

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

Members Brandvold, Grover, Neumann and Saxton present

FIELD TRIP

The Board Members and Patrick Kelly, Secretary proceeded on a field trip as scheduled and viewed the following properties:

605 Sylvan Avenue (SUSD)

121 N Santa Cruz (Pan de Vida)

ADJOURNMENT

The meeting adjourned at 9:50 am.

Original, signed copy on file in CEDD  
Patrick Kelly, Secretary

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

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

**I ROLL CALL**

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

Board Member Bergman absent

**MOTION**

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

**II APPROVAL OF MINUTES**

It was moved by Hank Pollard, seconded by Ryan Swehla, and carried unanimously that the minutes of the regular meeting of February 26, 2009, be approved.

**III CONFLICT OF INTEREST DECLARATION**

Board member Pollard indicated a potential conflict of interest with Item A.

**IV CONSENT AND JOINT PUBLIC HEARING ITEMS**

None.

**V PUBLIC HEARINGS**

**Item A** CUP-09-002 - Parking lot expansion and future portable building for the Sylvan Union School District Office located at 605 Sylvan Avenue; submitted by Sylvan Union School District Office  
Contact Info: Rita Doscher, 577-5267, [rdoscher@modestogov.com](mailto:rdoscher@modestogov.com)

Motion/Action (Approved)

It was moved by Ryan Swehla, seconded by Will Grover, and carried by majority (Brandvold, Grover, Neumann, Swehla, ayes; Saxton, no; Bergman, absent; Pollard, recused) that the Board of Zoning Adjustment adopt **Resolution No. 2009-02** granting a conditional use permit to Sylvan Union School District for an expansion to the existing parking lot and a future on-site portable building located at 605 Sylvan Avenue with additional conditions of approval to add new curb and gutter (Condition No 5), building elevation plans showing treatment to be consistent with existing buildings (Condition No 6), and to include screen landscaping along the north property line and the SW corner of the new building (Condition No 8).

**Item B** CUP-09-001 - Convert an existing commercial building into a church located at 121 N Santa Cruz; submitted by Ministério Jesucristo Pan de Vida

Contact Info: Kristinae Toomians, 577-5267, [ktoomians@modestogov.com](mailto:ktoomians@modestogov.com)

Motion/Action (Approved)

It was moved by Ryan Swehla, seconded by Will Grover, and carried by majority (Brandvold, Grover, Neumann, Saxton, Swehla, ayes; Pollard, no; Bergman, absent) that the Board of Zoning Adjustment adopt **Resolution No. 2009-03** granting a conditional use permit to Ministério Jesucristo Pan De Vida for a church facility in an existing commercial building located at 121 N Santa Cruz Avenue

**VI OTHER BUSINESS**

**Item C** Feedback – Wireless Communications Ordinance

Contact Info: Paul Liu, 577-5267, [pliu@modestogov.com](mailto:pliu@modestogov.com)

Paul Liu, Senior Planner, presented the draft wireless telecommunications ordinance, discussed examples of various types of telecommunication facilities, proposed regulations in the draft ordinance and the proposed review procedure/entitlement process. Mr. Liu explained that a workshop with telecommunications stakeholders is scheduled for March 26, 2009 and that the draft ordinance is scheduled for the April 6, 2009 Planning Commission meeting.

**VII ORAL COMMUNICATIONS**

None.

**VIII MATTERS TOO LATE FOR THE AGENDA**

None.

**IX ADJOURNMENT**

The meeting was adjourned at 11:47 am.

Original, signed copy on file in CEDD

Patrick Kelly, Secretary