



CITY OF
Lethbridge

Office of the City Clerk

SUBDIVISION AND DEVELOPMENT APPEAL BOARD DECISION

April 11, 2014

Re: Appeal of Development Permit No. DEV06020

Appellants: Delton Herget et al.

Land Use: Low Density Residential (R-L)

Upon hearing representation made by the Development Officer, the Applicant, the Appellants, and other interested parties on Thursday, April 10, 2014, it is the decision of the Subdivision and Development Appeal Board that the appeal is **DENIED** and the decision of the Development Officer regarding Development Permit DEV06020 on March 10, 2014 to establish a Type B Home Occupation for the purpose of spa treatment/salt bath with a maximum of six (6) customer visits to the home per day, one at a time, by appointment only at 3509 10A Avenue South is hereby upheld.

REASONS FOR DECISION:

The Board recognizes that this is an approved use by the City. Traffic, noise, parking and property values are concerns for the neighbourhood, and the Board is of the opinion this development would not materially interfere with or affect the use, enjoyment or value of neighbouring properties.

FOR: KALKAN, VADNAIS
AGAINST: CHESTER, MAURO
MOTION DEFEATED

According to the Subdivision and Development Appeal Board Bylaw No. 4749, Section 14 states "In the event of a tie vote, the Appeal shall be deemed to be dismissed and the decision of the Subdivision Authority and/or Development Appeal Authority, as the case may be, shall prevail."

As a result the permit as issued by the Development Officer on March 10, 2014 stands.

An appeal against this decision may be made to the Alberta Court of Appeal on a question of law or jurisdiction only. Should you wish to do so, it is recommended that you retain legal counsel.

Please contact this Office if you have any questions regarding the decision. A copy of this decision has been mailed to the owner of the property, and the persons who filed the appeal.

Yours truly,

A handwritten signature in cursive script that reads "DSarsfield".

David Sarsfield, Board Secretary,
Subdivision & Development Appeal Board

cc City Solicitor
Development Officer
Appellants/Neighbouring Property Owners