
Members Present: Sara Smith, Chair; Sandy Zimmerman, Vice-Chair; Stuart Jenner, Suzy Christensen, Betty Schopp, Alternate

Staff Present: Joe Slaton, Mayor; Ron Wallace, Zoning Administrator; Suzanne Hedden, Secretary

Visitors: Joe and Gayle Intag, Fannie Watson, Norman and Kathy Thacker, Emery and Norma Foote

Chair Sara Smith called the meeting to order at 6:09 pm.

NEW BUSINESS

1. **Hear Application #BOA-24-02 by Joe and Gayle Intag requesting to put in a 16 x 50 open metal carport over a recreational trailer on R2 Zoned District lot located at 172 McGlamery Farm Dr (TAX MAP Parcel No. 556000248412). The request exceeds the allowable 25% ground floor area of living space allowed in the Zoning Ordinances. Owners seek variance to approve and accept their request.**

Mrs. Smith gave a detailed explanation and emphasized guidelines for the purpose of the meeting. Mr. Intag was sworn in and Mrs. Smith asked him "What is your hardship for needing this carport"? He replied that he is wanting to protect his recreational trailer from the elements and presented pictures of the trailer, adding that he will try to match colors and design with his residence. Ms. Christensen asked Mr. Intag the size of the trailer to which he replied "It is 8' wide and 43.5' long". Ms. Christensen stated that a building of that size should be in the rear of the house. Mr. Intag acknowledged that he cannot move it to the back because of elevation. He added "Before we bought the land, we made sure we could have a camper. We had no idea we couldn't have a cover. I don't think it will devalue anyone's property". Ms. Christensen interjected "the HOA depends on us to enforce the rules".

Conversation continued as follows:

Mr. Jenner: "The size limit cannot exceed 25% the size of the house....these measurements exceed the limit".

Mrs. Smith: "The recreational trailer is not permanent, but the structure would be".

Ms. Christensen: "The HOA president needs to inform buyers of these rules when they purchase land in the subdivision".

Mr. Intag: "We did not know about the 25% rule".

Ms. Watson approached the table and was sworn in. She commented that the HOA has covenants and his motor home is allowed, but you must consult legal sources about other buildings. The realtor usually calls about the rules. The covenant should probably say that we are in the ETJ. She addressed the council saying: "I just ask you to do what is required".

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Additional conversation continued:

Norma Foote was sworn in: "We are building a house beside Mr. and Mrs. Intag. Their camper is expensive, and I would want to protect it, also. We have no problem with the carport".

Mr. Wallace: "They should have been informed by the Building Inspector that they needed a compliance letter from our office".

Emery Foote was sworn in and stated "I'm surprised that you can grant a variance, but, not in this case".

Mrs. Smith: "We have to determine if it is a hardship; however, it exceeds the size requirement. I regret that you didn't know some of these things before now".

Mr. Intag: "Can I just put a canopy over it"?

Ms. Christensen: "When I joined this Board, they said it won't be anything personal, just go by the rules".

Mr. Intag: "How did another neighbor get to put a garage on his property"?

Mrs. Smith: "It was grandfathered in".

Mayor Slaton: "Builders in Clay County should know they have to come here first. The Board of Adjustments would not be doing their duty if they did not follow the rules".

Mr. Foote: "Can he strap the building down and not attach the building to the ground"?

Mrs. Smith: "No, that would not be safe".

Mr. Intag: "If I had known this, I would not have bought the property".

Mrs. Smith asked for a motion on the variance. Stuart Jenner made a motion that the variance be rejected, due to size and because a hardship has not been established. (Information can be found in Section 1433-Variations). Mrs. Smith stated that she is sorry, but we have to go by rules.

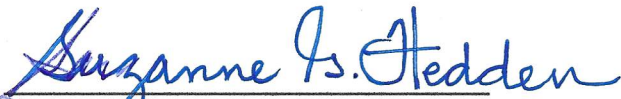
Ms. Zimmerman commented that a meeting needs to be scheduled between the County Building Office and the Board of Adjustments so everyone will understand the rules and regulations. She added that we must work together.

MINUTES

Ms. Zimmerman made a motion to accept the minutes of the November 9, 2023 meeting. Stuart Jenner seconded the motion; motion approved.

Meeting was adjourned at 7:05 p.m.

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Respectfully submitted,
Suzanne G. Hedden, Secretary



Sara Smith
Chair