

**BOARD OF ZONING APPEALS  
CITY OF WILLMAR, MN  
MONDAY, JANUARY 23, 2012**

**MINUTES**

1. The Willmar Board of Zoning Appeals met on Monday, January 23, 2012 at 5:00 p.m. at the City Office Building.

\*\* Members Present: Ross Magnuson, Jeff Sawyer, Larry Brown, Beverly Dougherty, Mark Suedbeck, Robbert Stone, and Luis Estrada.

\*\* Members Absent:

\*\* Others Present: Steve Harberts, David Zenk, Kathleen Zenk, Tom Anderson, and Megan M. Sauer- Planner.

2. REORGANIZATION: Mr. Suedbeck made a motion, seconded by Mr. Brown to nominate Mr. Magnuson as Chair and Mr. Sawyer as Vice Chair.

The motion carried.

3. HARBERTS PARKING SETBACK/SPACES VARIANCE- FILE NO. 12-1: The public hearing opened at 5:01p.m. Steve Harberts presented his request to construct additional parking at a 0' setback on the south side of the property (along Grace Ave. SW) AND six parking spots for an ice cream shop on property described as: Lot 7 excluding the east 6' and south 10' of Lot 6 excluding the easterly 6' thereof, Block 17, Hanson's Addition to Willmar (924 1<sup>st</sup> St. S.). Mr. Harberts explained that due to the odd shaped small lot and bigger existing building, parking expansion is greatly limited. He hopes to widen the curb cut and add one stall on the north side of the existing parking pad and one parking stall on the south side of the existing parking pad. The south side of the parking lot would then be right up to the property line whereas the Zoning Ordinance requires 10' setback. Based off of the kitchen and dining area of the proposed ice cream shop, nine parking spaces would be required.

Tom Anderson, property owner to the north stated he supports the request as he does not want the ice cream shop clientele to use his property for parking.

With no further comments from the public the hearing was closed at 5:10 p.m.

The Board of Zoning Appeals reviewed and discussed staff comments (see Attachment A).

Mr. Suedbeck made a motion, seconded by Ms. Dougherty, to approve the variance as requested for a 0' parking setback on the south side of the property and to permit a total of six off-street parking spaces.

The reasoning the Board used for approval is that there have been similar requests for nearby properties and the precedent has been set. And, the site is so tight and small that the variance is necessary to allow for business growth at existing sites as per the Comprehensive Plan.

The motion carried.

4. There being no further business to come before the Commission, the meeting adjourned at 5:15 p.m.

Respectfully submitted,

Megan M. Sauer, AICP  
Planner/Airport Manager