

**MINUTES OF MEETING**  
**WEST COUNTY BOARD OF ZONING ADJUSTMENTS**  
**AUGUST 27, 2003**  
**(APPROVED SEPTEMBER 10, 2003)**

The meeting was held at the hour of 1:30 p.m. in the Auditorium of the Alameda County Building, 224 West Winton Avenue, Room 160, Hayward.

**REGULAR MEETING: 1:30 p.m.**

**MEMBERS PRESENT:** Members Frank Peixoto, Chair; Dennis Botelho; Sharon Callaham; Ron Palmeri;; Jewell Spalding.

**MEMBERS EXCUSED:** None

**OTHERS PRESENT:** Phil Sawrey-Kubicek, Senior Planner; Tona Henninger, Code Enforcement Manager; Lacy Starling, Zoning Investigating Officer; Andy Young, Planner III; Richard Tarbell, Planner II; Yvonne Grundy, Zoning Enforcement Secretary and Nilma Singh, Recording Secretary.

There were nineteen people in the audience.

**CALL TO ORDER:**

The meeting was called to order by the Chair at 1:30 p.m.

**ANNOUNCEMENTS BY THE CHAIR:** None.

**Neighborhood Preservation Ordinance Abatement Hearing**

**CONSENT CALENDAR:**

1. **RICHARD and LAURIE LINDBERGH, CONDITIONAL USE PERMIT, C-7988, VARIANCE, V-11605 and SITE DEVELOPMENT REVIEW, S-1813** – Application to allow construction and operation of a Type A service station and to construct a convenience store 10 feet within a Special Building Line (SBL) in a “TC” (Transit Corridor) District, located at 20925 Mission Boulevard, southwest corner of Medford Avenue, unincorporated Cherryland area of Alameda County, bearing Assessor’s Parcel Number: 414-0061-033-00. (Continued from October 9, January 8 and 22, and July 23, 2003). **Withdrawn.**
  
2. **JOHN T. ARKEDER, CONDITIONAL USE PERMIT, C-8014** – Application to allow construction of a secondary unit in a R-1-CSU-RV (Single Family Residential, Conditional Secondary Unit, Recreational Vehicle) District, located at 18975 Parsons Avenue, west side, approximately 150 feet south of Link Court, unincorporated Castro Valley area of Alameda County, bearing Assessor’s Parcel Number: 084D-1328-007-01. (Continued from October 23, 2002, January 22, April 9 and July 23, 2003). **Withdrawn.**

3. **ARNOLD and JOYCE ADAMS, CONDITIONAL USE PERMIT, C-8130** – Application to allow expansion of an existing auto repair facility with the construction of: 1) an aluminum awning (16 feet x 60 feet); 2) roll-up door and cover of a storage area, and 3) installation of a portable office, in a P-D (Planned Development) District, located at 18811 Lake Chabot Road, southwest side, corner east of Huber Drive, unincorporated Castro Valley area of Alameda County, bearing Assessor's Parcel Number: 084B-0502-044-00. (Continued from April 9 and 23, May 28 and June 25, 2003; to be continued without discussion to September 24, 2003).
4. **HOSANNA HOMES, CONDITIONAL USE PERMIT, C-8143** – Application to allow continued operation of a residential care facility adding two modular trailers to their current use permit and requesting a ten-year renewal period, in an 'A' (Agricultural) District, located at 9998 Crow Canyon Road, west side, approximately one mile north of Norris Canyon Road, unincorporated Castro Valley area of Alameda County, bearing Assessor's Parcel Number: 0085-1902-001-00. (Continued from April 28, May 28, July 23 and August 13, 2003; to be continued without discussion to October 8, 2003).
5. **BERNARDO BUTTLER, VARIANCE, V-11698** – Application to allow construction of an attached addition thereby reducing the required front yard from 20 feet to 17 feet – 8 inches and retaining a garage conversion providing zero parking spaces where two spaces are required, in a R-1 (Single Family Residence) District, located at 18184 Rainier Avenue, east side, approximately 200 feet southeast of the intersection with Whitney Court, unincorporated Cherryland area of Alameda County, bearing Assessor's Parcel Number: 0413-0055-015-00. (Continued from November 20, 2002, February 26, April 23 and May 27, 2003; to be continued without discussion to October 22, 2003).
6. **L. FU/DAVID LAU, VARIANCE, V-11708** – Application to allow construction of three new dwellings providing: 1) six feet side yard where 15 feet is required; 2) zero foot setback from the driveway to two dwelling unit walls where 10 feet is required; and 3) 12 feet driveway where 20 feet is required, in a R-3 (Three Family Residence) District, located at 2256 Regent Way, southeast side, approximately 420 feet northeast of Cross Road, unincorporated Castro Valley area of Alameda County, bearing Assessor's Parcel Number: 084A-0270-006-00. (Continued from January 8, February 5, February 26, March 26 and May 27, 2003; to be continued without discussion to October 8, 2003).
2. **RONALD VARGAS, CONDITIONAL USE PERMIT, C-8141** – Application to allow continued operation of an outdoor storage yard (recreation vehicles with 24 hour guard on premises) in an M-1 (Light Industrial) District, located at 22035 Meekland Avenue, southwest side, approximately 65 feet southeast of Poplar Avenue, unincorporated Cherryland area of Alameda County, bearing Assessor's Parcel Number: 0429-0064-019-02. (Continued from April 9, June 11 and August 27, 2003).
6. **LUIS D. and EVA BRISENO/ELPIDIO RAMOS, VARIANCE, V-11759** – Application to allow construction of a two story dwelling with a 14 foot side yard

where 15 feet is required and a 6.6 feet setback from the driveway edge to the dwelling unit where 10 feet is required, in a R-3-B-E (Four Family Residence, 8,750 square foot Minimum Building Site Area) District, located at 1465 – 166<sup>th</sup> Avenue, northwest side, approximately 420 feet northeast of the intersection with East 14<sup>th</sup> Street, unincorporated San Leandro area of Alameda County, bearing Assessor's Parcel Number: 080-0076-026-00.

7. **ARMANDO PLASCENCIO, VARIANCE, V-11775** – Application to remodel an existing dwelling and construct a four car garage with a third dwelling, providing four parking spaces where six are required and five foot side yard where six feet and 15 feet are required, in a R-3-B-E (Four Family Residence, 8,750 square foot Minimum Building Site Area) District, located at 1507 – 166<sup>th</sup> Avenue, northwest side, approximately 715 feet southwest of Los Banos Street, unincorporated San Leandro area of Alameda County, bearing Assessor's Parcel Number: 0080-0076-009-00.

The Chair recommended moving Regular items 2, 6 and 7 to the Consent Calendar since they were recommended for continuances. Member Callahan made the motion to approve the Consent Calendar with the above modifications. Member Palmeri seconded the motion, which carried 5/0.

The Chair also announced that at the Board of Supervisor's request, Regular Calendar item 8 would have been heard as the first item. But since the Applicant was not available, it would remain as item 8.

#### **REGULAR CALENDAR:**

1. **CHEUK FUNG, CONDITIONAL USE PERMIT, C-7920** – Application to allow construction of a service station (Type A) with a convenience mart and car wash facility on a portion of an existing 1.4 acre site, in a C-1 (Retail Business) District, located at 997 Grant Avenue, northeast corner of the intersection with Washington Avenue, unincorporated San Lorenzo area of Alameda County, bearing Assessor's Parcel Number: 0412-0022-004-03. (Continued from July 24, September 11, October 23, November 13, 2002; January 22, February 5 and 26, March 12 and 26, April 23, May 28 and June 25, 2003).

Mr. Sawrey-Kubicek read the project description, noting the Addendum staff report and the response from San Lorenzo Village Home Association.

Public testimony was called for. JP Mobasher representing the Applicant, stated that this project has been in the process for four years and, in response to the Chair, added that he agreed with all the conditions. Member Botelho asked if a restaurant was included. Mr. Mobasher replied yes but with no alcohol.

Nancy Van Huffle, San Lorenzo Village Home Association, asked if the Association's recommendations have been included in the recommended conditions. A copy of their letter was also faxed to the owner who has met with the Association on several occasions. Mr. Sawrey-Kubicek said they were not included but could be added. Member Spalding requested clarification on their first condition.

Linda Pratt, Director of CommPre, said she would like to bring the Board's attention to the Ordinance section that prohibits the sale of alcohol with gas. She pointed out that Applicants with service stations have in the past come back with a request for alcohol sales.

Public testimony was closed. Member Botelho read the first sentence of the second paragraph on Page 3 and Zoning Ordinance Section 17.53.980. This application could not be approved as it would be in violation of the Ordinance unless the Applicant was willing to remove the car wash. This was not an application for a drive-in but a Type A service station. If the Board did consider an approval, he suggested an additional condition to prohibit the sale of alcohol. Member Palmeri discussed the last sentence of the second paragraph. Member Spalding asked if a mechanical car wash did or did not require employees. Mr. Sawrey-Kubicek said it did not and agreed that there were some discrepancies in the staff report. He noted that this was a multi-application with a car wash/restaurant/gas station and pointed out the section of the Ordinance related to a car wash. Member Botelho made the motion to deny the application. Member Palmeri made another motion to approve the application for three years with a one year review, without the car wash, with additional conditions to prohibit the sale of alcohol and a litter pick-up plan approved by the Planning Director, for 300 feet; but did not see a need to include the Association's 3, 4 and 5 recommended conditions. He felt that these conditions were submitted at the last minute adding that landscaping was covered under Condition 8 and graffiti was covered under the NPO. Member Spalding asked that if the Applicant applied for a alcohol license with ABC, would it be referred to the County. She also suggested that if the Applicant did not disagree with the Association's recommendations, they should be included as she felt the conditions were reasonable. Member Botelho withdrew his motion for a denial. The Chair suggested reducing the distance of a 1000 feet to 300 feet in Condition 1 and requested clarification on Condition 2. Member Palmeri suggested modifying Condition 2 to read "...approved by Planning Director." He re-made the motion to approve the application for three years, not to include the car wash based on Ordinance Section 17.52.980, subject to a review in one year, with additional conditions to reflect that sale of alcohol be prohibited and litter-removal plan, approved by Planning Director, be for 300 feet. Member Callahan seconded the motion.

Public testimony was re-opened. Mr. Mobasher agreed that car wash was a debating issue but he has been in contact with the Association and the neighbors for a long time and the neighbors support the car wash proposal. He said it was much needed. This was a multi-million dollar project, adding that he was not sure when the Ordinance was created as it was not in use of today's needs. Mr. Mobasher agreed with all other modified conditions.

Kathie Ready, Director of San Lorenzo Village Home Association, confirmed that the Applicant had met with the Association on several occasions and the Association supports the project. He has also had many discussions with the neighbors. The Association and the neighbors both support the car wash proposal. She further explained the first condition regarding the litter pick-up program. The Association would like the Grant Street portion to be installed with a lot of landscaping.

Nancy Van Huffle, representing the Association, said this was very frustrating as now the Applicant was being told that a car wash was not allowed. If it had been known before, they all could have worked on it. In response to Member Palmeri's statement that the conditions were submitted at the last minute, she explained that the staff report was received only a few days ago. If the reports could be received earlier than a few days, the Board could discuss them and submit a response in a timely manner.

Public testimony was closed. A discussion followed on the interpretation of the Ordinance. Member Spalding asked if the Applicant would like a continuance or an action. Member Palmeri suggested obtaining clarification from County Counsel and requested a time frame. Mr. Sawrey-Kubicek indicated that a clarification could be obtained in a few days and an appeal would take a month. Mr. Mobasher requested an action. The Chair requested a roll call for the motion. Motion passed 4/1 with Member Spalding abstaining.

2. **RONALD VARGAS, CONDITIONAL USE PERMIT, C-8141** – Application to allow continued operation of an outdoor storage yard (recreation vehicles with 24 hour guard on premises) in an M-1 (Light Industrial) District, located at 22035 Meekland Avenue, southwest side, approximately 65 feet southeast of Poplar Avenue, unincorporated Cherryland area of Alameda County, bearing Assessor's Parcel Number: 0429-0064-019-02. (Continued from April 9, June 11 and August 27, 2003).

This item was moved to the Consent Calendar to be continued without discussion to September 10, 2003.

3. **H.A.R.D., CONDITIONAL USE PERMIT, C-8185** – Application to allow expansion of an existing neighborhood park by the addition of a Skate Park and restroom building, in a R-S-D-3 and R-S-D-35 (Suburban Residence, 3,000 square foot Minimum Building Site Area per dwelling unit and Suburban Residence, 3,500 square foot Minimum Building Site Area per dwelling unit) Districts, located at 182-204 Grove Way, north side, approximately 490 feet west of intersection with Haviland Avenue, unincorporated Hayward area of Alameda County, bearing Assessor's Parcel Number: 0429-0028-046-00.

Mr. Young read the project description.

Public testimony was called for. Eric Wilyard, H.A.R.D. representative, said there was a lot of community support for such applications/improvements. This would improve the area. He agreed to all the recommended conditions. Member Botelho asked if H.A.R.D. would object to the installation of sidewalk, curb and gutter improvements. Mr. Wilyard said that there would be no objections but the District did not have any funds for such improvements. He felt that the improvements could wait until the community was required to install the same. Member Botelho asked if the District had considered a full time officer to monitor the park during the hours the skate park would be opened. Mr. Wilyard replied no as they were not required under the State law and it would increase their liability. The District also did not have the funds or staff but rules would be posted and monitored periodically. Member Spalding asked for the hours of operation and further discussed the recommendations from the Sheriff's Department regarding equipment and database. Mr. Wilyard replied that there would be set hours for summer and winter, similar to East Bay Regional Park District. He agreed to all the recommendations made by the Sheriff's Department.

Public testimony was closed. Member Palmeri made the motion to approve the application as submitted by staff with two additional conditions to reflect the last two recommendations from the Sheriff's Department. Member Botelho suggested that the curb, gutter and sidewalk improvements be added. Member Palmeri disagreed, adding that this facility was for the community and H.A.R.D. did not have the funds. Member Spalding seconded the motion, which carried 4/1. Member Botelho voted no.

4. **IGNACIO GOMEZ, CONDITIONAL USE PERMIT, C-8186** – Application to allow operation of a temporary outdoor business (Taqueria Truck) on a specified site, in a C-1 (Retail Business) District, located at 22058 Center Street, east side, approximately 142 feet north of the intersection with Grove Way, unincorporated San Leandro area of Alameda County, bearing Assessor's Parcel Number: 0417-0010-003-03.

Mr. Tarbell read the project description.

Public testimony was called for. Member Palmeri said he did not see any provisions for a restroom. Mr. Gomez, the Applicant, explained that since no sitting area was provided, restroom facility was not required. The liquor store restroom was available for the owner of the truck. The liquor store owner was available for confirmation and questions.

Public testimony was closed. Member Botelho discussed the copy of the attached Policy on Temporary Outdoor Businesses. Mr. Sawrey-Kubicek explained that if a catering truck stopped for more than twenty minutes at one location, a Conditional Use Permit was required. Member Botelho disagreed. Member Callaham thought that this application was similar to those acted upon in the past by the Board. Her concern was the location. It would be located on the property of a liquor store. Mr. Tarbell explained that the earlier applications had other similar uses in the area and, as such, had been recommended for a denial. Member Spalding felt that staff's response for the second finding did not answer the question. This area has a huge transient population and problem, and there were a lot of apartments in this area. She was very concerned with the detrimental impacts. She could not make the third finding in the affirmative. Member Palmeri pointed out that the Board has approved two temporary taco trucks in the past. He suggested that if approved, an additional condition could reflect that the restroom facilities will be provided at the liquor store. Member Spalding made the motion to deny the application as the use was not properly related to other uses and would adversely affect the community. Member Callaham seconded the motion, which carried 4/1. Member Palmeri voted no.

5. **DAN MARCHAND, VARIANCE, V-11616** – Application to allow a fence eight feet high where six feet is the maximum allowed, in a R-1-L-B-E-CSU-RV (Single Family Residence, Limited Agriculture, 5 Acre Minimum Building Site Area, 100 feet Median Lot Width, 30 feet Front Yard, Conditional Secondary Unit, Recreational Vehicle) District, located at 8600 Oak Tree Lane, southwest side, approximately 340 feet southeast of the intersection with Norris Canyon Road, unincorporated Castro Valley area of Alameda County, bearing Assessor's Parcel Number: 085-5000-001-09. (Continued from July 23, 2003).

Mr. Sawrey-Kubicek read the project description and pointed out that no meeting has taken place between the applicant and the neighbors as indicated in the in the staff report.

Public testimony was called for. Susan Pisani, property owner at 8680 Oak Tree Lane, said she was also speaking on behalf of all the other neighbors. All the neighbors met and the submitted copy of the email is the result of the meeting. The neighbors suggest a six foot fence that would gradually increase to eight feet, sufficient to hold the deer. At the last hearing, Mr. Marchand's attorney, indicated that the Applicant had permits for all the improvements and that the fence issue was noted by a Zoning Enforcement staff driving in the area. She disagreed adding that all improvements were under Code Enforcement. This matter was brought in front of the Board in response to a complaint. Ms. Pisani requested clarification on

the rezoning application.

Public testimony was closed. Member Palmeri indicated that he would like to know the outstanding Code Enforcement issues, how long they have been outstanding and what was being done for all non-compliances. Member Botelho made the motion for a continuance to September 24 and Member Spalding seconded the motion. The Chair requested that a copy of the email be included in all packages for the September 24 hearing. Motion carried 5/0.

6. **LUIS D. and EVA BRISENO/ELPIDIO RAMOS, VARIANCE, V-11759** – Application to allow construction of a two story dwelling with a 14 foot side yard where 15 feet is required and a 6.6 feet setback from the driveway edge to the dwelling unit where 10 feet is required, in a R-3-B-E (Four Family Residence, 8,750 square foot Minimum Building Site Area) District, located at 1465 – 166<sup>th</sup> Avenue, northwest side, approximately 420 feet northeast of the intersection with East 14<sup>th</sup> Street, unincorporated San Leandro area of Alameda County, bearing Assessor's Parcel Number: 080-0076-026-00.

This item was moved to the Consent Calendar, to be continued without discussion to October 22, as recommended by staff.

7. **ARMANDO PLASCENCIO, VARIANCE, V-11775** – Application to remodel an existing dwelling and construct a four car garage with a third dwelling, providing four parking spaces where six are required and five foot side yard where six feet and 15 feet are required, in a R-3-B-E (Four Family Residence, 8,750 square foot Minimum Building Site Area) District, located at 1507 – 166<sup>th</sup> Avenue, northwest side, approximately 715 feet southwest of Los Banos Street, unincorporated San Leandro area of Alameda County, bearing Assessor's Parcel Number: 0080-0076-009-00.

This item was also moved to the Consent Calendar, to be continued without discussion to November 10, as recommended by staff.

8. **LISA LO, VARIANCE, V-11785** – Application to allow 208 standard parking spaces in the shopping center where 250 parking spaces are required, in a C-1 (Retail Business) District, located at 17650-18502 Hesperian Boulevard, east side corner of Hacienda Avenue, unincorporated San Lorenzo area of Alameda County, bearing Assessor's Parcel Number: 0412-0071-024-04. (Continued from August 13, 2003).

Mr. Phil Sawrey-Kubicek read the project description noting the Addendum to the staff report and adding that Building Official, Margaret Elliot was available to answer questions. Member Palmeri said he was of the understanding that with the addition of new businesses, the old KFC building would be removed. He asked if this included as a condition. Mr. Sawrey-Kubicek replied that only a discussion has taken place with no written condition. Mr. Palmeri asked if permits were obtained for the improvements completed by the Applicant and what would it take to ascertain which improvements were done with permits. Margaret Elliot, Building Official, replied that numerous permits were taken out and thought it would probably be impossible to tell which spaces/walls were put in with permits since many have been realigned and subdivided. The problem in this case was that there were no records of what was available initially. Member Spalding asked that if a center was going to subdivide, was the project red-flagged and records kept. Ms. Elliot pointed out that this building was over forty years old and detailed records were not kept/available. She further explained the current procedure which was much better. She also requested that if approved, the Applicant be required to provide handicap parking spaces to code. Member Botelho asked if addresses were issued by the Building Department. He was concerned that Building Department could not find building permits or any other information on two addresses. Ms. Elliot said it would be a very time consuming project to pull the original file and match each address and every permit. Member Palmeri asked if the maximum number of parking spaces included handicap parking. Mr. Sawrey-Kubicek replied yes. A discussion followed with the aid of the full-sized plan regarding the location of the parking spaces. Member Botelho pointed out that at the last hearing, the Board had requested a physical count and a list of parking spaces related to specific uses. Mr. Sawrey-Kubicek explained the parking requirement and noted that the staff report was in error but the Addendum reflects the new correct numbers.

Public testimony was called for. Ms. Lo's representative, discussed the number of parking spaces and the traffic study. As a result of the widening of Hesperian Boulevard, she confirmed that approximately 60 parking spaces were lost. 223 parking spaces would now be provided. She further pointed out that on Friday, the busiest day, 82 parking spaces were available.

Rahul Upadhyaya, co-owner of Subway Sandwiches, said he had provided testimony at the last hearing and was going through financial difficulty. He urged that a decision be made so he could be allowed to continue with his project.

Marc Fisher, Help U-sell Real Estate, said that he also has invested a lot of money. He suggested that all employees park in the side spaces leaving the frontal spaces for customers and to have this requirement in writing.

Dr. Winston Yee, Hesperian Dental, in opposition, said he has been operating at this location for ten years during which time has had a lot of parking problems. He complained that the area in front of his office has not been re-stripped but the Applicant has sent him a bill. His other complaint was that he has called the County with graffiti complaints but no action has been taken to date.

Kathie Ready, President of San Lorenzo Village Homes Association, pointed out that no comments have been made in reference to the Addendum. She commended Planning staff for incorporating the Association's comments. There were a few tenants who have remained there for many years who could provide the history of the shopping center. The Applicant has rented the center to many undesirable tenants and Labor Ready, one of the tenants, has been a problem. She suggested that outside phones be prohibited to discourage loitering. Ms. Ready also indicated that no response has been made by the County regarding their complaints. She disagreed that the widening of Hesperian Boulevard affected the number of parking spaces. She clarified that the community, and not so much the Association, had agreed that the old KFC building would be demolished after the construction of the new one.

Robert Warfield, tenant at 17780 Hesperian Boulevard, complained that every morning there were 15-20 cars parked in front of Labor Ready. He was concerned that the cost of all improvements would be passed to the tenants. He supported the suggestion of employee parking on the sides but thought that there was no way for the Applicant to enforce this. Mr. Warfield pointed out that during prior ownership, the only occasion when the tenants had a parking problem was during Zucchini Festivals.

Nancy Van Huffle, San Lorenzo Village Homes Association, said the Board had received the staff report yesterday and as long as all their conditions were incorporated, the Board would support an approval.

Public testimony was closed. Member Palmeri noted that Condition (j) referenced S-1702. Mr. Sawrey-Kubicek explained that the Site Development Review was good for three years. In response to Member Jewell who said she was confused regarding the availability of additional parking spaces with the removal of the old KFC building, Mr. Sawrey-Kubicek explained that the removal of the KFC business reduced the total of spaces required and further pointed out Condition (g). The Chair indicated that he had concerns with (g) although it was not parking related. Member Botelho discussed the first paragraph on Page 2 of the original staff report and Mr. Sawrey-Kubicek explained that no records were available in support. Member Botelho felt that there were a lot of 'ifs' and 'maybes' in the staff report and Member Callahan agreed. Member Botelho added that the first finding was based on 1968 figures and that the owner has not taken the new businesses into consideration. Member Palmeri said he also could not make the findings as there was nothing special to this property, parking spaces were not lost due to street widening but only landscape buffer was lost and the old KFC building has not been removed. He suggested that if the Board was considering an approval, Condition (b) be modified to reflect, "Within 60 days from the date of approval,..." and Condition (d) modified to indicate that if the property was not in compliance with the Neighborhood Preservation Ordinance, this variance would be denied. Member Botelho indicated that he did not find any information regarding parking in the Site Development Review (S-1720) file which was three years old and asked what was the difference that has created a parking problem. He felt that the landowner has created the problem. Mr. Sawrey-Kubicek explained that it was the different types of uses that require different number of parking spaces. Member Spalding pointed out that the first finding was based on 1968 activities. She also felt that the traffic study, completed during summer and school vacation, was inadequate and an approval would be granting of special privileges. She was concerned with the Applicant's practice of passing the cost of improvements to her tenants. The Chair indicated that he did not have a problem with the shortage of nineteen parking spaces but could not make the first and second findings in the affirmative. Member Palmeri made the motion to deny the application as the first and second findings could not be made in the affirmative as it would be granting special privileges. Member Botelho seconded the motion, which carried 5/0.

**APPROVAL OF MINUTES:** August 13, 2003. Member Botelho complained that he did not receive a copy of the Minutes. As such, Member Palmeri made the motion to continue approval of the minutes to September 10. Member Callahan seconded the motion, which carried 5/0.

**OPEN FORUM:** Open forum is provided for any members of the public wishing to speak on an item not listed on the agenda. Each speaker is limited to three (3) minutes. No one requested to be heard under open forum.

**STAFF COMMENTS & CORRESPONDENCE:** None.

**CHAIR'S REPORT:** The Chair thanked staff for the timely receipt of the package.

**BOARD ANNOUNCEMENTS, COMMENTS AND REPORTS:** None

**ADJOURNMENT:** There being no further business, the hearing was adjourned at 4:40 p.m.

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**CHRIS BAZAR - SECRETARY**  
**WEST COUNTY BOARD OF ZONING ADJUSTMENTS**