

Minutes of a Board of Adjustment hearing held on June 9, 1983,
in City Hall at 7:00 P.M.

Present were Douglas Painter, Janette Painter, Una Painter, Steve Porter, Jack Hudson, Galen Kidd and Howard Fuller and Ramona Rosenlund, secretary.

Mr. Hudson called the meeting to order at 7:00 P.M. and prayer was given by Mr. Porter.

Mr. Hudson explained that the Board is bound by law as to what they can and cannot grant and they can only grant minor variances. He explained that in addition to asking for a variance to a 69 foot frontage, they would be leaving Mrs. Lucille Painter's lot non-conforming also.

Mr. Painter pointed out that Lucille owns another lot to the south and so maybe this could be used to make hers conforming.

Mr. Hudson said he would definitely advise they try to purchase some additional property from Una Painter to the North and thus make their lot conforming, as 69 feet frontage is more than a minor variance.

The plot map was gone over to determine just where they wanted to divide the property to make a lot for Douglas Painter and where Mrs. Una Painter's property was in relation to it.

Mrs. Una Painter said she did not want to sell any unless she would have two building lots and that amount left over. It was figured out and found that she has 231 feet frontage counting where her home now sits and if it was divided into three lots one would be short and so there was not enough for what she wanted to do, as one of the lots would be only 71 feet wide which is not enough frontage.

Mr. Hudson pointed out the 69 foot lot Douglas and Janette Painter is requesting is a self-created problem as Mrs. Una Painter's would be if she divided and made a 71 foot lot. He explained they could not grant a variance when the situation was self-created as opposed to something being created by the Ordinance.

Mr. Fuller suggested Mrs. Una Painter could sell to Douglas what he would need for a conforming lot and still leave her a large building lot besides the one where her home is.

Mrs. Una Painter suggested Douglas tear down his grandmother's home where they are now living and build there. He replied he was not the one to do that. Mr. Hudson suggested Una sell them the 11 feet they needed or more if she wanted to. Mrs. Una Painter asked if she had to make that decision now. Mr. Hudson said certainly not. That was her decision to make whenever and if she wanted to do so.

Mr. Kidd pointed out that if they acquired additional property from Una they would not need a variance.

There was a short discussion of the possibility of a sewer in town and thus smaller lots allowed but it was felt that was way in the future.

Mrs. Una Painter asked about a recent variance which was granted for a 70 foot frontage. Mr. Hudson explained that this was a unique situation and they were able to grant that variance. She then asked about a lot on south center street which was also granted a variance and was short. It was explained that this was a non-conforming lot at the time the ordinance was passed and that there was an existing home on the non-conforming lot which was remodeled but that the owner was not allowed to increase the size of the home in any way and therefore it did conform. Douglas Painter said F.H.A. would not allow this type of building now. Mr. Porter explained about some building which was non-conforming and had to be torn down as it did not meet the ordinance.

There was more discussion about Painters property with Mr. Douglas Painter saying that since Lucille had two lots, she could move the south property line of hers where her home is, to the south and Douglas could move his to the north if Una would sell him some, and thus no one would have non-conforming lots. Mr. Porter said he thought they should submit a map or something to show that these lines are actually changed by deed, before any building is done.

Mr. Hudson told the Painters they would be excused and the Board would discuss the situation and come to a conclusion on their request, although they will not need a variance if Una will sell them what they need.

There was a short discussion as to who the building inspector was and they were told it is Verl Hovey.

The Painters left at 7:25 P.M. There was a short discussion of the situation with Mr. Porter making a motion that they deny the request for a variance. Mr. Hudson seconded the motion and it passed unanimously.

Meeting adjourned at 7:30 P.M.


Secretary