



BOARD OF ADJUSTMENT  
MINUTES  
Via Start Meeting  
Called Meeting  
May 28, 2020  
5:30 p.m.

Attendees: Chairman Gjergji, Vice-Chair Young, Baxter, Davis, Perry

Absent:

**PLEDGE**

**APPROVAL OF MINUTES**

Member Baxter offered the following motion:

*I move that the reading of the minutes for February 24, 2020 be waived and that the minutes of said meeting, as prepared by the secretary, be approved as written.*

The motion was seconded by Vice-Chair Young and adopted (5). Yea Votes (Chairman Gjergji, Vice-Chair Young, Baxter, Davis, Perry); Nay Votes (0)

**VAR2020-030**

Property Address: 4320 Kimberly Court  
Applicant/ Owner: David & Karen Paxton  
Request: Front & side yard variance request for a new SFR home

Member Baxter offered the following motion:

*I move that this Board receive and file the application of David and Karen Paxton for approval of a 40' front yard variance request and a seven-foot side yard variance request on the west side of the lot at 4320 Kimberly Court.*

*I further move that:*

*(a) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or in the same zone; and*

*(b) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and*

*(c) The circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.*

*I further move that the variances be approved.*

The motion was seconded by Vice-Chair Young.

Discussion was made about the home being sited further away from the west property line in order to maintain the façades of the home and allow for yard maintenance. It was decided that a three-foot variance would be sufficient as that would allow the Petitioner to construct five feet from the west property line.

Member Baxter offered a motion to amend the original motion from seven to three feet. The motion was seconded by Chairman Gjergji and adopted (5). Yea Votes (Chairman Gjergji, Vice-Chair Young, Baxter, Davis, Perry); Nay Votes (0)

Member Baxter offered the following motion:

*I move that this Board receive and file the application of David and Karen Paxton for approval of a 40' front yard variance request and a three-foot side yard variance request on the west side of the lot at 4320 Kimberly Court.*

*I further move that:*

*(a) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or in the same zone; and*

*(b) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and*

*(c) The circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.*

*I further move that the variances be approved.*

The motion was seconded by Chairman Gjergji and adopted (5). Yea Votes (Chairman Gjergji, Vice-Chair Young, Baxter, Davis, Perry); Nay Votes (0)

**VAR2020-049**

Property Address: 616 Northview Street  
Applicant/ Owner: Harper Industries, Inc.  
Request: Front yard variance for an IT building

Chairman Gjergji offered the following motion:

*I move that this Board receive and file the application of Harper Industries, Inc. for approval of a 23' front yard variance request to keep an information technology conex building two feet from the front property line at 616 Northview Street.*

*I further move that:*

- (a) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or in the same zone; and*
- (b) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and*
- (c) The circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.*

*I further move that the variance be approved.*

The motion was seconded by Member Baxter and adopted (5). Yea Votes (Chairman Gjergji, Vice-Chair Young, Baxter, Davis, Perry); Nay Votes (0)

**OTHER:**

**ADJOURN:** 5:57 PM

Minutes recorded by staff: Joshua P. Sommer, Associate Planner, AICP

Typed by staff: Joshua P. Sommer, Associate Planner, AICP