruding structure to the lot line. There was no line of site issues on the south side. Mouw moved to approve the variance based upon Stacy's proposal, for purchase of a land acquisition in place suitable with a minimum of 5 ft. from the overhang most outward point would be adequate and acceptable to the board. Den Herder seconded and added that the driveway issue should be resolved also. Den Herder felt 10-12 ft. of property would need to be purchased to allow the 5 ft. setback. Stacy suggested obtaining enough land for the 5 ft. minimum setback on the north side but obtain an easement for the driveway. There were concerns about paving the driveway in the future with an easement. Mouw rescinded his motion and it was seconded by Westerman. Bob Koerselman moved and Westerman seconded per Chapter 165.5.6-7 of the Wahpeton Code of Ordinances, the board approves this variance with the following stipulations: Vohs must purchase property from Sharon Swenning to have a minimum of 5 ft. setback on the north side guaranteeing a minimum of at least 5 feet from the proposed structures most protruding structure and a 5 ft. minimum driveway easement agreed upon by both property owners and removal of the existing driveway encroachment. Roll call vote: Koerselman – aye, Den Herder – aye, Mouw – aye, Westerman – aye, Gauck – aye. All ayes – motion carried.

Under other business: The board discussed a raingarden issue that was approved by the board of adjustment. After a brief discussion, any further issues need to be brought to the city council. There will be a Board of Adjustment meeting September 21st @ 5 p.m.

With no further business, Koerselman moved and Westerman seconded to adjourn the meeting at 6:02 p.m. All ayes – motion carried.

ATTEST:

Dick Gauck, Board Member

Bonnie Tielbur, City Clerk/Administrator