

<u>REGULAR AGENDA:</u>	BOA #16-10-5 OWNER/APPLICANT: Shirley L. Grantham
DISCUSSION	<p>Ruth Gray entered the meeting. There was discussion among Board members regarding their acquaintance with Ms. Grantham and whether it would affect their ability to rule on the case. It was determined that it would not.</p> <p>Paul Simmons, Planner, presented the case and showed the aerial from the staff report. He explained the history of the purchase and the lot splits in regard to the property and showed the site plan of the proposed lot split (Exhibit "1" of the staff report). He stated that the Public Works Department does not have any objection to the request. He noted that by granting the variance, it would create a total of six lots from the original parent parcel.</p> <p>Mr. Simmons stated that staff believes the applicant has shown substantial hardship but has not shown substantial proof of meeting the intent of the Code; therefore, staff is recommending denial of the variance request.</p> <p>Lloyd Atkins asked about lot sizes as stated in the staff report, and Mr. Simmons clarified the requested lot split sizes.</p> <p>Mary Bennett asked about access to the property, and it was explained that it would be accessed from Mill Creek Road.</p> <p>Mr. Atkins verified that staff was basing their recommendation of denial on the fact that they did not believe the request met the intent of the code.</p> <p>Ms. Bennett asked if additional splits could be created in the future; Mr. Simmons explained that the property could not be split in the future without requesting another variance.</p> <p>When Mr. Atkins asked whether the property would have any problem with platting, Mr. Simmons stated that there were no red flags indicating any problems with the property being platted into a subdivision.</p> <p>Ms. Bennett asked how much it would cost to plat the property compared to obtaining a variance and doing a lot split. It was explained that platting was a substantially more expensive process.</p> <p>Shirley Grantham, property owner, was present to speak on her own behalf. She stated that she needed to be able split the property and sell a portion of it in order to afford to keep the property on which her house stands and have a place to live. She stated that she has had a loss of income in connection with the death of her husband, their construction company, and her horse boarding business. She explained that her properties are financed, and at this time she has not been able to pay her property taxes. She is hoping to split her property in order to sell part of it and pay her taxes and bills. She discussed the layout of the property and stated that she wanted to sell 40 acres and keep the 20 acres on which her home is located. The appraised value of the</p>

	<p>property is 50 percent less than one year ago, and she cannot afford to plat it.</p> <p>She stated that this property was originally a very large property; 36 acres of the original parcel is across the street and is not attached to the current parcel that she wishes to split. She explained the history of the approved lot splits over the years and the reasons for splitting the property. She stated that she does not want to split the property into one- or five-acre lots.</p> <p>Ms. Bennett stated that it is hard for anyone on the Board to vote for approval when the request goes against the intent of the Code.</p> <p>Ruth Gray asked if Mill Creek is heavily traveled. Ms. Grantham replied that it is not as busy as County Road 439, but it is a busy road.</p> <p>Ms. Grantham stated that in 2009 she put the entire 60-acre parcel on the market and has been reducing the price, but she has not been able to sell such a large parcel.</p>		
MOTION READS:	<p>There was a motion by Ruth Gray to approve BOA#16-10-5 as she felt Ms. Grantham has proven that she has a hardship and that the Board is here to help in time of economic hardship.</p> <p>Mr. Atkins stated that in hard economic times such as these, they should look for more ways to help people. He added that he would be in agreement of the approval if there was the added stipulation that no other administrative lots splits would be allowed on the property.</p> <p>Mr. Schreiner stated that he felt that there should also be a stipulation stating that platting of the property in the future should not be allowed.</p> <p>Sarah Taitt, Assistant County Attorney, stated that the Board could restrict administrative lot splits, but the Board does not have jurisdiction to restrict platting.</p> <p>Ms. Gray restated the Motion to approve BOA #16-10-5 with the stipulation that there could be no further administrative lots splits on either parcel.</p>		
MOTION BY:	RUTH GRAY	SECONDED BY:	LLOYD ATKINS
MOTION APPROVED 5-0	FOR: Donald Schreiner Mary Link Bennett Lloyd Atkins, Jr. Marie Wuenschel Ruth Gray		AGAINST: None

Brian Sheahan, Director of Planning and Community Design, spoke to the Board. He explained the reduction in staff and the combining of the Zoning Division and the Planning & Community Design Division. He explained that this meeting will be Anna Ely's last meeting as she will no longer be employed by the County. He introduced Anita Greiner, Chief

Planner, and Sherie Ross, Public Hearing Coordinator, both with the Planning and Community Design Division.

He stated that he would be giving the members his cell phone number; if they had any questions or concerns, they should feel free to contact him.

Mr. Schreiner welcomed Sherie Ross back as Public Hearing Coordinator. He also asked that it be put in the minutes what a great job Ms. Ely has done; the other members of the Board were in agreement with this sentiment.

The meeting was adjourned at 1:40 p.m.

Respectfully submitted,

Sherie Ross for Anna Ely, Recording Secretary

Donald Schreiner, Chairman