

BOARD OF ADJUSTMENT MINUTES

SEPTEMBER 23, 2020

The Board of Adjustment of the City of Norman, Cleveland County, Oklahoma, met in Regular Session via Video Conference and in City Council Chambers of the Norman Municipal Complex, 201 West Gray, at 4:30 p.m., on Wednesday, September 23, 2020. Notice and agenda of said meeting were posted in the Municipal Building at the above address and at www.normanok.gov/content/board-agendas in excess of 24 hours prior to the beginning of the meeting.

Item No. 1, being:

CALL TO ORDER

Chairman Andrew Seamans called the meeting to order at 4:32 p.m.

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Item No. 2, being:

ROLL CALL

MEMBERS PRESENT
via Video Conference

Brad Worster
Curtis McCarty
Mike Thompson
Rick Roberts
Andrew Seamans

MEMBERS ABSENT

None

A quorum was present via video conference.

STAFF PRESENT
in person unless noted

Jane Hudson, Director of Planning and
Community Development
Lora Hoggatt, Planning Services Manager
Ken Danner, Subdivision Development
Manager
Roné Tromble, Recording Secretary
Elisabeth Muckala, Asst. City Attorney (Video)

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Item No. 3, being:

APPROVAL OF MINUTES OF THE AUGUST 26, 2020 REGULAR MEETING

Rick Roberts moved to approve the minutes of the August 26, 2020 Regular Meeting as presented. Curtis McCarty seconded the motion.

There being no further discussion, a vote was taken with the following result:

YEAS	Brad Worster, Curtis McCarty, Mike Thompson, Rick Roberts, Andrew Seamans
NAYS	None

Ms. Tromble announced that the motion to approve the August 26, 2020 Board of Adjustment Regular Meeting Minutes as presented passed by a vote of 5-0.

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Item No. 4, being:

BOA-2021-4 – KEITH AND AUDREY PIRTLE REQUEST A SPECIAL EXCEPTION UNDER 22:441(7)(G) TO ALLOW THE CONSTRUCTION OF A CARPORT ON PROPERTY LOCATED AT 504 WEST DAWS.

ITEMS SUBMITTED FOR THE RECORD:

1. Staff Report
2. Location Map
3. Application with Attachments
4. Site Plan
5. Aerial Photo
6. Ordinance No. O-1920-51 (Residential Carports)

PRESENTATION BY STAFF:

Ms. Hoggatt reviewed the staff report, a copy of which is filed with the minutes.

PRESENTATION BY THE APPLICANT:

Keith and Audrey Pirtle were present via video. Mr. Pirtle explained this was an older house that had a one-car enclosed garage that was leaning for several years that was removed several years ago. The tenant, understandably, is wanting a covered place to put their car, so a carport is proposed over the pad where the garage was before.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Rick Roberts moved to approve the Special Exception requested in BOA-2021-4 as presented. Mike Thompson seconded the motion.

There being no further discussion, a vote was taken with the following result:

YEAS	Brad Worster, Curtis McCarty, Mike Thompson, Rick Roberts, Andrew Seamans
NAYS	None

Ms. Tromble announced that the motion, to approve the Special Exception as requested, passed by a vote of 5-0.

Mr. Seamans noted that there is a 10-day appeal period before the decision is final.

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Item No. 5, being:

BOA-2021-5 – JOHN TOAL REQUESTS A VARIANCE TO 22:421.1(4)(B) TO ALLOW THE HEIGHT OF A NEW GARAGE TO BE 4' TALLER THAN THE PRINCIPAL STRUCTURE (HOUSE) ON PROPERTY LOCATED AT 1001 BROOKSIDE DRIVE.

ITEMS SUBMITTED FOR THE RECORD:

1. Staff Report
2. Location Map
3. Application with Attachments
4. Site Plan
5. Photos
6. Elevation Drawing
7. Aerial Photo
8. Support Letters

PRESENTATION BY STAFF:

Ms. Hoggatt reviewed the staff report, a copy of which is filed with the minutes.

Mr. McCarty – I guess the zoning ordinance or something states that an accessory structure cannot be taller than the existing structure?

Ms. Hoggatt – Yes.

Mr. McCarty – Is this proposed as a garage or an accessory structure with living unit?

Ms. Hoggatt – It's a garage. It doesn't really have living in it. It's like a studio space, but it doesn't have a full kitchen or anything, so it's not like a second dwelling unit.

Mr. McCarty – It's not treated as a second dwelling unit, so there's no bathroom or kitchen in it?

Foster Mullen – There will be a bathroom.

Ms. Hoggatt – Our definition of dwelling unit is basically when it has a stove and a kitchen, then it becomes a dwelling unit.

Mr. McCarty – I'm just curious if there's a difference between accessory structure and accessory structure that has living in it, and how that's looked at from a height perspective, or does it matter?

Ms. Muckala – Our definition of accessory structure is going to extend to both living use and non-living space use. I think that the height restriction just applies to the words "accessory structure". So it all comes full circle. It's going to apply whether it's used as living space or storage space.

Mr. McCarty – Perfect. I don't think I had a floor plan of this; I just saw an elevation – to see how big it was. I was trying to figure out how it's getting 21' tall if you do 8' walls. I'm sorry, 10' walls, and how big it was footprint wise. I didn't see a floorplan.

Mr. Seamans – It looks like it's 48' wide by 46', or something like that.

Mr. Mullen – Yes. That would be very close.

Mr. Roberts – Option B is really not applicable if it pertains – because the house is not a

metal roof, is it? It's composition. I think in the guidelines that they both have to be of the same material – the house and the exterior carport or garage?

Ms. Hoggatt – That's just for the carports.

Mr. Roberts – Just for the carports. Okay.

Ms. Hoggatt – So the garage can be.

Mr. Roberts – We have one letter here from the Hamerla family. Has there been any feedback from other neighbors than just the one as far as something of this size going in there?

Ms. Hoggatt – I think we have two letters. I think maybe I got one other phone call just asking for clarification, but I don't think they submitted a letter.

PRESENTATION BY THE APPLICANT:

Foster Mullen, representing the applicant – I do not have any other exhibits. I just have a photo of a house that is two-story, but I don't know how much explanation you all want and what you want to hear from me as justification. All I know is that the structure is not a living space. It's going to have a safe room, a storage room and also a workshop area and enough to put the vehicles in, also. As far as I know, that's it. Working out there, and to go out, before he goes in, he can sometimes take a shower or use the restroom before he goes in, or doesn't have to keep going in and out if he's doing some work out there. It was unfortunate, he had ended up buying this and, of course, I'm just in construction and this is all a buddy situation – we played baseball together at OU years and years ago and so I'm going to help him out in building this. I have no monetary interest in it whatsoever and did not even know of this rule. Of course, it became a shock to him when he – before he bought the home recently. So it kind of sets him back.

Mr. McCarty – What are your heights of your garage doors proposed?

Mr. Mullen – They're only going to be 8' tall. It's going to be not a 7' door. I think because of some type of SUV that might be a little bit taller. He just didn't want the issue of a 7' door to become an issue, so he was going to try to make the garage doors 8'.

Mr. McCarty – Have you discussed with him just to try to help with the height to just do 9' walls or something other than 10' to help.

Mr. Mullen – We also have discussed that. Because the few neighbors that I did talk to to see what they would rather look at – like the one individual brought up before, it's not a requirement that the house look like the garage, but some of the neighbors I did talk to would rather have it look like the garage than have the metal roof, because then it just doesn't fall in line with the cosmetics of the neighborhood.

Mr. Roberts – Are we only considering the height of the building? Or is it a permitting issue – is it anywhere near the footprint of the property with two buildings – exceeding the footprint of the property?

Mr. Seamans – I haven't seen any side yard or rear yard setback.

Mr. Mullen – There is information here in some pages that tells you the setbacks. The building is within the setbacks – margins.

Mr. Seamans – It looks like a rear of 9'6". Does that neighborhood not have a rear yard setback of 25'?

Mr. Mullen – No.

Mr. Seamans – Okay. I don't see any ...

Mr. Roberts – Are we okay as far as the footprint of the property? The two buildings not exceeding – isn't there a footprint ordinance?

Mr. McCarty – Impervious surface.

Mr. Mullen – That person who bought that and developed that lot on it's origination bought two lots.

Mr. Seamans – And the house spans across that lot line so it's never going to change.

Mr. McCarty – So I don't know that I ever heard you -- you had discussed to do 9' walls just to help with the overall height a little bit. It would lower everything by a foot.

Mr. Mullen – If we do the metal roof – and, again, I'm going to go back to this – the people that are viewing that from their back yards – the neighbor to the north and the one adjacent, which is Lisa that wrote the letter, and the Dean that lives directly across the street to the south of that driveway will have the view to that. I told him what was presented; in the discussion he offered the letter and he had said that it would be more appealing to have a composition roof than have something that does not look like it. And the 3' difference between the two choices is – he didn't seem to think that that was a big deal. And then, of course, Lisa next door, she was really indifferent and appreciated that somebody was going to be there and take care of the place. And, to be honest with you, the elderly woman that lived in the rear – her main concern was – she was worried about window heights. They were actually going to be lower, because the house sits on top of a crawl space, than the original home. The side door coming out the patio will actually be lower – the top of that door will be lower than the window heights of the existing structure. So she understood that.

Mr. McCarty – I guess I'm a little confused. They're just asking for approval to be 4' above?

Mr. Mullen – No. I can make it work either way. That's why the options were there.

Mr. McCarty – Standing seam won't be in violation of 4', so can we just do this to give them an exception of being up to 4' higher? Is that what we're discussing, not the type of roof or any other issues? Is that the way I understand what we're talking about?

Mr. Roberts – I think it's the height.

Ms. Muckala – The height would be the actual portion of the variance. And if you wanted to tailor your motion to which of the options he has, you could do it that way.

Mr. Seamans – Are they allowed to use asphalt shingle on a 4:12 pitch?

Mr. McCarty – That's the minimum by the manufacturers.

Mr. Seamans – I know, but does Norman allow it?

Ms. Muckala – I'm not certain that is addressed by our code. Lora, do we have anyone?

Ms. Hoggatt – We don't have anyone from building code.

Mr. McCarty – 4:12 is allowed.

Mr. Seamans – It seems like I had to do a metal roof on a 4:12 one time, but I could be wrong.

Ms. Muckala – I had actually understood this to be more subject to manufacturer instructions as to installation and warranty, but I can't be positive it's not within our code.

Mr. McCarty – That is correct.

Ms. Hoggatt – And we do have a neighbor here.

AUDIENCE PARTICIPATION:

Allyson Wilson, 1004 Elmwood – I live behind, just kind of northwest of the structure that they're proposing. So my question is why is the height needed? I still am very unclear as to why we need to have the height added to this structure of 4'. Why can it not be the same height as the existing structure?

Mr. Seamans – It's a very large plan. It's a large footprint; it's 46' by 48'. So once you go up 10', then the pitch of roof being 4:12 puts it up to 21'.

Mr. Roberts – So the only way to get it down would be to make the building smaller, or lower your pitch on the roof.

Ms. Wilson – Yes. So is it going to be 1500 square feet approximately? That's my understanding.

Mr. Roberts – No, it's bigger than that, I think.

Ms. Wilson – That's a very large footprint for that lot, is my concern as well. I don't think we have any other structures like that in the area, so my question would be do we have any other structures that are of that nature that have already been approved?

Ms. Hoggatt – I think pretty much the only requirement for that is that they don't go over 40% building coverage on the lot, and they're under that. It's a pretty big lot. The house is pretty small for the lot.

Ms. Wilson – So can it not be structured for not to have such a high roof – to be such an obstruction? I mean, it's already going to block the view out of both the Kershen's and my back yard, so I just wondered if there's any option than to have the roof that high.

Mr. McCarty – That's why I had asked if he could lower the wall height by a foot, and go from 10' plate to 9' plate, and that would lower the overall height by 1'. That's about the best you could do if you're going to put in 8' garage doors. That's why I was asking him if he had talked to the client about doing that.

Mr. Mullen – The metal roof is a 2:12 pitch. If we do drop it – again, I was just trying to – on the four individuals I ended up talking to about what the aesthetics are going to be and the comfortable feeling of what they were going to look at was a composition roof. And, of course, it's a Malarkey shingle and you can still buy that same midnight black

and it would be identical. But it's not going to – if we've got to do one or the other, then that's why just the two were proposed.

Mr. McCarty – I'm not asking about the pitch of the roof, metal versus comp. Instead of doing a 10' plate height, would he be opposed to dropping that to 9' plate height on the first floor, so we can lower everything a foot. That's what I was asking earlier.

Mr. Mullen – It just depends on the header size that would be accommodated by going across the front of the elevation because to support the roof and what code would say is what TGLs we'd have run across the headers of those garage doors to how high it would get.

Mr. McCarty – Well, it's shown to be single garage doors. Is that not right?

Mr. Mullen – They are single garage doors. But you have to have some type of degree of stability. Now if it's okay to just sandwich two 2x12s as headers – a lot of times they're using glue-lams and LBLs across – most of the time they're glue-lams. We could probably drop it and it'd be – if they're 14" tall, then it's still an issue of a couple of inches. If he goes with the height of that door 8', so then you would have the top plates and stuff to deal with.

Mr. Roberts – Is the 10' just for clearance on the doors, or does he need the 10' for work space or the height in that room?

Mr. Mullen – Margin just for the door.

Mr. Roberts – I think you can put a 12" header in there and get a fast-drop track on those doors and it would clear within 12". I believe. So lowering it to that 9' might help with any concerns in the neighborhood.

Mr. Seamans – At this time, we've got that option. As far as the 9', that's kind of up in the air. I think we can have more conversation on that. He could come back, or he could go back and see if he could do it and then we could put this on hold until the next meeting. That's an option. I'm sure he wants to get it done. That would be a one month delay. But my understanding is, if you lower it to 9' plate height, then it would be the same height as the roof of the house. Is that correct?

Mr. Mullen – Well the floor will end up being – we're going to lose, based on just the starting point. They're not going to be equal. The floor will probably be 4" to 5" higher than the starting point, which we say 0 is to the house.

Mr. Seamans – So you're still going to be 4" higher, you estimate?

Mr. Mullen – Yes. We want it as low, or as close to, with a little drop between what is the original or existing driveway.

Mr. Worster – I may have a question. Do we know what the height of any of the other houses are nearby? I mean, are they all in that 16' range, or is this a lower house than some of the surrounding ones?

Ms. Wilson – They're all within that range. They're all very similar height roofs – the surrounding houses.

Mr. Seamans – But there's nothing in that neighborhood that says you couldn't have a two-story house, correct?

Mr. Mullen – No. That is another option. There is a two-story house existing next door to the young lady that presented herself.

Ms. Wilson – I believe there may be an ordinance against that in that neighborhood, and they got a variance at the time for that house as well. It's like a bonus room, but then you have the two-story height.

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Mr. Worster – I think I'd like to see more architectural drawings on this to see if there's an alternative to just going up 4' higher. I mean, there could be a pitched roof on the front half and a low-slope roof on the back half.

Mr. Mullen – Metal is a 2:12.

Mr. Roberts – I think there is some concerns from – I didn't catch the lady's name – I apologize – as far as the height and obstructing the views. I'd like to know if they would consider going to the 9' wall and even a 2:12 pitch and that would get it down – or a 3:12 pitch – and that would bring it down considerable.

Mr. McCarty – Do we have any photos of the property? Because I'm looking at the aerial black and white. It appears to be some larger trees back there. So I'm trying to figure out how big of an issue this really is. Do we have like a photo looking back, left, right, or anything of the back yard? Do you have anything like that, more than just the aerials that I see?

Ms. Hudson – We do not.

Mr. Mullen – No. The pictures that I gave are of what the house, and you can see the arrows of how I came up with that 16' or 17', just to try to help you see what space that garage will be in as you're looking from the driveway up – or to that – that would be facing to the north.

Mr. McCarty – So here's the problem. This is what it looks like. I can't tell anything. It's all black, unfortunately.

Mr. Seamans – I have a question to staff. If the resident were to come back and demo that house and build a two-story house, that two-story house would be taller than this structure. Would it comply then?

Ms. Muckala – At that point the variance would very well be moot, I guess, if the main structure has passed it. They wouldn't need it anymore. It would just merge with the property like any other right.

Mr. Mullen – That's our third option, with two bedrooms and a bathroom upstairs, is what our third option is going to be on the existing structure. So the height would become moot on the garage.

Mr. Worster – I think, all things considered, there wasn't a third option in the proposal here, because they wouldn't need a variance for that. But that seems like the best option, in my opinion. But I don't know if there's a covenant or restriction in the neighborhood that says they can't go X high on the house or any of that, so we don't have that information here, either. I think I'd like to see more information at this point.

Mr. Roberts – Is it an option to make the building not as wide? I don't know why he's got that square footage, but if he narrows the building down, he's going to bring the height of the building down. Is that even an option, to make a smaller building?

Mr. Mullen – For every foot that you make it front to back, you're only gaining just inches.

Mr. Roberts – Yeah. Four inches.

Mr. McCarty – The other option might be, to be less obtrusive to do a hip roof. Is there a reason he doesn't want a hip roof? It looks like it's just an open gable from end to end.

Mr. Mullen – Right now we have manufactured trusses.

Mr. McCarty – You can truss a hip just as easy. You're saying he already owns them?

Mr. Mullen – No. And on a hip, and I would have to assume the height would still be about the same, because you're still going to meet in the middle. We have it lowered on the back portion. That is in the center over the main room, but over the footprint of the safe room, the storage room, and the workshop, that is a lower option. So it's not all the same. It's only over the area where you would actually park your vehicles is the highest point. It slopes down to drop to about a 1:12 over those three featured rooms.

Mr. Roberts – So John is not objecting to using the metal roof, if that's the only way to get this approved?

Mr. Mullen – No.

Mr. Roberts – So, to the Board, I guess – would it be acceptable to go with the 9' wall and a 2:12 pitch or 2-1/2:12 – something in there, that would get it down where it's not as obtrusive as a 4:12?

Mr. Mullen – The 4:12 is using the composition.

Mr. Roberts – Correct. If you drop down to a 2-1/2:12 or 2:12 with the standing seam roof, and a 9' wall, you would drop it a couple of feet, I think.

Mr. Mullen – Well, the metal roof is already at a 2:12. So the walls going from 9' to 10' would drop it. You, theoretically, I think, would just drop one foot.

Mr. McCarty – Which would get you – if you do metal roof, it's showing you're at 18' height; that would get you down to 17' if you dropped the walls to 9' – you'd only be over the limit by 2".

Mr. Mullen – And that's everything going perfect. Yes. Remember, the floor starting is going to be about 4" to 5".

Mr. McCarty – So are you saying your overall height – your elevation of your slab isn't considered?

Mr. Mullen – No. It's just that is from floor up is that 18'.

Mr. McCarty – So really you're going to be, if you did a comp roof, then what I'm hearing you say, then, is 4' variance wouldn't actually be correct. Because if you're saying you're having to raise the slab.

Mr. Mullen – It could be 4'4", yes.

Mr. McCarty – Well, then this variance wouldn't even be acceptable, because you would be above the height of the 4' that you asked for.

Mr. Mullen – I agree. I'm new at this, so if that's the case, I'm here to be told what to do. That's the reason why I'm here. And what my options are.

Mr. Seamans – I guess the question I have, Curtis, to staff is does the height of a building – does it correctly compare to the adjacent building, or is it just the height of the building?

Ms. Hoggatt – It says that no accessory building shall exceed the height of the principal building to which it is accessory. So I would say that would be total – from finished grade to the tip top.

Mr. Mullen – And if it is from 0 point, if all 0s are equal, because, obviously, if the structure was built in a hole – maybe I need clarification where 0 is for both those structures. Is it on a flat surface? Or is it from slab to slab? Like one slab starts at 0, but if one other piece of concrete is 4" higher, now does that slab equal 0, too, from the starting point for when the lumber starts being stacked up?

Mr. Seamans – My understanding is it's the total height. So I would say that the height of the residence – was it 17'?

Mr. Roberts – 16'10".

Mr. Seamans – That's the height. Then I would say 16'10" is the height of this building and it can't be higher than 16'10" – any inch above the existing building. So if there's big hill back there, take the hill down and then build the building that's 16'10".

Mr. McCarty – I'm just saying for you to get it built and if someone challenges you and you're 4'5" over the existing house, then you have a really big problem.

Mr. Seamans – So do we want to make a motion adjusting the height to be in accordance to the additional grade needed? I'm asking would we have an amendment to add in 4" to 6", whatever we would think would fit and be accurate?

Ms. Hudson – Could I ask a question real quick? This is for Legal. So the ad for the legal was for 4'. So I didn't think we could make any variations at this point.

Ms. Muckala – It could be less, but not more.

Mr. Thompson – Can I ask the applicant, would you mind getting more information and coming back with some more details in a month, or do you want us to vote on this today?

Mr. Mullen – I can get you more information if there's going to be a list of information provided of what questions you want answered. Because I may leave here and come

back with answers that nobody really cares about.

Mr. Worster – I think my biggest question is – I definitely appreciate being given the options, 1, 2 or possibly 3. But now I feel like we're starting to design this garage or this building and I think that's where I'm getting hung up. Because I like the idea of a hip roof. I think that would be less obtrusive, and I'm seeing suddenly things that I think could be designed to be more attractive and fit more into the neighborhood. But, personally, I'm not an architect. I don't know how all of that works. So I'd be more comfortable if I saw more plans to show some of these other options and how they would look and how they would fit into the neighborhood.

Mr. Roberts – Aesthetically a hip roof would match with the house as well.

Mr. McCarty – We've thrown out a bunch of ideas for him. I think that, honestly, Mr. Mullen, the best thing would be to go and visit with your client. If you want us to move forward with a vote and it fails, then you're stuck. But if you ask for a postponement, this is kind of new to you, then you could go back and sit down with your client and come back with some options or ideas off of what we're saying, that's what we're kind of asking you. And that would probably help us understand more and possibly ask your client if he's okay with some of these ideas. If he's not and he wants it how it's drawn, then you could bring it back to us and see if it passes or fails. Right now, it seems like there's enough questions that you asking for a postponement for a month to come back with more information might help you. Because I, personally, don't think a metal roof on that would look that great in the neighborhood. I'd like to see a composition roof if you could figure out how to make it work and the height not be so tall. But that's just my opinion. I'm just saying what I see in the area.

Mr. Mullen – And therein lies the height issue. You also were talking about what manufacturers require for required drainage off of a composition roof – well, none of them you go lower than a 4:12 because of the joints that wind-blown water goes sideways and these things.

Mr. McCarty – I'm very aware of that. I guess the ideas that I hear people discussing is to stay with a composition roof, would he be willing to go to a 9' plate height; that adds a foot decrease in the overall height. Would he be willing to discuss a hip roof, instead of a gable end? I would like to, personally, see the other elevations, because you mentioned something – and maybe that's what the bottom of this is – I don't see a back elevation – maybe that's what this is at the bottom – it's just black and white. But if it's on two pitches, then what does the back really look like? I see something that looks like it's change of pitch, maybe, but just a little bit more information that might help us understand your project. And also pictures of the surrounding area from the back yard. I didn't walk into his back yard to look around. But the overall elevation or the picture I have from the sky, it looks like there's some large trees around there that may disguise part of this structure.

Ms. Wilson – Those have been taken out – some of those trees. They did some tree

removal in order to get ready for the structure to be placed. So some of those trees you may be seeing are already gone.

Mr. McCarty – Okay. That's why I was hoping to see maybe some live photos, because the aerial photo shows large trees.

Ms. Hoggatt – I can take some – I guess the next meeting is a month away, but I can take some pictures and send them out.

Ms. Hudson – We can include them as part of the application as it goes out next time.

Mr. Seamans – It sounds like I'm hearing a hint of a motion to postpone this until more information is gathered. Any further discussion? Do we have a person that wants to make a motion?

Mr. McCarty – Don't we have to have the representative ask for a postponement? I don't know that we can.

Ms. Muckala – What we have done in the past, because the applicant does control their application, they can request that it be modified to be a postponement, and you can make that motion. And that's why I think they've been asking you, sir, if that's your wish to go ahead and change your application to a postponement.

Mr. Mullen – Is it a verbal request or a written request?

Ms. Muckala – Verbal is fine. We'll get it on the record.

Ms. Hoggatt – And Roné said it does have to be to a specific date.

Ms. Muckala – Yes. So the next scheduled BOA meeting is what we're talking about.

Mr. Mullen – Correct.

Ms. Muckala – Okay. So to confirm on the record, you, on behalf of the applicant, are fine postponing BOA-2021-5 to the next scheduled BOA meeting, which is October 28. So that's fine with you, sir?

Mr. Mullen – Yes.

Rick Roberts moved to postpone BOA-2021-5 to October 28, 2020, at the request of the applicant's representative. Brad Worster seconded the motion.

There being no further discussion, a vote was taken with the following result:

YEAS	Brad Worster, Curtis McCarty, Mike Thompson, Rick Roberts, Andrew Seamans
NAYS	None

Ms. Tromble announced that the motion, to postpone BOA-2021-5 to October 28, 2020, passed by a vote of 5-0.

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Item No. 6, being:

BOA-2021-6 – GARY FARRIS REQUESTS A VARIANCE TO 22:421.1(3)(B)(1) OF APPROXIMATELY 3.5' TO THE 5' REQUIRED SIDE YARD (NORTH) SETBACK TO ALLOW THE CONSTRUCTION OF A CARPORT ON PROPERTY LOCATED AT 401 THORTON DRIVE.

ITEMS SUBMITTED FOR THE RECORD:

1. Staff Report
2. Location Map
3. Application with Attachments
4. Site Plan
5. Aerial Photos

PRESENTATION BY STAFF:

Ms. Hoggatt reviewed the staff report, a copy of which is filed with the minutes.

PRESENTATION BY THE APPLICANT:

Gary Farris, the applicant, was present in person, but did not have a presentation.

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Mr. Roberts – Are there any utilities along that particular property line.

Ms. Hoggatt – No.

*Mike Thompson moved to approve the Variance requested in BOA-2021-6 as presented.
Curtis McCarty seconded the motion.*

There being no further discussion, a vote was taken with the following result:

YEAS	Brad Worster, Curtis McCarty, Mike Thompson, Rick Roberts, Andrew Seamans
NAYS	None

Ms. Tromble announced that the motion, to approve the Variance as requested, passed by a vote of 5-0.

Mr. Seamans noted that there is a 10-day appeal period before the decision is final.

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Item No. 7, being:

BOA-2021-7 – TONY AND LACY BARRETT REQUEST A VARIANCE TO 22:421.1(3)(A)(2) OF 15' TO THE 25' FRONT YARD BUILDING SETBACK (NORTH) TO ALLOW CONSTRUCTION OF A CABANA AND POOL FOR PROPERTY LOCATED AT 821 PARKSIDE ROAD.

ITEMS SUBMITTED FOR THE RECORD:

1. Staff Report
2. Application with Attachments
3. Site Plan
4. Aerial Photo

PRESENTATION BY STAFF:

Ms. Hoggatt reviewed the staff report, a copy of which is filed with the minutes.

PRESENTATION BY THE APPLICANT:

None

AUDIENCE PARTICIPATION:

None

DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:

Curtis McCarty moved to approve the Variance requested in BOA-2021-7 as presented. Mike Thompson seconded the motion.

There being no further discussion, a vote was taken with the following result:

YEAS	Brad Worster, Curtis McCarty, Mike Thompson, Rick Roberts, Andrew Seamans
NAYS	None

Ms. Tromble announced that the motion, to approve the Variance as requested, passed by a vote of 5-0.

Mr. Seamans noted that there is a 10-day appeal period before the decision is final.

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Item No. 8, being:

MISCELLANEOUS COMMENTS OF THE BOARD OF ADJUSTMENT AND STAFF

None

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Item No. 7, being:

ADJOURNMENT

There being no further business and no objection, the meeting adjourned at 5:24 p.m.

PASSED and ADOPTED this ^{4th} 28th day of ^{November} October, 2020.

A handwritten signature in blue ink, consisting of a large, stylized initial 'B' followed by a surname that appears to be 'Winn'. The signature is written over a horizontal line.

Board of Adjustment