

SUMMARY MINUTES OF BOARD OF ADJUSTMENT ACTION HELD AUGUST 25, 2015

CALL TO ORDER – 7:02 P.M.

PLEDGE OF ALLEGIANCE -

ROLL CALL OF MEMBERS – Those Present: T.O. Owens, Chairman; Dave Marquez, Vice Chairman, Jenny Riley, Secretary, Kathy Drulard, Ted Terranova, Christine Duncan

Not Present: Cindi Kreutzer

ALSO PRESENT: Reid Betzing, Sr. Ass't. City Attorney; Rob Smetana, Planning Manager, Gary Hammond, Senior Planner; James Cramer, Planner I, Jodi Baros, Recording Secretary

APPROVAL OF MINUTES FOR July 14, 2015 – The minutes for July 14th stand approved as printed.

PUBLIC HEARING –

---

**VAR2015-0016 – Janet Brackeen 6200 Chase St.**

---

The public hearing was opened.

The property was posted and the fee was paid.

Ms. Brackeen stated that she is requesting a variance to build a privacy fence and that she has lived in this house for 11 years and would like to add a privacy fence to include a hot tub.

Mr. Christian Swift stated that he works at Costco on his feet all day and would like to have the hot tub for warm water therapy. There is no privacy from the neighbors and their home is located on a through street from Sheridan Blvd.

Ms. Brackeen stated that Mr. Swift did go to the public recreation center and can no longer use the public hot tub due to getting infections after a recent amputation. There is nowhere else to place the hot tub on the lot.

Additional Comments from Staff

No comments from staff

Mr. Owens closed the Public Input portion of the Hearing

Ms. Drulard asked, if they will be removing any trees?

Ms. Brackeen stated no, absolutely not.

Mr. Terranova asked staff what the distance from the house needs to be for the hot tub.

Mr. Cramer stated the distance needs to be 10 feet from the property line.

Mr. Terranova asked how big of a hot tub?

Mr. Swift stated that it will be a three person hot tub.

Ms. Riley asked, if they will be putting the hot tub on a concrete slab?

Mr. Swift stated that they have not spoken to the contractor about the details.

Mr. Marquez asked, if the fence style will remain the same as the fence that is already at the neighbor's home?

Ms. Brackeen stated that they would like to paint the fence the color of their home but it will be the same type of fence.

Mr. Terranova asked, if there were any issues with visual safety.

Mr. Cramer stated that the Traffic Engineering would have commented to that and there were no comments from them.

Mr. Owens closed the Public Hearing

Mr. Owens stated that this seems like a reasonable request to him and that the staff could have done this but he appreciates that they brought it before the board

Mr. Marquez will follow the lead of Mr. Owens and will be supporting this variance.

DISCUSSION OF MOTION:

MOTION:

It was moved by Ms. Riley that variance request VAR2015-0016, Janet Brackeen, 6200 Chase St., requests a variance to construct a six foot solid fence 20.4 feet from the front (south) property line when Section 6.5.8 of the LDC requires a solid fence to be setback 25 feet from the property line, be granted.

This motion is based on Findings No. 1 through 8 on Page 11 of the Staff Report.

As to Finding No. 1, the special circumstance or condition includes the shallowness or odd space on this lot.

The following votes were cast on the motion:

Those voting Yes: Terranova, Owens, Riley, Drulard, Duncan, Marquez

Those voting No:

Those absent: Kreutzer

Those abstained:

The variance is granted.

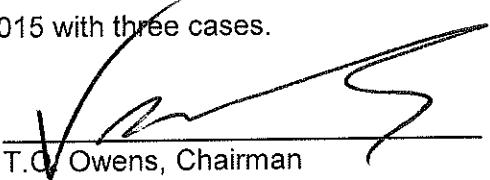
OTHER ITEMS – By-laws discussion

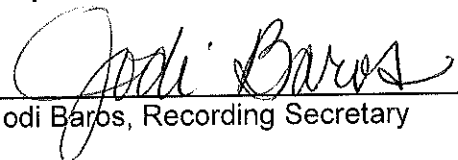
Mr. Betzing stated that this discussion of the By-laws will use a simple majority vote and not allow a continuance of the case.

The next meeting is scheduled for September 15, 2015 with three cases.

MEETING ADJOURNED at 7:27 P.M.

  
\_\_\_\_\_  
Jenny Riley, Secretary

  
\_\_\_\_\_  
T.O. Owens, Chairman

  
\_\_\_\_\_  
Jodi Barros, Recording Secretary