



Minutes

August 12, 2019

Meeting Summary

PZ Resolution No. 2019-34, a resolution recommending approval of a Variance Request to Allow a Seven Foot Encroachment into the Minimum Required Rear Yard Setback for a Deck Addition Located at 12696 Winona Circle was approved by a vote of 7 to 0.

PZ Resolution No. 2019-36, a resolution recommending approval of a Variance Application to allow for a fifteen foot encroachment into the required 25 foot side yard setback for a detached garage located at 4081 Creek Dr. was approved by a vote of 6 to 1.

Roll Call - 5:59 P.M.

Chairman Silvers called the meeting to order at 5:59 p.m.

Commission Members Present: Tom Silvers
Susan Barkman
Earl Franz
David Lemmon
Gerald Hart
Charles Hastings
Grayson Sanborn

Commission Members Absent: Archie Lind

Staff Members Present: Anna Bertanzetti, Planning Director
Karl Frundt, Assistant City and County Attorney
Whitney Hixon, Planning Coordinator
Shelby Jablon, Associate Planner

Chairman Silvers stated there was a quorum present.

Disposition of Minutes

The minutes of the July 22, 2019 Planning and Zoning Commission meeting stand approved.

Petitions and Communications

Public Hearing - PZ Resolution No. 2019-34 Variance Request to Allow a 7 Foot Encroachment into the Minimum Required Rear Yard Setback for a Deck Addition

Location: 12696 Winona Circle
Applicant: Adela Beric

Chairman Silvers opened the public hearing at 6:00 p.m.

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Shelby Jablon, Associate Planner, summarized the staff report and asked that the staff report be made part of the record.

The applicant, Adela Beric, spoke regarding the request.

No members of the public requested to speak.

Chairman Silvers closed the public hearing at 6:06 p.m.

Commissioner Franz moved for approval of Resolution No PZ-2019-34 a variance request to allow a 7 foot encroachment into the minimum required rear yard setback for a deck addition located at 12696 Winona Circle based on the following findings:

- The variance would reduce practical difficulties currently present;
- The Architectural Control Committee approved the request;
- No neighbors have disagreed with the plan; and
- The applicant has six months to complete the project

Commissioner Hastings seconded the motion.

Commissioner Hastings moved to add the following findings:

- The encroachment will not exceed the existing encroachment; and
- Due to the age of the existing deck the request leads to added safety improvements.

Commissioner Franz accepted the additional findings.

There was no further discussion following the motion.

The motion for continuance passed unanimously by a vote of 7 to 0.

Public Hearing - PZ Resolution No. 2019-36 A variance application to allow for a fifteen foot encroachment into the required 25 foot side yard setback for a detached garage

Location: 4081 Creek Dr.
Applicant: Rick Gustad

Chairman Silvers opened the public hearing at 6:09 p.m.

Shelby Jablon, Associate Planner, summarized the staff report and asked that the staff report be made part of the record.

The applicant, Rick Gustad, spoke regarding the request.

No members of the public requested to speak.

Commissioner's comments and questions followed.

Chairman Silvers closed the public hearing at 6:20 p.m.

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Commissioner Hart moved for approval of Resolution No. PZ-2019-36 a variance application to allow for a fifteen foot encroachment into the required 25 foot side yard setback for a detached garage located at 4081 Creek Dr. based on the following findings:

- The applicant's property is located on a lot with a required side yard setback of 25 feet;
- The applicant desires to construct a detached garage to the side yard. There is an existing garage in this location that will be torn down and reconstructed with a larger footprint;
- The requested variance would allow the property owner to continue to access the backyard through the existing drive and gate without modification;
- The requested variance will not impair zoning regulations to prevent overcrowding of the land or avoid undue concentration of population; and
- There is no known public opposition to the requested variance.

Commissioner Silvers seconded the motion.

The resolution passed by a vote of 6 to 1 with Commissioner Hastings objecting.

Special Reports - None

Adjournment - 6:23 p.m.

Approval

Minutes Prepared by:

Recording Secretary

Approved by:

Chairman