

**TOWN OF FAIRVIEW  
ZONING BOARD OF ADJUSTMENT  
MEETING MINUTES  
SEPTEMBER 10, 2019**

The Fairview Zoning Board of Adjustment met on September 10, 2019. Present were Chairman Joe King, members Chris Lee, Ken Drew and Donna Pekarek. Vice-Chairman David Logan was absent. Staff present was Planning Manager, Israel Roberts; Fire Chief, Jeff Bell; and Town Secretary, Tenitrus Bethel.

1. Call to Order: Chairman King called the meeting to order at 6:30 p.m.
2. Consider and take action regarding May 29, 2019 minutes:
  - a. Mr. Drew made a motion to approve the minutes from the May 29, 2019 Zoning Board of Adjustment meeting as presented; seconded by Mr. Lee. The motion was approved by a vote of 4-0.
3. Acting in its capacity as the Zoning Board of Adjustment, hold a public hearing, consider and discuss a request for approval of a variance to the Subdivision Ordinance, Section 10.02.162(b) Lots of the Town of Fairview Code of Ordinances to allow a proposed corner lot that is not wider than the adjacent interior lot. The 2.7-acre site is located at 451 Oakwood Trail, northwest corner of Elk Ridge and Oakwood Trail and is zoned for the (RE-1) One-Acre Ranch Estate District. Owner/applicant: Joe and Jill Luce. (ZBA2019-04).

Mr. Roberts gave a staff report related to this item. He stated 46 notices were sent out; 28 letters of support and 7 letters of opposition were received.

Joe and Jill Luce, applicants, were present. Mr. Luce gave a presentation related to this request.

The Board and Mr. Luce had an extended discussion related to this item.

Mr. Roberts discussed zoning regulations.

Chairman King opened the public hearing.

Katie Ebrahim, 730 Elk Ridge, expressed her opposition.

Michael Mints, 461 Oak Wood, expressed his opposition.

Chairman King closed the public hearing.

The Board had an extended discussion related to this item.

Mr. Lee made a motion to deny the variance request at 451 Oakwood Trail to allow a proposed corner lot that is not wider than the adjacent interior lot; seconded by Mr. Drew. The motion was denied by a vote of 4-0.

4. Acting in its capacity as the Zoning Board of Adjustment, hold a public hearing, consider and discuss a request for approval of a variance to the Zoning Ordinance, Section 10.02.169 Road Gates of the Town of Fairview Code of Ordinances to allow a temporary gate at the end of the cul-de-sac on Kentucky Lane. The site is located at 571 Kentucky Lane and is zoned for the (PC) Planned Center District. Owner/applicant: Justin Jinright. (ZBA2019-05)

Mr. Roberts gave a staff report related to this item.

Chief Bell expressed his thoughts related to this request as it relates to public safety.

Chairman King opened the public hearing.

Justin Jinright, applicant, discussed the request.

Bill Fisher, 460 Kentucky Ln, expressed his thoughts related to the use of the gate.

Donald Latham, 461 Kentucky, expressed his concerns related to gate installation.

Amber Noland, 461 Kentucky, expressed her support for the request.

Jim Newby, 560 Kentucky, expressed his support for the request.

Dick Price, 579 Meandering Way, expressed his thoughts related to the installation of a gate.

Justin Jinright, applicant, expressed his thoughts related to the request.

Mary Price, 79 Meandering Way, expressed her thoughts related to the installation of a gate.

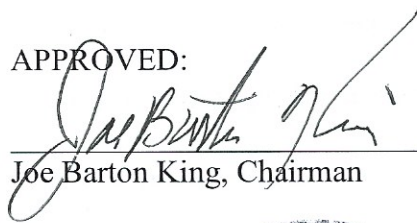
Chairman King closed the public hearing.

The Board has an extended discussion related to this item.

Mr. Drew made a motion to deny the variance request at 571 Kentucky Lane to allow a temporary gate at the end of the cul-de-sac on Kentucky Lane; seconded by Ms. Pekarek. The motion was approved by a vote of 3-1. Board member Chris Lee was in opposition.

5. Mr. King adjourned the meeting at 9:00 p.m.

APPROVED:

  
Joe Barton King, Chairman

ATTEST:

  
Israel B. Roberts, Planning Manager

