

BOARD OF ADJUSTMENT

MINUTES

THURSDAY
JANUARY 10, 2008

1:00
PM

COMMISSIONER CHAMBERS,
ADMINISTRATION BUILDING

CALLED TO ORDER BY	Donald Schreiner, Chairman, noted for the record that there was a quorum present. He confirmed Proof of Publication for each case and noted that the meeting had been advertised pursuant to the Sunshine Statute.
RECORDING SECRETARY	Anna Ely
BOARD ATTENDEES	Donald Schreiner Mary Link Bennett Ruth Gray Lloyd Atkins, Jr. Steven Berk
NOT PRESENT	Henry Wolsmann Howard B. (Bob) Fox, Jr.
DEPARTMENT OF GROWTH MANAGEMENT REPRESENTATIVES	Anita Greiner, Chief Planner, Zoning Division Paul Simmons, Planner, Zoning Division Anna Ely, Public Hearing Coordinator, Zoning Division Karen Chester, Associate Planner, Zoning Division
BOARD ATTORNEY	LeChea Parson, Assistant County Attorney I

MINUTE APPROVAL APPROVAL OF MINUTES OF DECEMBER 13, 2007 MEETING.

MOTION READS:	To approve the minutes of the DECEMBER 13, 2007 Board of Adjustment hearing.		
MOTION BY:	MARY LINK BENNETT	SECONDED BY	RUTH GRAY
MOTION APPROVED: 5-0	FOR: Donald Schreiner Mary Link Bennett Ruth Gray Lloyd Atkins, Jr. Steven Berk		AGAINST: None

POSTPONEMENTS BOA#138-07-5

DISCUSSION	There was no objection to postponement of BOA#138-07-5.		
MOTION READS:	To approve the postponement of BOA#138-07-5 until the February 14, 2008 Board of Adjustment public hearing.		
MOTION BY:	MARY LINK BENNETT	SECONDED BY	LLOYD ATKINS, JR.
MOTION APPROVED: 5-0	FOR: Donald Schreiner Mary Link Bennett Ruth Gray Lloyd Atkins, Jr. Steven Berk		AGAINST: None

CONSENT AGENDA

BOA#2-08-3
BOA#3-08-4
BOA#4-08-5

DISCUSSION	There was no objection to BOA#2-08-3, BOA#3-08-4 and BOA#4-08-5 remaining on the consent agenda.		
MOTION READS:	To approve BOA#2-08-3, BOA#3-08-4 and BOA#4-08-5 with conditions of staff.		
MOTION BY:	MARY LINK BENNETT	SECONDED BY	RUTH GRAY
MOTION APPROVED: 5-0	FOR: Donald Schreiner Mary Link Bennett Ruth Gray Lloyd Atkins, Jr. Steven Berk		AGAINST: None

BOA#1-08-5

OTTMAR OLSEN

DISCUSSION	<p>Paul Simmons, Planner, presented the case and showed the aerial from the staff report. He pointed out the location of the property and explained the requested variance and staff's recommendation of approval. He presented County Exhibit "A" showing the location of the parcel and the location of neighbors in objection.</p> <p>Members of the Board questioned the hardship and whether there was any other access to the property.</p> <p>Duane Booth, Engineer, was present to speak for the owner. He pointed out the proposed easement on County Exhibit "A" and the location of an old easement to Babb Road to the west. In response to questions from the Board, he stated that more research is needed to determine whether it is a current legal easement to the property. He stated that at this time it is only a trail used by four wheelers.</p> <p>Lloyd Atkins, Board Member, suggested postponing the case until it is verified whether there is a legitimate easement to the west.</p> <p>Leslie Campione, Attorney, was present to represent the neighbors. She spoke of ingress and egress issues that her clients had with a prior owner of the property. She stated that the proposed easement is prone to flooding and is in need of improvement. She stated that she felt that a 60-day postponement to investigate other access options would be in the best interest of all parties.</p> <p>Ottmar Olsen, owner, spoke on his own behalf. He stated that he was in agreement with the neighbors with regards to several issues concerning the proposed easement. He stated that he is working with Fred Schneider in Public Works to dedicate right-of-way to the County; he is only looking to do what would benefit the community. He was in agreement to a 60-day postponement.</p>		
MOTION READS:	To postpone BOA#1-08-5 until the March 13, 2008 Board of Adjustment public hearing.		
MOTION BY:	RUTH GRAY	SECONDED BY	LLOYD ATKINS, JR.

MOTION APPROVED 5-0	FOR: Donald Schreiner Mary Link Bennett Ruth Gray Lloyd Atkins, Jr. Steven Berk		AGAINST: None
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The meeting was adjourned at 2:03 p.m.

Respectfully submitted.

Anna Ely, Recording Secretary

Donald Schreiner, Chairman