

**BOARD OF ADJUSTMENT MINUTES**

**JANUARY 22, 2014**

The Board of Adjustment of the City of Norman, Cleveland County, Oklahoma, met in Regular Session in Conference Room D of the Norman Municipal Building A, 201-A West Gray, at 4:30 p.m., January 22, 2014. Notice and agenda of said meeting were posted in the Municipal Building at the above address and at [www.normanok.gov/content/board-agendas](http://www.normanok.gov/content/board-agendas) at least 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 4:30 p.m.

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Item No. 2, being:

**ROLL CALL**

MEMBERS PRESENT

Hank Ryan  
Todd Marple  
Thomas Ballenger  
Andrew Seamans

MEMBERS ABSENT

Cindy Deckard

A quorum was present.

STAFF PRESENT

Susan Connors, Director, Planning & Community  
Development  
Wayne Stenis, Planner II  
Roné Tromble, Recording Secretary

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Item No. 3, being:

**ELECTION OF OFFICERS FOR 2014**

*Hank Ryan nominated Andrew Seamans as Chairman, Thomas Ballenger as Vice-Chairman, and Todd Marple as Secretary.*

Chairman Seamans asked if there were any other nominations. There were none.

*Hank Ryan moved to elect the slate of officers by acclamation. Thomas Ballenger seconded the motion.*

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

YEAS

Hank Ryan, Todd Marple, Tom Ballenger,  
Andrew Seamans

NAYS

None

ABSENT

Cindy Deckard

The motion to adopt the above slate of officers passed by a vote of 4-0.

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Item No. 4, being:

**APPROVAL OF MINUTES OF THE DECEMBER 11, 2013 REGULAR MEETING**

*Hank Ryan moved to approve the minutes of the December 11, 2013 Regular Meeting as presented. Todd Marple seconded the motion.*

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

YEAS	Hank Ryan, Todd Marple, Tom Ballenger, Andrew Seamans
NAYS	None
ABSENT	Cindy Deckard

Chairman Seamans announced that the motion to approve the December 11, 2013 Minutes as presented passed by a vote of 4-0.

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Item No. 5, being:

**BOA-1314-11 – O'REILLY AUTOMOTIVE STORES, INC., REQUESTS A VARIANCE TO THE EXTERIOR APPEARANCE REQUIREMENT TO ALLOW CONSTRUCTION OF AN ADDITION TO THE REAR OF AN EXISTING BUILDING WITH EXTERIOR MATERIALS TO MATCH THE EXISTING BUILDING, RATHER THAN MASONRY, FOR PROPERTY LOCATED AT 2113 WEST LINDSEY STREET.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Staff Report
2. Exhibit A – Photos of O'Reilly Auto Parts at 131 12<sup>th</sup> Avenue N.E.
3. Location Map
4. Applicant's Statement of Justification
5. Site Plan
6. Plat Map

**PRESENTATION BY STAFF:**

Mr. Stenis reviewed the staff report, a copy of which is filed with the minutes. There were no filed protests on this application.

**PRESENTATION BY THE APPLICANT:**

The applicant's representative was present but did not make a presentation.

**AUDIENCE PARTICIPATION:**

None

**DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:**

Mr. Ryan commented that this probably works well. This is on the back of the building. The idea is aesthetics, and putting masonry in the mix would be hard to do.

*Hank Ryan moved to grant the variance as requested. Tom Ballenger seconded the motion.*

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

YEAS	Hank Ryan, Todd Marple, Thomas Ballenger, Andrew Seamans
NAYS	None
ABSENT	Cynthia Deckard

Chairman Seamans announced that the motion to grant the Variance as requested passed by a vote of 4-0.

Chairman Seamans noted that there is a ten-day appeal period before a building permit can be issued.

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Item No. 6, being:

**BOA-1314-12 – THOMAS AND JUDITH FELDER REQUEST A VARIANCE TO THE COMMERCIAL COMMUNICATIONS TOWERS SECTION (431.2(3)) SO AS TO ALLOW CONSTRUCTION OF A RESIDENTIAL STRUCTURE WITHIN THE 200' SETBACK FOR THE EXISTING CELL TOWER FOR PROPERTY LOCATED AT 2501 9<sup>TH</sup> AVENUE N.E.**

**ITEMS SUBMITTED FOR THE RECORD:**

1. Staff Report
2. Location Map
3. Applicant's Statement of Justification
4. Proposed Site Plan
5. Alternate Site Plans A and B

**PRESENTATION BY STAFF:**

Mr. Stenis reviewed the staff report, a copy of which is filed with the minutes. There were no filed protests on this application.

**PRESENTATION BY THE APPLICANT:**

Thomas Felder, 2501 9<sup>th</sup> Avenue N.E. – I have some rebuttals to the staff's comments that I would like to share with you. My wife, Judy, and I have lived in Norman since 1980. We raised both our boys here. We bought this property in 1987 with the intent of building a residence on the property. We have been working toward that goal for many years now. We've been active in the community since we've lived here. I have a business that I've operated for 20 years here in Norman. We love Norman and we plan on retiring on this property; at least that was our intent.

With respect to the comments made by staff, staff has presented two alternatives, A and B, which appear to focus more on the rear view of the property. If you'll look on the third page of the photos, the way staff has Alternative A situated, the garage entrance is basically in the front yard of the guest house, with the drive going through the parking area of the guest house, basically impeding the parking there. We have some cedar trees in the center of the property that we plan on removing because of fire hazard – regardless of where we put it, we're still going to remove the cedars because the house would be too close to the cedars. Once we remove those, in Alternative A, the back yard view of the house will be looking straight at the cell tower base and the antenna as well. Now, true, it will be going toward the park, but the other views are not what we desire. Alternative B is about four pages back on the photos. That one is even worse, because it has the front of the house facing directly looking at the side of the barn and the wrong orientation for receiving guests. So I don't feel like those two alternatives are alternatives that are in our best interests and I don't think that we really want to build in those particular locations. If you look at the last page of the photos, those are the views that we would like from this house; those are the views that we would achieve by placing the house where we're requesting it. Also, this guest house/barn that we have already built – on the east side where staff has the house positioned is the drainage coming off that upper area of our property. There's no way we can do enough dirt work that close to this building to divert the water from the residence. The high side of the property is to the northeast corner, sloping to the south and southwest. Everything from the north portion of the property diverts around this building and comes right down through the east side. That causes us some problems getting proper drainage. As far as the utilities go, I'm not sure about the sharing of the utilities, but we also have utilities on the east side of the property; we have an easement there. We've got a sewer running south of where we propose our building site, actually between the cell tower and where we would like to build, and it's already set up with tie-ins to the sewer in anticipation of building a residence there.

Backing up a bit, when we first started this application process, I spoke with Jane Hudson and we looked at the property. I discussed all this with her. She basically told me that it should be no problem getting a variance – that she thought it shouldn't be any problem. I don't know why this has changed. But, regardless, we came into this thing thinking that it wouldn't be any steal but staff would support it. She even called the City Attorney and told me that she had contacted the City Attorney to find out if this variance even applied to us, because it's a cell tower ordinance. What she presented to me was that the City Attorney didn't think it applied, but thought it would be a good idea for us to request a variance just to cover our bases so that there wouldn't be any issues in the future with any kind of interpretation of the ordinance. It didn't apply because it's a cell tower ordinance, not an A-2 ordinance from what she seemed to think and what the City Attorney seemed to think.

Moving on to the literal interpretation of the ordinance, staff indicates that the Board approved a location of a house at 8080. We visited that site and on the second page of photos is a photo of that site. There are no circumstances with that property that's any different than our property. There are multiple other places to build a residence on that property, yet they were granted a variance. We also visited the property at Willow Grove. I spoke with Mr. Lashbrook, the owner of the property there, and he told me that the reason the variance was denied for that property was because there were numerous protests from surrounding neighbors, that the Willow Grove is not a City-maintained road and the neighbors did not want heavy construction equipment going up and down the road. That's why that was denied. So, with respect to these other variances, I put to you that granting our variance would be consistent with the same rights that were granted to the property at 8080 120<sup>th</sup>. That property appears to be about 5 acres as well.

Doug Jergens, 1407 Woodrush – What's shown on the 8080 is a photograph taken from the street. You can see the cell tower in the background. The house is built within the radius of the cell tower prohibited by the ordinance. We didn't go in to measure it because it was private property and the fence was locked. You can see there's quite an expanse of property. Here's the road leading up to the cell tower and the reason why, we suspect, that the person wanted to have a variance from the ordinance was the aesthetics of it. He didn't want to be up against 120<sup>th</sup> – a busy road. He wanted to choose a place that was more aesthetically pleasing, which is what Mr. Felder is asking. Again, that's to be pointed out for one of the grounds that the Board can consider when it is determining whether or not to grant the variance is what are other like instances within the district – what did the Board do in those cases? It is on 5 acres. It is zoned A-2. There were no protests – none. No one came in and said don't do it. He did grant them the cell tower easement, so, in effect, he did kind of bring this on himself, except that – and we would only suggest that he wasn't exactly fully aware, except from a legal standpoint – we're all presumed to know what the law is – he wasn't fully aware when he granted the cell tower easement on his 5 acres that that would be a problem. He's not saying that the law doesn't apply to him because he wasn't aware of it, but he was not fully aware of it, except from a legal standpoint.

Mr. Felder – With respect to special conditions, staff has stated that I was fully aware of the setback requirements. Again, we were not fully aware. We knew that the cell tower had setback requirements as far as the zoning pertaining to them. We did not know that that was reciprocal. And we certainly didn't know that it was 200 feet. We planned on building our residence south of this barn/guest house and we had always planned on building it there. The location of our residence was known, but we've adjusted that – brought it further north. In fact, you can see on the plat that the staff has given you, we actually have an apron coming off our

driveway leading south. That was put there with the intent of connecting that to our future driveway going to our residence.

Mr. Jergens – If it's not too disjunctive, Mr. Chairman, this photograph is a cell tower, on my left-hand side, and this is one of the permanent type residences for like a nursing home. If you were to flop that cell tower over, the top of the cell tower would land in the center of the roof of the nursing home, and they weren't required to get a variance. Now, we're not suggesting that there's anything incorrect about that, but we're trying to distinguish – we're trying to fit into the circumstances that are set out in the ordinance that granting the variance would not result in disparate treatment of anybody else who might want to come before the Board. We pointed the 8080 and the other one. We all know where LeRoy Wheeler lives, and that's where this other cell tower that he just mentioned was to be located. And it was denied, according to the applicant, because of people who protested. Five acres he lives on – this isn't a residential area where there's a whole bunch of people that are affected, number one. Number two, no one complained.

Mr. Felder – This is probably just a matter of semantics. Staff has said we developed the property over the past years. We have not developed the property in the sense of a development; I have simply cleared it over many years in anticipation of building our home there. Our children are grown now – one is in college; one is just out of college – so it's just my wife and I and we'd like to design a house for us to retire in on this property and be able to enjoy the property to the best of our ability with the best views the property affords. Another thing is that this is the only house that is going to be on this property. We already have a guest house and we understand that those are the only two residences that can be in A-2 zoning. So there are no other houses that are going to be on our property. The entire drop radius or setback radius of this is on our property, so no one else is impacted or affected by this cell tower. I had one other thing, I believe. The fourth item, the granting of the variance will not confer special privilege on the applicant – I say that if you approved the location of the house at 8080, our property is exactly the same, so granting the variance for us will not confer any privileges on the applicants, but instead convey them the same privileges conferred on the owners of that property. Denial of the variance on the property on Willow Grove – we don't believe it should be considered because that was denied because of protests. We have no protests here on this variance. And, finally, I just would ask that we be allowed to build our house. We're aware of that particular zoning ordinance now, but we still feel like we should be able to enjoy our property like any other property owner. And we don't feel like granting the variance to us will be a detriment to any other property owners or surrounding properties.

Mr. Marple asked whether there is a way to get outside the 200' radius and still have an orientation which would get the views that they want. Mr. Felder responded that it would be difficult, because we want to set up the house with the back yard more toward the east and the front toward the street – the barn/guest house is on one side; the cell tower is on the other – we're not looking out the front or the back at either one and that orientation is difficult to accomplish getting outside that. If we orient it any other way, it's going to compromise those views. Also, we need to be back from the existing building at least far enough to do a significant amount of dirt work to divert water flow – rechannel everything. We can't do that if we're sitting close to our existing building.

Mr. Stenis provided aerial photos showing the topographics, and the relationship to the park. Chairman Seamans commented that it appears there is eight to ten feet of drop from the

northeast corner to where the house is proposed by staff. There's quite a drop off to the south.

Chairman Seamans asked about the zoning for a cell tower versus zoning for the A-2. Is that something that has interchanged before, where a cell tower has come onto an A-2?

Mr. Stenis addressed the case of 8080 120<sup>th</sup>. That was approximately a five-acre lot. Their topography was such that the front of the lot was more or less in the floodplain and they had already had a previous residence back at the rear of the lot up on a pad. It was removed and they wanted to relocate it back in the same flat area, and that was the only flat area. The width of their lot was not wide enough to accommodate the full 200 feet in any direction.

Ms. Connors explained that cell towers are allowed in A-2, but when they're on the lot with a residence then there is a separation requirement as a condition. They are an allowed use in A-2.

Mr. Ballenger asked if it would be possible to locate the house outside the 200' setback at the same angle as the applicant proposed. Ms. Connors explained that staff was just showing examples of potentially putting it outside that radius.

Mr. Ryan commented that there is a safety reason for the 200' fall zone. I'm very uncomfortable letting something go into that safety zone when there are alternatives to that. They may not be as desirable to the owner, but there are alternatives. The applicant was involved and has benefitted from the placement of this tower. To go back and say, no, we can ignore the safety considerations because of that, I'm just not comfortable with that.

Mr. Marple asked if the towers are 200' tall. Mr. Stenis indicated that is the maximum height that would be allowed. It would have to be permitted again to modify it.

Mr. Jergens – Mr. Chairman, if I can – this is 8080 120<sup>th</sup>. Not to be argumentative, but to say that it's more or less in the floodplain out here is a gross generalization. There's no evidence that it's in the floodplain; it's obviously a little bit lower. They built the house on an existing pad, which is fine, but it still violated the ordinance. They could have built that house up closer to the road. It would have been more difficult. It would have been less aesthetic, but they could have built it up there, but they were granted a variance to do that. We're willing to condition the grant of the variance that this will be the only house that will be constructed within that or taking advantage of it. We close the door on that issue. But just to generally say that we have it back by the tower because it's gonna be in the floodplain, more or less, is not – they're not engineers or architects, so that's – they could have put it closer to the road. They don't want it closer to the road because for aesthetic purposes, and Mr. Felder is simply asking for the same treatment that 8080 was granted. There's no protests.

Mr. Felder – Mr. Ryan, to address your concern, we've been out there for a while, and I don't know if you recall, but we've had at least two major – not tornados, but downbursts with winds up around 120 miles an hour. In fact, one of them hit directly along Porter – between Porter and 12<sup>th</sup> a few years back. It didn't even phase that cell tower. That cell tower was put in in sections, so if something were to possibly happen to that, I would believe that it would come apart in sections. The monotower – they just slide one tower over another one. So if it were to fail, it's going to collapse at the sections. So it's not like it's going to be just a linear drop from the top of the tower to some point out in a radius. I would also believe that any storm strong enough to blow that cell tower down – there's probably not going to be much left of our house anyway.

I watched that thing put in. They drilled a hole 8' in diameter, 25' deep and filled it with the biggest rebar and concrete you've ever seen. So it's there to stay.

Mr. Stenis explained two other circumstances which were a factor in the Board's decision in the variance at 8080 120<sup>th</sup>. One was that the engineering design of that tower was so that it would collapse down, which Mr. Felder has addressed, although I haven't seen the design of the current tower on his property. The other condition which the Board was interested in at the time was that the property owner adjacent, which had a residence, signed a letter of consent that he was in favor of the cell tower location and the variance that was requested.

Mr. Jergens – And as demonstrated, Mr. Chairman, if I may, by the lack of protests. There's no suggestion that the protest area was, in any way, not followed. Literally dozens, I assume – I haven't seen the certification – literally dozens of people knew he was requesting to do this. No one is against it. The only reason we're here is because there's an ordinance that says that it has to be. Mr. Felder went to Planning first and said I need to file for a building permit and they said, no, you don't need to file for a building permit; you can get your variance first because you don't want to get down the road with the building permit and then not meet the deal. He was encouraged in his discussions with Planning staff that there's not going to be a problem but you're going to have to seek a variance. Mr. Felder somewhat overstated and he didn't mean that there's not going to be a problem with the Board approving this so don't worry about it, but there's not going to be a problem from staff's standpoint. So he was a little bit concerned by staff's position of not granting the variance. Again, lawyers have their cases won until their closing arguments, so I'm trying not to go there too much. There's 8080 – I was out there with Bob when he took these pictures. There's literally hundreds of feet in front of that building location. The building location is ostensibly in close proximity to that cell tower. Would have required a little extra dirt to come in, required some fill to be put in, maybe an exception from the floodplain ordinance showing that they could accommodate it. We show the other site – the one showing where the rest home is with the tower out in front. They weren't required to do it. And the only other case that we had as Planning has pointed out is out there on 48<sup>th</sup> Street where it dead-ends south of Main Street, and you go left and that's where the cell tower was supposed to be. It was protested; we don't want it there – the neighbors. That's one of the things that Boards of Adjustment take into consideration is how is this going to affect the neighborhood? As suggested by the Planner, 8080 the guy came in and said it's not going to bother me; that's fine. I'm not protesting. We have no protests and the only other instance that is brought to light was protested and it was denied. The one that wasn't protested; the one that was consented to was approved. It's five acres. He's not going to plat this and it's going to be a new subdivision with apartment houses and there's going to be a cul-de-sac going down there with multiple houses and, oh my God, what have you created? It's going to be one house on five acres and he's prepared to commit to that if the Board would see his side and see that by granting it it's not granting any special favor to Mr. Felder. Simply doing what previous Boards have allowed.

Chairman Seamans commented that, if we do approve this variance to put that house there, we've further set a precedent that, in my opinion, is in direct violation of this code. So we've really gone outside of the box and we've really damaged the interpretation of the code. Now we've got two cases where houses have been allowed inside of this zone, and whether it falls straight down or sideways – I mean, there's no telling what could hit that thing and make it fall over – a tractor trailer in a tornado could knock that thing over. The house could be perfectly fine, but the fact that it's within the fall zone could really cause some damage. I understand



where you are. You've lived in Norman for a long time, you've been a part of this community, you love this community and here it is, you're trying to design your dream house and locate it on your dream property and here we stand on the other side of the aisle with this cell tower. It's not a good position for us to be in.

Mr. Ballenger said he thinks we have to look at the intent of the ordinance to begin with, and it's for public safety, not for anybody's aesthetics or anything else, rather than to save people's lives in the event of an accident. There's no assurance what the property might be used for 50 to 100 years from now, after your death. There's no assurance of what's going to happen after that. If a tornado blows down a property that's owned by somebody subsequent to you and it kills that person, who is responsible? You or us? Mr. Felder responded that the lease is not nearly that long. My wife and I are the only two people that are going to be living in this home. This is where we plan on retiring. We have no thoughts of living in it for five years and selling, if that's what you're concerned about. We plan on staying on this property. We've worked toward that goal. We've always planned on building out there. It took a little longer than we expected, and after it got to a certain point we decided to wait until after our boys were gone and just build a house for us. That's what we would like to do. We certainly don't want to build a house and be looking at the side of the barn. We don't want to be looking out the back door at our cell tower down there. We have limited options on how we can situate this house for the best enjoyment of our property. That's all we're asking. We're just asking that you allow us to utilize our property so that we can enjoy it to the maximum amount. We had originally planned on putting our house much closer to where the cell tower was – much farther south. When they came in and asked us if they could put the cell tower in, they said we've got to situate it such that we can only put it in certain places. We decided we'd move our house further north. But, at the time, unfortunately, we didn't realize that there was a 200' setback on this thing.

Mr. Ballenger commented that he certainly could have found out what the setback was. It's public. Mr. Felder responded that he doesn't dispute that it's public and we could have found it out. I'm just saying that it wasn't something that we thought about at the time and I understand that that's our fault. That's why we're here asking for a variance. Because, obviously, we made a mistake.

Mr. Ballenger asked why the angle wasn't reproduced on the second drawing to match the original angle of the house. Mr. Stenis said he was trying to allow just an example to get it out of the 200'. They seemed to want a circular drive pattern so it was just an idea to try to connect it. The whole area outside the circle on the northeast side of the property appears fairly flat. There may be some drainage around the pad that needs to be accommodated. As Mr. Ryan has stated, this was an example of getting it out of the 200' area. You can see on the topos there's a fairly flat area over in that east side of the property.

Mr. Ryan commented that there appears to be sufficient area outside the fall zone to design and build a suitable structure without having to do it inside the fall zone. Mr. Felder responded that pushing the house farther north creates more obstruction of the views. It makes the barn building more predominant at the front of the house. The farther north we go, the more predominant the existing barn gets and the less view of the park we have. That's one of the things, when we bought the property, we liked about that – we had those views there.

**AUDIENCE PARTICIPATION:**

None

**DISCUSSION AND ACTION BY THE BOARD OF ADJUSTMENT:**

Mr. Ballenger commented that he thinks it is diametric to the whole idea of what we're doing with the ordinance. Although this individual instance, if it were looked at, it would be acceptable.

Mr. Ryan pointed out requirement number 3 – special conditions don't result from the actions of the applicant. They clearly do. They granted the cell tower easement. It's unfortunate that he didn't understand at the time all the ramifications, but I don't feel that's enough to overcome – there seems to be sufficient available buildable land to comply with the ordinance without granting a variance. He may have to do a little redesign.

*Hank Ryan moved to deny the variance as requested. The motion died for lack of a second.*

*Todd Marple moved to grant the variance as requested. The motion died for lack of a second.*

Chairman Seamans said it seems like the entire house is within the zone. It looks like the garage may not be. If they were asking for 24" into the 200' circle, that would be a lot easier to make a decision on. I think that's where we're really hung up that the entire house is in the 200' limit. The owner put in the cell tower. They have room. It's not the optimal, aesthetic pleasing for the house to be located to the north, but it could go to the north.

Mr. Ballenger asked about the process when the cell tower went in. Chairman Seamans explained it was a permitted process. It looks like they took it 205' from the southern part of the property. So they knew that there was something with 200' so they gave themselves a 5' buffer.

Mr. Ryan commented that the cell tower people knew. He seems to be saying he knew there was some setback; he just didn't realize how much it was.

Mr. Marple asked if the setback is 200' regardless of the height of the tower. Chairman Seamans explained that his understanding is that the setback is 200' because that's the maximum height for cell towers. Ms. Connors indicated it is a requirement in the zoning code.

Mr. Ryan said he knows this is hurting what he had planned on, but he did have some benefit when he made that decision. It's not like somebody else put the cell tower in and is receiving whatever lease payments or whatever compensation might have been from that and that's keeping him from this. The reason we have these ordinances is they have been thought through and this just doesn't rise to the level of meeting the requirements for a variance because he can build outside of that zone. It might not be exactly what he wants, but he will still be able to build this house on this land.

Mr. Marple asked about the other variance that was granted and how it was different. Chairman Seamans responded that we don't have that one in front of us, but it's my understanding that there was an existing pad site that essentially was built on. Mr. Ryan noted that the Board generally looks at each application to stand on its own.

*Hank Ryan moved to deny the variance. Thomas Ballenger seconded the motion.*

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

YEAS	Hank Ryan, Todd Marple, Thomas Ballenger, Andrew Seamans
NAYS	None
ABSENT	Cynthia Deckard

Chairman Seamans announced that the motion to deny the Variance passed by a vote of 4-0.

Mr. Felder asked if there is any possibility of compromising or anything at this point. Maybe find out what the height of the tower is. Chairman Seamans responded that he could come back for another variance. If you were to go back for another variance, I would recommend that you don't go much more than a couple of feet into the zone. That would be my personal position. It's tough for us to put the whole house in there. If it was two feet, that's a different ballgame.

Ms. Connors noted that there is an appeal process to District Court.

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Item No. 7, being:

**MISCELLANEOUS DISCUSSION**

1. Ms. Tromble distributed updates to the Zoning Ordinance.
2. Ms. Connors noted that Mr. Seamans and Mr. Ryan have been reappointed to the Board.

Item No. 8, being:

**ADJOURNMENT**

There being no further business and no objection, the meeting adjourned at 5:47 p.m.

PASSED and ADOPTED this 26<sup>th</sup> day of FEBRUARY, 2014.

  
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Board of Adjustment