

BOARD OF ADJUSTMENT

March 23, 2023
Chambers

City Annex Building, Council

680 Park Avenue

Members Present: Kristi Brower Chair, Wendy Nobles, Ron Johnson, James Wyatt

Staff Present: Naysha Foster, Current Planner, Michael Kirkham, Assistant City Attorney

Call to Order: Kristi Brower called the meeting to order at 12:15 p.m.

Minutes: The minutes from August 25, 2022, could not be approved as there were not enough Board members present at this meeting who were at the August meeting.

Ron made a motion to approve the minutes from October 27, 2022. Wendy seconded the motion and it carried unanimously.

Public Hearing

VAR23-001:

The applicant, Joseph Sale from Alpine Builders, PO Box 2621, Idaho Falls, ID 83403, stated that they are working on a house right now that is the only house in a four-block radius that does not have a garage. He said that they would like to put a garage in the front corner of the property that would mirror the garage that sits on the property next door. Kristi asked the applicant if he was looking for a variance for the relief of setbacks. The applicant replied that he was. Kristi asked Joseph what he is asking the setback to be. Sale said he did not have the paperwork in front of him. The Board looked at the application and noted that it was approximately 9.5 feet. There were no further questions for the applicant.

Naysha Foster informed the BOA that the applicant is asking them to approve a reduction in setbacks for a garage. She said that this property was annexed and platted in 1951 as part of the South Bel-Aire Addition, Div. 1. There was a fire at this residence, however staff is unaware of the damages. Naysha stated that there are no CUP's or variances affiliated with this property. Between 1967 and 1988 there have been 18 variances approved in the entire Bel-Aire Subdivision. In South Bel-Aire alone there have been 4 variances approved for a reduced setback for additions to the home or a garage. The average set back approved is two feet. The average lot size in this division of Bel-Aire is 4,900 square feet. The average lot size in the rest of the Bel-Aire subdivision average 6,000 square feet. A majority of the neighborhood have garages in the side and front setbacks. Naysha explained that the applicant is asking for a setback of 9.5 feet from the front property line (15.32 ft from back of sidewalk) and a setback of 3 feet to the east side property line. The requested setbacks are in line with the existing garages in this neighborhood. There is a carport that will no longer function as a carport with a garage in the way. She said she is not sure at this time what the plan is for the carport and that granting a relief of setbacks will not be in conflict with the public interest or create a nuisance or potential harm to the

neighborhood and the property. Granting the variance will be consistent with the surrounding properties and staff recommends approval of this variance.

Ron asked Naysha if there was any negative neighborhood input. Naysha responded that there was a letter of support, but no calls or letters of opposition. There were no further questions.

James Wyatt issued an apology to the applicant, Board, and City of Idaho Falls for his absence at the last meeting. He said that the Board has granted a number of variances in this neighborhood and that he doesn't see a problem with this variance.

Ron made a motion to approve the request for reduction of setbacks as presented. James seconded the motion and it passed unanimously.

There was no other Public Testimony. Kristi Brower closed the public hearing

Board Discussion:

There was no further discussion. Relevant Criteria and Standards passed with a unanimous vote.

Election of Officers:

Kristi informed the Board that it is time to elect new officers. The Board discussed who would be interested in being Chair and Vice Chair. James made a motion to nominate Nathan Kennedy as Chair. Ron seconded the motion and it passed unanimously. James made a motion to nominate James Wyatt as Vice Chair. Ron seconded the motion and it passed unanimously.

Adjourn: Kristi adjourned the meeting at 12:18 p.m.

Respectfully Submitted, Ann Peterson, Recording Secretary