

**Unified Land Management
Board of Appeals
May 26, 2009
4:30 p.m.**

Members Present: Gerald Lawson, Chairman
Craig Sims
Ronald Stokes
Jackie Moss
Marion Gramling

Members Absent: David Long
Gerald Noe
Kyle Atkins
Michael Henthorn

Staff Present: Joan Holliday
Laurie Horton
Edwin Haskell
Savannah Sabo
Transcriptionist - Freelance

1. Call to Order

Gerald Lawson called the meeting to order.

2. Approval of Minutes of April 28, 2009

Craig Sims made a motion to approve the April 28, 2009 minutes as amended, to change Marion Gramling from making a second motion to approve the March 2009 minutes, to Michael Henthorn making the second motion. Ronald Stokes seconded the motion. The vote carried unanimously.

3. Old Business

None

4. New Business

Lake Stop – 2421 Compton Bridge Road, Inman (1-34-00-014.01). Laurie Horton, Land Use Inspector, was sworn in and presented the background information to the Board:

Mr. Shangara “Jessie” Singh, owner of Lake Stop, is requesting three variances from Unified Land Management Ordinance to bring into compliance an addition to his business that was constructed without proper permits.

The addition to Lake Stop does not meet the requirements of the ULMO in the following ways:

1. The building is 8.7 feet from the rear property line. Section 2.02-1 Dimensional Standards, Table 3 requires a structure to have a 20-foot rear setback.
2. The building is 36.6 feet from the right-of-way of Compton Bridge Road. Compton Bridge Road is classified as a collector street. Section 2.02-1 Dimensional Standards, Table 3 requires a structure to have a 40-foot setback from a collector street.
3. ULMO Section 2.02-2 Bufferyards, Table 4 requires a Class 5 buffer between a High Intensity use and all other residential. Again, there is only 8.7 feet between the building and the property line.

Mr. Singh is requesting the following variances:

1. A reduction of the required rear yard setback from 20 feet to 8.7 feet. (Section 2.02-1 Dimensional Standards Table 3)
2. A reduction of the required front yard setback from 40 feet to 36.6 feet. (Section 2.02-1 Dimensional Standards Table 3)
3. A waiver of the Class 5 buffer along the rear property line. (ULMO Section 2.02-2 Buffer yards Table 4).

Gerald Lawson opened the public hearing.

Don Strassburg, representing Mr. Singh, was sworn in. He stated that the new addition would be for storage for gum, drinks and snacks.

Marion Gramling stated that the property was divided in 1994 and the building was too close to the property line. The building had been there for forty years and was previously used as a retail store.

Laurie Horton stated that the adjoining property owner used to own the property with the store and holds the mortgage to the property. The mobile home is rental property, and the reason the property was divided this way.

Gerald Lawson closed public hearing.

Marion Gramling made a motion to grant the variance due to the fact that the property was divided in 1994 and the existing store had been on the property for 40 years. Jackie Moss seconded the motion and added to the motion that the property was extraordinary and exceptional due to the triangular shape of the property. The vote was unanimous.

5. Other Business

None

6. Adjourn

There being no further business, Ronald Stokes made a motion to adjourn. Craig Sims seconded the motion. The vote was unanimous. The meeting adjourned at 4:40p.m.

