

**BOARD OF ADJUSTMENT, PANEL B
PUBLIC HEARING MINUTES
DALLAS CITY HALL COUNCIL CHAMBERS
WEDNESDAY, April 17, 2019**

MEMBERS PRESENT AT BRIEFING: Scott Hounsel, chair, Marla Beikman, regular member, Rodney Milliken, regular member, Joanna Hampton, regular member and Philip Sahuc, alternate member

MEMBERS ABSENT FROM BRIEFING: No one

MEMBERS PRESENT AT HEARING: Scott Hounsel, chair, Marla Beikman, regular member, Rodney Milliken, regular member, Joanna Hampton, regular member and Philip Sahuc, alternate member

MEMBERS ABSENT FROM HEARING: No one

STAFF PRESENT AT BRIEFING: Steve Long, Chief Planner/Board Administrator, Theresa Pham, Asst. City Attorney, Charles Trammell, Development Code Specialist, Oscar Aguilera, Senior Planner, Elaine Hill, Board Secretary, David Nevarez, Engineering and Phil Erwin, Chief Arborist

STAFF PRESENT AT HEARING: Steve Long, Chief Planner/Board Administrator, Theresa Pham, Asst. City Attorney, Charles Trammell, Development Code Specialist, Oscar Aguilera, Senior Planner, Elaine Hill, Board Secretary, David Nevarez, Engineering and Phil Erwin, Chief Arborist

11:02 A.M. The Board of Adjustment staff conducted a briefing on the Board of Adjustment's **March 20, 2019 docket.**

BOARD OF ADJUSTMENT ACTION: April 17, 2019

1:00 P.M.

The Chairperson stated that no action of the Board of Adjustment shall set a precedent. Each case must be decided upon its own merits and circumstances, unless otherwise

indicated, each use is presumed to be a legal use. Each appeal must necessarily stand upon the facts and testimony presented before the Board of Adjustment at this public hearing, as well as the Board's inspection of the property.

MISCELLANEOUS ITEM NO. 1

To approve the Board of Adjustment Panel B March 20, 2019 public hearing minutes.

BOARD OF ADJUSTMENT ACTION: April 17, 2019

MOTION: None

The minutes were approved.

FILE NUMBER: BDA189-041(OA)

BUILDING OFFICIAL'S REPORT: Application of Paul Herrington for special exceptions to the visual obstruction regulations at 5000 Worth Street. This property is more fully described as Lot 20, Block J/688, and is zoned PD 97, H-11 which requires 20-foot visibility triangles at driveway and alley approaches. The applicant proposes to locate and/or maintain items in required visibility triangles, which will require special exceptions to the visual obstruction regulations.

LOCATION: 5000 Worth Street

APPLICANT: Paul Herrington

REQUESTS:

The following requests for special exceptions to the visual obstruction regulations have been made on a site that is developed with a single-family home:

1. A request is made to maintain portions of an 8' 6" high solid wood fence and portions of an 8' 6" high rolling solid wood gate in the two 20' visibility triangles on both sides of the driveway into the site from Collett Avenue; and
2. A request is made to maintain portions of an 8' 6" high solid wood fence in the 20' visibility triangle at where the alley meets Collett Avenue.

STANDARD FOR A SPECIAL EXCEPTION TO THE VISUAL OBSTRUCTION REGULATIONS:

Section 51A-4.602(d) (3) of the Dallas Development Code states that the Board shall grant a special exception to the requirements of the visual obstruction regulations when, in the opinion of the Board, the item will not constitute a traffic hazard.

STAFF RECOMMENDATION:

Approval, subject to the following condition:

- Compliance with the submitted site plan and elevation is required.

Rationale:

- The Sustainable Development Department Senior Engineer has no objections to the requests.
- Staff concluded that requests for special exceptions to the visual obstruction regulations should be granted (with the suggested conditions imposed) because the items to be maintained in the visibility triangles do not constitute a traffic hazard.

BACKGROUND INFORMATION:

Zoning:

Site: PD 97 (H-11) (Planned Development) (Munger Place Historic District 11)
North: PD 97 (H-11) (Planned Development) (Munger Place Historic District 11)
South: PD 97 (H-11) (Planned Development) (Munger Place Historic District 11)
East: PD 97 (H-11) (Planned Development) (Munger Place Historic District 11)
West: PD 97 (H-11) (Planned Development) (Munger Place Historic District 11)

Land Use:

The subject site is developed with a single family home. The areas to the north, east, west, and south are developed with single-family uses.

Zoning/BDA History:

There have not been any recent related board or zoning cases recorded either on or in the immediate vicinity of the subject site.

GENERAL FACTS/STAFF ANALYSIS:

- The requests for special exceptions to the visual obstruction regulations on a site developed with a single-family home focus on:
 1. maintaining portions of an 8' 6" high solid wood fence and portions of an 8' 6" high rolling solid wood gate in the two 20' visibility triangles on both sides of the driveway into the site from Collett Avenue; and
 2. maintaining portions of an 8' 6" high solid wood fence in the 20' visibility triangle at where the alley meets Collett Avenue.
- Section 51A-4.602(d) of the Dallas Development Code states the following: a person shall not erect, place, or maintain a structure, berm, plant life or any other item on a lot if the item is:
 - in a visibility triangle as defined in the Code (45-foot visibility triangles at street intersections and 20-foot visibility triangles at drive approaches and at alleys on properties zoned single family); and
 - between two and a half and eight feet in height measured from the top of the adjacent street curb (or the grade of the portion on the street adjacent to the visibility triangle).

- The property is located in PD 97 (H11) zoning district which requires the portion of a lot with a triangular area formed by connecting together the point of intersection of the edge of a driveway or alley and the adjacent street curb line (or, if there is no street curb, what would be the normal street curb line) and points on the driveway or alley edge end the street curb line 20 feet from the intersection.
- The property is located within the Munger Place Historic District. On January 25, 2019, the applicant received a Certificate of Appropriateness to replace a rotten wood fence with a new 8'-0" high wood fence in the rear and side yards (see Attachment A)
- A site plan and elevation have been submitted indicating portions of an 8' 6" high solid wood fence and portions of an 8' 6" high rolling wood gate located in the two 20' visibility triangles on both sides of the driveway into the site from Collett Avenue, and indicating portions of an 8' 6" high solid wood fence located in the 20' visibility triangle at where the alley meets Collett Avenue.
- The Sustainable Development Department Senior Engineer has submitted a review comment sheet marked "Has no objections".
- The applicant has the burden of proof in establishing how granting these requests to maintain portions of an 8' 6" high solid wood fence and portions of an 8' 6" high rolling solid wood gate in the two 20' visibility triangles on both sides of the driveway into the site from Collett Avenue, and indicating portions of an 8' 6" high solid wood fence located in the 20' visibility triangle at where the alley meets Collett Avenue, do not constitute a traffic hazard.
- Granting these requests with a condition imposed that the applicant complies with the submitted site plan and elevation would limit the items to be maintained in the 20' drive approach visibility triangles into the site from Collett Avenue and in the 20' visibility triangle where the alley meets Collett Avenue, to that what is shown on these documents – portions of an 8' 6" high solid wood fence and portions of an 8' 6" high rolling solid wood gate.

Timeline:

- February 11, 2019: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.
- March 11, 2019: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel B.
- March 13, 2019: The Sustainable Development and Construction Department Senior Planner emailed the applicant/owner the following information:
- an attachment that provided the public hearing date and panel that will consider the application; the March 27th deadline to submit additional evidence for staff to factor into their analysis; and the April 5th deadline to submit additional evidence to be incorporated into the Board's docket materials;
 - the criteria/standards that the board will use in their decision to approve or deny the requests; and

- The Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

March 26, 2019: The Historic Preservation Chief Planner forwarded a Certificate of Appropriateness for a replacement of a rotten wood fence with new 8'-0" high wood fence in rear and side yards (see Attachment A).

April 2, 2019: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the April public hearings. Review team members in attendance included: the Sustainable Development and Construction Assistant Director, the Board of Adjustment Chief Planner/Board Administrator, the Chief Arborist, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Senior Engineer, the Sustainable Development and Construction Department Board of Adjustment Senior Planner, and the Assistant City Attorney to the Board.

April 3, 2019: The Sustainable Development Department Senior Engineer has submitted a review comment sheet marked "Has no objections".

BOARD OF ADJUSTMENT ACTION: April 17, 2019

APPEARING IN FAVOR: No one

APPEARING IN OPPOSITION: No one

MOTION: Beikman

I move that the Board of Adjustment, in Appeal No. BDA 189-041, on application of Paul Herrington, **grant** the request of this applicant for a special exception to the visual obstruction regulations contained in the Dallas Development Code, subject to the following condition:

- Compliance with the submitted site plan/elevation and elevation is required.

SECONDED: Sahuc

AYES: 5 - Hounsel, Beikman, Sahuc, Hampton, Milliken

NAYS: 0

MOTION PASSED: 5 – 0 (unanimously)

FILE NUMBER: BDA189-042(OA)

BUILDING OFFICIAL'S REPORT: Application of Marcelino Ruiz Lopez for a special exception to the side yard setback regulations for a carport at 712 N. Bond Avenue. This property is more fully described as Lot 8, Block 17/8335, and is zoned R-7.5(A), which requires a side yard setback of 5 feet. The applicant proposes to construct and/or

maintain a carport in a required side yard and provide a 0-foot setback, which will require a 5-foot special exception to the side yard setback regulations.

LOCATION: 712 N. Bond Avenue

APPLICANT: Marcelino Ruiz Lopez

REQUEST:

A request for a special exception to the side yard setback regulations of 5' is made to maintain a carport located on the site's southern side property line or 5' into this 5' required side yard setback on a site developed with a single-family home structure/use.

STANDARD FOR A SPECIAL EXCEPTION TO ALLOW A CARPORT IN THE SIDE YARD:

The Board of Adjustment may grant a special exception to the minimum side yard requirements to allow a carport for a single-family or duplex use when, in the opinion of the Board, the carport will not have a detrimental impact on surrounding properties. In determining whether to grant a special exception, the Board shall consider the following:

- (1) Whether the requested special exception is compatible with the character of the neighborhood.
- (2) Whether the value of surrounding properties will be adversely affected.
- (3) The suitability of the size and location of the carport.
- (4) The materials to be used in the construction of the carport.

(Storage of items other than motor vehicles is prohibited in a carport for which a special exception is granted in this section of the Code).

STAFF RECOMMENDATION:

No staff recommendation is made on this or any request for a special exception to the side yard setback regulations since the basis for this type of appeal is, when in the opinion of the board, the carport will not have a detrimental impact on surrounding properties.

BACKGROUND INFORMATION:

Zoning:

Site: R-7.5(A) (Single-family district 7,500 square feet)

North: R-7.5(A) (Single-family district 7,500 square feet)

South: R-7.5(A) (Single-family district 7,500 square feet)

East: R-7.5(A) (Single-family district 7,500 square feet)

West: R-7.5(A) (Single-family district 7,500 square feet)

Land Use:

The subject site is developed with a single-family home. The area to the north, east, west, and south are developed with single-family uses.

Zoning/BDA History:

There have not been any recent related board or zoning cases recorded either on or in the immediate vicinity of the subject site.

GENERAL FACTS/STAFF ANALYSIS:

- The request for a special exception focuses on maintaining an approximately 900 square foot carport that is located on the site's south side property line or 5' into this 5' side yard setback on a site developed with a single-family home structure/use.
- The subject site is zoned R-7.5(A) which requires a 5' side yard setback.
- The applicant has submitted a document (a site plan/elevation) indicating the size and materials of the carport, and its location on the site's south side property line.
- The submitted site plan represents the following:
 - The carport is approximately 70' in length and approximately 12' 6" in width (approximately 900 square feet in total area) of which approximately 40 percent is located in the south 5' side yard setback.
- The submitted elevations represent the following:
 - Ranging in height from approximately 8' – 9'.
 - Metal roof with metal columns embedded into a concrete footing.
- The Senior Planner conducted a field visit of the area approximately 500 feet north and south of the subject site and noted 4 other carports that appeared to be located in a side yard. These carports were located across the street and north of the subject site with no recorded BDA history.
- As of April 5, 2019, no letters had been submitted in support of or in opposition to this application.
- The applicant has the burden of proof in establishing the following:
 - that granting this special exception to the side yard setback regulations of 5' will not have a detrimental impact on surrounding properties.
- Granting this request and imposing the following conditions would require the carport to be maintained in the location and of the heights and materials as shown on these documents:
 1. Compliance with the submitted site plan and elevation is required.
 2. The carport structure must remain open at all times.
 3. No lot-to-lot drainage is permitted in conjunction with this carport special exception.
 4. All applicable building permits must be obtained.
 5. No item (other than a motor vehicle) may be stored in the carport.
- If the Board were to grant this request and impose the submitted site plan and elevation as a condition to the request, the structure in the side setback would be limited to that what is shown on this document – a carport located on the site's southern side property line or 5' into this required 5' side yard setback.

Timeline:

February 12, 2019: The applicant submitted an “Application/Appeal to the Board of Adjustment” and related documents which have been included as part of this case report.

March 11, 2019: The Board of Adjustment Secretary randomly assigned this case to Board of Adjustment Panel B.

March 13, 2019: The Board Administrator emailed the applicant the following information:

- a copy of the application materials including the Building Official’s report on the application;
- an attachment that provided the public hearing date and panel that will consider the application; the March 27th deadline to submit additional evidence for staff to factor into their analysis; and the April 5th deadline to submit additional evidence to be incorporated into the Board’s docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

April 2, 2019: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the April public hearings. Review team members in attendance included: the Sustainable Development and Construction Assistant Director, the Building Official, the Assistant Building Official, the Board of Adjustment Chief Planner/Board Administrator, the Chief Arborist, the Building Inspection Senior Plans Examiner/Development Code Specialist, the Sustainable Development and Construction Senior Engineer, the Sustainable Development and Construction Department Board of Adjustment Senior Planner, and the Assistant City Attorney to the Board.

No review comment sheets were submitted in conjunction with this application.

BOARD OF ADJUSTMENT ACTION: April 17, 2019

APPEARING IN FAVOR: No one

APPEARING IN OPPOSITION: No one

MOTION: Beikman

I move that the Board of Adjustment, in Appeal No. BDA 189-042, on application of Marcelino Lopez, **grant** the request for a special exception to the side yard setback

regulations contained in the Dallas Development Code, subject to the following conditions:

1. Compliance with the submitted site plan and elevation is required.
2. The carport structure must remain open at all times.
3. No lot-to-lot drainage is permitted in conjunction with this carport special exception.
4. All applicable building permits must be obtained.
5. No item (other than a motor vehicle) may be stored in the carport.

SECONDED: Sahuc

AYES: 5 - Hounsel, Beikman, Sahuc, Hampton, Milliken

NAYS: 0

MOTION PASSED: 5 – 0 (Unanimously)

FILE NUMBER: BDA189-049(OA)

BUILDING OFFICIAL’S REPORT: Application of Karl A. Crawley for a special exception to the landscape regulations at 5750 E. Lovers Lane. This property is more fully described as Lot 1A, Block G/5402, and is zoned PD 610, which requires mandatory landscaping. The applicant proposes to construct and/or maintain a structure and provide an alternate landscape plan, which will require a special exception to the landscape regulations.

LOCATION: 5750 E. Lovers Lane

APPLICANT: Karl A. Crawley

REQUEST:

A request for a special exception to the landscape regulations is made, according to the application, to incorporate a portion of land, approximately 15,250 square foot, resulting from the abandonment of Matilda street and the adjacent electric easement as parking area on a site developed with an approximately 96,000 square foot general merchandise or food store use (Central Market), and not fully meet the landscape regulations, more specifically, the applicant requests approval of a revised alternate landscape plan to continue and expand on approved landscaping previously granted on this site by Board of Adjustment Panel B.

STANDARD FOR A SPECIAL EXCEPTION TO THE LANDSCAPE AND TREE PRESERVATION REGULATIONS:

Section 51A-10.110 of the Dallas Development Code states that the Board may grant a special exception to the landscape and tree preservation regulations of this article upon making a special finding from the evidence presented that:

- (1) strict compliance with the requirements of this article will unreasonably burden the use of the property;
- (2) the special exception will not adversely affect neighboring property; and

(3) the requirements are not imposed by a site-specific landscape plan approved by the city plan commission or city council.

In determining whether to grant a special exception, the Board shall consider the following factors:

- the extent to which there is residential adjacency;
- the topography of the site;
- the extent to which landscaping exists for which no credit is given under this article; and
- the extent to which other existing or proposed amenities will compensate for the reduction of landscaping.

STAFF RECOMMENDATION:

Approval, subject to the following condition:

- Compliance with the submitted alternate landscape plan is required.

Rationale:

- The City of Dallas Chief Arborist recommends approval of the request concluding that strict compliance with the requirements will unreasonably burden the use of the property, and that the special exception will not adversely affect/negatively impact neighboring property.

BACKGROUND INFORMATION:

Zoning:

Site: PD 610 (Planned Development)
North: MU-3 (Mixed Use)
South: MU-3 & PD 333 (Mixed Use and Planned Development)
East: PD 799 (Planned Development)
West: MU-3 (Mixed Use)

Land Use:

The subject site is developed with a general merchandise or food store use (Central Market). The areas to the north and west are developed with retail uses; the area to the east is developed with multifamily use; and the area to the south is developed retail and storage uses.

Zoning/BDA History:

1. BDA167-111, Property at 5750 E. Lovers Lane (the subject site)

On January 17, 2018, the Board of Adjustment Panel B granted a request for a special exception to the landscape regulations (subject to compliance with the submitted alternate landscape plan).

The case report stated that the request was made to allow the extension of the City's Trail Network (hike-and-bike) on a site developed with an approximately 96,000 square foot general merchandise or food store use (Central Market), and not fully meet the landscape regulations, more specifically to not provide the perimeter buffer landscape requirements for residential adjacency in the southeastern quadrant of the property.

2. BDA167-111, Property at 5750 E. Lovers Lane (the subject site)

On October 18, 2017, the Board of Adjustment Panel B granted a request for a special exception to the landscape regulations (subject to compliance with the submitted alternate landscape plan). The case report stated that the request was made to construct and maintain an approximately 7,000 square foot addition to an existing approximately 96,000 square foot general merchandise or food store use (Central Market), and not fully meet the landscape regulations, more specifically to not provide the mandatory perimeter landscape buffer strip with buffer plant materials on southeast corner of the on the subject site (Central Market). (On November 15, 2017, the Board of Adjustment Panel B granted the applicant's request to waive the two year limitation on a final decision reached on this application which allowed him to re-file a new application for a special exception to the landscape regulations on this site.

3. BDA067-046, Property at 5750 E. Lovers Lane (the subject site)

On March 21, 2007, the Board of Adjustment Panel A granted a request for a variance to the front yard setback regulations (subject to compliance with the submitted site/development plan), and on April 18, 2007, the Board of Adjustment Panel B granted a request for a special exception to the landscape regulations and imposed the following conditions: 1) All landscaping identified on the landscape plan more than 50 feet

beyond the shown construction areas (including courtyard) must be installed and maintained, and the landscaping must be inspected by the city arborist by June 2, 2007; and 2) All remaining landscaping shown on the landscape plan must be installed and inspected by the city arborist prior to final inspection of the new building addition.

The case report stated that the requests were made to construct and maintain additions to the existing retail structure (Central Market).

4. BDA023-008, Property at 5750 E. Lovers Lane (the subject site)

On November 12, 2002, the Board of Adjustment Panel A granted a request for a special exception to the landscape regulations and imposed the submitted revised landscape plan as a condition.

The case report states that the request was made to “remove all trees from ONCOR utility easement” needed to obtain a final Certificate of Occupancy for the retail use on the site (Central Market).

GENERAL FACTS/STAFF ANALYSIS:

- This request for a special exception to the landscape regulations focuses on, according to the application, incorporating a portion of land, approximately 15,250 square foot, resulting from the abandonment of Matilda street and the adjacent electric easement as parking area on a site developed with an approximately 96,000 square foot general merchandise or food store use (Central Market), and not fully meet the landscape regulations, more specifically, the applicant requests approval of a revised alternate landscape plan to continue and expand on approved landscaping previously granted by Board of Adjustment Panel B.
- Section 51A-10.121(c) of the Dallas Development Code requires full compliance with the landscape regulations when nonpermeable coverage on a lot or tract is increased by more than 2,000 square feet, or when work on an application is made for a building permit for construction work that increases the number of stories in a building on the lot, or increases by more than 35 percent or 10,000 square feet, whichever is less, the combined floor areas of all buildings on the lot within a 24-month period.
- The City of Dallas Chief Arborist submitted a memo regarding the applicant’s request (see Attachment A).
- The Chief Arborist’s memo states the following with regard to “request”:
 - The applicant is requesting a special exception to the landscaping regulations of Article X as specified in PD 610. Specifically, the applicant requests approval of

a revised alternate landscape plan to continue and expand on approved landscaping by previous Board of Adjustment review.

- The Chief Arborist's memo states the following with regard to "provision":
 - The original landscape plan was approved for the new construction of a retail grocery store. The approved plan was necessary to address conflicts with overhead electric utility lines with a significant ONCOR utility easement and property.
 - Revisions were later completed to address store renovations and the continued conditions of various underground and overhead utilities running through the property. The property and its trees continue to age and grow.
 - The abandonment of a portion of a street easement for Matilda and inclusion and the addition of property with the ONCOR utility requires an additional revision to the previous approved landscape plans to incorporate additions and changes to the property to Matilda Street.
 - ONCOR restricts the planting of trees (typically above 12' in height, or altogether) within their transmission line corridor. The plan calls for new shrubs along the corridor which will also feature a new trail extension in working with the Park Department. The new plan includes all original and new landscape elements.
- The Chief Arborist's memo states the following with regard to "deficiencies":
 - The property cannot apply the required street trees along Matilda due to overhead electric utility restrictions.
- The City of Dallas Chief Arborist recommends approval of the revised alternate landscape plan for this property because full compliance with Article X for street tree and buffer requirements will unreasonably burden the use of the property, and the special exception will not negatively affect neighboring properties.
- The applicant has the burden of proof in establishing the following:
 - Strict compliance with the requirements of the landscape regulations of the Dallas Development Code will unreasonably burden the use of the property; and the special exception will not adversely affect neighboring property.
- If the Board were to grant this request and impose the submitted alternate landscape plan as a condition to the request, the site would be provided certain leniency from full compliance with the landscape regulations beyond what was previously granted on this property by Board of Adjustment Panel B.

Timeline:

February 22, 2019: The applicant submitted an "Application/Appeal to the Board of Adjustment" and related documents which have been included as part of this case report.

March 11, 2019: The Board of Adjustment Secretary assigned this case to Board of Adjustment Panel B. This assignment was made in order to comply with Section 9 (k) of the Board of Adjustment Working Rule of Procedure that states, "If a subsequent case is filed concerning the same request, that case must be returned to the panel hearing the previously filed case".

March 13, 2019: The Board Administrator emailed the applicant the following information:

- an attachment that provided the public hearing date and panel that will consider the application; the March 27th deadline to submit additional evidence for staff to factor into their analysis; and the April 5th deadline to submit additional evidence to be incorporated into the Board's docket materials;
- the criteria/standard that the board will use in their decision to approve or deny the request; and
- the Board of Adjustment Working Rules of Procedure pertaining to documentary evidence.

April 2, 2019: The Board of Adjustment staff review team meeting was held regarding this request and the others scheduled for the April public hearings. Review team members in attendance included: the Sustainable Development and Construction Assistant Director, the Assistant Building Official, the Board of Adjustment Chief Planner/Board Administrator, the Sustainable Development and Construction Senior Engineer, the Chief Arborist, the Sustainable Development and Construction Department Board of Adjustment Senior Planner, and the Assistant City Attorney to the Board.

April 4, 2018: The City of Dallas Chief Arborist submitted a memo regarding this application (see Attachment A).

BOARD OF ADJUSTMENT ACTION: April 17, 2019

APPEARING IN FAVOR: No one

APPEARING IN OPPOSITION: No one

MOTION: Beikman

I move that the Board of Adjustment, in Appeal No. BDA 189-049, on application of Karl A. Crawley, **grant** the request of this applicant for a special exception to the landscape regulations contained in the Dallas Development Code, subject to the following condition:

- Compliance with the submitted alternate landscape plan is required.

SECONDED: Sahuc

AYES: 5 - Hounsel, Beikman, Sahuc, Hampton, Milliken

NAYS: 0

MOTION PASSED: 5 – 0 (unanimously)

1:05 P.M. Board Meeting adjourned for **April 17, 2019**

CHAIRPERSON

BOARD ADMINISTRATOR

BOARD SECRETARY

Note: For detailed information on testimony, refer to the tape retained on file in the Department of Planning and Development.