

**MINUTES  
ZONING BOARD OF ADJUSTMENT  
JANUARY 3, 2012  
5:30 P.M.  
CITY HALL COUNCIL CHAMBERS**

**Present:** George Fisher, Larry Wolf, Jim Edgmond, and Jane Reischauer.

**Excused:** Rochelle Conway.

**Staff Present:** Steve Boka, Director of Community Development  
Andrew Fangman, City Planner, Community Development  
Stephanie Oien, Office Coordinator, Community Development.

Chairperson Fisher called the meeting to order at 5:30 p.m. Fisher read the Mission Statement. He informed the appellants that there were only four members present and they could choose to table their case until March when more members may be present.

**Appeal Case No. 890, filed by Kevin and Michelle McCullough, to construct a residential property at 801 W. Mississippi Drive which is zoned C-1.** Kevin McCullough, 405 West 4<sup>th</sup> Street, answered questioned regarding their request. He explained that the lower level would have a two-car garage, approximately 24'x24' on the left hand side of the house, as you would look at it from the street. Edgmond asked how high the house will sit above street grade. McCullough estimated 7-8 feet and said it would be similar to the white house closer to town from their lot. Reischauer asked if there had been a house on the property previously. McCullough replied there was and it had been removed prior to their purchase. Boka noted that the deck was not included in the house dimensions and asked the size. McCullough responded that they intend to construct a 10'x48' deck across the front of the house. Approximately 12 feet in the middle of that would be covered by a roof but not enclosed, he added. Boka explained to Board members that City Code allows an unenclosed front porch to extend 10 feet into the required setback, which is 20 feet. Boka confirmed that the McCulloughs have the space and meet the setback requirements. On a motion to approve by Reischauer, seconded by Wolf, all ayes, motion carried.

**Appeal Case No. 891, filed by Build to Suit for Pearl City Physicians, LLC, to build a 40,732 square foot two-story medical office building too near the property line.**  
**The building will initially be built 50 feet tall, but may be expanded two additional floors to a height of 80 feet above Cedar Street.** No representatives were present to discuss the request. Chairman Fisher acknowledged such and informed attendees that they could not discuss the appeal. On a motion to table the request by Edgmond, seconded by Wolf, all ayes, motion carried. Boka reiterated that the Board could not discuss or take action on the appeal but would be willing take any comments or concerns as neighbors took the time to attend. Mary Beveridge, 1416 Mulberry Avenue, was concerned about the height of the structure. Beveridge also noted that the current lighting and increased parking are already offensive to the neighborhood. She also expressed concerns about whether or not this was a good location for this type of structure. Increased traffic was among her concerns. She wondered if a needs survey had been conducted and showed that there was a need to have such a large structure.

Dr. Gene Shay, 1300 Cedar Street, was also concerned about the height of the building and increased traffic. Raul Canahui, 1401 Cedar Street, noted he lived adjacent to the site. Canahui asked if more parking lots were needed, couldn't their existing parking be used. Fangman noted that the additional parking was a City Code requirement. Canahui also voiced concerns about the lighting. He estimated that the poles would be 15-18 feet away from his windows. He also wondered if heavy equipment, during construction, might damage his foundation. He was also concerned about privacy; windows from the building would face his house. He noted that there are already issues with litter along the steps from the lower lots to the upper parking lots and was concerned this would increase.

**Minutes:** Wolf motioned to approve the minutes from the January 3, 2012, meeting; seconded by Reischauer. All ayes, motion carried.

Adjourned.

Respectfully Submitted,

Steve Boka, Secretary  
Director of Community Development

ATTEST:

George Fisher  
Chairperson