



TOWN OF CHAPEL HILL

Board of Adjustment Meeting Minutes

Town Hall
405 Martin Luther King Jr.
Boulevard
Chapel Hill, NC 27514

Chair Joseph Parrish
Vice-Chair Katherine Murphy
James Bartow
Devon Bass
Michael E. Fox
Brian Godfrey

Daniel Hatley
Phillip Lyons
Carl Schuler
Andrew Strada
Josephine Tetteh

Thursday, October 3, 2019

6:30 PM

RM 110 | Council Chamber

Opening

Roll Call

Staff present: Ralph Karpinos, Counsel to the Board, Jake Lowman, Staff Liaison to the Board, Becky McDonnell, Staff Liaison to the Board

Present 9 - Chair Joseph Parrish, Vice-Chair Katherine Murphy, James Bartow, Brian Godfrey, Michael E. Fox, Daniel Hatley, Phillip Lyons, Carl Schuler, and Andrew Strada

Absent 2 - Devon Bass, and Josephine Tetteh

Secretary reads procedures into the record

Approval of Agenda

Announcements

Petitions

Approval of Minutes

1. September 12, 2019 Draft Meeting Minutes

[\[19-0784\]](#)

A motion was made by Hatley, seconded by Bartow, to approve the September 12, 2019 meeting minutes. The motion carried by a unanimous vote.

Old Business

2. Rules of Procedure Amendment

[\[19-0700\]](#)

A motion was made by Lyons, seconded by Bartow, to adopt an amendment to the Rules of Procedure regarding hearing deferrals and continuances. The

motion carried by a unanimous vote.

New Business

415 W Patterson Pl: After-the-Fact Dimensional Variance

[\[19-0785\]](#)

A motion was made by Lyons, seconded by Bartow, to continue the item to the November 7, 2019 meeting, at the request of the applicant due to fewer than 10 Board members being present. The motion carried by a unanimous vote.

4. 410 & 412 North Street: Appeal of Historic District Commission Decision

[\[19-0786\]](#)

Rick Magee, counsel to the applicant, presented the case and argued, among other things, that the Historic District Commission showed bias in their decision regarding the proposed one-and-a-half story detached garage. Brian Ferrell, counsel to the Historic District Commission, presented a defense, followed by a rebuttal by Mr. Magee. The Board discussed the issue of bias, congruity in the historic districts, and the evidence cited in the record. A motion was made by Godfrey, seconded by Hatley, to approve Resolution A, a resolution to overturn the Historic District Commission's decision to deny the garage. The motion carried by the following vote:

Aye: 8 - Chair Parrish, Vice-Chair Murphy, Bartow, Godfrey, Fox, Hatley, Schuler, and Strada

Nay: 1 - Lyons

Adjournment

Next Meeting - November 7, 2019

Order of Consideration of Agenda Items:

- 1. Staff Presentation*
- 2. Applicant's Presentation*
- 3. Public Comment*
- 4. Board Discussion*
- 5. Motion*
- 6. Restatement of Motion by Chair*
- 7. Vote*
- 8. Announcement of Vote by Chair*

Public Charge: The Advisory Body pledges its respect to the public. The Body asks the public to conduct themselves in a respectful, courteous manner, both with the Body and with fellow members of the public. Should any member of the Body or any member of the public fail to observe this charge at any time, the Chair will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until a genuine commitment to this public charge is observed.

Unless otherwise noted, please contact the Planning and Development Services Department at 919-969-5066; planning@townofchapelhill.org for more information on the above referenced applications.

See the Advisory Boards page <http://www.townofchapelhill.org/boards> for background information on this Board.