

Unified Land Management
Board of Appeals
June 26, 2007
4:30 p.m.

Members Present: Gerald Lawson, Chairman
Ray Morris
Kyle Atkins
Les Green
Gerald Noe
David Long
Jackie Moss

Members Absent: Roy Pinckney
Craig Sims

Staff Present: Edwin Haskell
Chris Story
Laurie Horton
Albert Lee
Savannah Sabo
Freelance Reporting Services, Transcriptions

1. Call to Order

Gerald Lawson, Chairman, called the meeting to order.

2. Approval of Minutes of May 22, 2007

Kyle Atkins made a motion to approve the April 24, 2007 minutes as submitted. Les Green seconded the motion. The vote carried unanimously.

3. Old Business

None

4. **New Business**

Wine & Spirits - Albert Lee, Land Use Inspector, was sworn in and presented the background information to the Board:

Mr. Scott Worthy, applicant, is requesting a variance from the Unified Land Management Ordinance Section 4.06-3.1 (Existing Nonconforming Use: Continuation).

The variance request is to accommodate an addition to an existing nonconforming commercial structure. The structure is nonconforming because it does not meet the current minimum building setback requirements for a commercial use.

The applicant's property abuts commercial use lots along one side and the rear property lines.

The request is to first, allow the applicant to structurally increase the square footage of a nonconforming structure and secondly, to reduce the building set back along one (1) side lot line to three (3) feet.

Buffers will not be required.

Gerald Lawson opened the public hearing.

Mr. Scott Worthy, applicant, was sworn in. He stated that he purchased the property and planned to make improvements by adding onto the existing building for extra storage space. He did not plan to change the use of the building which was originally a liquor store. Mr. Worthy stated that he did not want to encroach on any adjoining property.

Mr. Lee stated that he had spoken with the Department of Transportation and they said the addition was within their state right of way regulations.

There was no one present to speak for or against the case.

Gerald Lawson closed the public hearing.

The Board and staff agreed that Mr. Worthy had met the parking requirements.

David Long made a motion to grant the variance as requested. Jerry Noe seconded the motion. The vote carried unanimously with Jackie Moss abstaining from the vote due to late arrival.

Mildred Schoolcraft - Laurie Horton, Land Use Inspector, was sworn in and presented the background information to the Board:

Mrs. Schoolcraft, applicant, is proposing to place a second residential dwelling on the parcel addressed as 320 Calvery Road, Inman.

The parcel has fifty (50) feet of road frontage and is approximately five (5) acres in size.

The Unified Land Management Ordinance, Section 2.02-6 Number of Principal Buildings on a Lot, requires that two residential dwelling units may be established on the same parcel “provided the dimensional requirements on Table 3 are met for both dwellings as if they were established on separate lots...”

Table 3 of the ordinance requires fifty (50) feet of road frontage per a residential lot.

The applicant is requesting a fifty (50) foot reduction of the required road frontage for two residential lots so he may place a second residential structure on her property.

Gerald Lawson opened the public hearing.

Mildred Schoolcraft, property owner, was sworn in. She stated that she would like to place a second structure on the property for her son to live in.

There was no one present to speak for or against the variance request.

Gerald Lawson closed the public hearing.

Kyle Atkins made a motion to approve the variance as requested. The property is an odd shape and by not granting the variance would prohibit or restrict the utilization of the property. Les Green seconded the motion. The vote carried unanimously.

5. Other Business

Appeal – Jarvis Allen

Albert Lee briefed the Board on Jarvis Allen. Mr. Allen was asking for an extension to clean out his existing Junk Yard. The Board granted a 6 mo. extension in August of 2006 and another extension. Mr. Allen is asking for a 6 month extension. Mr. Allen is making progress in removing the junk and debris from the Junk yard.

There was not a staff recommendation.

The Board discussed how much time should be granted.

Harold Mitchell, State Representative, was sworn in. He stated that he was approached by several residents in the community, prior to the extension in 2006. The property continues to be in bad condition and has been in violation since 2004. Mr. Mitchell stated that Jarvis Allen would clean up the property and neglect the property the next month. The surrounding property owners have been issued violations to clean up their property and Jarvis Allen continued to let his property go. The community is making progress to clean up this area of the County.

The Board requested for Mr. Allen to attend the July Board of Appeals meeting with an inventory of the junk yard and to present photos of the clean up process to the Board.

Edwin Haskell, the County Attorney, recommended to the Board to ask for a detailed inventory of the number of vehicles and debris on the site.

David Long made a motion to grant a one month extension with the stipulation that Mr. Allen supply staff with a current inventory base line. Les Green seconded the motion. The vote carried unanimously.

6. Adjourn

Jerry Noe made a motion to adjourn. Les Green seconded the motion. The meeting adjourned at 5: 00 p.m.

