

CITY OF DARLINGTON COUNCIL PROCEEDINGS
SPECIAL COUNCIL MEETING
OCTOBER 3, 2023

The meeting was called to order by Mayor Mike McDermott at 5:30 PM. Present at roll call were: Steve Pickett, John Sonsalla, Ray Spellman, Dave Roelli and Joe Boll. Excused absence: Cindy Corley. Also present were: Mike Reuter, Attorney Dan Bartholf, Attorney Aaron Stauffacher, Josh Goebel, Gail Soper, Amy Johnson, Kim Winslow, Dustin Reynolds and Phil Risseeuw.

Motion by Roelli second by Pickett that the meeting notice and agenda were properly posted. Motion carried.

Discussion was then held concerning a request from Josh Goebel to appeal the decision of the Zoning Board on June 28, 2023, regarding his property located at 704 E. North Street. The following information was included in the agenda packet: original building permit application from Goebel Properties; Board of Appeals Application, due to building on property being non-conforming; air photos of the property; Mike Reuter's analysis and recommendation; Zoning Board meeting minutes from June 28, 2023; letter from Attorney Bartholf supporting the decision of the Zoning Board; Zoning Permit issued September 6, 2023 according to the terms and conditions of the Zoning Board decision; Goebel Properties appeal of the Zoning Board decision to the City Council; current property photos; and another Mike Reuter analysis and recommendation form. Copies of three letters from the neighbors were distributed to Council members at this meeting.

Discussion items included the following:

- Mike Reuter, the City's Zoning Administrator denied a building permit application from Goebel Properties, as the building on the property did not comply with the City's setback requirements, it sits too close to Clay Street. The building on the property is 22 feet off the right of way, and needs to be 25 feet off the right of way. Josh Goebel offered two building remodeling plans – Option A – reconstruct the existing structure and add a 2nd story addition to the existing footprint, and add an 8' X 30' covered porch on the south side of the house; or Option B – reconstruct the current existing structure along with adding a 16-foot addition to the north side of the existing structure.
- Goebel Properties appealed the Zoning Administrator decision to the City's Zoning Board. The Zoning Board denied the variance request, but did allow the existing single-story structure to be reconstructed.
- Josh Goebel, speaking for Goebel Properties, is asking the City Council to review the Zoning Board decision and consider this property a conforming property, as per City Ordinance 9.21 (h) which states: Street Yard Restrictions. The required street yards may be decreased in any Residential or Business District to the average of the existing street yards of the abutting structures on each side, but in no case less than 15 feet in the Residential District and 5 feet in any Business District. Josh stated the building on this property is further back than the buildings on the abutting properties. Brian Lund arrived at the meeting at 6:20 pm.

Several questions were asked by those present. Mike Reuter, Josh Goebel, Attorney Dan Bartholf, Gail Soper and others provided information for Council consideration. After discussion and consideration, motion by Pickett second by Sonsalla to grant an ordinance modification to accept the building location as is. This motion will make the property conforming. Roll Call Vote: Ayes: Sonsalla, Roelli and Pickett. Nays: Spellman and Boll. Motion carried.

There being no further business for this meeting, motion by Roelli second by Boll to adjourn the meeting at 6:40 PM. Motion carried.

CITY OF DARLINGTON

Philip A. Risseeuw, Clerk-Treasurer