

The Baxter Board of Adjustments met on Monday, February 26, 2024 at 6:00 p.m. in the Council Chambers of City Hall. Members present were Scott Horn, Adam Richardson, Chad Maxwell, Tootie Samson, and Peg Kimberley. Residents Ron Smith and Jennifer Headlee were also in attendance. Dan Kunkel was not in attendance.

Chairman Maxwell called the meeting to order at 6:00 p.m. Horn moved to approve the Agenda. Richardson seconded. Motion carried, all ayes.

Maxwell noted the purpose of the meeting was to review a request for variance made by Dan Kunkel regarding property located on S. West Avenue, previously known as the trailer park. The Board is requested to grant a variance from Baxter Zoning Ordinance No. 586 regarding Front Yard Regulations, Section 800 R-2 High Density Residential Districts. Section 805.20 states there shall be a front yard depth of not less than thirty-five (35) feet. Baxter Ordinance requires corner lots to have a double frontage; front yard requirements shall be provided on all streets. The subdivision would constitute two (2) residential corner lots with twenty (20) foot front yard setbacks adjacent to W. Watson Avenue and W. Rippey Avenue. Kunkel plans to construct 4 duplexes on said lots located within the subdivision.

Board members Maxwell, Richardson, and Horn informed newly seated Board members Kimberley and Samson the Board previously held a meeting on the variance request in December 2023 in which no action was taken on the request. The Subdivision Plat was reviewed by the Board and questions were answered by Kunkel who was in attendance. Kimberley questioned why Kunkel requested the variance and the necessity. Board members further noted the Subdivision Plat that was submitted with the application was different than that reviewed in December with Lot 5 being omitted and replaced with Outlay Lot A and a separate lot adjacent to W. Watson Street which did not appear to be part of the subdivision. Question arose as to why Lot 5 was omitted for construction and what Outlay Lot A was for.

Upon completion of extensive discussion, Richardson moved to deny the variance request for the southern lot adjacent to W. Watson Avenue based on the fact that it did not appear to be part of the subdivision nor would include duplex construction based off of the new Subdivision Plat submitted with the variance request. Maxwell seconded. Motion carried, all ayes.

The Board reviewed the variance request for Lot 1 of the subdivision adjacent to W. Rippey Avenue. Question arose as to why the duplex on Lot 1 was planned to face W. Rippey Avenue instead of S. West Avenue as were the remaining duplexes on Lots 2, 3, and 4. Richardson noted at the December meeting he had questioned Kunkel as to other placement or construction options for Lots 1 and 5 that would avoid the need for a variance. He advised Kunkel stated there were no other options and his goal was to obtain optimum units. In reviewing the lot size of Lot 1 Board members agreed there appeared to be sufficient room to allow for the necessary 35 foot front set back. Upon completion of discussion, Richardson moved to deny the variance request for Lot 1 of the Subdivision Plat. Horn seconded. Motion carried, all ayes.

With no further business, Maxwell moved to adjourn the meeting. Horn seconded. Motion carried, all ayes. Meeting adjourned at 6:55 p.m.

Peg Kimberley/Baxter Board of Adjustments