

**MINUTES OF THE MEETING OF THE SUBDIVISION
AND DEVELOPMENT APPEAL BOARD
WEDNESDAY, MARCH 11, 2015 at 7:00 p.m.**

PRESENT: Members: C. Brown, C. Crozier, B. Hawrelak
V. Lutz, G. Shipley

Development Officer B. Stehr
Planning Consultant G. Smith
Recording Secretary S. Simon

Appellant(s) Anthony Smith and Dianne Smith

1. CALL TO ORDER

Recording Secretary called the appeal hearing to order at 7:00 p.m., confirmed there was a quorum present to hear this appeal; and opened nominations for Chairman.

2. ELECTION OF CHAIRMAN

C. Brown nominated V. Lutz to be Chairman, seconded by G. Shipley. V. Lutz accepted and assumed control of the appeal hearing.

**3. Appeal of Development Application 15-DP-001
Lot 19, Block 5, Plan 9711827 (916 Kipling Crescent, SW)
Extension / Enclosed Deck
Appeal of reasons for denial of Development Permit Application
Rear yard setbacks are less than required as per Town of Redcliff's Land Use
Bylaw**

Chairman V. Lutz asked the appellant if she had any objection to any board members hearing the appeal. D. Smith advised she had no objection to any member of the Subdivision and Development Appeal Board.

a) Presentation of Appellant

D. Smith advised she wishes to add an addition to their existing deck and enclose it. She indicated she needed an open space for the BBQ. She advised the proposed design encroaches into the rear setback. D. Smith distributed a map of the area which showed that her lot is an odd shaped lot and further that there are no neighbors to the rear of the property. The Town's Public Services Shop is across the roadway. She commented that she felt this was a better design and would look better this way. Further, that changing the roof lines would increase construction costs. She indicated she did not feel the enclosed deck would impede anyone's view.

B. Hawrelak asked D. Smith to clarify the design and expressed concern if the structure would meet building code requirements.

b) Presentation of Development Officer

Development Officer showed a site plan to the members for viewing of the site. Development Officer indicated he had had multiple discussions with the applicant and her proposed development. Upon receiving the application, he reviewed it, finding that it did not meet the requirements of the land use bylaw for setbacks and he refused it.

B. Hawrelak questioned if there was any intent to widen 9th Avenue in the future. The Development Officer advised he was not aware of any plans to widen it.

c) Presentation of Municipal Planning Commission (MPC)

No one was in attendance.

d) Presentation of Planning Consultant

Recording Secretary distributed the written report prepared by the Planning Consultant (attached). The Planning Consultant briefly summarized the matter and is recommending the Board not uphold the Development Officers decision and to approve the development permit as presented.

e) Presentation of anyone served notice of hearing

No one in attendance.

f) Presentation of anyone claiming to be affected

No one in attendance.

g) Rebuttal of Appellant/Applicant

The appellant had no further comments.

h) Other

Nothing further was discussed.

i) Recess

B. Hawrelak moved to meet in camera at 7:17 p.m. – Carried.

The Appellant, Development Officer, and Planning Consultant left the meeting at 7:17 p.m.

j) Decision

G. Shipley moved that the appeal against the decision of the Development Officer to refuse to issue a permit for Development Permit Application 15-DP-001, Lot 19, Block 5, Plan 9711827 (916 Kipling Crescent SW) for an extension / enclosed deck be upheld and the decision of the Development Officer be revoked. Further that Development Permit Application 15-DP-001, Lot 19, Block 5, Plan 9711827 (916 Kipling Crescent SW) for an extension / enclosed deck be approved as presented. – Carried.

Reasons for Decision

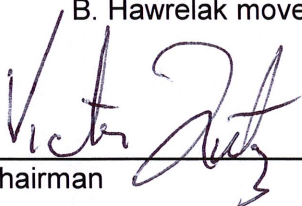
- The proposed development will not adversely affect the surrounding homes.
- The proposed development will make the residence more aesthetically pleasing.
- The proposed development is consistent with the Municipal Development Plan.
- The proposed development does not affect the existing utility right of way.

The Appellant(s), Development Officer, and Planning Consultant returned to the meeting at 7:25 p.m.

C. Crozier advised the appellant of the decision and that the written decision would be forthcoming.

4. ADJOURNMENT

B. Hawrelak moved the meeting be adjourned at 7:27 p.m.



Chairman



S. Simon, Recording Secretary