

**Unified Land Management
Board of Appeals
August 25, 2009
4:30 p.m.**

Members Present: Gerald Lawson, Chairman
Ronald Stokes
Michael Henthorn
David Long
Jim Brannon
Marion Gramling

Members Absent: Kyle Atkins
Gerald Noe
Jackie Moss

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

1. Call to Order

Gerald Lawson called the meeting to order.

2. Approval of Minutes of July 28, 2009

Marion Gramling made a motion to approve the July 28, 2009 minutes as amended. Jim Brannon seconded the motion. The vote carried unanimously.

3. Old Business

None

4. New Business

Robert Tomes – 2181 E. Poinsett Street, Ext Duncan (5-19-00-037.00). Laurie Horton, Enforcement Officer, was sworn in and presented the background information to the Board:

Mr. Robert Tomes, owner, would like to build an accessory use building on his property at 2181 E. Poinsett Street, Ext., Duncan.

The proposed accessory structure will not meet the requirements of the Unified Land Management Ordinance in the following way:

- The front building setback required by the ULMO, Section 2.02-1, Table 3, Dimensional Standards requires a structure to have a 50-foot front setback from road right-of-way on an arterial street.

Mr. Tomes request the following variance:

- A reduction of the required front yard setback from road right-of-way, from 50 feet to 25 feet. (Section 2.02- 1 Dimensional Standards Table

Gerald Lawson opened the Public Hearing.

Robert Tomes, property owner, was sworn in. He agreed with the staff report and was present to ask for a variance on this property.

Gerald Lawson closed public hearing.

David Long asked about the curve of the road. Marion Gramling stated that he did not foresee the road widening in the future, he had plenty of road in the road right of way.

Jim Brannon asked if the new house being constructed on the property was inside the setback line.

Laurie Horton stated that the home had not been constructed yet and the proposed house plans were within the setback line.

The Board discussed the distance between the house and the building. After discussion among the Board Members, they concluded that there was plenty of room for the building and house to meet the setbacks. The Board suggested for the property owner to move the layout of the proposed home and garage closer together.

Robert Tomes stated that he wanted to construct a pasture area in the future, possibly for horses. He was opposed to relocating the proposed home or garage in the pasture area of the property.

The Board asked what the garage would be used for. Mr. Tomes stated that he would like to use the storage building for restoration of cars and extra storage space.

Marion Gramling stated that the proposed structures could be relocated on the property where they would meet the ordinance and therefore a variance would not be needed.

Marion Gramling made a motion to deny the variance as requested. David Long seconded the motion. The vote was four to one in favor of denying the variance request. The members in favor of the motion to deny were David Long, Michael Henthorn, Marion Gramling and Jim Brannon. The member against the motion to deny was Kyle Atkins.

5. Other Business

None

6. Adjourn

There being no further business, Marion Gramling made a motion to adjourn. Michael Henthorn seconded the motion. The vote was unanimous. The meeting adjourned at 4:48p.m.