

BOARD OF ADJUSTMENT

MINUTES

December 14, 2011

2:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT:

Paul Skipper, Chairman
Doug Lampe, Vice Chairman
Park Lampson, Member
David Littell, Member

NOT PRESENT:

Stephan M. Phalor, J.D., Member

ALSO PRESENT:

Catherine Hartley, Senior Planner
Rebecca C. Haynes, City Clerk

1. Acceptance of Minutes

There were no minutes for approval.

2. Public Hearings

a. Old Business

(1) Case # 2011-0040, Subject property address: 605 55th Avenue, Applicant Mark Hatfield requests a variance from Section 8.7 of the Land Development Code to reduce the front yard setback from 20 feet to 11 feet for the construction of an addition.

Senior Planner Catherine Hartley advised that the addition was to the garage and this is an odd shaped lot which presents an excellent case for a variance

because there is a hardship. Ms. Hartley advised that staff recommends approval of this case.

Applicant Mark Hatfield was present to represent this case.

Chairman Skipper called for audience comments. There were no audience comments.

Member Lamp made a motion to approve Case #2011-0040 as requested. The motion was seconded by Member Lampson and approved by a unanimous roll call vote.

(2) Case #2011-0041, Subject property address: 645 78th Avenue, Applicants Dennis and Marilyn King request a variance from Section 6.15 of the Land Development Code for an eight foot tall fence in the front yard where four feet is the maximum.

Senior Planner Hartley advised that the applicant is not proposing to construct the fence along the entire front yard, just the very eastern side. Ms. Hartley explained that the applicant's easterly neighbor has been a subject of police and code complaints over the years. Ms. Hartley stated that in order to assure the peaceful enjoyment of their property the applicant has requested to build an eight foot fence. Ms. Hartley advised that the proposed fence will be within what is considered the front yard according to the Land Development Code. Ms. Hartley advised that staff recommends approval of this case.

Applicant Dennis King was present to represent this case. Mr. King stated that the police are always at his neighbor's property for various issues and that the property has continuing code violations. Mr. King pointed out that his neighbor was granted a variance to construct a fence on his property for privacy.

Chairman Skipper called for audience comments. There were no audience comments.

Member Littell made a motion to approve the case as requested. The motion was seconded by Member Lampson and approved by a unanimous roll call vote.

(3) Case # 2011-042, Subject property address: 343 55th Avenue, Applicant Richard Spiegel requests a variance from Section 6.13 of the Land Development Code to reduce the required rear yard setback for a pool from nine feet to five feet.

Senior Planner Hartley explained that according to the applicant, the foundation for the new home was already poured when he purchased the property. Ms. Hartley stated that the pool will be in the ground and will not have any negative impact on the impervious service requirements. Ms. Hartley advised that staff recommends approval of this case.

Mr. Joe Klinge, 255 Corey Avenue, was present to represent the applicant. Mr. Klinge stated that the pool is ten feet wide and will be seven feet from the seawall. Mr. Klinge displayed a drawing of the pool and explained that there will be 35% green area on the lot with the pool in place.

Chairman Skipper called for audience comments. There were no audience comments.

Upon inquiry, Ms. Hartley stated there were no letters of opposition or support regarding this case.

Member Lampe made a motion to approve the application as requested. The motion was seconded by Member Lampson and approved by a unanimous roll call vote.

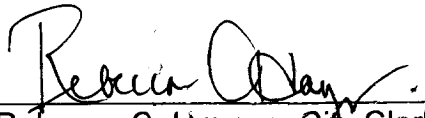
3. **Next Meeting**

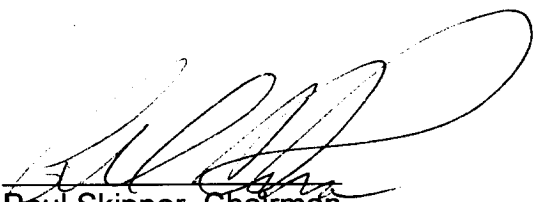
The next meeting will be held on January 25, 2012.

4. **Adjournment**

There being no further business to come before the board, the meeting was adjourned at 2:20 p.m.

Attest:


Rebecca C. Haynes, City Clerk


Paul Skipper, Chairman

Minutes approved on: 1-25-12