



Board of Adjustments Regular Meeting Minutes

July 16, 2024 at 5:00 PM

City Hall Commission Chambers
401 S. Park Avenue

Present

Michael Clary, Ann Higbie, Charles Steinberg, Robert Trompke, Aimee Hitchner, Jeanne Reynaud, Frank Pruitt

Absent

None

Staff Present

Director of Planning & Zoning Allison McGillis, Planner II Nicholas Lewis, Planner I Corinna Lundgren, Administrative Coordinator Mary Bush

1. Call to Order

Vice-Chair Charles Steinberg called the meeting to order at 5:00 p.m.

2. Selection of Chair and Vice-Chair

Motion made by Ann Higbie, seconded by Michael Clary, to nominate Charles Steinberg as Chair of the Board. Mr. Steinberg accepted the nomination.

By a roll call vote, the motion carried by a 7-0 vote.

Motion made by Ann Higbie, seconded by Michael Clary, to nominate Robert Trompke as Vice-Chair of the Board. Mr. Trompke accepted the nomination.

By a roll call vote, the motion carried by a 7-0 vote.

3. Consent Agenda

- a. Approve the minutes of May 21, 2024.

Motion made by Robert Trompke, seconded by Michael Clary, to approve the May 21, 2024 meeting minutes.

The motion carried unanimously by a 7-0 vote.

4. Public Comments (for items not on the agenda): Three minutes allowed for each speaker

No one from the public wished to speak. The public hearing was closed.

5. Public Hearings (Public participation and comment on these matters must be in person.)

- a. BOA-#24-04 Request of Alexandre Oelsner for variance approval from Section 58-70 subsection (a)(2) to allow a 14-foot street-side setback in lieu of the required 20-foot street-side setback as part of the proposed addition and overall renovations to the existing home located at 1251 Via Estrella, zoned R-1AA. **This item was continued from the June 18th meeting due to a lack of quorum.**

Ms. Lundgren provided a summary of the item. She noted that the item had been continued from the June 18, 2024 regular meeting. She noted that staff had received four neighbor letters, all in approval of the request. She then indicated that the home had been constructed in 1957 and the applicant was proposing to add an addition which creates a bump out of 6-feet beyond the required side setback of 20-feet in conjunction with the overall renovations to their home. Ms. Lundgren then reviewed the variance approval criteria for the item. She noted that the lot is a corner lot with a uniquely deep right-of-way on both Temple Drive and Via Estrella and that the applicant had not maxed out their floor-area-ratio. She then indicated that the only allowable area for the addition is on the street side portion of the existing home facing Temple Drive. She went on to add that staff felt that it is unlikely that the requested variance would impose any potential special privilege for future nonconforming uses of neighboring lands, structures, or buildings.

Staff recommendation was for approval.

A brief discussion ensued regarding clarification of the right-of-way setback on Temple Drive.

No one from the public wished to speak. The public hearing was closed.

The Board shared their thoughts on the item, and they were overall in favor of the item and felt that the request was reasonable.

Motion made by Aimee Hitchner, seconded by Ann Higbie for variance approval from Section 58-70 subsection (a)(2) to allow a 14-foot street-side setback in lieu of the required 20-foot street-side setback as part of the proposed addition and overall renovations to the existing home located at 1251 Via Estrella, zoned R-1AA.

The motion carried unanimously by a 7-0 vote.

- b. BOA #24-05. Request of Superior Aluminum Installations for variance approval from Section 58-65 subsections (f)(7) and (f)(8), to allow a 9.6-foot first-floor side setback in lieu of the required 11-foot, first-floor side setback and a 15-foot first-floor rear setback in lieu of the required 25-foot first-floor rear setback in conjunction with the proposed addition to the existing home located at 1214 Lindenwood Lane, zoned R-1A.

Mr. Lewis provided a summary of the item. He noted that the parcel is the only one that shares a border with the adjacent VA Hospital that cannot utilize the code-allowed 10-foot rear setback for properties that abut non-residential properties. He also noted that staff received two neighbor letters, both in approval of the request. He then indicated that the applicant was requesting to extend the existing primary bedroom suite located off the rear of the home by 15 feet. He explained that if the proposed rear setback was not an issue, the variance could be approved administratively. Mr. Lewis then went on to review the variance approval criteria. He explained that the addition had to have both requested variances, or it could not be granted approval. He added that because it is the only property abutting the VA Hospital that does not allow for the reduced rear setback outright, it is unlikely that the variance would impose any special privilege on neighboring lands, structures, or buildings.

Staff recommendation was for approval.

A brief discussion ensued regarding whether the lot was the only one in the city with the rear setback issue.

No one from the public wished to speak. The public hearing was closed.

The Board shared their thoughts on the item and were overall in favor of the request.

Motion made by Robert Trompke, seconded by Aimee Hitchner for variance approval from Section 58-65 subsections (f)(7) and (f)(8), to allow a 9.6-foot first-floor side setback in lieu of the required 11-foot, first-floor side setback and a 15-foot first-floor rear setback in lieu of the required 25-foot first-floor rear setback in conjunction with the proposed addition to the existing home located at 1214 Lindenwood Lane, zoned R-1A.

The motion carried unanimously by a 7-0 vote.

- c. BOA #24-06 Request of TEK Contracting Inc. **This item has been continued to the August 20, 2024 regular meeting.**

Mr. Lewis noted that the item was continued to the August 20, 2024 regular meeting due to a change of the requested rear setback, which requires a new public notice.

6. Non-Action Items

7. Staff Updates

8. Board Comments

9. Upcoming Agenda Items

10. Adjournment

The meeting adjourned at 5:30 p.m.

Minutes approved by the Board on August 20, 2024.

ATTEST:

/s/ Mary Bush, Recording Secretary