



Board of Adjustment Minutes March 17, 2014

Members Present:

John Kurek, Chairman
John Lotspih
Gary Plough

Alternate Members Present:

Vada Palma
Cynthia Chamblee
David Cox

Members Absent:

Gene Waltz
Markey Burroughs

Staff Present:

Jessica Fiester, Planner
Derek Taylor, Town Attorney
Kim Tynes, Secretary

CALL TO ORDER

Jessica asked for a motion to excuse Markey Burroughs and Gene Waltz. Meeting was called to order by John Kurek, Chairman.

APPROVAL OF MINUTES

John Kurek made a motion to approve the minutes from the January 21, 2014 Board of Adjustment meeting. Motion was seconded by Gary Plough and John Lotspih and the vote was unanimous. Motion carried.

NEW BUSINESS

Andy Munday and Ron Clemmons were sworn in as witnesses regarding 131 Bayview Boulevard.

Mr. Clemmons requested a variance to accommodate the construction of a new single family dwelling at 131 Bayview. Request is from the UDO Section 2.26 Stormwater Requirements and Maximum Impervious Coverage. Mr. Clemmons request not retaining the full 2 inches of water as required by ordinance due to lot size, characteristics and location of septic tanks.

The old stormwater rules would have allowed this construction without stormwater controls because it covers less than 25% of the lot with impervious material. Rules changed in 2010 required all new construction to retain stormwater.

This property has septic and drain lines in front yard, rear yard is primarily a canal with a 10' setback from bulkhead and the 7' side setbacks make it impossible to install the stormwater system there. If granted, the owner plans to install a permeable driveway to assist with water retention.

Property platted in 1973 and minimal codes were in existence at that time.

These requirements create a unique and personal hardship for the owner through no fault of his own. If granted, variance will improve non-conformities currently in existence. The new house will be 40'x43' for a total of 1,720 sq ft, which is 555 sq ft less permeable surface that existing home.

Property was posted on March 6, 2014 and Notice of Public Hearing was sent to 18 property owners within 150' of project on March 4, 2014. There were no objections noted from neighboring home owners. The advertisement in the local newspaper ran March 2, 9 and 14.

Andy Munday confirmed all of the above information is accurate and the 6" washed stone driveway should be 116.67 cubic feet. House size is 45'x43 including overhang. Water quality in sound has good BMP, Best Management Practices. This plan is the only way the structure can work.

Information confirms 10' set back, no place for rain tank and permeable pavers are the best option.

There were no objections for Mr. Munday or Mr. Clemmons.

Derek Taylor asked if there was any way to hold 2" of rain water on this lot, Andy Munday stated there is not. He also asked if they have made the best plan possible for this lot, they confirmed they had.

No other questions arose.

Based on evidence presented, a motion was made by Vada Palma and David Cox to accept the plan as presented. All were satisfied with presentation.

ADJOURNMENT

There being no further business, John Kurek made a motion to adjourn the meeting with a second by Vada Palma and David Cox, with a unanimous vote.

Respectfully Submitted,



Kim Tynes, Secretary

Approved by:



John Kurek, Chairman