

River Bend Board of Adjustment
June 28th, 2022
Town Hall
6:00 PM

Board Members present: Chairman Paige Ackiss, Chris Barta, Rick Fisher (ETJ Alternate), Jon Hall (Alternate), Helmut Weisser

Board Members absent: Vice Chair Patty Leonard, Kelly Forrest (ETJ Representative), Cinda Hill

Others present: Councilman Buddy Sheffield (Liaison to BOA), Town Manager Delane Jackson, Town Attorney Dave Baxter, Assistant Zoning Administrator Allison McCollum, and 6 members of the public

CALL TO ORDER

Chairman Paige Ackiss called the meeting to order at 6:00 PM on Tuesday, June 28th, 2022 at the River Bend Town Hall with a quorum present.

APPROVAL OF FEBRUARY 3RD, 2022 MEETING MINUTES

Board Member Chris Barta made a motion to accept the minutes from the February 3rd, 2022 meeting of the Board of Adjustment. Motion was seconded by Board Member Helmut Weisser and the motion carried unanimously.

EVIDENTIARY HEARING

Chairman Ackiss introduced the case. The Board of Adjustment assembled to conduct an evidentiary hearing and consider a special use permit to construct a Public Works office for the Town of River Bend at 1504 Plantation Drive, submitted by Delane Jackson, Town Manager of the Town of River Bend.

Chairman Ackiss explained the quasi-judicial nature of the case.

Chairman Ackiss swore in the following attendees as witnesses: Town Manager Delane Jackson and Assistant Zoning Administrator Allison McCollum.

Chairman Ackiss called for any necessary disclosures from the Board of Adjustment members. There were none.

Chairman Ackiss, asked if anyone present wished to establish standing in the hearing. No one responded.

Assistant Zoning Administrator presented 13 exhibits that Town staff had prepared as relevant materials for the case. (See attached.)

Town Manager Delane Jackson presented a PowerPoint presentation to the Board and the other attendees present. (See attached.)

During the presentation, Board Member Helmut Weisser asked several questions about the location and orientation of windows in the proposed building. The Town Manager responded that the building itself had not been put out for bid, so construction specifics were not settled. Board Member Rick Fisher asked if the building allowed for future expansion and needs. The Town Manager responded that the building footprint was limited by the budget.

Chairman Ackiss skipped items H-K on the agenda as there were no other parties present. He moved to open the deliberation portion of the meeting.

Chairman Ackiss asked if any board members had specific concerns or questions that they wanted to discuss. No relevant issues were raised and Chairman Ackiss closed the evidentiary hearing at 6:20 PM.

DECISIONS

Following the testimony and discussion, the Board voted on the following motions:

1. Board Member Barta moved that the proposed use will not affect adversely the general plans for the physical development of the Town as embodied in these regulations or in any plan or portion thereof adopted by the Planning Board and/or the Town Council. Board Member Weisser seconded and the motion carried unanimously.
2. Board Member Barta moved that the proposed use will not be contrary to the purposes stated in the Town's zoning regulations. Board Member Weisser seconded and the motion carried unanimously.
3. Board Member Barta moved that the proposed use will not affect adversely the health and safety of residents and workers in the zoned area. Board Member Weisser seconded and the motion carried unanimously.
4. Board Member Barta moved that the proposed use will not be detrimental to the use or development of adjacent properties or other neighborhood uses. Board Member Weisser seconded and the motion carried unanimously.
5. Board Member Barta moved that the proposed use will not be affected adversely by the existing uses. Board Member Weisser seconded and the motion carried unanimously.
6. Board Member Barta moved that the proposed use will be placed on a lot of sufficient size to satisfy the space requirements of the use. Board Member Weisser seconded and the motion carried unanimously.
7. Board Member Barta moved that the proposed use will not constitute a nuisance or hazard because of number of persons who will attend or use these facilities, vehicular movement, noise or fume generation, or type of physical activity. Board Member Weisser seconded and the motion carried unanimously.
8. Board Member Barta moved that the standards set forth for each particular use for which a permit may be granted have been met or will be met. Board Member Weisser seconded and the motion carried unanimously.
9. Board Member Barta moved that the proposed use shall be subject to the minimum area, setback, and other dimensional requirements of the zoning district in which it will be located. Board Member Weisser seconded and the motion passed unanimously.


10. Board Member Barta moved that the proposed use shall be subject to the off-street parking and service requirements of these regulations. Board Member Weisser seconded and the motion carried unanimously.

Board Member Barta moved that the request for a special permit be approved as submitted. Board Member Weisser seconded and the motion carried unanimously.

ADJOURNMENT

Town Manager Delane Jackson informed everyone present that this was Board Member Helmut Weisser's last meeting after a long tenure with the Board of Adjustment. He thanked Mr. Weisser for his service to the Town. Alternate Board Member Jon Hall has been approved by the Town Council to take Board Member Weisser's seat as a regular member of the Board of Adjustment.

Board Member Chris Barta motioned to adjourn the meeting. Board Member Helmut Weisser seconded the motion; it carried unanimously. The meeting adjourned at 6:33 PM.



Allison McCollum, Secretary