

Village of Fall Creek
Minutes of Public Hearing & Zoning Board of Appeals Meeting
October 2, 2018

1. **Call to Order:** 5:00 p.m., Village Hall Meeting Room, 122 E. Lincoln Ave., Fall Creek
2. **Roll Call:** Members Present: Chairman Marv Schmit, Lee Henrichs, Kevin Dallas, John Kuehn, Dale Reetz. Members Absent: Val Beranek, Gwen Hoekstra. Staff Present: Deputy Clerk Joan Drehmel. Also Present: Kelley Gustaveson, and 3 citizens.
3. **Certify Open Meeting Law Requirements Have Been Met:** A notice of the meeting and an agenda was posted in the three public places & newspapers were notified, also property owners within a 300' radius of 628 S State Street were notified.
4. **Adopt Agenda:**
 - MOTION (Kuehn/Dallas) to adopt the agenda as printed. PASSED, without negative vote.
5. **Public Hearing re: Kelley Gustaveson Variance:** Chairman Schmit opened the public hearing at 5:01 p.m. Kelley Gustaveson explained that a sketch plan she submitted to the Plan Commission on 7/30/18 for review was not approved because she wanted to split the remaining parcel into 3 lots, 2 of which would not meet the minimum lot width requirement of 130' for R2 zoned property. Her options were to petition for a rezone, or a variance. She is petitioning the Zoning Board of Appeals for a variance that would allow the division of the 2 lots (proposed Lot 6: 102' wide, and Lot 7: 102.01' wide) as presented in the sketch plan. Lot 5: 154.54' wide is not at issue as it complies with the ordinance.
Three citizens spoke against the variance.
The public hearing was closed at 5:10 p.m.
6. **Consider Variance:** The members reviewed the standards for granting a variance. Because the parcel could be split into 2 lots that would meet the lot width requirement, the members felt that the petition for a variance did not meet the standards.
 - MOTION (Kuehn/Reetz) to deny the petition for the variance at 628 S State Street.
PASSED, roll call vote: Dallas=yes, Henrichs=yes, Kuehn=yes, Reetz=yes, Schmit=yes.
7. **Adjourn:**
 - MOTION (Dallas/Kuehn) @ 5:15 p.m. PASSED, without negative vote.

Joan Drehmel, Deputy Clerk