

CITY OF IDAHO FALLS  
BOARD OF ADJUSTMENT  
P.O. BOX 50220  
IDAHO FALLS ID 83405-0220  
(208) 612-8276

April 28, 2011  
12:15 p.m.

City Annex Building, Council Chambers  
680 Park Avenue

**Members Present:** Alex Creek; Jake Cordova; Hal Latin; Kendall Phillips; Len Stenzel; and James Wyatt.

**Members Absent:** Stephanie Austad; Steve Davies; and Richard Lee.

**Staff Present:** Brad Cramer, assistant director; and Debra Petty, recording secretary.

**Also Present:** The applicant(s).

**Changes to Agenda:** None.

**Call to Order:** The meeting was called to order at 12:15 p.m. by Chair Wyatt.

**Minutes:** March 24, 2011.

**Motion by Creek, seconded by Stenzel, to approve the minutes of March 24, 2011, as presented.**

**Aye:** Alex Creek; Jake Cordova; Hal Latin; Kendall Phillips; Len Stenzel; and James Wyatt.

**Nay:**

**Abstain:**

**Public Hearings:** **Variance Request  
Lots 1 & 2, Block 13, Holmes Addition, East Portion of Legion Drive and  
County Courthouse  
605 N. Capital Avenue**

Cramer described the request as outlined in the staff report, a part of the public record. He noted the following in regard to the project:

- The request is to waive requirements for peripheral landscaping of a parking area in the central business district.
- Ordinance requires a 7-foot peripheral landscape strip in the downtown to act as a buffer/wall from the parking lot to the streetscape.
- Plans to reconstruct Memorial Drive created the need for the city and county to provide replacement parking in other areas of the downtown.
- Access from Legion Drive to Memorial Drive will be closed and a building with a small landscape area removed to allow construction of the proposed parking lot.
- The county is attempting to replace the mandatory landscaping with more than required at another location within the plan to accommodate four rows of parking instead of three.
- Staff recommends approval of the variance due to physical constraints of the site, the hardship is not economic in nature or the creation of the owner, and it will not create a nuisance or harm to the neighborhood.

Chair Wyatt opened the hearing to public comment.

**Steve Serr  
605 N. Capital Avenue  
Idaho Falls, ID**

Mr. Serr said the county will increase parking at the new location by 48 spaces in comparison to the loss of 125 spaces on Memorial Drive. He said Legion Drive will become a common parking area. There are drainage issues on the site that will be remedied through removal and regrade of some of the existing parking and construction of the new parking area. If the county were to provide the required perimeter parking they would lose 20 of these spaces; defeating the purpose of the proposed parking lot. The county plans to remove and replace curb, gutter, and sidewalk on Capital Avenue.

Serr submitted Exhibit A, a street view of how the landscaping will appear on Capital Avenue. Serr told Creek that an agreement was made with the owner of the apartment complex for access to Legion Drive in order to allow for sanitation and maintenance needs.

Chair Wyatt closed the hearing to public comment.

Discussion by the board: Cordova appreciated consideration of a variance that meets all of the required criteria for approval.

**Motion by Cordova, seconded by Creek, to approve the variance request for elimination of the required peripheral landscaping requirement in the central business district, as the need was not created by the property owner, it is not economic in nature, and poses no harm to the neighborhood.**

**Aye:** Alex Creek; Jake Cordova; Hal Latin; Kendall Phillips; Len Stenzel; and James Wyatt.

**Nay:**

**Abstain:**

**Miscellaneous:** The next meeting is scheduled for Thursday, May 26, 2011.

**Adjourn:** Meeting adjourned at 12:42 p.m.

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Debra Petty, Recording Secretary  
Board of Adjustment