

# **MINUTES OF MEETING**

## **Cameron Board of Adjustment**

**July 13<sup>th</sup>, 2009**

**5:00pm**

**City Hall**

### **Members Present:**

Chairman Kent Osborn

Bob Thompson

Scotty Massey

Mike O'Donnell

### **Members Absent:**

Rose Hamer

### **Also Present:**

Bryan Rusch ~ Engineer; Greer Architecture

### **1. Call to Order**

Chairman Kent Osborn called the meeting to order at 5:02 pm.

### **2. Minutes of Previous Meeting**

Action: Mr. O'Donnell moved and Mr. Massey seconded that the minutes of the May 21<sup>st</sup>, 2009 meeting be approved. Motion carried unanimously.

### **3. Unfinished Business**

There was none.

### **4. New Business**

#### **A. Public Hearing, Application for Variance, gravel parking, Nam-Ho Development, LLC, 1515 Bob F. Griffin Rd.**

Nam-Ho Development (Chung Family) plans to add a truck fueling station and car wash to the south of the existing Wendy's/Baskin-Robbins/C-Store at US 36 and Griffin Rd. The fueling station will occupy a portion of the existing gravel truck parking area replacing some 2/3 of the gravel with concrete. The applicants seek to replace the lost gravel truck parking with a new gravel addition to the east, which will be slightly smaller than the existing gravel lot.

**Action:** Mr. Thompson moved and Mr. O'Donnell seconded that a public hearing be convened. Motion carried unanimously.

Mr. Hendee spoke to the Board about the narrative that had been presented about the request for the variance, and the information from the engineering firm, aerial photos, notice of the hearing published in the local paper, and letters sent to the neighboring property owners. Mr. Hendee stated he had not received any comments from anyone in the Community about the variance request.

Mr. Hendee restated that 2/3 of the large gravel area at the current location would be used for the planned expansion of the business, which would reduce the amount of truck parking that is currently available. Mr. Chung would like a variance allowing him to gravel a similar amount for a parking lot to the east of the location.

Current City Code states that all commercial parking areas must be hard surface, however, the current gravel lot had been "grandfathered" in due to the Code change after the gravel parking was already in place.

Mr. Rusch ~ Greer Architecture, was available for questions.

Chairman Osborn asked Mr. Rusch if he had any other information that he would like the Board to be aware of.

Mr. Rusch stated that Mr. Hendee had covered everything that he and Mr. Chung were requesting.

Chairman Osborn asked if the Board had any questions.

Mr. O'Donnell asked Mr. Rusch the reasoning behind wanting to place gravel in the parking lot versus making it hard surface as the City requires.

Mr. Rusch stated the Chung's would like to be able to maintain the gravel for large trucks.

Chairman Osborn questioned Mr. Rusch, wondering if concrete or other hard surface would be placed in the gravel area anytime in the future.

Mr. Rusch stated that he did not know.

Chairman Osborn asked Mr. Rusch what the hardship was that would cause the variance to be granted for the gravel lot.

Mr. Rusch stated that gravel allows less fluid to be carried off-site and allows better storm water flow.

Chairman Osborn informed Mr. Rusch that the BOA grants variances for “hardships” and did not see how a hardship would be created by making the lot a hard surface lot, as required by the City.

Mr. O’Donnell agreed with Chairman Osborn. He stated that he realized 2/3 of the existing gravel area was going to be taken away do to the expansion, but a huge addition was being added to the facility that would create more business and heavier traffic. Mr. O’Donnell stated that the Code change requiring hard surface lots was added to prevent the drag-off from the gravel lots onto the City streets. He also commented that if they were to allow this variance for one business, it would have to be allowed for all business requesting such a variance, and since there are City restrictions against it, he felt there needed to be a real “hardship” before this variance could be granted.

Chairman Osborn asked Mr. Hendee the year the Code was changed to “hard surface” only for Commercial lots.

Mr. Hendee stated it was April 18<sup>th</sup>, 2006.

Chairman Osborn asked Mr. Hendee if Mr. Chung had ever been made aware of this Code change prior to applying for the variance.

Mr. Hendee stated that Mr. Chung had been aware prior to the decision to expand his business.

**Action:** Mr. Massey moved and Mr. Thompson seconded to leave public hearing. Motion carried unanimously.

Entertain motion to approve variance, gravel parking, Nam-Ho Development, LLC, 1515 Bob F. Griffin Road ; Mr. O’Donnell made a motion to approve; Mr. Massey seconded;

Chairman Osborn asked if there was any further discussion before a vote was taken.

Mr. O’Donnell stated that he had a hard time understanding how this issue would actually cause a hardship, and without being able to verify a “real” hardship, he felt that the City requirements should be upheld.

Mr. Massey agreed, stating he also did not see any reason to justify a “hardship”.

*On voice vote the motion carries as follows; ayes-0, nays-4, abstentions-0, absent-1. Variance denied for gravel parking, Nam-Ho Development, LLC, 1515 Bob F. Griffin Road*

## **5. Miscellaneous**

There was none

## **6. Adjourn**

### **Action:**

Mr. Thompson moved and Mr. Massey seconded that the meeting be adjourned. Motion carried unanimously. Meeting adjourned at 5:17p.m.

Minutes take by:

Ellie Wenzel  
Secretary Recorder