

**BOARD OF ADJUSTMENT MEETING**  
**February 9, 1993**

Present: Chairman K. D. Simpson, Frances Spencer; Mark Green, Planning Commission Representative; Blaine Gehring, Planning and Redevelopment Director; Shirley Chevalier, Recording Secretary

Absent: Gene Bangerter, Kirk Heaton

Chairman Simpson called the meeting to order at 7:00 PM.

The minutes of January 14, 1993 were unanimously approved as written.

**Petition No. 92-5. Continuation (See minutes of January 14, 1993)**

Action was tabled on this variance request to see if a better plan could be worked out with the City Engineer, Jack Balling, and Mr. Gehring.

In reviewing the surveys and the site, it was determined that the lot in question has a slope of less than 30% and a variance is not required. Frances Spencer made a motion to accept the recommendation of the City Engineer; seconded by Mark Green; voting was unanimous.

**Petition No. 93-1**

Permission to build a single family dwelling with a 3 ft. encroachment into the 30 ft. front yard setback. This would affect one corner of the home only. The property is lot 1009 Chelsea Cove Subdivision, Plat 10B, and is owned by Mr. and Mrs. Ralph C. Freeman.

Chairman Simpson outlined the three criteria which must be met by the petitioner before a variance can be granted by the Board: 1 - Are there unique circumstances attached to this property which do not apply to other property in the same zoning district and/or neighborhood; 2 - Is this property deprived of any privileges because of these unique circumstances, possessed by other property in the same zoning district and/or neighborhood; 3 - Is the granting of the variance essential to the enjoyment of a property right denied to you but enjoyed or possessed by other property in the same zoning district and/or neighborhood.

Mr. Freeman stated they had tried several ways of putting the house on the lot. There are problems with the lot that made this very difficult; e.g., it is steep, of irregular shape, and there is a very large power box on the corner. This is the last vacant lot in the subdivision, and for years has been weedy and full of debris. The proposed home is not extravagant or excessive, and is of similar size and scale as other homes in the area.

Frances Spencer made a motion to approve the variance; seconded by Mark Green; voting was unanimous. The Board felt, in granting the variance, the three criteria had been met in this application.

The meeting adjourned at 7:12 PM.