

**MINUTES
TOWN OF SUNNYVALE
BOARD OF ADJUSTMENT
TOWN HALL CHAMBERS
MAY 6, 2019
7:00 P.M.**



CHAIRPERSON	KAREN HILL
MEMBER	LYNDON JAMES
MEMBER	JEAN HOLT
MEMBER	JACK KIRKLAND
MEMBER	DEE BLACKWOOD
ALTERNATE MEMBER	ROBERT WHITE – ABSENT
ALTERNATE MEMBER	SOJI JOHN

CALL MEETING TO ORDER

Chairperson Hill called the meeting to order at 7:00 p.m.

1. CONSIDER APPROVAL OF THE MINUTES FOR THE MEETING OF OCT. 1, 2018.

Chairperson Hill and Member John identified errors in the minutes that needed to be corrected. Member Holt made a motion to approve the minutes contingent to said changes being made, seconded by Member Blackwood. Member Hill called for a vote, and with all members voting affirmative, the motion passed 5 / 0.

2. Hold a public hearing to discuss, consider, and act upon a request by the Town of Sunnyvale to initiate proceedings for abatement of an unsafe structure by demolition at or about 3029 N. Belt Line Road.

Building Official, Doug Key, presented the request.

The subject request has come before the Board of Adjustments because the Town Building Official (Doug Key) has determined that a building is unsafe and needs to be demolished. This public hearing is the process by which the Town must follow per Town Code of Ordinances to cause abatement of an unsafe structure by demolition. The Town Code of Ordinances designates the Building Official as an ex-officio member of the Board when a public hearing is required.

The subject property (single-family home) is located at 3029 N. Belt Line Road and lies within a LR, Local Retail zoning district. The Building Official has followed all the required procedures of noticing and has given the property owner ample time to comply with Town ordinances.

Mr. Key requested that the item be dismissed since the structure had already been legally demolished as of the meeting.

Chairperson Hill asked if anyone would like to make a motion to dismiss the request. A motion was made by Member James, seconded by Member Kirkland to dismiss the item. Member Hill called for a vote, the motion carried 5 / 0.

3. Hold a public hearing to discuss, consider, and act upon a request by the Town of Sunnyvale to initiate proceedings for abatement of an unsafe structure by demolition at or about 457 Stone Canyon Drive.

Building Official, Doug Key, presented the request.

The subject request has come before the Board of Adjustments because the Town Building Official (Doug Key) has determined that a building is unsafe and needs to be demolished. This public hearing is the process by which the Town must follow per Town Code of Ordinances to cause abatement of an unsafe structure by demolition. The Town Code of Ordinances designates the Building Official as an ex-officio member of the Board when a public hearing is required.

The property in question has had a partially constructed home in the same state for approximately four years due to a combination of legal proceedings and lack of funding. Both the former and current Building Officials have had communication with the owners letting them know that the structure cannot continue to remain in the same state. The current Building Official has exhausted all avenues and has no other alternative but to pursue condemnation.

Chairperson Hill opened the public hearing.

Greg Fox, owner of the property in question, gave a detailed explanation of its history and provided Staff and each Board member with documentation.

Jason Dubose, 459 Stone Canyon Drive, spoke stating that he empathizes with Mr. Fox's home construction problems. He asked that the Board grant Mr. Fox 120 days to complete construction.

Doug Norlie, 455 Stone Canyon, spoke stating that that he did not think that the 120-day timeline would be sufficient to complete construction. He also spoke about his attempts to sell his own home as well as vandalism that has taken place on the subject property recently.

Chairperson Hill asked if anyone would like to make a motion to approve or to deny the request. Member James made a motion to table the item for a period of 30 days so the owner can complete the following items:

1. Obtain a report from a structural engineer concerning the current state of the partially constructed home.
2. Obtain financing to complete construction of the home.

Upon completion of these items the applicant is to furnish proof to the Building Official and will not have to return to the Board. However, should the owner not be able to complete the items included in the motion within 30 days, the case will return to the Board for further action.

The motion was seconded by Member Kirkland. Chairperson Hill called for a vote, and with all members voting affirmative, the motion passed 5 / 0.

ADJOURN

Chairperson Hill adjourned the meeting at 8:04 p.m.

The undersigned presiding officer certifies that this is a true and correct record of the proceedings.

Chairperson Karen Hill

ATTEST:

Rachel Ramsey, Town Secretary