

**CALLAWAY BOARD OF ADJUSTMENTS
NOVEMBER 9, 2006
TIME: 7:00 P.M.**

Called to order by Board Member Hawley at 7:00 p.m.

Invocation by Board Member Childs.

Pledge of Allegiance by Board Member McNight.

ROLL CALL - PRESENT: Board Member Hawley, Board Member Childs,
Board Member McNight, Board Member
Tremaine

ALSO PRESENT: Planning Director Richard, City Planner Fuller

ABSENT: Chairman Williams

APPROVAL OF MINUTES: Board Member Tremaine moved to approve the minutes of the June 22, 2006 meeting. Second by Board Member Childs.

Four ayes
Chairman Williams absent.

BUSINESS

**Item #1. Request for a Variance from minimum lot size requirements.
McQuaig Construction, 5027 Willow Street.**

The Director gave the background information regarding the variance request, noting that the applicant would not be able to meet the minimum lot size requirements if he divided off the unused portion of his lot. The Director stated that Staff had reviewed the request and believed it did not meet the criteria for a variance and therefore recommended denial. Rezoning the parcel to allow for a smaller lot size was discussed, as was granting a special exception. Mike McQuaig, the owner of the property, was present to speak on the issue. There was a discussion on the adjacent lot sizes and the condition of the neighborhood. The Board felt that the request did not qualify for a variance and discussed whether to consider a special exception. Board Member Tremaine moved to approve a special exception from the minimum lot size requirement. Seconded by Board Member Childs.

Four ayes
Chairman Williams absent.

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Item #2. Request for a Variance from provision regulating fencing. Jeanna Jeffcoat and Dennis Pitts, 6402 Winona Street.

The Director gave the background information regarding the variance request stating that the fence the property owners' have in the front yard does not meet the requirements of the Land Development Regulations. The Director noted that Staff had reviewed the request and believed that it did not meet the criteria for a variance. The Board discussed the possibility of granting a special exception if the applicant could prove the claims outlined in her letter, or allowing the applicant to replace the fence with a chain link fence that is allowed by ordinance. Jeanna Jeffcoat was present to speak on the issue. She stated that the fence has provided security. Board Member Tremaine moved to grant a special exception for the existing fence contingent upon the applicant providing evidence of the claims outlined in her letter within 30 days, or replacing the fence within 120 days if evidence can not be provided. Seconded by Board Member McNight.

Four ayes
Chairman Williams absent.

ADD-ON. Selection of a Vice-Chairperson.

Board Member Childs moved to nominated Board Member Hawley to served as Vice-Chairperson. Seconded by Board Member Tremaine.

Four ayes
Chairman Williams absent

There being no further business, Board Member McNight moved to adjourn the meeting. Second by Board Member Tremaine. Meeting adjourned by Vice-Chairman Hawley at 7:55.

Approved:



Andrew Williams, Chairman

MARK HAWLEY, Vice Chair

5-15-2008
Date

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I certify that the minutes are an accurate and correct record of the proceedings of the meeting.

A. Richard
Amanda J. Richard, Planning Director

5-15-2008
Date