

**Town of Seven Devils
Board of Adjustment**

Regular Scheduled Meeting - Organizational

January 24, 2011

I. Call to Order - Town Manager presiding

The meeting was called to order at 5:35 p.m. by Town Manager Ed Evans. Other Members present were Bill Wilkinson, Richard DeMott, Bobbye Hurlbrink, Carol Isquith, George Ehlinger, and Kathy Copley. Member Lois Dodson was absent and excused. Beth Taylor, Town Clerk, recorded the minutes.

II. Election of Chair and Vice-Chair

Manager Evans opened the floor for nominations for Chairperson. Member Copley asked if Member Wilkinson would be willing to serve as Chairman for another term. Member Wilkinson stated he would be willing to serve. Member Copley made a motion to nominate Member Wilkinson as Chairman. Member DeMott seconded the motion. Evans asked for further nominations, and being none, asked if there was a motion to close nominations. Member Isquith made a motion to close the nominations. Member DeMott seconded the motion. Member Copley made a motion to accept the nomination of Bill Wilkinson as Chairman by acclimation. Member Hurlbrink seconded the motion. Manager Evans asked all the Members to vote by a show of hands. The results were as follows:

**Yays- 5
Nays- 0**

After a unanimous vote, Member Wilkinson was named Chairman of the Board of Adjustment for the 2011 term. **~CLOSED~**

Manager Evans asked for nominations for Vice-Chair. Chairman Wilkinson nominated Member DeMott. Member Hurlbrink seconded the motion. Evans asked for additional nominations for Vice-Chair. There were no additional nominations. Evans asked if there was a motion to close the nominations. Member Copley made a motion to close nominations. Member Ehlinger seconded the motion. Evans asked all the Members to vote by a show of hands. The results were as follows:

**Yays- 5
Nays- 0**

After the unanimous vote, Member DeMott was named Vice-Chair of the Board of Adjustment for the 2011 term. Evans turned the meeting over to Chairman Wilkinson. ~**CLOSED**~

III. Adopt Agenda

Chairman Wilkinson asked for a motion to be made to adopt the agenda. Vice-Chair DeMott asked to add something to the agenda. He mentioned that the Town Council has been reconsidering some minor modifications to the Board of Adjustment activities. He further stated that they would probably be approved in the next meeting and suggested that each of the Board of Adjustment members get a copy of the changes to study. Member Copley asked if Vice-Chair DeMott was referring to proposed changes to the Zoning Ordinance. Vice-Chair DeMott replied that whatever is in there that pertains to the Board of Adjustment, he thinks it is the Zoning Ordinance. Manager Evans replied that there are no changes proposed that would change the structure of the Board of Adjustment. Evans further stated that if changes were to be made, the Board of Adjustment would certainly have a copy of any proposed changes. Member Copley stated that any Board of Adjustment Member who has questions or wants to comment are welcome to attend the Public Hearing that is required in order to make the changes.

Chairman Wilkinson stated that since the Members have already discussed what Vice-Chair DeMott wanted to add to the agenda, there is no need to add it and discuss further. He made a motion to adopt the agenda without amendment. Member Isquith seconded the motion. It was approved unanimously.

IV. Approval of Minutes

- **August 23, 2010**

On page 2, under 'The Hearing was open for Mr. Lannie Thomas to present his petition to the Board Members', the last sentence in the first paragraph beginning with "He also plans..." Member Copley wants to add the following words: "He also plans to build new signs and fences **around the entire 6 acres, install two new gates between horses and roads, pave the driveway providing emergency access,** and renovate the barn.

With no further corrections or additions to the August 23, 2010 meeting minutes Vice-Chair DeMott made a motion to approve the amended minutes, subject to verification of proposed changes. Member Ehlinger seconded the motion. It was agreed unanimously.

V. Old Business

- None

VI. New Business

- None

VII. Board Member Comments

Regarding the comments Member Copley made about Mr. Lannie Thomas having to pave the driveways of the Saddle Up Ranch property; Chairman Wilkinson stated that the Board of Adjustment could not enforce that action.

Member Copley wanted to know if when someone makes a verbal commitment to the Board about what they are doing are they then required to do that in the end. She continued to state that if in fact a verbal commitment is not a commitment then the Board needs to list those items in the conditions when passing it. Member Copley further clarified that Mr. Thomas' request was only passed because he stated he was going to use a compost system and re-fence and landscape and hire someone to maintain the property year round. That in the future we need to state in the conditions what is to be completed. Chairman Wilkinson stated that he was not sure how much we could put in the condition as it is already a permitted use, conditions cannot continue to be added because it is what the Board wants. Since it is private property he can do what he wants with it. All he has to do is satisfy this Board in order for us to approve what someone wants to do. Member Copley stated that some of the things would be what the Board considers to be for the health and safety of the public, such as preventing flies and compost run off. Chairman Wilkinson replied that you would then be getting into the issue where you would have to call the Health Department and have them come out and determine it a public safety hazard. Manager Evans stated that he knew the Member Copley is just using this case as an example and not making a statement about whether she thinks Mr. Thomas is going to do what he said or not. Member Copley confirmed that was the case.

VIII. Adjournment

There being no further business to bring before the Board, Chairman Wilkinson asked for a motion to adjourn. Member Copley made a motion to close the meeting. Vice-Chair DeMott seconded the motion. The members agreed unanimously. At 5:58 p.m. the meeting was adjourned.

Bill Wilkinson, Chairman

Beth Taylor, Town Clerk