**Board of Adjustment**
**June 28, 2016**

Board Members Present
Carolyn Kalchthaler, Chairperson
Peter Krause
Robert Miller
Jim Norton
Ban Alali
William Gibson
Enghlab Eftekhari
Phil Head, Alternate

Absent
Joyce Beach
Phillip Pierceall, Alternate

Staff
Victoria Huynh, Deputy City Attorney
Selso Mata, Building Official
Patti Hoffer, Code Compliance Rep
Diana Casady, Sr. Administrative Assistant

Chairperson Carolyn Kalchthaler called the meeting to order at 3:00 p.m., Tuesday, June 28, 2016 in the Senator Florence Shapiro Council Chambers of the Municipal Center. A quorum was present and notice of the meeting had been posted for the time and manner required by law. The following matters were discussed.

Chairperson Kalchthaler admitted all documents and testimony given into the official Board of Adjustment record.

1. **Public comments:** There was no public comment.

2. **Approval of Minutes from May 24, 2016**

Board Member Jim Norton made the motion to approve the minutes from May 24, 2016, Bill Gibson seconded the motion. The Board voted 8/0 in favor of approving the minutes from May 24, 2016.

3. **APPEAL #16-13Z 2125 Woodburn Corners: A request to vary from Subsection 9.500 (.3) of Division 2, Article 9, Zoning Ordinance No. 2015-5-2 as amended, to allow an addition to encroach 1.85 feet into the required 10' side yard setback, for a reduced side yard setback of 8.15 feet.**

Patti Hoffer, Code Compliance Representative, gave a presentation on the variance request and answered questions from the Board.

Dan Smith, Property Owner, testified on the four factors that are required for the approval of the variance. The unique characteristic about this property is the drainage easement and the subsequent reduction of usable land hindering their ability to comply with the ordinance. The addition is for their elderly mother. The property owner said this situation was no fault of the homeowner because the land was already platted when they bought the house in 1986. They purchased a 137-foot lot, but does not have rights to the entire

137 feet. The neighbors have no objection. There will still be 26 feet between the addition and the neighbor's house.

Steve Scarborough, neighbor at 2121 Woodburn Corners, testified that there is ample room between them even after the addition and he has no objection to the variance.

Chairperson Kalchthaler closed the floor to public comment, and discussion was confined to the Board.

After discussion, Board Member Jim Norton made the motion to approve Appeal #16-13Z. Phil Head seconded the motion. The Board voted 8/0 in favor of the motion, and the variance request was approved.

**8. Items for future Agenda.**

No cases for the July 12, 2016 meeting.

Meeting adjourned at 3:15 p.m.

Carolyn Kalchthaler, Chairperson