



## BOARD OF ADJUSTMENT

Regular Scheduled Meeting - Minutes  
Tuesday November 14, 2019 – 6:00 PM  
**Revised November 15, 2019**

### Members Present

Steve Fuchs – Chairman  
Tim Cashion – Vice-Chairman  
Jeffery White  
Richard McDonald  
Mitchel St. Clair - Alternate

### Members Not Present

Stanley Friedman  
Andy Olsen – Alternate

### Others Present

Mike Dale, Director, Community and Cultural Services  
Glen Moore, Planner Administrator  
Dawn Maye, Administrative Support

### I. Opening of the meeting

### II. Invocation

1. A moment of silence was taken.

### III. Roll Call

1. A silent roll call was taken by staff. All members were present with the exception of Stanley Friedman and Andy Olsen.

### IV. Old Business

1. None.

### V. New Business

1. Glen Moore introduced Laura Tork to the Board.
2. A request has been received from Service Plus HVAC for a **Variance** from the City's building setback requirements in order to enclose an existing carport at 824 John Small Avenue, Washington, NC. The carport on the property is a legal nonconforming structure. Converting the structure to an enclosed building would require a Variance from the Board of Adjustment.
  - Chairman, Steve Fuchs, asked for anyone to come forward that would be speaking in favor or opposing the request for a Variance to be sworn in, this will include the applicant. Mr. Michael Quidley, Jr., came forward and was sworn in, representing Service Plus HVAC.
  - Michael Quidley, Jr., requesting a Variance to enclose a carport structure located at 824 John Small Avenue, Washington, NC.
  - Steve Fuchs, how much of variance are you requesting? Mr. Quidley, Jr., 20 feet from the structure to the road, currently there is 11 feet from the structure to the road. We are asking for a nine (9) foot variance. Mr. Fuchs, what are you planning to do with the structure, are you going to enclose the structure? Mr. Quidley, we are going to enclose the structure with metal and expand our metal shop into the structure. Mr. Fuchs, are putting electricity in the structure. Mr. Quidley, yes. Steve Fuchs, the structure will be mainly storage? Mr. Quidley, yes. Jeffery White, will there be water and sewer to the structure? Mr. Quidley, no. Mr. White, you are not making the structure any bigger, just closing in the structure? Mr. Quidley, yes. Mr. White, how

- many feet from the structure to the street? Mr. Quidley, nine (9) feet. Staff, the existing 50' foot right-of-way extends beyond the structure. The actual variance will be 20 feet to 24 feet. Mr. Fuchs, the application is asking for a nine (9) foot variance.

**(NOT AUDIBLE: 3:53)**

Steve Fuchs, is the roof going to remain the same? Mr. Quidley, yes, only change will be closing in the sides and the back. Mr. Fuchs, how many doors? Mr. Quidley, one door on the side and one door on the back and one passage door facing the existing building on the property. Mr. Mitchell St. Clair, will you have more than one entrance? Mr. Quidley, yes, there will be a passage door and a rollup door on the side to accommodate a fork lift. Mr. White, will you be connecting to the main building. Mr. Quidley, no. Mr. Tim Cashion, will there be a driveway coming into the property off of the road to the building? Mr. Quidley, yes, there is an existing driveway. Mr. Cashion, does the driveway go directly into the building? Mr. Quidley, no.

- Chairman, Steve Fuchs, ask for any questions from the Commission. Commissioners did not have any more questions.
- Chairman, Steve Fuchs, asked if anyone would like to come forward to speak in opposition. No one came forward.
- Chairman, Steve Fuchs, declared that the Public Hearing is closed. Chairman asked for the Findings of Fact
- Staff came forward and presented the following Findings of Fact, located in the Agenda packet
- Chairman, Steve Fuchs, what is the statue that makes this structure a nonconforming structure? Staff, if any alterations are made to a nonconforming structure, a variance would have to come before the Board of Adjustment.
- Chairman, Steve Fuchs, asked for any questions for Staff. There were no questions at this time.
- Chairman, Steve Fuchs, asked for a motion.
  - ❖ Richard McDonald made the following motion: I move that the Board grant the request for a Variance from the 25-foot corner lot setback of the East 9th Street right-of-way in order to close in the existing carport based on the aforementioned findings of fact. Jeffery White seconded the motion and all voted 5 in favor and 0 opposed.

## VI. Other Business

1. None

## VII. Approval of Minutes – August 15, 2019

1. Richard McDonald, Correction to the minutes: Page 2 of 5, paragraph 3 line 8. States the following: to increase the economy in the area. Ronald McDonald, he personally knows of many.... - Corrected to the following; to increase the economy in the area. Richard McDonald, he personally knows of many
2. Steve Fuchs, addition to the minutes: Page 3 of 5, paragraph 5, line 21. States the following: road, Steve Fuchs, there are many owners, including myself, who live on..... Line should read as the following: road, Steve Fuchs, stated there are many LAND owners, including myself, who live on....

- ❖ Mitchell St. Clair made a motion to approve the August 15, 2019 minutes with the approved correction and addition. Jeffery White seconded the motion all voted 55 in favor and 0 opposed.

## **VIII. Other Discussion**

1. Staff reported the following:
  - A. As of today, November 14, 2019, one (1) application has been turned into the Planning Department.
  - B. Special Use for Mini-Storage was approved by the City Council. Mr. Whitley did submit his application today, November 14, 2019, so this will be another item for the December meeting.
2. Chairman, Steve Fuchs, still waiting on Mr., Slade concerning the vape shops, are they closed down or are they still in operation? ~~Staff, yes, Mr. Slade has taken care of the vape shops.~~ Staff, yes Mr., Slade has taken care of them for us, thankfully.
3. Chairman, Steve Fuchs, asked if anyone had anything else. Tim Cashion, what is the date of the next meeting. Staff, December 12, 2019. Steve Fuchs, requested that no meetings take place after December 15, 2019.

## **IX. Adjourn.**

1. There being no other business
  - ❖ Jeffery White made a motion to adjourn. Mitchell St. Clair second the motion all voted 5 in favor and 0 opposed.