

**HEARING OFFICER –Kelly Conference Room #155
March 20, 2019 @ 2:00 p.m. - Record of Meeting**

The Hearing Officer meeting was held on Wednesday, March 20, 2019 in the Kelly Conference Room #155. Hearing Officer present: Beth Rosenbarger.

REPORTS RESOLUTIONS AND COMMUNICATIONS: None at this time.

PETITIONS:

CU-05-19 **Peter Kinne**
1016 S. Henderson St.
Request: Conditional use approval to allow an attached accessory dwelling unit (ADU) in the Residential Core (RC) zoning district.
Case Manager: Ryan Robling

Ryan Robling presented the staff report on CU-05-19. Staff is recommending adoption of the proposed findings in the staff report, including the following three conditions:

1. The Conditional Use is approved for the existing accessory structure as submitted.
2. Petitioner shall record a commitment to satisfy 20.05.0333(l), indicating that the ADU cannot be sold separately from the primary unit and that the conditional use approval shall only be in effect as long as the owner(s) of record occupies either the house or the ADU as his or her primary residence. If the ADU approval is revoked at any time, the ADU must be removed from the property.
3. Petitioner shall submit a copy of the property tax homestead exemption for the property.

Peter and Sara Kinne were present to speak on behalf of their petition. This house has been an ongoing rental. Both agreed to Staff's conditions of approval even though neither one of them liked the stipulation that the "owner(s) of record occupies either the house or the ADU, including the fact that the ADU cannot be sold separately from the primary unit." Both considered it to be a harsh condition. Rosenbarger, Hearing Officer, said it's possible for the rules to change in the future.

Eric Greulich, Senior Zoning Planner, explained the additional provision of "owner occupancy" was put in place to help limit the impacts of ADU's and to help control what is going on with respect to an ADU in single-family neighborhoods.

No comments from the public.

****Rosenbarger approved CU-05-19 based on the written findings, including the three conditions outlined in the staff report.**

V-06-19 **Fierst Rentals**
503 N. Grant St.
Request: Variance from side yard setback standards to allow an addition to an existing residence.
Case Manager: Eric Greulich

Eric Greulich presented the staff report on V-06-19. Staff is recommending adoption of the proposed findings in the staff report, including the following two conditions:

1. The petitioner must obtain a building permit prior to construction
2. This variance applies to the addition as proposed only. Any subsequent encroachment would require a variance.

Mary Krupinski is present representing Fierst Rentals. The existing house is small to begin with and therefore the addition to the rear of the property is only 10 feet. The existing house wouldn't meet the RM zoning requirements without a variance. The original structure is historic which was also considered when planning for the addition.

Rosenbarger talked about the proposed floor plan. She asked if there is parking on-site. Krupinski said they pretty much use the shared driveway to the north for parking. This will help to mitigate the parking issues that sometimes arise between both tenants and have dedicated parking on each. Rosenbarger asked if parking is required in the RM zoning district. Greulich said two spaces are required. The property is zoned RM but it's being used as single-family so the single-family standards are being applied in this situation.

No comments from the public.

****Rosenbarger approved V-06-19 based on the written findings, including the two conditions outlined in the staff report.**

Meeting adjourned.