

MINUTES
DOUGLAS COUNTY BOARD OF ZONING APPEALS
Training Room, Public Works/Zoning and Codes
3755 E 25th Street
Monday, February 15, 2020
10:00 a.m.

MEMBERS PRESENT: Charlie Thomas, Chair; Phil Metsker, Scott Eudaly, Jerry Wohletz, Rich Barr

MEMBERS ABSENT: N/A

STAFF PRESENT: Tonya Voigt, Zoning Director; Dre'VeL Taylor, Zoning Specialist; Ben Harris, Code Enforcement Officer

PUBLIC PRESENT: Marvin Hunt, Lee Boyd, Stephanie Rodman, Crystina Hatch, Sara Winkler, Katherine, Kevin,

Charlie called the meeting to order at 10:02 a.m.

Charlie called roll and a quorum was established.

ITEM NO. 1: MINUTES

Approve, revise, or approve with conditions the January 25, 2021 meeting minutes.

Phil Metsker moved to approve the January 2021 minutes, Richard Barr seconded. Motion carried 5-0.

ITEM NO. 2: DISCLOSURE OF EX PARTE COMMUNICATIONS

Chair asks Board members for disclosure of any ex parte communications on the items on the agenda.

Charlie asks, all members attest to no communication.

VARIANCE REQUESTS

ITEM NO. 3: ZBZA-2021-0002: An application from Tracie Alexander and Roy Ingelse of 519 N 750 Rd, for a Variance request to allow for the extension of the use of a Temporary Housing Unit (RV) during construction of a Primary Residence, not to exceed two calendar years.

APPLICANT/OWNER:	Tracie Alexander and Roy Ingelse
LOCATION:	519 N 750 Rd.
AREA:	10 Acre
DATE OF PUBLIC HEARING:	February 15, 2021
DATE PUBLIC NOTICE PUBLISHED:	January 29, 2021

PRESENT LAND USE:

AG-2, Transitional Agricultural

10:04 Charlie Thomas introduced the item

10:05 DreVel Taylor reads staff report (See 2/15/2021 staff report for reference)

10:13 Turned over to board for questions

Charlie Thomas asks Roy if he would like to make a statement.

Roy Ingelse – Multiple contractors took money and ran. Roy states that debris was cleaned immediately when notified. The RV is for shelter from the elements.

Richard Barr asks if Roy currently has a building permit. DreVel Taylor affirms that Roy Ingelse has valid permit. Rich states that the applicant's contractor problems is the applicant's problem, not everyone else's. He would not support this going on for another 4 years. He is not inclined to allow the RV to allow any longer.

Scott Eudaly asks what stage the building is at, Roy states that he is about ready for plumbing and electrical.

Tonya states that Roy is ready for rough-ins.

10:18 Jerry Wohletz – Not inclined to approve based on history.

Tonya Voigt states that Roy has complied with our office every time we have reached out. He has worked with Tina Rakes. Our major concern is the precedence due to the fact that we have exceeded the two year allowance.

Scott Eudaly states sheetrock is about half way point. The county has given 4 years for the RV. That is above and beyond. The structure should suit your needs.

Charlie Thomas – Is the RV Drivable?

Roy Ingelse – It has set for 4 years. Moving it will not be easy this time of year.

10:22 DreVel asks that the floor open to public comment.

Charlie invites comment and asks that the comment focus on the trailer.

Lee Boyd sides with County Staff. She believes it is full of pack rats. This is a good time to move it while the ground is frozen.

Marvin Hunt agrees with Lee Boyd's comments

10:26 Tina Rakes gives inspection status update. Roy has everything in place. He needs a pressure test on plumbing and he is ready to insulate after a bit more wiring. The living space is a simple floor plan.

Phil Metsker asks if Roy would be able to move the RV in 60-90 days.

Roy Ingelse states that he could move it in 90 days.

Rich Barr asks that the RV be moved within 60 days.

Phil Metsker seconded.

Tina Rakes states that if he gets occupancy by the deadline it could remain.

Tonya Voigt Confirms.

Motion to deny carried 5-0 with the stipulation that the RV be removed 60 days from the hearing date.

ITEM NO. 4: **ZBZA-2021-0003:** An application from Roger Rodecap and Jaci Matney of 575 N 900 Rd, for a Variance request to allow for the extension of the use of a Temporary Housing Unit (RV) during construction of a Primary Residence, not to exceed two calendar years.

APPLICANT/OWNER:	Roger Rodecap and Jaci Matney
LOCATION:	575 N 900 Rd.
AREA:	5.1 Acre
DATE OF PUBLIC HEARING:	February 15, 2021
DATE PUBLIC NOTICE PUBLISHED:	January 29, 2021
PRESENT LAND USE:	AG-2, Transitional Agricultural

10:33 Charlie Thomas introduces the motion

DreVel Taylor introduces the staff report (See 2/15/2021 staff report for reference)

10:38 Power failure interrupts presentation.

10:42 Charlie Thomas asks Jaci Matney if she would like to add any information.

Jaci Matney states that the RV is to review plans and get out of the weather. Not a living unit.
The Semi is packed to the gills with building material.

Rich Barr – Is the semi-trailer to be removed also. DreVel states that the Semi may remain with an active building unit, which they now have.

Scott Eudaly does not see a reason for the trailer to return now that the 2 years has elapsed.
He suggests that they use a vehicle to review plans

Rich Barr – reiterates that it may not be comfortable but building can progress without a job trailer.

Jaci Matney asks for clarification that a building under 200 sq. ft. could be placed.

Tonya Voigt affirms that is true, without utilities.

Tonya Voigt shares that the RV has moved to the neighbor's property. Shows the aerial of the property. Certificate of occupancy will allow the RV to return.

Charlie Thomas asks for public comments.

Address your comments to the staff or board if you'd like to comment.

10:51 Kevin (Neighbor) - States that he sees a property out his window that has had a trailer for multiple years, and has been a nuisance. Please deny any future requests.

10:52 Todd (Neighbor) – States this has been problematic from the start. The amount of progress has been minimal at best. They have no water meter, no temp pole. Neighbors have built entire residences in the meantime. He would urge denial of any requests on this property.

10:54 Rich moves for denial of extension. Scott Eudaly seconds.

Motion to deny carried 5-0.

ITEM NO. 5: **ZBZA-2021-0001:** An application from Brad Ochs for a variance request for a 45 foot reduction of the required 80 foot setback for a ground mounted wireless internet tower, located at 1927 N 1275 Rd. Section 12-306-31.05: A ground mounted tower shall be set back from the nearest property line a distance which is at least equal to the height of the tower, measured from the center of the tower. – **Table until March 15, 2021**

10:58 Charlie asks if we are ready to adjourn.

10:59 Scott Eudaly motions to adjourn and Jerry Metsker seconds.

11:00 Motion carried 5-0 Adjourned.