

**BOARD OF ADJUSTMENT MINUTES**  
**SEPTEMBER 10, 1996**

Present: Paul Summers, Chairman; Dean Jolley, Planning Commission Representative; Sydnie Shurtliff, Dean Thurgood; Blaine Gehring, Planning and Redevelopment Director; Mike Nielsen, City Prosector; Connie Feil, Recording Secretary.

Absent: Vice-Chairman Verlon Duncan.

Paul Summers welcomed all those present then had the Staff and Board Members introduce themselves. Sydnie Shurtliff made a motion to approve the minutes for June 11, 1996 as written. Dean Thurgood seconded the motion and voting was unanimous. Dean made a motion to approve the minutes for August 20, 1996 as written. Sydnie seconded the motion and voting was unanimous.

1. Consideration of a variance to allow building on slopes greater than 30% at 1790 E. Maple Hills Drive, Barbara Bombard, applicant.

Barbara (Sue) Bombard was present. Lyle Cole, representing Mrs. Bombard, was also present. Mrs. Bombard explained that 20 years ago she purchased this lot with the intentions of building a home on it. When the property was purchased there was no mention of any kind of problem. With the rise of interest rates and building materials, building the home was put on hold. Over the years it was decided not to build and to sell the property. It was not until last year, when a potential buyer was denied a building permit, that she was aware of any problem.

There was a discussion about the driveway. Mr. Gehring explained that the driveway would probably come in from the west end and swing up across the contours. To meet the ordinance of less than a 15% driveway, the driveway will have to be placed here. There will not be any problems with the length of the driveway or with setbacks off of the street. A variance will allow building on the 30% slope but not allow a waiver of other sections of the ordinance. The cuts and fills are still limited to 10 feet, any retaining has to be either a fully structured retaining wall at a 1to1 slope, or rock walls have to be 2 to 1 and the driveway can't be more than 15% grade. If this variance is granted, it will remain with the property. When Mrs. Bombard sells the property the variance will remain with the property no matter who owns it.

Charles Rawlins presented a drawing with a plan for a home that could be built on this property. Mr. Rawlins feels that a really nice home can be built on this lot with a variance. Mr. Cole asked if the City would be interested in purchasing this lot since it is unbuildable? Mr. Gehring responded that the City does not want to purchase this lot. The purpose for this variance is because this lot can be buildable with a variance.

Mr. Gehring mentioned that there have not been any letters or phones calls in favor or against this variance. He recommends granting this variance in that substantial enjoyment of property rights is being provided. The variance will not be contrary to the public interest nor contrary to

the spirit and objectives of the zoning ordinance.

Sydney made a motion to grant a variance to allow building on slopes greater than 30% at 1790 E. Maple Hills Drive. Dean seconded the motion and voting was unanimous.

Meeting adjourned at 7: 20 P.M.