

MINUTES
BREVARD BOARD OF ADJUSTMENT – REGULAR MEETING
Tuesday, October 13, 2015 – 7:00 PM – Council Chambers

The Brevard Board of Adjustment met in regular session on Tuesday, October 13, 2015 at 7:00 PM in Council Chambers of City Hall.

Members Present: Judith A. Mathews, Chair
Allen Delzell, Vice Chair
Carol Dillingham
Tad Fogel
Josh Burdette

Members Absent: Mike Young
Tom Tartt

Staff Present: Daniel Cobb, Interim Planning Director
Janice H. Pinson, Board Secretary
Mike Egan, Board Attorney

Others: William Lapsley, Agent for Reaben Oil, Hall Waddell, Applicant

I. Welcome and Introduction of Board Members

Chair, J. Mathews called the meeting to order at 7:00 PM, Board introduced themselves. Chair, J. Mathews certified that a quorum of the Board was present and that alternate board members, Tad Fogel and Josh Burdette would participate in the discussion and have voting rights for this hearing.

II. Approval of Agenda

J. Mathews requested a Motion to approve the Agenda. Tad Fogel moved to approve, seconded by A. Delzell, unanimously carried.

III. Approval of Minutes

J. Mathews requested a motion to approve the Minutes of the August 11, 2015 meeting. Motion by C. Dillingham to approve minutes as written, seconded by A. Delzell, unanimously carried.

IV. New Business:

A. Consideration of Application SUP #15-000007, William G. Lapsley, Agent for J. Hall Waddell, for a request for a time extension to the previously-issued Special Use Permits #11-007, #13-399 and #14-382 for the purposes of finalizing construction plans for the

previously-approved project. The property is located on Rosman Highway (existing Triangle Stop location) within the City's corporate limits. PIN 8585-38-7206-000.

Chair, J. Mathews explained the quasi-judicial hearing process and polled the Board as to exparte communications, there were none. She polled the Board and W. Lapsley, as to conflicts of interest and there were none.

The following were sworn: William Lapsley and Daniel Cobb.

Daniel Cobb informed the Board that the meeting was properly advertised. He gave a brief history of the case stating that W. Lapsley was present to request an extension for a period of twelve (12) months to complete the project. D. Cobb's Staff Report is attached hereto and labeled Exhibit "A".

W. Lapsley stated to the Board that he appreciated the opportunity to present his application to them. He explained that he is the Agent for Hall Waddell the present owner. He further stated that Mr. Waddell had the opportunity to construct a Triangle Stop near the Asheville Airport and due to timing and financial considerations the project had to take precedence over the Rosman Highway project. He has continued to improve the Rosman Highway property by purchasing an additional 2.5 acres adjacent to the property; relocating the sanitary sewer line and has obtained FEMA approval to fill the property. Mr. Lapsley said that Mr. Waddell has continued to improve and prepare the project in a good faith gesture to let the City of Brevard know that he plans to move forward with the project. He further stated that Mr. Waddell plans to start construction in the spring of 2016.

T. Fogel asked if an extension was all that was being requested.

W. Lapsley stated that this was correct.

There being no further questions, J. Mathews closed the hearing.

J. Mathews read the suggested motion for the Board's consideration: Pursuant to Section 16.11.F.2 of the Unified Development Ordinance, to extend the term of Special Use Permit Number(s) 11-007, 13-399 and 14-382 to an including October 13, 2016.

A. Delzell moved to approve the motion, seconded by T. Fogel, unanimously carried.

VI. Other Business

D. Cobb reminded the Board that there were webinars available for them to watch before December 31, 2015.

Adjourn

Motion to adjourn by A. Delzell, seconded by T. Fogel, unanimously carried and meeting adjourned at 7:15 PM.

Judith A. Mathews, Chairman

Janice H. Pinson, Board Secretary