

**BOARD OF ADJUSTMENT  
MINUTES  
September 2, 2021 @ 5:00 p.m.**

The Board of Adjustment held a meeting on Thursday September 2, 2021 at 5:00 p.m. in City Hall Council Chambers.

**Members Present**

Chairman Blake Tarpley  
Vice-Chairman Don Jacimore  
Paul Gray  
Wendell Miller

**Members Absent**

Secretary Justin Cothren

**Visitors Present:** City Planner Sara Jondahl, Planner I Victoria Marchant, Flood Manager Ben Gray, City Engineering Tech Armando Diaz, Jim Lynch of City Corporation and Raymond Beavers.

**Welcome Visitors**

**The First Order of Business** is a request to review and approve the minutes of the Board of Adjustment June 3, 2021.

Member Miller made the motion to approve the minutes as written. The motion was seconded by Member Gray and passed unanimously.

**The Second Order of Business** is a Variance to allow an addition to a non-conforming structure located at 1004 Laredo Avenue. Submitted by Raymond Beavers on behalf of Robert Turner. (VARI-0821-000121)

Planner I Marchant said the application was to allow an addition to a non-conforming structure that did not meet the front yard setback requirement. Located at 1004 S Laredo Avenue within the Glenwood Neighborhood, this was an existing single-family residence. It was surrounded by other single-family homes. It was an R-2 (Medium Density Residential) zoned property surrounded by other residentially zoned properties including single family residential and medium density residential. In Article 9.3.2 the Board of Adjustment has been given specific guidelines in order to grant a variance. 1. Applicant demonstrates that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands. Staff has found the applicant has demonstrated that special conditions exist because this home was built before the current zoning code went into effect. It is not the intent of the Zoning Code to prohibit property owners to make additions to their homes when those additions are in conformance with the Russellville Zoning Code. 2. Non-conforming uses in the area shall not be considered grounds for granting a variance. No other non-conforming uses in the area were considered as grounds for granting this variance. 3. The

application demonstrates reasons that justify a variance and the variance is the minimum to make reasonable use of the land. The granting of the variance is the minimum variance allowing reasonable use of land. 4. Make a finding that granting the variance will be in harmony with the general purpose and intent of the zoning code. The granting of this variance is in harmony with the purpose and intent of the code. 5. The Board of Adjustment may prescribe appropriate conditions and safeguards. There are no additional safeguards required. 6. The Board of Adjustment may not grant a variance to allow a use not permissible in the zone code. The proposed use is in conformance with the Table of Permitted Uses.

It is staff's recommendation that the Board of Adjustment approve this variance request based on the findings below:

1. The home was built before current Zoning Code went into effect; and
2. It is not the intent of the Zoning Code to prohibit property owners to make additions to their homes when those additions are in conformance with the Russellville Zoning Code; and
3. The proposed additions to the home meet the setback requirements; and
4. The applicant has met all of the other variance requirements.

Member Miller made the motion to approve request as presented. The motion was seconded by Member Gray and passed unanimously.

Meeting Adjourned.

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