

**CITY OF HASTINGS**  
**ZONING BOARD OF APPEALS**  
**MEETING MINUTES**  
April 18, 2023

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1. Call to Order: Chair Maurer Called the Meeting to Order at 7:02 PM

2. Roll Call -- Members Present: Buehl, Dickinson, Furrow, Maurer  
Members Absent: Baker  
Alternates Present: Anger, Hook  
Alternates Absent: None  
Staff Present: Harvey, King

3. Pledge of Allegiance.

4. Approval/Additions/Deletions to Agenda.

Motion by Furrow, second by Buehl, to approve the agenda as amended.

All ayes.

Motion Carried.

5. Approval of the Minutes – March 21, 2023 Meeting.

Motion by Buehl, second by Furrow, to approve the minutes of the March 21, 2023, ZBA Meeting.

All ayes.

Motion Carried.

6. Public Hearings: None

7. Old Business

A. Consider Motion to Take from the Table the Deliberation of a Variance Request from Stephen Huver at 220 W. Muriel Street.

Motion by Anger, second by Furrow to take from the table the deliberation of a variance request from Stephen Huver at 220 W. Muriel Street.

Roll call:

Ayes: Anger, Buehl, Dickinson, Furrow, Maurer

Nays: None

Motion Carried

Mr. Huver stated that the building permit for the construction of his new garage was issued with a 15' setback. Mr. Huver explained that 15' setback creates a situation where relief from the ordinance regarding a 20' maximum driveway width at the property line would cause a hardship in accessing his new two stall garage.

Mr. Huver stated that many homes in Hastings now have two stall garages and access to these garages can be challenging with a 20' maximum driveway width.

As requested at the March 21, 2023 Zoning Board of Appeals meeting, Mr. Huver presented the board with elevation drawings of the driveway from the face of the garage to the curb.

Mr. Maurer restated the standards the Zoning Board of Appeals are required to meet in order to approve or deny variance requests.

As to standard #1, the board found the following;

#1 - substantial detriment to adjacent property and the surrounding neighborhood:

- the driveway is located consistent with required building setbacks and offers adequate separation from adjacent property
- the driveway is proposed to be paved and has been presented to adequately direct storm water runoff on site
- no concern was expressed by neighbors of the property

Mauer expressed concern that a driveway width of greater than 20 ft has a greater chance of generating storm water runoff which may negatively affect adjacent property.

As to standard #2, the board found the following:

#2 - spirit/intent of ordinance:

- the proposed driveway will be of a single width that aligns w/ the width of the garage
- the proposed driveway width will not result in a proliferation of paving within the front yard
- the proposed driveway width will allow for necessary turning movements and provide adequate area for off-street parking addressing potential safety issues

Mauer noted that a driveway width greater than the allowed 20 ft will result in a greater front yard impervious surface.

As to standard #1, the board found the following:

#1 - unique physical circumstances:

- it was recognized that the subject site is a double lot in an area of narrow lots, and so does not possess a unique physical circumstance preventing compliance
- it was further noted that the configuration of the driveway is limited by the location of the garage, which is a self-imposed limitation

As to standard #2, the board found the following:

#2 - substantial justice:

- other drives in the immediate area and in other residential areas of the City are provided widths in excess of 20 ft
- where drives exceed 20 ft in width, they are generally serving garages that are wider than 20 ft, similar to the proposal

As to standard #3, the board found the following:

#3 - the situation is of such a recurrent nature that a text amendment is more practical

- the situation is largely created due to the nonconforming location of the house and garage which do not represent a recurrent situation in the City

Based upon findings of #1 and #2 and #2 and #3 of the second set of criteria, motion by Buehl, second by Furrow to grant the applicant the requested variance of constructing a driveway with a 26' maximum width at the property line.

Roll call:

Ayes: Buehl, Dickinson, Furrow

Nays: Anger, Maurer

Motion passed with 3 aye and 2 nay votes.

8. New Business: None

9. Public Comments: (None)

10. Board Comments:

The board agreed that they would like to request the Planning Commission consider a text amendment change to Section 90-87 of the Code of Ordinances to clarify the standards subject to deliberation by the Zoning Board of Appeals.

11. Adjournment:

Motion by Anger, second by Furrow to adjourn the meeting.

All ayes.

Meeting was adjourned at 9:02 PM.

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Tom Maurer—Chair

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Recording Secretary - King