

Minutes of Board Adjustment meeting held June 6, 1989.

Board of Adjustments meeting called to order by Grant Pay at 8:30. Present were Grant Pay, Dee Davis, Ed Westover, Councilman Sherman Jones, and petitioner? Wayne Gull and Jim Peterson, son of properties original owner. Minutes were recorded. Grant Pay explained the powers of the Board of Adjustment and turned the time over to Mr. Gull.

Mr. Gull explained that the lot is 247 feet deep and 70 feet wide. There is city water on the property with a water meter. Currently the frontage of the property is in grass and alfalfa and the back part of the property is garden. Mr. Davis asked how much footage is between Whitelocks house and the property. Mr. Gull explained that there is 12 feet from the home to the property. He also explained that there is fence around the entire lot. Property was inherited by Mr. Gull's wife.

Mr. Pay explained that by granting the variance there would be some limitations on the house built there. Mr. Westover explained that there must be 8 feet on one side and 20 feet total side yard area. Mr. Peterson asked about the ordinance requirement for property widths. Mr. Davis asked about limitations on non-conforming. Mr. Pay explained that no out building could be built unless the new owner met with the Board of Adjustment. Mr. Westover pointed out that the home could be no wider than 50 feet and Mr. Gull said that would be something the new owners would have to take care of. Mr. Pay asked how long the Whitelock home had been there and Mr. Gull explained it was built about 12 years ago which would have been about the time or just before the ordinance was in effect. Mr. Westover explained that this would definitely affect this situation because the rules for the committee state that a problem must not be caused by the applicant. In this case it apparently was not.

Mr. Gull explained he has two hydrants running through the property to the garden area.

Mr. Pay explained that Lynn Smith would contact the Gulls about the committee's decision and Mr. Gull and Mr. Peterson left the meeting. Mr. Davis pointed out that it had been about 13 years ago that the property was sold and that it was obvious there was no intent to sell more property by selling narrow lots. Mr. Westover felt like with the extra footage on the depth it should more than make up for the deficiency in the frontage. Mr. Davis pointed out that it would be much more beneficial to have the property built on rather than allow it to go to weed. Mr. Westover pointed out that the new owner could apply to the Board of Adjustment for a variance on the side requirements but he was dubious about the outcome of such a request. Mr. Davis explained that the original purpose of having 8 feet was for fire protection.

Mr. Westover moved to grant the variance and the motion carried unanimously.

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Chairman

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Secretary

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Date approved