

The **Board of Zoning Adjustment** of the City of Modesto met in special session on Thursday, February 26, 2009, in the Lobby, 1010 Tenth Street, Modesto, California. The meeting was called to order at 9:00 am.

Members Bergman, Grover and Pollard present

FIELD TRIP

The Board Members and Steve Mitchell, Principal Planner proceeded on a field trip as scheduled and viewed the following property:

1401 Citrus Drive (Whiteley)

ADJOURNMENT

The meeting adjourned at 9:40 am.

Original, signed copy on file in CEDD

Patrick Kelly, Secretary

Minutes  
**Board of Zoning Adjustment**  
February 26, 2009

Being the hour of 10:00 am, the meeting was called to order by Chairperson Neumann.

**I ROLL CALL**

Board Members Brandvold, Bergman, Grover, Neumann, Pollard and Swehla present

Board Member Saxton absent

**MOTION**

It was moved by Hank Pollard, seconded by John Bergman, and carried unanimously that Ralph Saxton be excused from this meeting.

**II APPROVAL OF MINUTES**

It was moved by Ryan Swehla, seconded by John Bergman, and carried unanimously that the minutes of the regular meeting of December 18, 2008, be approved.

**III CONFLICT OF INTEREST DECLARATION**

None.

**IV CONSENT AND JOINT PUBLIC HEARING ITEMS**

None.

**V PUBLIC HEARINGS**

**Item A** VAR-08-002 – Application for a variance from the minimum side-yard setback requirement for corner lots in the R-1 Zone, located at 1401 Citrus Drive; submitted by Michael Whiteley

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Motion/Action (Approved)

It was moved by Hank Pollard, seconded by Ted Brandvold, and carried by majority (Bergman, Brandvold, Pollard Neumann, ayes; Grover, Swehla, noes; Saxton, absent) that the Board of Zoning Adjustment adopt **Resolution No. 2009-01** Denying a variance to the 15-ft side-yard setback requirement for a new house at 1401 Citrus Drive

**VI OTHER BUSINESS**

**Item B** Nomination and Election of Chairperson

It was moved by Will Grover, seconded by Ryan Swehla, and carried by majority voice vote (Saxton, absent) that Amy Neumann be elected as Chairperson for calendar year 2009.

**Item C** Nomination and Election of Vice-Chairperson

It was moved by Will Grover, seconded by Ryan Swehla, and carried by majority voice vote (Saxton, absent) that Ralph Saxton be elected as Vice-Chairperson for calendar year 2009.

**VII ORAL COMMUNICATIONS**

Board member Swehla indicated that he would like staff to take a look at the standards for corner lots.

Secretary Kelly indicated that staff would happy to research what other cities do and that the effort would fit with other code work being done at the current time.

Board member Neumann stated that Board members should review the materials from the recent workshops held regarding Neighborhood Compatibility and Heritage Trees.

**VIII MATTERS TOO LATE FOR THE AGENDA**

None.

**IX ADJOURNMENT**

The meeting was adjourned at 10:37 am.

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Patrick Kelly, Secretary