

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

April 23, 2009  
12:15 p.m.

City Annex Building, Council Chambers  
680 Park Avenue

**Members Present:** Stephanie Austad; Jake Cordova; Alex Creek; Hal Latin; Richard Lee; Kendall Phillips; and Chair James Wyatt.

**Members Absent:** Steve Davies.

**Staff Present:** DaNiel Jose, Current Planner, and Deb Petty, Recording Secretary.

**Also Present:** Applicant(s).

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

**Minutes:** April 23, 2009.

**Motion by Latin, seconded by Phillips to approve the minutes of April 23, 2009 as written.**

**Motion passed 5, 0, 0.**

**Public Hearings:** Variance Request  
**Lot 28, Block 2, Montcliffe Estates No. 4, 1<sup>st</sup> Amended**

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

- Property is zoned R-1 (Residential Single-family).
- The property is a corner lot.
- Request is for a reduction to the required side setback from 30-feet to 25-feet.
- The applicant would like to build a garage addition to the home.
- A 1976 geological study indicates rock outcroppings that limited placement of the dwelling on the lot.
- The south side yard setback at 13-feet is greater than required 7'6" due to the rock outcroppings.

Creek and Austad arrived for the hearing.

- Jose presented a site plan for the home/addition and is entered into the record as Exhibit A.
- There is a change of elevation on the north end of the lot.

Chair Wyatt opened the hearing to public comment.

**Richard Napier**  
**243 Alturas Street**  
**Idaho Falls, ID**

- House was built in 1995.
- Had to adjust the placement of the house on the lot due to lava rock outcroppings.
- Increased south side yard to 13-feet in order to avoid rock which in turn reduced the north side yard by 7-feet.
- Would like to construct a garage that would cover the existing concrete pad.

- Presented and elevation of what he would like to build and is entered into the record as Exhibit B.

Chair Wyatt closed the hearing to public comment and there was no further discussion by the Board.

**Motion by Latin, seconded by Creek to approve the request for a variance for the construction of a garage at 243 Alturas Street as the property is unique, the request is not economic in nature, and it does not negatively impact the surrounding neighborhood.**

**Aye:** Stephanie Austad; Jake Cordova; Alex Creek; Hal Latin; Richard Lee; Kendall Phillips; and Chair James Wyatt.

**Nay:**

**Abstain:**

**Business:**

- 1. Findings of Fact and Conclusions of Law for Lots 25-28, & W 9' Lot 29, Block 44, Crows Addition (1195 S. Boulevard).**

**Motion by Creek, seconded by Cordova to approve the Findings of Fact and Conclusions of Law for 1195 S. Boulevard.**

**Aye:** Stephanie Austad; Jake Cordova; Alex Creek; Hal Latin; Richard Lee; Kendall Phillips; and Chair James Wyatt.

**Nay:**

**Abstain:**

**Miscellaneous:**

**Adjourn:** Meeting adjourned at 12:27 PM.

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Debra Petty, Recording Secretary  
Board of Adjustment