



# TOWN OF CHAPEL HILL

## Board of Adjustment Meeting Minutes

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

Chair James Bartow  
Vice-Chair Brian Godfrey  
Devon Bass  
Lawrence K. Daquiaoag  
Michael E. Fox  
Daniel Hatley

Phillip Lyons  
Katherine Murphy  
Joseph Parrish  
Carl Schuler  
Andrew Strada  
Josephine Tetteh

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**Thursday, July 11, 2019**

**6:30 PM**

**RM 110 | Council Chamber**

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### Opening

### Roll Call

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

**Present**      8 - Chair James Bartow, Vice-Chair Brian Godfrey, Michael E. Fox, Daniel Hatley, Katherine Murphy, Joseph Parrish, Andrew Strada, and Josephine Tetteh

**Absent**        4 - Devon Bass, Lawrence K. Daquiaoag, Phillip Lyons, and Carl Schuler

*Secretary reads procedures into the record*

### Approval of Agenda

### Announcements

### Petitions

### Approval of Minutes

1. May 2, 2019 Meeting Minutes

[\[19-0661\]](#)

A motion was made by Fox, seconded by Tetteh, to approve the May 2, 2019 meeting minutes. The motion carried by a unanimous vote.

### Old Business

### New Business

2. Dimensional Variance: 811 Old Mill Road

[\[19-0662\]](#)

Following the public hearing, Vice-Chair Godfrey moved, seconded by

Parrish, to ask the applicant if he would like to return at a later meeting with a full 10 member board. The motion failed by the following vote:

**Aye:** 3 - Vice-Chair Godfrey, Fox, and Parrish

**Nay:** 5 - Chair Bartow, Hatley, Murphy, Strada, and Tetteh

A motion was made by Vice-Chair Godfrey, seconded by Hatley, to reopen the public hearing. The motion failed. A motion was made by Vice-Chair Godfrey, seconded by Parrish, to table the item to the August 1, 2019 meeting. The motion failed by the following vote:

**Aye:** 4 - Vice-Chair Godfrey, Fox, Hatley, and Parrish

**Nay:** 4 - Chair Bartow, Murphy, Strada, and Tetteh

A motion was made by Parrish, seconded by Hatley, to adopt Resolution A, a resolution approving the After-the-Fact Dimensional Variance. The motion failed by the following vote:

**Aye:** 7 - Chair Bartow, Vice-Chair Godfrey, Fox, Hatley, Murphy, Strada, and Tetteh

**Nay:** 1 - Parrish

A motion was made by Vice-Chair Godfrey, seconded by Hatley, to request the Chair work with Town Staff to send a letter to the well development company that the applicant had hired for the well project, to request that Chapel Hill rules be observed in the future. The motion failed.

A motion was made by Hatley, seconded by Tetteh, to close the matter of 811 Old Mill Road. The motion carried unanimously.

#### *Board Discussion*

A motion was made by Hatley, seconded by Tetteh, to send a letter to the Town requesting a clarification of regulations for wells, as well as a request to address the lack of Board member attendance and lack of new member applications experienced by this Board and others and to appoint a member to speak to Town Council on the Board's behalf. The motion carried unanimously, and without objection, Chair Bartow was nominated by Tetteh to speak to Town Council.

A motion was made by Hatley, seconded by Parrish, to develop an amendment to the Board's Rules of Procedures, requiring 10 members to be present for any variance hearing. The motion carried unanimously.

*Adjournment*

Next Meeting - August 1, 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](mailto: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.*