

BOARD OF ADJUSTMENT MEETING MINUTES
Thursday December 27, 2012
6:00 p.m.

Members Present: Herman Johnson, Betty Hall, Laurie Jarrett, Tad Martin, Don Waugh, Jimmy Lemons, Phillip Morgan
Members Absent: Sandra Masho
Also Present: Jeff Earp, Manager
Others Absent: Atty. Charlie Davis, Melanie Hamilton, Clerk

Call to Order – Chairman Johnson called the meeting to order with the members sitting as the Board of Adjustment.

Approval of Minutes from the August 27, 2012 Meeting- After discussion Board Member Jarrett made a motion to approve the minutes and Board Member Morgan seconded. The motion was approved 7-0.

Before the beginning of the new business section of the meeting, Board Member Lemons recused himself. He stated that he was a neighboring property owner of the parcel that was being considered for a variance.

New Business- The Board was informed by the Chairman that Johnny Lankford has requested a variance concerning parcel identified as tax map #13-2-70 in the Alamance County Registry. The property is located at 113 Circle Drive in Haw River.

Mr. Lankford is requesting a variance of town ordinance, section 155.120, table of area, yard & height regulations. The request is to reduce the required rear yard setback from 25% lot depth (35ft.) to 8 ft. The request is made in order to accommodate a garage on the property.

Before the Board of Adjustment began considering the matter Chairman Johnson swore in Manager Earp and Mr. Lankford in order to receive testimony from both concerning the matter.

The Board heard testimony from manager Earp concerning the reason that the variance would be needed. They also heard testimony from Mr. Lankford concerning the placement of a garage on the property. Mr. Lankford provided a sketch of how all the structures would be situated on property. Board Member Waugh discussed the hardship rule and how he did not believe that this rule could be met in this case. He then stated that granting such a major variance could be detrimental to the town. Board Member Martin also expressed concerns about a large reduction to the back yard setback of 27 feet. Board Member Waugh stated that he believed having the property rezoned to a Business Zoning, since it adjoined similarly zoned property, may be a better solution than a variance because the setback requirements for back yard setback are only 10 ft. There was much discussion about the request both for and against. After every member had an opportunity to ask questions or comment Chairman Johnson called for a motion. Board Member Morgan made a motion to approve. It was seconded by Board Member Hall. The motion failed on a vote of 3-3. (Voting in favor was Hall, Morgan, Johnson; with Jarrett, Waugh, and Tad Martin voting no.)

With no further business to be discussed Board Member Waugh made a motion to adjourn in was seconded by Board Member Lemons. The motion passed 7-0. The meeting adjourned at 6:34pm.


Herman Johnson, Chairman

DATE: 4/15/13

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