

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

October 9, 2014  
12:15 p.m.

City Annex Building, Council Chambers  
680 Park Avenue

**Members Present:** Stephanie Austad; **Bryan Bjorgaard**; Alex Creek; Steve Davies; Richard Lee; and James Wyatt.

**Members Absent:**

**Staff Present:** Brent McLane, Current Planner and interested citizens.

**Changes to Agenda:** None.

**Call to Order:** Chair Lee called the meeting to order at 12:15 p.m.

**Minutes:** None.

**Public Hearings:** **Variance**  
**Lot 1 & W. 15' Lot 2, Block 2, Rose Park (2367 Calkins Avenue)**

McLane presented the staff report, a part of the record. He told the Board the acreage was amended to .342 acres. The request is for a variance to reduce the required 30 foot front setback to 9'4" to allow construction of a porch addition. The contractor began construction without the necessary building permit and the building inspector issued a Stop Work Order. The parcel was zoned R-1 (Residential Single-Family) at the time of construction and later rezoned to RP-A (Residence Park). Currently, the property is non-conforming on all sides. The applicant petitioned several of his neighbors and received support for the project.

Wyatt asked if the home complied with the 1960 zoning ordinance requirements at the time of construction. McLane said it is inconclusive base on the records kept during that time period. He told Davies that staff does not have a recommendation for the request. He told Lee the ordinance has provisions for non-conforming uses which allows it to remain, but not be expanded upon. Davies said the Board has discussed porch coverings and there is no provision in the ordinance for porch coverings. McLane said zoning allows an encroachment of 1/3 of the side setback for eaves and covers. There was discussion about other variances in the neighborhood.

Lee opened the hearing to public comment.

**Danny Campbell, 2367 Calkins Avenue, Idaho Falls, ID.** Mr. Campbell said the home is not a traditional ranch style as it has many angles. He said the neighbors have no concerns about the addition. He told Davies he did not know there was a code that would prevent construction of the cover and did not know the two columns would constitute a structure.

**Jared Fin, Green Acres Home Improvement.** Mr. Fin knew a permit was required, but did not proceed due to the constraints of the code. He realizes he placed everyone in a difficult position.

Lee closed the hearing to public comment.

The Board discussed the history of the home and whether it was non-conforming at time of construction. **Davies moved to approve the variance to allow a front setback of 9'6" due to the uniqueness of the lot on the condition the applicant receives a building permit and all work complies with building code requirements. Austad seconded the motion and passed. 5-0.**

**Adjourn:** Meeting adjourned at 1:00 p.m.

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Richard Lee, Chair