

MINUTES  
Board of Adjustment—May 3, 2023- 8:00 a.m.

**MEMBERS PRESENT:** Losing, Nill, Weight, Kilzer

**MEMBERS ABSENT:**

**OTHERS:** Blackmore, Domek, Dalugama, Michel, Administrator Hellekson, Laber

Chairman Losing called the meeting to order. Tom Blackmore explained the variance requests as follows:

**CASE #1137**

1. **Variance Request:** 620 10<sup>th</sup> Ave NW, Jamestown, ND—Applicant is requesting a 25' rear-yard setback Variance to build an accessory structure on the north side of home.

Hillside on the property makes it difficult to construct any building. The overhead door will face the south side of the property. Commission member Weight made a motion to approve. Seconded by Charmain Losing. Roll call. 4 ayes, 0 nays, 0 absent. Motion carried.

**CASE #1138**

2. **Variance Request:** 1324 6<sup>th</sup> St NW, Jamestown, ND—Applicant is requesting 30' rear-yard setback Variance to build a 36' x 72' barn on side yard of property.

Tom Blackmore gave report for the Variance request. The property owner currently has a horse barn. They would like to replace the current barn with a new one in its place. The property owner has documentation for approval of having horses within City limits. There was no further questions or comments. Kilzer made a motion to approve the Variance. Seconded by Nill. Roll call. 4 ayes, 0 nays, 0 absent. Motion carried.

**CASE #1139**

3. **Variance Request:** : 6000 College Lane, Jamestown, ND—University of Jamestown is requesting a 35 ½' Variance for rear-yard setback for proposed building foundation on existing field.

Blackmore gave report for the Variance request. The University is proposing to build sports bubble over existing soccer/football practice field. City ordinance 1556- Sec 4.7C- requires 40' maximum rear-yard setback based on this size lot. With proposed structure surrounding existing turf field the rear-yard setback would need to be 4.5'. There's not many options with this field located where it is currently to meet all zoning requirements. Commission member Weight questioned if there were any spectator seating requested in this proposed building. Blackmore stated that the paperwork he received from the architect said that this building will not be used for games and just strictly a practice

field for current college athletes, so there will not be any spectator seating. Weight wanted to know if this was approved today, if the Board can encourage or require that there not be any spectator seating under the dome, in case years later the university tries to put spectator seating in the bubble. Weight states he's concerned about exits in the bubble, should there be an emergency and they don't have required exits for that many people. Blackmore stated that the proposed sports bubble came from Dakota Field in NDSU, Fargo, North Dakota. Fargo has requested that there be exit doors placed every 25' inside the dome. There will be more exit doors than the building code requires. There were no more questions or comments on the Variance. Losing made a motion to approve this Variance. Seconded by Kilzer. Roll call. 4 ayes, 0 nays, 0 absent. Motion carried.

4. **Variance Request:** 6000 College Lane, Jamestown, ND—University of Jamestown is requesting a 7 ¼' Variance for side-yard setback.

Blackmore gave staff report for the Variance. Properties located in R-3 (General Multiple Dwelling District), City Ordinance 1556 Sec. 4.7C requires a side interior lot line 10% of lot width but not less than 6' but not more than 12', 0' for attached dwellings. This proposed building would be 290' wide, would require a 12' side-yard setback. The property owner is requesting a 7 ½' Variance to place structure at approximately 4'6" from side-yard setback. This property was just passed through the subdivision process at the City Council meeting held on May 1, 2023. The Variance for side-yard setback being requested is located on the north side of the property. No surrounding properties have had any objections to this request. There were no other questions or comments made on the Variance. Kilzer made a motion to approve the Variance request. Seconded by Weight. Roll call. 4 ayes, 0 nays, 0 absent. Motion carried.

5. **Variance Request:** 6000 College Lane, Jamestown, ND—University of Jamestown is requesting a 39% Lot Coverage Variance to allow for 79% Lot Coverage to construct an 88,790-sf sports bubble building.

Blackmore gave staff report for the Variance request. City Ordinance 1556 Sec. 4.7C requires maximum lot coverage of 40% for the total square footage of the lot. The University of Jamestown Athletic Second Addition, Lot 1, Block 1, is 122,667 sf which would allow for 45,666 sf of lot coverage. The building footprint is approximately 88,790 sf, which would cover 79% of the lot with approval of this Variance. Kilzer made a motion to approve the Variance. Seconded by Losing. Roll call. 4 ayes, 0 nays, 0 absent. Motion carried.

There was a reminder of a remembrance celebration being held at the Elks in memory of Harold Bensch.

6. Chairman Losing adjourned the meeting.