

**MINUTES
ZONING BOARD OF ADJUSTMENT
NOVEMBER 4, 2014
5:30 P.M.
CITY HALL COUNCIL CHAMBERS**

ITEM 12C

Present: Allen Harvey, Jim Edgmond, and Larry Wolf.

Excused: Rochelle Conway

Staff Present: Andrew Fangman, City Planner
Adam Thompson, Community Development Coordinator
Dave Gobin, Community Development Director
Stephanie Oien, Office Coordinator, Community Development

Chairperson Harvey called the meeting to order at 5:30 p.m.

Minutes: Wolf motioned to approve the minutes from the October 7, 2014, meeting; seconded by Edgmond. All ayes, motion carried.

Appeal Case No. 926, filed by Judy Hearn, to construct a 48x60 foot shed at 5900 67th Avenue West. The proposed garage exceeds the 1,440 square foot of accessory building space allowed by City Code 10-19-11 (B) (2). Kristin Hearn of 240 E. Vine Street, Letts, represented Ralph and Judy Hearn. Ms. Hearn advised that they would like to construct a large shed to store mowers and use as a wood-working shop. Harvey asked the distance from the house to the shed. Ms. Hearn replied 217 feet. Bill Brockert, 101 Evergreen Lane, who owns four acres of adjacent property spoke in favor of their request. Mr. Brockert advised that he had spoken with Mr. Hearn about his plans. Mr. Brockert stated the proposal will be an improvement to the property that has always been weeds. Edgmond asked the total acreage of the property. Ms. Hearn stated there were nine acres. Edgmond asked for clarification of the uses for the proposed shed. Ms. Hearn responded that the owner plans to store lawn equipment and partition off an area for his granddaughter for pitching practice. She added that there were no plans for a large overhead door – just one large enough to fit the lawn tractor through. Harvey asked if there would be any business use. Ms. Hearn said there would not. Fangman asked the Board to add to the record that if a driveway is ever added it would have to be paved. He added that if a vehicle door is added a driveway would be required. If the grass is maintained there are no issues at the staff level. Edgmond motioned to approve the request with the provisos about the driveway as set out above by Fangman; second by Wolf. All ayes, motion carried.

Appeal Case No. 927, filed by Jimmy Guevara and Savannah Sutton, to construct a single family residence at 1836 Hershey Avenue. The location of the house does not meet the required setbacks per City Code sections 10-6-3 (A) and 10-20-2 (D). Jimmy Guevara and Savannah Sutton, 2716 W. Fulliam Avenue, were present to discuss their request. Mr. Guevara explained that he would like to construct a single family residence on the property. Mr. Guevara requested a variance of the setback requirements from Hershey Avenue. He'd like to set the house back 20 feet versus the 25 feet required. Edgmond asked when the property was purchased. Mr. Guevara advised he had owned it for 2 ½ years. Fangman noted that the previous house burned down and was removed. Edgmond asked if Guevara had measured the setbacks of other houses in the area. Guevara noted that they appear to be closer to Hershey Avenue than he is proposing. Fangman noted that the zoning ordinance is under revision and the updated version would allow more flexibility in this situation. Wolf motioned to approve the request as submitted; second by Harvey. All ayes, motion carried.

Adjourned.

Respectfully Submitted,

Andrew Fangman, Secretary
City Planner

ATTEST:

Allen Harvey
Chairperson