

BOARD OF ADJUSTMENT MINUTES

June 3, 2003

7:00 p.m.

Present: Chairman Bud Neslen, Vice Chairman Dean Holbrook, Leon Thurgood, Assistant City Attorney J.C. Ynchausti, Planning Director Blaine Gehring, Recording Secretary Connie Feil.

Absent: Planning Commission Representative Mark Green, Al Hess.

Bud Neslen welcomed all those present and had the Board Members and all those present introduce themselves. Dean Holbrook made a motion to approve the minutes for November 5, 2003 and November 20, 2003 as written. Leon Thurgood seconded the motion and voting was unanimous. Dean Holbrook made a motion to approve the minutes for April 1, 2003 as written. Leon Thurgood seconded the motion and voting was unanimous.

1. Consider granting a variance to allow a 6-foot fence in the front yard setback, Michael and Lisa Serio at 4067 S. Mountain Oaks Drive, applicants.

Michael and Lisa Serio, applicants, and Richard Davis, attorney, were present. Richard Davis representing the Serios explained that the fence became an issue when they received a letter from the City stating that there was a violation having a 6-foot fence constructed on the corner. It is not in their front yard but the ordinance says that it is the front yard. The Serios were instructed to apply for a variance. Mr. Gehring supplied the Serios with the ordinances and the application. After receiving a memo from Mr. Gehring, Mr. Davis contacted the Mr. Ynchcusti for further discussion. It was advised to appeal to the City Council for an adjustment or modification to the ordinance with regard to this type of scenario. Mr. Davis wants to keep the policy of good visibility and not be in violation of the ordinance. Mr. Davis requested the Board Of Adjustment to table this issue until the City has time to review the ordinance on this issue. Mr. Davis has submitted a letter to the City.

The Public Hearing was opened for those who had questions or concerns. The Public Hearing was closed for no one present.

Dean Holbrook made a motion to table this item until further notice. Leon Thurgood seconded the motion and voting was unanimous.

2. Consider a variance to allow building on greater than 30% slopes at 978 E. Highland Oaks Drive, Dan Lowe, applicant.

Dan Lowe, applicant, and Randy Lewis, realtor, were present. Mr. Lowe explained that there is a small portion of the property which is under 30% slope. This property does not comply with the full required amount for the building pad. Mr. Lowe has been working with the Staff to place the home such that the impact on the 30% slope will be minimal. The home will have a 20-foot front yard setback,

which the ordinance will allow. The two back corners of the house will be on a small amount of 30% slope.

There was a discussion with Blaine Gehring and Randy Lewis on where the home can be placed with the least amount of impact and be used as a buildable lot.

Dean Holbrook feels that the variance meets all the requirements and he has no problems granting the variance. Mr. Holbrook made a motion to grant a variance to allow construction as per the plot plan submitted. Leon Thurgood seconded the motion and voting was unanimous.

Meeting adjourned at 7:25 p.m.