

ATTACHMENT 1

**RESOLUTION A
(OVERRULING THE HISTORIC DISTRICT COMMISSION'S DECISION)**

RESOLUTION OVERRULING THE HISTORIC DISTRICT COMMISSION'S DECISION TO DENY AN AFTER-THE-FACT CERTIFICATE OF APPROPRIATENESS APPLICATION FOR THE PROPERTY LOCATED AT 313 E FRANKLIN STREET, TO REPLACE BRICK WALKWAYS WITH CONCRETE PAVERS, AND APPROVING THE CERTIFICATE OF APPROPRIATENESS (PIN 9788-58-1261, PROJECT #19-128).

Having reviewed the transcript and record of evidence submitted to the Historic District Commission pertaining to the application for a Certificate of Appropriateness to replace brick walkways with concrete pavers, and having heard arguments of the appellants and others, the Board of Adjustment finds that the decision of the Historic District Commission on October 15, 2019 to deny a Certificate of Appropriateness for this property, owned by Epsilon Beta of Chi Omega Foundation, Inc., is not supported by competent, material and substantial evidence in the record before the Commission;

THE BOARD FURTHER concludes that the evidence before the Historic District Commission did not support the determination of the Commission to deny a Certificate of Appropriateness application to replace brick walkways with concrete pavers at 313 E Franklin Street and rejects the decision and reasons of the Commission as the determination and reasons of the Board.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF ADJUSTMENT hereby OVERRULES the Historic District Commission's decision on October 15, 2019, to deny a Certificate of Appropriateness application to replace brick walkways with concrete pavers at 313 E Franklin Street and further identified as Orange County parcel identifier number 9788-58-1261 and hereby approves the Certificate of Appropriateness, based on the 313 E Franklin Street application submitted at the September 10, 2019 Historic District Commission meeting.

BE IT FURTHER RESOLVED that the appeal is hereby approved.

Signed - Board of Adjustment Chair, Joseph Parrish

This the 9th day of January, 2020.