



Board of Adjustment

Meeting Minutes

September 04, 2025, 6:30 PM

RM 110 | Council Chamber

Chair Thomas Grasty
Vice Chair Thomas Wortman
James Bartow
Allan Fishkin
Emilio Garza

Judith Miller
David Nahm
BJ Warshaw
Joseph Weiner

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Roll Call

Charnika Harrell served as the staff liaison to the Board and James Baker served as the Board's attorney. Alternate members Joseph Weiner and David Nahm were in attendance. Mr. Nahm did not participate in the proceedings due to a professional conflict of interest.

Present 7 - Chair Thomas Grasty, Vice-Chair Thomas Wortman, James Bartow, Allan Fishkin, Emilio Garza, David Nahm, and Joseph Weiner

Absent 2 - Judith Miller, and BJ Warshaw

Approval of Agenda

A motion was made by Wortman, seconded by Garza, to approve the agenda. The motion carried by a unanimous vote.

Announcements

Mr. Grasty noted that, although his name appears on the agenda for the meeting, Benjamin McAvoy-Bickford is no longer serving on the Board. Mr. Grasty welcomed the new alternate member, Joseph Weiner and David Nahm, to the Board.

Petitions

Approval of Minutes

approved.

1. [Approval of June 5, 2025, Draft Meeting Minutes](#)

[25-0395]

The Board is asked to consider and approve the draft minutes of its June 5th meeting.

A motion was made by Fishkin, seconded by Garza, to approve the minutes of the June 5, 2025, meeting. The motion carried by a unanimous vote.

Old Business

2. [Dimensional Variance: 7608 Justin Place](#) [25-0396]

Following an evidentiary hearing during its June 5th meeting, the Board directed staff to draft an order GRANTING a variance for the property at 7608 Justin Place. The Board is asked to consider and approve the draft order.

A motion was made by Wortman, seconded by Garza, to approve the order granting a dimensional variance for the property located at 7608 Justin Place. The motion carried by a unanimous vote.

New Business

3. [After-the-Fact Dimensional Variance: 105 Timberlyne Court](#) [25-0397]

The Board is asked to hold an evidentiary hearing on the application for an after-the-fact variance.

Following a brief presentation from Harrell, applicant's attorney Nil Ghosh presented to the Board and answered questions.

A motion was made by Garza, seconded by Weiner, to close the evidentiary hearing. The motion carried by a unanimous vote.

A motion was made by Weiner, seconded by Bartow, to reopen the evidentiary hearing. The motion carried by a unanimous vote.

Applicant Beth Elder made brief remarks to the Board and answered additional questions from the Board.

A motion was made by Wortman, seconded by Garza, to close the evidentiary hearing. The motion carried by a unanimous vote.

A motion was made by Wortman, seconded by Garza, to adopt Resolution A. The motion received a vote of 5 ayes and 1 nay.

Following a brief recess, another motion was made by Wortman, seconded by Garza, to adopt Resolution A. The motion received a vote of 5 ayes and 1 nay.

A motion was made by Wortman, seconded by Weiner, to adopt resolution B. The motion received a vote of 1 aye and 5 nays.

A motion was made by Wortman, seconded by Weiner, for staff to draft an order reflecting the earlier vote on Resolution A. The motion carried by a unanimous vote.

Aye: 6 - Vice-Chair Thomas Wortman, James Bartow, Allan Fishkin, Emilio Garza, David Nahm, and Joseph Weiner

Nay: 1 - Chair Thomas Grasty

Absent: 2 - Judith Miller, and BJ Warshaw

Adjournment

Next Meeting - October 2, 2025

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 Department at 919-968-2728; 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.*