



City of Burlington

Board of Adjustment Meeting Minutes

Mike Nunn, AICP, CZO | Director of Planning and Transportation

The Board of Adjustment met on January 11, 2022, at 8:30am in the Municipal Conference Room located at 425 S. Lexington Avenue, Burlington.

City Members:

Robert Giles, II, Chair
Eric Grant
Charles Beasley (Alternate)
Dean Rainey (Alternate)

Extraterritorial Members:

Steven Heineman

Members Absent:

H.E. Wilson, Vice Chair
Mark Kennedy
John Glenn

Staff Present:

Planning Manager, Conrad Olmedo, AICP, CZO
Principal Planner – Development Review, Janie Phelps, CZO
City Attorney, David Huffman
Senior Administrative Assistant, Beverly Smith
Chief Code Enforcement Officer, Chris Marland
Code Enforcement Officer, Chris Reynolds

Agenda

ITEM NO. 1 – CALL TO ORDER:

Chair Giles presided and called the meeting to order at 8:32am.

ITEM NO. 2 - QUORUM:

Chair Giles confirmed there were five members present to establish a quorum.

ITEM NO. 3- APPROVAL OF MINUTES:

Chair Giles, called for the approval of the following minutes:

- December 14, 2021, Board of Adjustment Meeting
- January 6, 2022, Special Meeting – Seminar

Mr. Grant made a motion, seconded by Mr. Heineman to approve the foregoing minutes. Approved unanimously.

ITEM NO. 4 – 614 MAPLE AVENUE - APPEAL:

Case Number: Notice of Appeal-21-0002

Applicant: Pendergrass Law Firm representing Andrews Properties of the Triad LLC

Location: 614 Maple Ave, Burlington, NC 27215

Alamance County parcel identification number 136390

Details: Pendergrass Law Firm, attorney for property owner Andrews Properties of the Triad LLC, filed an appeal to reverse the Code Enforcement Officer's directive and order to cease operating the property as a boarding house.

Chair Giles announced the foregoing case was a continuation from the December 14, 2021, Board of Adjustment Meeting. He reported the Pendergrass Law Firm on behalf of the Andrews Property of the Triad LLC, has requested to postpone this hearing to the next Board of Adjustment Meeting due to a conflict of the representative. He noted a formal written request dated January 14, 2022, was received and copies provided to the Board. He called for a motion to approve the request for postponement.

City Attorney Huffman requested the postponed meeting be scheduled for Tuesday, February 22, 2022, at 8:30am with proper notification of the change of date.

Mr. Grant made a motion, seconded by Mr. Heineman, to approve the request for postponement to Tuesday, February 22, 2022, at 8:30am. Approved unanimously.

ITEM NO. 5 – NEW BUSINESS

Ms. Phelps reported on a decision made in 2021 for property located at 504 W. Webb Avenue, which appealed to Superior Court, and since been remanded back to the Board of Adjustment to be heard again. She reported that will be on the February agenda.

City Attorney advised staff to provide notice of the February 22, 2022, meeting date for this case.

Ms. Phelps confirmed notices would reflect the change of date.

Attorney, Rick Richards, on behalf of the Pendergrass Law Firm, was in attendance and expressed appreciation for the approval to postpone to February.

ITEM NO. 6 - ADJOURNMENT:

Mr. Grant made a motion, seconded by Mr. Heineman to adjourn the meeting at 8:37am. Approved unanimously.

Chair, Robert Giles, II

Approved by the Board of Adjustment on February 22, 2022.