



DEPT. OF COMMUNITY DEVELOPMENT
PLANNING DIVISION
301 W. CHESTNUT
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**BOARD OF ADJUSTMENT
MINUTES
January 9, 2020**

MEMBERS PRESENT:

Aaron Smith, Chair
Mandel Samuels
Hannah Cicioni
Andrew Curry
Roger Clark

OTHERS ATTENDING:

Ethan Hunter, City Planner
Chris Robinson, Planner I
Gloria Garcia, Planning Technician

Chair Aaron Smith called the meeting to order at 4:00 pm.

OLD BUSINESS

19-51: A request by Phone Fix for a variance to allow additional signage space at Suite 125 of 1400 W. Walnut Street in the city's C-2 (Highway Commercial) zoning district.

Chairman Smith stated that the applicant has failed to appear a second time, therefore the application is automatically denied.

NEW BUSINESS

19-60: A request by David Chance for a variance to allow an exterior side setback reduction from 25' to 20' at 1729 W. Madison Dr. in the city's R-SF (Residential Single-Family)

David Chance represented the request. Staff stated that the applicant is requesting to reduce the exterior side setback from 25' to 20' on the property in anticipation of future home construction. Though the exterior side setback presents a site constraint, the applicant did not identify a site specific hardship therefore staff recommended denial of the request.

Chance said that he had a house plan drawn that didn't fit on the property and needs a variance so that he can build the house plan.

Smith opened the public hearing and proceeded as follows:

- Mark Ruggerberg, 1707 W. Madison Dr. - Building & Grounds Director for the Madison Drive POA, states that the POA board supports the request.

- Richard Steinbeck, 1727 W. Madison Dr. – supports the request.

No attendees spoke against the request. The public hearing was declared closed.

Curry stated that city code requires that they have something specific about the location that requires a variance, they can't just grant a variance because the applicant wants it. Chance stated that all the houses in this subdivision have been a challenge to build on because they are irregularly shaped.

Curry stated that the irregularity of the lot and the floodplain in the rear of the property are two arguments for hardship.

Motion by Cicioni to approve the variance request for an exterior side setback reduction from 25' to 20'. Second by Clark. Voice vote: (unanimous). Motion carried. **APPROVED.**

19-61: A request by Craig Smith for a variance to allow an exterior side setback reduction from 30' to 25' on 0.49 acres at the SE corner of N. 24th St. and W. Persimmon St. in the city's RMF-15A (Residential Multifamily, 15 units per acre, ownership) zoning district.

John Wary represented the request. Staff stated that the applicant is requesting to reduce the exterior side setback from 30' to 25' to recoup the loss of 5' on the east side due to a 20' utility easement, caused by a sewer line.

Wary stated that by reducing the utility easement from 20' to 15', they can pick up an additional 5' and if they reduce the exterior side setback by 5' they would be able to gain enough space to build a four-plex.

Smith opened the public hearing. There were no public comments and the public hearing was closed.

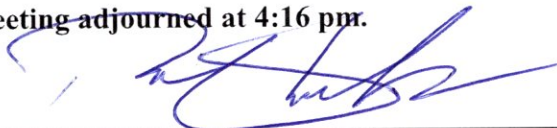
Samuels stated that by reducing the utility easement and exterior side setback by 5' it would get him back to the buildable area allowed by the code.

Motion by Cicioni to approve the request as presented. Second by Samuels. Voice vote: (unanimous). Motion carried. **APPROVED.**

Previous minutes: December 12th, 2019

Clark motioned to approve the minutes from December 12th, 2019. Second by Curry. Voice vote: (unanimous). Motion carried. **APPROVED.**

Meeting adjourned at 4:16 pm.



Roger Clark, Board of Adjustment Secretary