

BOARD OF ADJUSTMENT MINUTES
October 11, 1994

Present: Chairman K D. Simpson, V. Chairman Paul Summers, Syd Shurtliff-, Dick Dresher, Planning Commission Representative; Blaine Gehring, Planning and Redevelopment Director; Assistant City Attorney; Matt Barneck.

Absent: Verlon Duncan, Dean Thurgood

The minutes of September 13,1994 were approved as written by majority vote.

Petition No. 94-1 Kent Hoggan, developer

Mr. Kent Hoggan is requesting a 5 ft variance to allow homes to be built at 21 ft. behind sidewalk where sidewalk is next to curb. The property in question is Lakeview Terrace Subdivision Amended, lots 15 through 24.

Mr. Hoggan requested a variance on the setback on lots 15 through 24 to make the homes safer. The most critical are lots along the creek, lots 15 through 19. These lots along the creek will have basically no back yards and little side yards. Homes built along the creek are designed to have small yards. The homes will have balconies and patios coming over Barton Creek. With this variance there will be less footings and foundations required to build the homes. Mr. Hoggan asking for variance on the north side as well as the south side. The south side critical because of Barton Creek.

Blaine Gehring mentioned a letter of opposition sent by Brent and Ann Wilcox, neighbors bordering the Lakeview Terrace Subdivision. Copies were given to out to review.

Mr. Gehring explained the staff's position as these were legally recorded lots. Legally he could proceed to put the road in and build the homes on the lots the way they were. Staff feels that the original subdivision was poorly planned. Mr. Hoggan came to the city requesting this variance with improvements from the previous plans. These lots would not be approved today under the Foothill Ordinance. The staff is in favor of granting Mr. Hoggan's request for the variance.

Meeting was opened to public hearing. Kirk Heaton voiced his concerns against this proposal. In Mr. Heaton's opinion this variance is unnecessary and should be denied because the lots are vacant and homes could be designed to fit the vacant lots.

Mr. Hoggan added that if the creek wasn't in the back of these lots he would agree with some of the opposition being made.

Syd Shurtliff made a motion to grant a variance for lots 16,17,18,and 19 only and oppose the rest. Motion was seconded by Paul Summers. The motion was unanimously approved.

Meeting adjourned at 7:35 PM