

**Summary of Minutes
Jacksonville Zoning Board of Appeals
February 1, 2023**

Chairman Michael Oldenettel called the monthly meeting of the Jacksonville Zoning Board of Appeals to order at 6:11 p.m. The agenda and petition were published with the local media and by posting at the Municipal Building.

ROLL CALL: Answering present were: Michael Oldenettel – Chairman, John Heyer – Secretary, Aaron Scott, Kerris Osborn, Nick Little; City Attorney Dan Beard; City Clerk Skip Bradshaw. Absent from the meeting were members Casey Collins and Brad Cors. Also in attendance was Community Development Director Brian Nyberg. A quorum was declared.

MINUTES: Motion was made by Scott, seconded by Osborn, to approve the January 4, 2023 Zoning Board of Appeals Meeting Minutes as presented in advance. **By voice vote, motion carried.**

CC Bradshaw read Item #3 on the Agenda. **Review petition for variance to property located at 5 Crampton regarding an increase to side yard setback for a fence. Property is zoned R-5. Application by Joseph Patty.** CC Bradshaw swore in Joseph Patty to represent this petition. Mr. Patty would like to install a 4 ft. chain link on the side of his property in order to keep his dog in his yard. He is requesting a variance to the height of the fence from 3 ft. to 4 ft. CDD Nyberg noted that just across the street there are two houses with 6 ft. fences and just down the street there is a house with a 4 ft. fence. Mr. Patty's neighbor has a privacy fence already located along the same area.

Chair Oldenettel asked for further discussion, or if there was anyone in attendance to speak in favor of, or opposition to, this request and there were none. Motion was made by Heyer, seconded by Scott, to approve this request based upon the findings of fact in Section 11.3-4 of the Zoning Ordinance, number 2-4, that the plight of the owner is due to unique circumstances; that the variation, if granted, will not alter the essential character of the locality; and that the granting the variation desired will not violate the general spirit and intent of this ordinance.

ROLL CALL: 5 Yeas; 0 Nays; 2 Absent (Collins, Cors)
Motion carried 5-0-2.

OTHER BUSINESS: No discussion.

PUBLIC COMMENT: No discussion.

ADJOURNMENT: With no further discussion motion was made by Heyer, seconded by Osborn, to adjourn the meeting at 6:15 p.m.

Recorded by City Clerk Skip Bradshaw.