

Zoning Board of Adjustment Meeting
March 16, 2023
Minutes

Members Present: Chairman Bill Banks, Marion Hamel, Eve Barrett, Tinker Moody, Jared Lee, Alternate David Carriker (Not voting)

Staff Present: Town Planner, Kaitland Finkle, Assistant Town Planner, Sam Cullen

Others Present: 6

1. Call to Order

Chairman Banks called the meeting to order at 5:28 pm on March 16, 2023.

A quorum was established. David Carriker will not vote.

2. Approval of Minutes

Marion Hamel made a motion to approve the minutes of February 16, 2023, as presented. Jimmy Moody seconded the motion. Motion carried unanimously.

3. New Business

a. Pinter Enterprises LLC requesting Special Use for expansion of existing mini-storage units in MU-1 located at 1094 Soco Road.

The following individuals were sworn in.

- Kaitland Finkle, Town Planner
- Tory Pinter, owner applicant

Planner Finkle gave a report including background information. She explained that Mr. Pinter is requesting to expand his existing storage building business and is also requesting an exception for a 1/12 roof pitch for the new building.

Planner Finkle showed the board the site plan and explained some changes to the current driveway entrances. She said that the new building would have to meet design standards and that the new building will remove parking spaces however more parking than is required would remain.

Mr. Pinter addressed the board and asked the board for any questions. Mrs. Hamel asked for more information about the TDA lease on the property and if that building be turned into storage in the future. Mr. Pinter explained that when the TDA moves out he does want to expand the building to make it storage.

Mr. Pinter spoke to the fact that he will be reusing the current landscaping for the new building. Mrs. Hamel asked for clarification on the roof pitch and Mr. Pinter explained it would be the same as the other buildings on the property.

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Jared Lee asked where the building access will be and asked for clarification on the landscaping requirements. Mr. Pinter said he would be landscaping anywhere he was required to do so.

Planner Finkle gave the dimensions of the new building. Mr. Pinter said he would also like to expand the TDA building forward by 45 feet after they leave in order to turn it into additional storage.

Mr. Banks asked if this approval would expire and Planner Finkle explained it is up to the board to set the limits.

Jimmy Moody made a motion to grant the special exception, seconded by Eve Barrett. Motion carried unanimously.

b. Jim Cope on behalf of owner Richard Scanlon requesting Variance to UDO 152.03 Dimensional Standards Minimum Front Setback in MU-2 located at 33 Indian Trace Road.

The following individuals were sworn in.

- Kaitland Finkle, Town Planner
- Jim Cope, applicant
- Richard Scanlon, owner
- Scott Nielson, neighbor

Planner Finkle gave a report including background info and showed a map of the property. She explained that the front deck of this home encroached 2 feet into the 10-foot setback. She noted that Indian Trace Road was a private road with a 30 foot right-of-way. The encroachment occurred because setbacks are measured from the right-of-way. She showed the board pictures of the deck as it sits currently. She also explained that this property is in the floodplain and meets all of floodplain requirements.

Ms. Moody asked if the underground utilities are affected by the encroachment and Planner Finkle explained that utilities are already in the ground and the encroachment was discovered by Public Works Director Mike Mehaffey when locating a new Sewer Tap.

Mr. Cope addressed the board. He spoke about the street and that the setbacks had changed from the time he started the first house on Indian Trace to this one. Planner Finkle stated the Front Setback actually decreased. Mr. Cope explained that he failed to tell Mr. Scanlon about the change in deck length when he sold it to him. He said he does not believe that it's creating a hazard.

Mr. Scanlon addressed the board and said he wanted to do what's right.

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Mr. Scott Nielson spoke to the fact that he had no objections so long as emergency vehicles can get through.

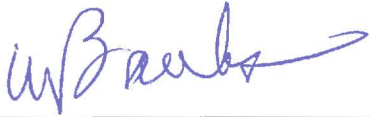
**Eve Barrett made a motion to grant the variance, seconded by Jared lee.
Motion carried unanimously.**

4. Other Business

a. Board Appointments

Planner Finkle updated the board on their current appointments.

Marion Hamel made a motion to adjourn at 6:40 P.M., Eve Barrett seconded the motion. Motion carried unanimously.



Chairman, Bill Banks



Sam Cullen, Assistant Town Planner

a. April Waldman-Sloan requesting Variance for 389 Panoramic Loop.