



# BOARD OF ADJUSTMENT MINUTES

## Town of Carrboro

301 W. Main Street, Carrboro, North Carolina 27510

### February 20, 2019

7:00 P.M.

Town Hall Room 100

| MEMBERS PRESENT   |  | TOWN ATTORNEY   | STAFF       |
|-------------------|--|-----------------|-------------|
| James Baker       |  | Nicholas Herman | Marty Roupe |
| Linda Bowerman    |  |                 |             |
| Joseph Collins    |  |                 |             |
| Richard Ellington |  |                 |             |
| Brian Hageman     |  |                 |             |
| Wil Heflin        |  |                 |             |

**Absent/Excused: Sriv Navaratnam**

### MINUTES APPROVAL

MOTION MADE BY BRIAN HAGEMAN AND SECONDED BY JAMES BAKER TO APPROVE MINUTES FROM DECEMBER 19, 2018 MEETING. VOTE: AYES 6 (James Baker, Linda Bowerman, Joseph Collins, Richard Ellington, Brian Hageman, Wil Heflin). NOES 0: ABSENT/EXCUSED 1: (Sriv Navaratnam)

Brian Hageman opened the public hearing by asking that anyone who wishes to speak on the Variance Request that they may be sworn in. Martin Roupe, swore in town staff and members of the general public that wished to speak concerning the Variance Request. Mr. Hageman proceeded to ask the town staff if they would like to proceed with the presentation about the Variance Request for 104 Center Street.

### **PUBLIC HEARING VARIANCE REQUEST AT 104 CENTER STREET**

Edward Lammas, applicant/owner of the subject property, has submitted an application (Attachment B) requesting a variance to allow encroachment into the minimum front yard setback of twenty-five (25) feet per section 15-184 of the Land Use Ordinance of a new single-family residence on the lot at 104 Center Street.

Mr. Lammas intends to remove the existing single-family residence and build a new single-family residence. He is requesting a variance of a twelve (12) foot front yard setback for two reasons:

- 1.) to retain an existing 36 inch oak tree in the rear of the lot. If he was required to meet the twenty-five (25) front yard setback, the proposed house would encroach in to the root system of the tree and endanger its health.
- 2.) the new house would be “in line” with the existing homes on Center Street. In other words, if the new house had to meet the twenty-five (25) foot front yard setback, it would not be “in line” with the existing homes on this street and look out of place.

It should be noted, the existing house at 104 Center Street has been sitting vacant since approximately 2010 and it has been inspected by a structural engineer to see if it is salvageable. Per conversations with the applicant, the house is not salvageable due to termite damage, floor joist damage, etc.

Martin Roupe gave his PowerPoint presentation to the Board. Mr. Roupe presented that the land has an existing structure due to an inspection that the property owner had someone professionally to come out and check that the existing structure is no condition to be renovated. The property owner is in the process of obtaining a demolition permit to remove the existing structure to build the proposed single family home. The present issue is the existing oak tree in the rear of the lot.

Brian Hageman is familiar with the house and lot and how it currently is setup.

Richard Ellington talked about the properties near this lot of land and how it would affect the other lots in the future by the lot being near a Commercial lot.

Edward Lamas the applicant and property owner gave a presentation to the Board of Adjustment about the need for the variance due to the location of the oak tree on the lot and how the new proposed house would need to be in line with other houses on the street to look unified.

Gerald Meyer, property owner of 107 Center Street spoke on the variance request.

Frank Merry, property owner of 105 Center Street spoke on the variance request.

Chris Howlett, property owner of 100 Center Street spoke on the variance request.

The Board of Adjustment decided they needed more evidence of why it is a hardship to before voting to approve the variance request for 104 Center Street for the construction of a new single family residence.

**MOTION WAS MADE BY JAME BAKER AND SECONDED BY RICHARD ELLINGTON TO CONTINUE THE PUBLIC HEARING. VOTE: VOTE: AYES 6 (James Baker, Linda Bowerman, Joseph Collins, Richard Ellington, Brian Hageman, Wil Heflin). NOES 0: ABSENT/EXCUSED: 1 (Sriv Navaratnam)**

The Board of Adjustment made a decision to continue the public hearing for 104 Center Street at the next scheduled Board of Adjustment meeting.

**OLD/NEW BUSINESS**

No new business presented to the Board.

**ADJOURN**

There being no other business, MOTION WAS MADE BY JAMES BAKER AND SECONDED BY BRIAN HAGEMAN THAT THE MEETING BE ADJOURNED. VOTE: VOTE: AYES 6 (James Baker, Linda Bowerman, David Collins, Joseph Collins, Richard Ellington, Brian Hageman, Wil Heflin). NOES 0; ABSENT/EXCUSED: 1 (Sriv Navaratnam)