

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 704 E FRANKLIN STREET, TO CONSTRUCT A STANDING SEAM METAL ROOF, AND REMANDING THE CASE TO THE HISTORIC DISTRICT COMMISSION WITH INSTRUCTIONS TO ISSUE A CERTIFICATE OF APPROPRIATENESS (PIN 9788-78-1421, PROJECT #18-037).

Having reviewed the transcript and record of evidence submitted to the Historic District Commission pertaining to the application for a Certificate of Appropriateness to construct a standing seam metal roof at 704 E Franklin Street and having heard arguments of the appellants and others, the Board of Adjustment finds that the decision of the Historic District Commission on March 13, 2018 to deny an After-the-Fact Certificate of Appropriateness for this property, owned by Oakwood Properties, 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 the After-the-Fact Certificate of Appropriateness application to construct a standing seam metal roof at 704 E Franklin Street 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 March 13, 2018, to deny the After-the-Fact Certificate of Appropriateness application to construct a standing seam metal roof at 704 E Franklin Street and further identified as Orange County parcel identifier number 9788-78-1421 and hereby remands the case to the Historic District Commission with instructions to issue an After-the-Fact Certificate of Appropriateness, based on the 704 E Franklin Street application submitted at the March 13, 2018 Historic District Commission meeting.

BE IT FURTHER RESOLVED that the appeal is hereby approved.

Signed - Board of Adjustment Chair, James A. Bartow

This the 6th of September, 2018.