

**BOARD OF ZONING APPEALS**  
**Monday, April 24, 2017**  
**5:00 pm**  
**Field Ops Bldg Conference Room**  
**Variance Petition- Public Hearing**

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**Members Present:**

Cindy Spears  
Mike Raper  
Tom Hurley  
Jerry Hoffman  
Kimberly Cuthbertson

**Others Present:**

Matt Ray  
Erin Hurley  
Christina Blanch, Petitioner  
Debra Caine  
Aaron Philebaum  
Steffanie Hensley

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Kimberly Cuthbertson called the meeting to order at 5:00 pm. All members were present.

Cindy Spears moved to approve the minutes from the November 30, 2016 meeting. Second by Tom Hurley. All members voted aye.

Election of Officers

Mike Raper moved to re-elect Kimberly Cuthbertson as President and elect Jerry Hoffman as Vice President. Second by Jerry Hoffman. All members voted aye.

Blanch Property

Matt Ray presented a petition from Christina Blanch regarding her property located at 6903 W. Kilgore Avenue. Because that area is zoned C-1 and her property is a residential home that is legal-nonconforming, she is having trouble selling the house. Bank financing for the sale is a problem due to Yorktown's zoning ordinance which states that 66% destruction of the structure would prevent rebuilding as a residence. Christina Blanch stated that she has been attempting to sell the home. Debra Cain is currently renting it and tried to obtain financing, but was not able to get a mortgage or insurance due to the 66% rule. She stated that a "100% rebuild letter" from the BZA would be sufficient for the bank, although she is no longer interested in purchasing the home. There was a discussion about selling it as a commercial property.

There was no one present at the meeting opposed to the variance. Kimberly Cuthbertson stated that because there are no commercial properties near the home and it is surrounded by farm ground, she did not feel that development would be impacted. She explained that if the variance request is granted there would not be any expansion of the residence allowed and if the house was destroyed, it would need to be rebuilt within the same footprint as the current house. The legal non-conforming designation could transfer with ownership of the property.

Mike Raper moved to remove the conformance standard for the property located at 6903 W. Kilgore Avenue to allow 100% rebuild which would run with the property regardless of owner. The hardship is stated in the application. Second by Jerry Hoffman. Vote as follows: Cindy Spears, aye; Mike Raper, aye; Tom Hurley, abstain due to prior business dealings with Ms. Blanch; Jerry Hoffman, aye; Kimberly Cuthbertson, aye. Motion passed 4-0 with 1 abstention. Matt Ray will prepare a 100% rebuild letter for the petitioner. It was suggested that Ms. Blanch retain a copy of the letter and also record it with the deed.

Meeting adjourned at 5:22 pm.

  
(President)