

MINUTES OF THE WAHPETON BOARD OF ADJUSTMENT MEETING HELD ON FEBRUARY 21, 2023

Board Vice Chairman Roger Mouw called the meeting to order at 5:00 P.M. on February 21, 2023. Board members present Amy Schlueter and via Zoom Roger Mouw, Bob Koerselman, and Larry Den Herder. Board member absent: Doug Westerman. Others present were City Clerk/Administrator Carrie Funk, Zoning/Public Works Logan Davids, Dan Poppema and Travis Plathe of Poppema-Sikma Construction, and Rick and Judy Pertzborn.

Motion made by Koerselman and a second by Den Herder to approve the agenda and October 18, 2022, meeting minutes. All voting, aye. Motion carried.

ACTION & DISCUSSION ITEMS

Motion by Den Herder and a second by Koerselman to appoint Roger Mouw as Chairman of the Wahpeton Board of Adjustment. All voting aye. Motion Carried.

Motion by Mouw and a second by Koerselman to appoint Larry Den Herder as Vice Chairman of the Wahpeton Board of Adjustment. All voting aye. Motion Carried.

The board considered the variance request for Kasey Johnson, property owner of Lot 11, Block F, Plat of Lakewood Park, City of Wahpeton, Dickinson County, Iowa, owned by East Point, LLC and locally known as 2623 Eagle Point Place, requesting the Wahpeton Board of Adjustment to approve a variance to reduce the rear yard setback requirement from the required 35' to 22' to permit construction of a 2-story living space. Rick and Judy Pertzborn were present and mentioned there is a correction that it is Eagle Point, LLC not East Point, LLC and the property owners are Sarah and Phil Powell and Judy and Rick Pertzborn, and that Kasey Johnson is the Project Manager. The board requested Pertzborn to give an overview of their project. Pertzborn explained that currently all the bedrooms are on the second story and this addition would allow for an additional bedroom on the main level and allow for one-level living for those in need without eliminating any of the shared living spaces. Pertzborn explained the parking will stay the same, and they have visited with their neighbors around them to inform them and get any feedback and he said they are all in favor. Judy Pertzborn explained that with the new addition there is currently a pergola in the location and that the footprint of the new addition will not go beyond where the pergola is now. Schlueter asked for clarification on whether the construction would be on both levels, and "yes" the addition is for a 2 -story. Chairman Mouw asked if there had been any comments received. Zoning Administrator Davids commented that he received a call from one resident with concerns about her private stormwater intake. Pertzborn explained that they are aware of the private stormwater intake. Mouw asked Zoning Administrator Davids if there was anything he wanted to add and Davids said when he went and looked at the project he does not see any problems and the only comment received was concerning the private stormwater intake. Motion by Den Herder and a second by Mouw to grant the variance for 2623 Eagle Point Place with the condition they protect the private stormwater intake, and if damaged during construction it will be the responsibility of Eagle Point, LLC to repair. Voting Aye: Koerselman, Den Herder, Mouw, and Schlueter. Nay: None. Motion Carried

The board considered the variance request for Brandon & Jenni Scherff, property owner of South 21 feet of Lot 37, all of Lot 38, and the North Half of Lot 39, Plat of 2810 Breezy Height Drive, Wahpeton, Iowa requesting the Wahpeton Board of Adjustment to approve a variance to reduce the front yard setback requirement from the required 35' to 29' with the line of sight being greater at 60.85 feet to permit construction of new addition and patio. Dan Poppema and Travis Plathe of Poppema-Sikma Construction were present on behalf of Brandon & Jenni Scherff. Chairman Mouw asked if there was anybody in the audience that was in favor or opposed to the project. Zoning Administrator Davids explained there was no one else present but that he had two letters from neighbors with one in favor and the other letter opposed. City Clerk/Administrator Funk explained when the letter of opposition was delivered to the office, and it was explained that the concern with the construction area spray painted made it more visual to see that it would affect the line of sight to the

south neighboring property. Chairman Mouw commented that he did not think the line that is depicted on the site plan is representative of the “line of sight” in his opinion, it is a line, but it is very limited and local. Schlueter added that the south neighboring property will have a different view of the beach with limited change to the view of the lake. Mouw also explained being cautious about setting a precedent going forward with respect to the line of sight. Den Herder commented that he isn’t sure if he agrees with the site plan and that he is not ready to move forward and entertained any comments from the builders. Plathe with Poppema-Sikma Construction commented that he would be willing to provide any additional information before making a decision. Koerselman commented there is clarification needed, and in his opinion, the board should not approve the application as presented based on precedence that has been set and he expressed that the line of sight is very protected. Motion by Den Herder and a second by Koerselman to table the application to give the applicant the opportunity to enhance the information provided to see the legal description of the sight line. Voting Aye: Den Herder, Koerselman, Schlueter, and Mouw. Nay: None. Motion Carried.

Motion by Den Herder and a second by Mouw to approve the new variance application. All voting aye. Motion Carried

ATTEST:

Roger Mouw, Chairman

Carrie Funk, City Clerk/Administrator