



BOARD OF ADJUSTMENT

MINUTES

Town of Carrboro

301 W. Main Street Carrboro, North Carolina 27510

June 18, 2008

MEMBERS PRESENT		TOWN ATTORNEY	STAFF
David Collins	John Gant		James Thomas
Thomas Arnel	Robert Kirschner		Jane Tuohey
Sriv Navaratnam			
Mark Brantley			
Richard Ellington			
Catherine DeVine			
Absent/Excused: 0			

MINUTES APPROVAL

MOTION MADE BY JOHN GANT AND SECONDED BY RICHARD ELLINGTON TO APPROVE MINUTES FROM MAY 21, 2008 MEETING: VOTE: AYES 8 (David Collins, Thomas Arnel, Sriv Navaratnam, Mark Brantley, Richard Ellington, Catherine DeVine, John Gant, Robert Kirschner). NOES 0; ABSENT/EXCUSED 0

PUBLIC HEARING: Special Exception Permit at 112 Goldston Drive

The applicants/owners, Ed Conlon and Sarah Glasco are requesting a Special Exception Permit for the construction of a new second story cantilever that will encroach five (5) feet in the required twelve (12) foot rear yard setback and a front porch that will encroach five (5) feet into the side yard setback.

Jane Tuohey, notary public swore in staff member James Thomas and the applicant Ed Conlon. James Thomas gave the staff presentation and informed the Board that he had sent notification out to adjacent property owners. Today, Mr. Thomas received an email from the owner of 110 Goldston Drive expressing concerns about this proposed addition. As well as a cantilever being added to the rear, they are adding a porch to the front of the house.

The applicant explained what a cantilever is and the fact that the 2nd floor eaves will basically overhang into the setback. The roofline will be within the proposed 5' setback. The front porch will be a single story porch. The applicant has spoken to the owner of 110 Goldston who lives in California and explained his proposed addition. Mr. Conlon explained exactly where his and the neighbors property lines are and the setbacks for each after the new addition. Mr. Conlon said the neighbor is confused about this proposed addition. James Thomas explained that the property owner of 110 Goldston Drive is concerned that the porch will enable the residents at 112 to look into his house. Mr. Conlon said they have no interest in looking into anyone's house and the windows will be up high and have views of the trees. Mr. Conlon said that his house is the only 2 story building in the neighborhood, so the porch will break the scale down so it fits better into the neighborhood.

David Collins asked staff about two findings and the email received, Mr. Collins wanted to know if it changes staff's viewpoint about issuance of the permit will not create a threat to public health and safety and adversely affect the value of adjoining properties. Mr. Thomas said that staff recommendation has not changed since receiving the email.

Mr. Gant wanted to know if the two homeowners behind his house gave their support and had any comments. Mr. Conlon said they have signed the petition and didn't have any problems with the addition. Mr. Conlon stressed again that the owner of 110 Goldston doesn't seem to understand exactly what has been proposed, he said that there is already a 2-story building there and the addition would be in the back.

MOTION WAS MADE BY CATHERINE DEVINE AND SECONDED BY JOHN GANT TO CLOSE THE PUBLIC HEARING. VOTE: AYES 8 (David Collins, Thomas Arnel, Sriv Navaratnam, Mark Brantley, Richard Ellington, Catherine DeVine, John Gant, Robert Kirschner). NOES 0; ABSENT/EXCUSED 0

Board members spoke in agreement of this addition.

MOTION WAS MADE BY THOMAS ARNEL AND SECONDED BY CATHERINE DEVINE THAT THE APPLICATION IS FOUND TO BE COMPLETE. VOTE: AYES 8 (David Collins, Thomas Arnel, Sriv Navaratnam, Mark Brantley, Richard Ellington, Catherine DeVine, John Gant, Robert Kirschner). NOES 0; ABSENT/EXCUSED 0

MOTION WAS MADE BY THOMAS ARNEL AND SECONDED BY SRIV NAVARATNAM THAT THE APPLICATION COMPLIES WITH ALL (A-F) APPLICABLE REQUIREMENTS OF THE LAND USE ORDINANCE. VOTE: AYES 8 (David Collins, Thomas Arnel, Sriv Navaratnam, Mark Brantley, Richard Ellington, Catherine DeVine, John Gant, Robert Kirschner). NOES 0; ABSENT/EXCUSED 0

MOTION WAS MADE BY THOMAS ARNEL AND SECONDED BY MARK BRANTLEY THAT THE APPLICATION BE GRANTED SUBJECT TO THE FOLLOWING CONDITIONS. VOTE: AYES 8 (David Collins, Thomas Arnel, Sriv Navaratnam, Mark

Brantley, Richard Ellington, Catherine DeVine, John Gant, Robert Kirschner). NOES 0; ABSENT/EXCUSED 0

1. the applicant shall complete the development strictly in accordance with the plans submitted to and approved by the Board, a copy of which is filed in the Carrboro Town Hall. Any deviations from or changes in these plans must be submitted to the Zoning Administrator in writing and specific written approval obtained as provided in Section 15-64 of the Land Use Ordinance
2. if any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect
3. that the special exception is granted only to the extent necessary to provide for the proposed addition (including roof overhangs), and that no other additions or enlargements of any other portion of the house is permitted by this special exception permit.

MOTION WAS MADE BY THOMAS ARNEL AND SECONDED BY CATHERINE DEVINE THAT THE APPLICATION BE GRANTED SUBJECT TO THE ABOVE CONDITIONS. VOTE: AYES 8 (David Collins, Thomas Arnel, Sriv Navaratnam, Mark Brantley, Richard Ellington, Catherine DeVine, John Gant, Robert Kirschner). NOES 0; ABSENT/EXCUSED 0

James Thomas offered to go out and complete a zoning final to all special exceptions and variances in the future.

OLD/NEW BUSINESS

Mr. Collins noted that there is a seat vacancy for the ETJ area.

There being no other business, MOTION MADE BY RICHARD ELLINGTON AND SECONDED BY THOMAS ARNEL THAT THE MEETING BE ADJOURNED. VOTE: VOTE: AYES 8 (David Collins, Thomas Arnel, Sriv Navaratnam, Mark Brantley, Richard Ellington, Catherine DeVine, John Gant, Robert Kirschner). NOES 0; ABSENT/EXCUSED 0