



**Board of Adjustment  
Special Meeting Agenda  
Fraser Town Hall, 153 Fraser Avenue  
Wednesday, October 24, 2018  
7:00 PM**

**Note: Times are approximate and agenda subject to change**

1. **Roll Call**
2. **Approval Of Agenda**
3. **Consent Agenda**
  - a. Minutes August 29, 2018

Documents:

[BOAM 2018-08-29.Pdf](#)  
[BOA Sign In Sheet 2018-08-29.Pdf](#)

4. **Open Forum**
5. **Other Business**
6. **Adjourn**

**TOWN OF FRASER BOARD OF ADJUSTMENT  
MINUTES**

**DATE:** Wednesday, August 29, 2018

**MEETING:** Zoning Board of Adjustment Meeting

**PLACE:** Fraser Town Hall Board Room

**PRESENT**  
**Commission:** Commissioners: Chair Jean Wolter, Katie Soles, Mayor Philip Vandernail, Parnell Quinn, Sam Brewer

**Staff:** Town Planner, Catherine Trotter; Town Clerk, Antoinette McVeigh, Intern Will Russell

**Others:** See Attachment

Chairperson Wolter called the meeting to order at 6:30 p.m.

1. **Roll Call**

2. **Approval of Agenda**

Commissioner Vandernail moved, and Commissioner Brewer seconded the **motion** to approve the agenda. **Motion carried: 5-0.**

3. **Consent Agenda**

a) Minutes November 29, 2017

Commissioner Quinn moved, and Commissioner Brewer seconded the **motion** to approve the consent agenda. **Motion carried: 5-0.**

4. **Public Hearings and Action Items:**

a) Public Hearing - 837 Quail Drive Variance

We are in receipt of a variance application submitted by Nathan and Stacey Peterson (applicants). The applicants are the owners of subject property which is located at 837 Quail Drive in the MDMF: Medium Density Multi-Family zoning district (Lot 1, Block M, Victoria Village). The applicants would like to split the lot north-south to allow a single-family attached dwelling to be constructed without creating a townhome and/or condo product.

Commissioner Soles moved, and Commissioner Vandernail seconded the **motion** to open the public hearing. **Motion carried:5-0.**

The BOA has five voting commissioners, Wolter, Soles, Jardine, Brewer and Bowles with two alternate voting commissioners, Vandernail and Quinn. The alternate BOA commissioners must vote in the absence of Jardine and Bowles. The concurring vote of

four (4) members of the BOA shall be required to grant an application for a variance only to the extent it finds that the following conditions, where relevant to the subject property and adjacent neighborhood, are present:

- There are unique physical circumstances or other conditions peculiar to the affected property, such as exceptional topography or irregularity, narrowness or shallowness of lot;
- The unique physical circumstances or other conditions do not exist throughout the neighborhood or district in which the property is located;
- The unique physical circumstances or other conditions, or any other hardship complained of, have not been created by the applicant;
- Because of the unique physical circumstances or other conditions, the property cannot be reasonably developed in conformity with the provisions of this Chapter;
- The variance, if granted, will not alter the essential character of the neighborhood or district in which the property is located, or substantially or permanently impair the appropriate use of adjacent conforming property;
- The variance, if granted, is the minimum variance that will afford relief and is not detrimental to the public good or to the purpose, intent and spirit of this Chapter or the Town Comprehensive Plan.
- The variance is needed to provide a reasonable accommodation to a person or persons with a disability.

Nathan Peterson answered questions and the BOA determined that the conditions listed above apply to the variance request.

Commissioner Vandernail moved, and Commissioner Quinn seconded the **motion** to close the public hearing. **Motion carried: 5-0.**

Commissioner Soles **moved** and Commissioner Quinn seconded the **motion** to approve Resolution 2018-08-01, a resolution recommending approval of a variance request presented by Nathan Peterson in regard to a 3' rear setback encroachment to remain on said property as presented to the Board of Adjustment on August 29, 2018 and allow the applicant to move forward with subdividing this corner lot - lot 1, block m, Victoria Village with the new lot line running north/south. **Motion carried: 5-0.**

#### 4. Public Hearing - Verizon Wireless Variance

We are in receipt of a variance application submitted by Anne Richards on behalf of Verizon Wireless (applicant). Christofer J. Hillison is the owner of subject property which is located at 520 N. Zerex Street in the Business and Riverwalk Mixed Use Overlay zoning district (Fraser 1st – Eastom 1st Lot 8-17, Block 10 the west half of Lot 17). The applicant would like to construct a 40' monopole disguised as a clocktower with associated ground equipment.

Commissioner Quinn moved, and Commissioner Brewer seconded the **motion** to open the public hearing. **Motion carried:5-0.**

Town Planner Trotter informed the BOA that the notice was sent to the required surrounding residents and businesses; however, the attachment was missing. The letter

stated that additional information is available at Fraser Town Hall. It was determined this was sufficient to move forward with the public hearing.

The concurring vote of four (4) members of the BOA shall be required to grant an application for a variance only to the extent it finds that the following conditions, where relevant to the subject property and adjacent neighborhood, are present: (the same conditions listed above).

Anne Richards answered questions and the BOA determined that the conditions apply to the variance request.

Commissioner Brewer moved, and Commissioner Quinn seconded the **motion** to close the public hearing. **Motion carried: 5-0.**

Commissioner Soles **moved** and Commissioner Quinn seconded the **motion** to approve Resolution 2018-08-02, a resolution recommending approval of a variance request presented by Anne Richards on behalf of Verizon Wireless to construct a 40' monopole disguised as a clocktower with associated ground equipment at 520 N. Zerex Street Fraser, more legally described as 1<sup>st</sup> – Eastom 1<sup>st</sup> lot 8-17, block 10 the west half of lot 17) with conditions as specified in the resolution with the exception that #6 be amended aa follows:

#6 A maintenance and security plan **shall be provided by Verizon** prior to issuance of a building permit. And the following two conditions be added to the resolution:

#7 Final design of the clock tower shall be approved by Town Staff.

#8 The clock must be visible from US Highway 40. **Motion carried 4-1, Nay Vandernail**

5. **Adjourn:**

Commissioner Quinn moved, and Commissioner Soles seconded the **motion** to adjourn. **Motion carried: 5-0.** Meeting adjourned at 7:25 pm.

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Antoinette McVeigh, Town Clerk



**BOARD OF ADJUSTMENT SPECIAL MEETING  
REGISTRATION SHEET**

August 29, 2018

The Public Forum is an opportunity for the public to present their concerns and recommendations regarding Town Government issues to the Planning Commission. Those wishing to address the Planning Commission will be allowed a five-minute presentation. A maximum of six (6) people will be allowed to address the Planning Commission at each Public Forum. If a topic that you wish to discuss has been scheduled for a formal Planning Commission Meeting, we would ask that you reserve your remarks for that specific date and time. Topics that are in litigation with the Town will not be heard during this forum. All presenters are urged to: (1) state the concern; and (2) list possible solutions. Please keep the following guidelines in mind:

- Remarks that discriminate against anyone or adversely reflect upon the race, color, ancestry, religious creed, national origin, political affiliation, disability, sex, or marital status of any person are *out of order* and may end the speaker's privilege to address the Planning Commission.
- Defamatory or abusive remarks or profanity are *out of order* and will not be tolerated.

Anyone attending Planning Commission meetings must sign in to ensure accurate records and minutes. Sign your name, address, and topic of discussion on the sign in sheet. Thank you for your cooperation.

NAME	PHYSICAL ADDRESS	IF YOU PLAN ON ADDRESSING THE BOARD DURING OPEN FORUM PLEASE LIST THE TOPIC YOU WISH TO SPEAK ON
Chris Hillison	820 Zerey St	
Nate Peterson	837 Quail Dr	
Stephanie Best	510 Zerey St.	
Anne Richards	6397 105th Canyon Ranch Rd	Clock tower
Jeanette Thomson	213 CR 501 Fraser	Clock tower
DAN SALLY GULLIAN	801 QUAIL DRIVE	
Dr. Buhayan	29 Beaver Brook Tr	
TC STANS-ED		