BOARD OF ADJUSTMENT
MINUTES

Adjourned Regular Meeting: Thursday: June 30, 2016

The Regular Meeting of the Board of Adjustment of the City of Fargo, North Dakota, was scheduled to be held in the City Commission Room at City Hall at 9:00 o'clock a.m., Tuesday, June 28, 2016; however, no quorum was present to take action on new business items; therefore, the Meeting was continued to Thursday, June 30, 2016 at 9:30 a.m.

The Members present or absent were as follows:

Present: Deb Wendel-Daub, Russell Ford-Dunker, Michael Love, Mark Lundberg, Mike Mitchell

Absent: Dominic Fischer

Chair Wendel-Daub called the meeting to order stating this meeting is a continuation of the Board's regular meeting held on Tuesday, June 28, 2016.

Item 1: Approval of Minutes: Regular Meeting of May 24, 2016
Chair Wendel-Daub stated the minutes from the May 24, 2016 meeting were approved at the June 28, 2016 meeting.

Item 2: Old Business
No old business was discussed.

Item 3: New Business:
a) Variance Request – 813 Kennedy Court North: Request for a variance of Section 20-0403 of the Land Development Code. The requested variance is to allow construction of a detached garage that would exceed the maximum allowable height for an accessory structure within the SR-3, Single-Dwelling Residential zoning district: WITHDRAWN
This was the date and time set for a Hearing on an application requesting a variance for property located at 813 Kennedy Court North; however, the applicant has withdrawn the request.

b) Variance Request – 1524 8th Street South: Request for a variance of Section 20-0403 of the Land Development Code. The requested variance is to allow construction of a detached garage that would encroach into the required interior-side setback area within the SR-2, Single-Dwelling Residential zoning district: DENIED FOR LACK OF A SUPERMAJORITY
Planner Aaron Nelson presented the staff report and reviewed the criteria used during staff's analysis of the request. Mr. Nelson stated staff is recommending denial as review criteria a and c have not been met.

Applicant David Gadberry spoke on behalf of his application.

Member Love moved the findings of staff be accepted and the variance to allow a building to encroach into the required interior-side setback in the SR-2, Single-Dwelling zoning district be denied, on the basis that the review criteria of Section 20-0914.E.1 (a and c) have not been met. Second by Member Mitchell. Upon call of the roll Members Love, Ford-Dunker, and Wendel-Daub voted aye. Members Lundberg and Mitchell voted nay. Absent and not voting: Member Fischer. The motion was declared failed and the variance was declared denied for lack of a supermajority.

Item 5: Other Business
No other business was discussed.

Item 6: Adjournment:
Member Love moved to adjourn the meeting at 9:17 a.m. Second by Member Lundberg. All Members present voted aye and the motion was declared carried.