

Board of Adjustments Meeting  
September 27, 2004

Present: Chairman Clint Thompson  
Members: Elden Dattage, Gary Stauffer  
Others: Vern Keeslar, Steve & Denise Perkes  
Notes taken by Brenda Nelson

No minutes to approve. They were approved at the last meeting.

Prayer offered by Clint Thompson

ITEM 1. Keeslar explained that the Perkes' have made a request to expand a non-conforming use. PCC 10.7 allows the Board of Adjustment to make that determination. First we must determine if it is a legal or illegal non-conforming use. No current ordinance allows the expansion of a non-conforming use. However, this home became non-conforming in 1963. The 1963 Zoning Ordinance showed this residence in the R-2 zone. This allowed an 8' side yard setback. The previous owner had kept a 6' strip of property. The non-conformity arose when they built an addition to the home extending to within 2' of the property line. This made it a illegal non-conforming use.

Mr. Perkes has now purchased the additional 6' strip making this a legal non-conforming use. What they purpose to do does not increase the non-conformity.

The Board reviewed the site layout and determined that the expansion they purpose would not be contrary to our current ordinance. The addition they request will go to the east, where they have ample acreage to meet setback requirements. It will not go any further towards the north property line.

MOTION: by Gary Stauffer to accept this special condition based on findings of fact, conclusions of law and the conditions.

SECOND: by Elden Dattage.

All in favor. The motion passes. The Perkes may now apply for the building permit to construct an addition to the house.

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Clint Thompson, Chairman

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Date

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Brenda Nelson, Acting Secretary

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Date

