



CITY OF RICHMOND

DEPARTMENT OF
PLANNING AND DEVELOPMENT REVIEW
BOARD OF ZONING APPEALS

BOARD OF ZONING APPEALS

MEETING MINUTES

WEDNESDAY, NOVEMBER 3, 2021

On Wednesday, November 3, 2021, the Board of Zoning Appeals held an electronic public hearing at 1:00 p.m due to the disaster represented by the spread of COVID-19 pursuant to and in compliance with Ordinance 2021-181; display notice having been published in the Richmond Legacy Newspaper on October 27, 2021 and written notice having been sent to interested parties.

Members Present: Roger H. York, Jr., Acting Chair
 Rodney M. Poole
 Mary J. Hogue
 Susan Sadid
 Bryce L. Robertson

Staff Present: Roy W. Benbow, Secretary
 William C. Davidson, Zoning Administrator
 Brian P. Mercer, Planner II
 Neil R. Gibson, Assistant City Attorney

The Acting Chairman, Mr. York, called the meeting to order and read the Board of Zoning Appeals Introductory Statement, which explains the proceedings of the meeting including the fact that the public hearing is being held electronically due to the state of emergency that exists as a result of the spread of Covid-19 pursuant to and in compliance with Ordinance 2021-181. The applicant and those appearing in support of an application speak first, followed by those appearing in opposition.

BZA 52-2021

APPLICANT: Ritsu & Helen Kuno

PREMISES: 3300 HANOVER AVENUE
(Tax Parcel Number W000-1515/024)

SUBJECT: A building permit to construct an accessory structure (garage) and fence onto a single-family (detached) dwelling.

DISAPPROVED by the Zoning Administrator on August 30, 2021, based on Sections 30-300, 30-412.5(1)a, 30-630.1(a)(1) & 30-630.9(b) of the zoning ordinance for the reason that: In an R-6 (Single-Family Attached Residential) District, the front yard (setback) requirement is not met and the maximum permitted height for a fence/wall is exceeded. A front yard (setback) of seventeen feet (17') is required along the Tilden Street frontage; zero feet (0') is proposed. No fence or wall located within a required front yard shall exceed four feet (4') in height; six feet (6') is proposed along the Tilden Street frontage.

APPLICATION was filed with the Board on August 30, 2021, based on Section 1040.3(1) & (10) of the City of Richmond Zoning Ordinance.

APPEARANCES:

For Applicant: Ed Lane

Against Applicant: None

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case that the applicants, Ritsu & Helen Kuno, have requested special exceptions to construct an accessory garage and fence onto a single-family detached dwelling for property located at 3300 Hanover Avenue. Mr. Ed Lane, representing the applicant, testified that there is an existing structure on the lot that is technically a garage although it is not function as such. The structure is in disrepair and incompatible with the dwelling or the surrounding neighborhood. Mr. Lane stated that the proposal is to replace it with a smaller brick garage which will be compatible with the dwelling and the neighborhood. Mr. Lane noted that the proposal also includes extension of a 6 foot fence that is needed for security, privacy and noise abatement.

In response to a question from Mr. York, Mr. Lane stated that they were aware of no objections from the surrounding neighbors or the civic association. Mr. Lane noted that once the garage is completed it will be reduced from four cars to two cars.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 114-1040.3(1) of the City Code, the intended purpose and use of the proposed accessory uses are consistent with the zoning district regulations; departure from the yard requirements is the minimum necessary to accommodate the intended purpose of the accessory uses; the accessory uses or similar construction serving the same purpose cannot reasonably be located elsewhere on the lot in compliance with the zoning ordinance; and the accessory uses will be in keeping with the architectural character of the dwelling and development within the neighborhood.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 114-1040.3 (10) of the zoning ordinance, the applicant has shown that the property on which the fence s to be constructed is devoted to a conforming dwelling use, that the proposed height of the fence is reasonably necessary to provide security for the property and/or to provide a buffer from noise and activity on the adjacent street, that the design and construction materials of the fence will be compatible with the main building and other structures located on the lot and with the general character of development in the immediate surrounding area and that the fence will not unreasonably impair light and air to adjacent property, and will not impair necessary visibility for operators of motor vehicles at any intersection of the adjacent street with an alley, driveway or other street.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the front yard (setback) the maximum permitted height for a fence/wall requirements be granted to Ritsu & Helen Kuno for a building permit to construct an accessory structure (garage) and fence onto a single-family (detached) dwelling, subject to substantial compliance with the plans submitted to the Board.

ACTION OF THE BOARD: (5-0)

Vote to Grant Conditionally

affirmative: York, Poole, Hogue, Sadid, Robertson

negative: None

BZA 53-2021

APPLICANT: Urban Development Associates, LLC

PREMISES: 1501 PORTER STREET
(Tax Parcel Number S000-0201/013)

SUBJECT: A building permit to construct a new two-family detached dwelling.

DISAPPROVED by the Zoning Administrator on September 16, 2021, based on Sections 30-300, 30-413.15(1)b & 30-630.1(a)(1) of the zoning ordinance for the reason that: In an R-8 (Urban Residential) District, the front yard (setback) requirement is not met. A front yard with a depth of not less than ten feet (10') and not greater than eighteen feet (18') is required; five feet (5') is proposed along West 15th Street.

APPLICATION was filed with the Board on September 13, 2021, based on Section 1040.3(1) of the City of Richmond Zoning Ordinance.

APPEARANCES:

For Applicant: Chris Blake

Against Applicant: Kasey Foster

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case that the applicant, Urban Development Associates, LLC, has requested a special exception to construct a new two-family detached dwelling for property located at 1501 Porter Street. Mr. Chris Blake, representing the applicant, testified that the lot is located at the corner of Porter Street and West 15th Street in the Manchester Neighborhood and as such is a corner lot with a dual front yard requirement. Mr. Blake noted that the lot has 3550 ft.² and is 32 feet in width. Mr. Blake further noted that the adjoining house on West 15th Street imposes an 18 foot setback leaving only 11 feet of buildable dwelling width. Mr. Blake indicated that the proposed dwelling is an over and under duplex of 24 feet in width. The proposed dwelling setback along West 15th Street would be 5 feet. The dwelling will have two bedrooms and two baths on the first floor and three bedrooms and 2 ½ baths on the second and third floors. Parking will be provided off the alley. Mr. Blake concluded by stating that he had received letters of support from the property owners at 1500, 1502 and 1505 Porter Street and 202 W. 15th Street as well as the Manchester Alliance Neighborhood Association.

In response to a question from Mr. York, Mr. Blake stated they had received no negative comment from the surrounding neighbors.

Speaking in opposition, Ms. Kasey Foster noted that she resides at 1509 Porter Street which is two doors from the subject property. Ms. Foster expressed

concern over the fact that the proposed three-story two-family dwelling is inconsistent with the R-8 Urban Residential District. Further, the Hardi-Plank siding is also inconsistent with the neighborhood. Ms. Foster stated she was also concerned about the proliferation of this type of construction in the Manchester Neighborhood. Ms. Foster indicated she was particularly concerned based on the fact that the subject property is a highly visible corner lot. Ms. Foster noted that the houses on her side of street with one exception are constructed of brick not Hardi-Plank.

In response to a question for Mr. Poole, Ms. Foster stated that her main concern was the design and materials of the proposed dwelling. Ms. Foster noted that there are several similarly styled dwellings as proposed by the applicant within the surrounding blocks.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 114-1040.3(1) of the City Code, the intended purpose and use of the proposed dwelling is consistent with the zoning district regulations; departure from the yard requirements is the minimum necessary to accommodate the intended purpose of the dwelling; the dwelling or similar construction serving the same purpose cannot reasonably be located elsewhere on the lot in compliance with the zoning ordinance; and the dwelling will be in keeping with the architectural character of development within the neighborhood.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the front yard (setback) requirement be granted to Urban Development Associates, LLC for a building permit to construct a new two-family detached dwelling, subject to substantial compliance with the plans submitted to the Board and provision of cementitious siding.

ACTION OF THE BOARD: (5-0)

Vote to Grant Conditionally
affirmative: York, Poole, Hogue, Sadid, Robertson
negative: None

BZA 54-2021

APPLICANT: TJC, LLC

PREMISES: 2922 P STREET
(Tax Parcel Number E000-0569/020)

SUBJECT: A building permit to renovate an existing building (vacant) for use as a single-family dwelling.

DISAPPROVED by the Zoning Administrator on September 16, 2021, based on Sections 30-300 & 30-800.4 of the zoning ordinance for the reason that: In a B-2 (Community Business) District, the proposed use is not permitted as the previous nonconforming use rights have expired. Whenever a nonconforming use of a building or structure is discontinued for a period of two years or longer, whether or not equipment or fixtures are removed, any subsequent use of the premises shall conform to the regulations applicable in the district in which it is located.

APPLICATION was filed with the Board on September 14, 2021, based on Section 1040.3(14) of the City of Richmond Zoning Ordinance.

APPEARANCES:

For Applicant: David Cooley

Against Applicant: None

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case that the applicant, TJC LLC, has requested a special exception to renovate an existing building for use as a single-family dwelling for property located at 2922 P Street. Mr. David Cooley, representing the applicant, testified that the property at 2922 P Street was obtained from the Maggie Walker Land Trust as part of a land swap. The intent was to save a historically significant building. Mr. Cooley stated that they did not have prior knowledge that the property could not be renovated by right as a residential use. Mr. Cooley noted that the Coleman Walker House is listed on the National Register and was constructed in 1885. The plan is to renovate it as a residential use maintaining the same footprint. Mr. Cooley stated that the building has no commercial utility and has never been utilized for other than a residence. Mr. Cooley noted that it would be cost prohibitive to convert this 900 ft.² dwelling to a commercial use. Mr. Cooley further noted that the building is neither designed nor arranged as a commercial use. Mr. Cooley stated that the dwelling was condemned in 2013.

In response to a question from Mr. Poole, Mr. Cooley stated that the building had previously been occupied as a residential use and had lost its nonconforming rights.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 114-1040.3 (14) of the zoning ordinance, the property owner has demonstrated that the property was acquired in good faith and that the building cannot reasonably be devoted to a conforming use.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the nonconforming use rights requirements be granted to TJC, LLC for a building permit to renovate an existing building (vacant) for use as a single-family dwelling, subject to substantial compliance with the plans submitted to the Board.

ACTION OF THE BOARD: (5-0)

Vote to Grant Conditionally

affirmative: York, Poole, Hogue, Sadid, Robertson

negative: None

BZA 55-2021

APPLICANT: Lottie F. Wade

PREMISES: 3112 GARLAND AVENUE
(Tax Parcel Number N000-1038/007)

SUBJECT: Building permits to construct two (2) new single-family detached dwellings.

DISAPPROVED by the Zoning Administrator on September 17, 2021, based on Sections 30-300 & 30-412.4(1) of the zoning ordinance for the reason that: In an R-6 (Single-Family Attached Residential) District, the lot area and lot width requirements are not met. Lot areas of five thousand square feet (5,000 SF) and lot widths of fifty feet (50') are required. For zoning purposes, one (1) lot having a lot area of 8,100.0 square feet and a lot width of sixty feet (60') currently exists; lot areas of 4,050.0 square feet and lot widths of 30.0 feet are proposed for #3112 and #3112 ½.

APPLICATION was filed with the Board on September 16, 2021, based on Section 1040.3(2) of the City of Richmond Zoning Ordinance.

APPEARANCES:

For Applicant: Mark Baker

Against Applicant: None

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case that the applicant, Lottie F Wade, has requested a special exception to construct two new single-family detached dwellings for property located at 3112 Garland Avenue. Mr. Mark Baker, representing the applicant, testified that there is an existing dwelling located on the property which is in poor condition and will be demolished. The lot is large enough to accommodate two single-family attached dwellings by right but due to the fact that attached dwellings are not necessarily consistent with the surrounding development pattern the plan is to construct detached dwellings. Mr. Baker noted that the proposal is consistent with the special exception intent in so far as creation of infill housing which is compatible with the neighborhood. The dwellings will be high-quality for sale products and include approximately 2400 ft.² of floor area with four bedrooms and 2 ½ baths. The exterior will be compatible with the surrounding neighborhood and consist of cementitious siding with full width front porches. Mr. Baker noted that the property is located on the east side of Garland Avenue midblock between Crawford Street and Gladstone Avenue. The existing lot is 60 feet in width and 135 feet in depth and contains approximately 8100 ft.² of lot area. The split would result in two lots both of which would be 30 feet in width and contain 4050 ft.² of lot area. Mr. Baker explained that the subject lots were previously two legal lots of record that were subsequently combined. Off-street parking will be provided and will be accessed at the rear of the site via a north-south alley. Mr. Baker noted that the proposed lots are consistent with other lot widths and lot areas in the surrounding neighborhood and the new dwellings will be compatible with dwellings in the vicinity. Mr. Baker concluded by stating that letters were sent to all property owners within a 150 foot radius and that the North Central Civic Association was contacted but did not respond.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 114-1040.3 (2) of the zoning ordinance, the subject lots have previously consisted of legal lots of record that were subsequently combined by deed, and the number of lots to be created do not exceed the number of previously existing lots of record, the new lots comply with Section 114-610.1 of the zoning ordinance and off-street parking requirements will be met, each lot created by the division will comply with the requisite side yard requirements, the division will comply with applicable requirements of the subdivision regulations and that dwellings to be constructed on the lots will be compatible with the dwellings existing or to be constructed in the immediate vicinity of the property.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the lot area and lot width requirements be granted to Lottie F. Wade for building permits to construct two (2) new single-family detached dwellings, subject to substantial compliance with the plans submitted to the Board and provision of cementitious siding.

ACTION OF THE BOARD: (5-0)

Vote to Grant Conditionally
affirmative: York, Poole, Hogue, Sadid, Robertson
negative: None

BZA 56-2021

APPLICANT: Ponce Properties, LLC and Zip Solutions, LLC

PREMISES: 3500 & 3502 CAROLINA AVENUE
(Tax Parcel Numbers N000-1164/012 & 027)

SUBJECT: Building permits to construct two (2) new single-family detached dwellings.

DISAPPROVED by the Zoning Administrator on September 20, 2021, based on Sections 30-300 & 30-412.4(1) of the zoning ordinance for the reason that: In an R-6 (Single-Family Attached Residential) District, the lot area and lot width requirements are not met. Lot areas of five thousand square feet (5,000 SF) and lot widths of fifty feet (50') are required. For zoning purposes, one (1) lot having a lot area of 9,800.0 square feet and a lot width of seventy feet (70') currently exists; lot areas of 4,900.0 square feet and lot widths of 35.0 feet are proposed for #3500 & #3502.

APPLICATION was filed with the Board on September 17, 2021, based on Section 1040.3(2) of the City of Richmond Zoning Ordinance.

APPEARANCES:

For Applicant: Harvey Johnson

Against Applicant: None

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case that the applicants, Ponce Properties, LLC and Zip Solutions, LLC, have requested a special exception to construct two new single-family detached dwellings for 3500 & 3502 Carolina Avenue. Mr. Harvey Johnson, representing the applicant, testified that the proposal is to construct a detached single-family dwelling on each of the subject lots. Mr. Johnson noted that although the lots were legal lots of record at one time they had been combined and do not currently meet the required lot width and lot area requirements of 50 feet and 5000 ft.² respectively. Mr. Johnson stated that each of the subject lots contained 4900 ft.² which is only slightly less than the 5000 ft.² requirement. Both of the proposed lots are 35 feet in width. Mr. Johnson noted that all other zoning ordinance feature requirements would be met. Mr. Johnson indicated that the requisite parking and maneuverability requirements would also be met. Mr. Johnson expressed the view that the proposed construction would bring lots more in line with other lots in the neighborhood noting that there are 14 other lots within a 200 foot radius that are similar in size to those being proposed in this case. In addition, the design of the dwellings is comparable with other dwellings in the neighborhood. Mr. Johnson concluded by stating that they had reached out to the Highland Park Civic Association and the surrounding neighbors and had received no indication of any opposition to the proposed special exception.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 114-1040.3 (2) of the zoning ordinance, the subject lots have previously consisted of legal lots of record that were subsequently combined by deed, and the number of lots to be created do not exceed the number of previously existing lots of record, the new lots comply with Section 114-610.1 of the zoning ordinance and off-street parking requirements will be met, each lot created by the division will comply with the requisite side yard requirements, the division will comply with applicable requirements of the subdivision regulations and that dwellings to be constructed on the lots will be compatible with the dwellings existing or to be constructed in the immediate vicinity of the property.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the lot area and lot width requirements be granted to Ponce Properties, LLC and Zip Solutions, LLC for building permits to construct two (2) new single-family detached dwellings, subject to substantial compliance with the plans submitted to the Board and provision of cementitious siding.

ACTION OF THE BOARD: (5-0)

Vote to Grant Conditionally
affirmative: York, Poole, Hogue, Sadid, Robertson

negative: None

BZA 57-2021

APPLICANT: Jennings Family Investments, LLC

PREMISES: 1720 NORTH 20th STREET
(Tax Parcel Number E000-0934/011)

SUBJECT: A lot split and building permit to construct a new single-family detached dwelling.

DISAPPROVED by the Zoning Administrator on September 17, 2021, based on Sections 30-300 & 30-410.4 of the zoning ordinance for the reason that: In an R-5 (Single-Family Residential) District, the lot area and lot width requirements are not met. Lot areas of six thousand square feet (6,000 SF) and lot widths of fifty feet (50') are required. For zoning purposes, one (1) lot having a lot area of 7,980 square feet and a lot width of sixty feet (60') currently exists. A lot area of 3,657.5 square feet and width of 27.5 feet is proposed for No. 1718. A lot area of 4322.5 square feet and width of 32.5 feet is proposed for No. 1720.

APPLICATION was filed with the Board on September 17, 2021, based on Section 1040.3(2) of the City of Richmond Zoning Ordinance.

APPEARANCES:

For Applicant: Will Gillette

Against Applicant: None

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case that the applicant, Jennings family investments, LLC, has requested a special exception to construct a new single-family detached dwelling for property located at 1720 N. 20th Street. Mr. Will Gillette, representing the applicant, testified that the goal is to permit construction of a single-family detached dwelling consisting of approximately 1470 ft.² of floor area and including three bedrooms and two baths. The dwelling will include a master bedroom with master bath and walk-in closet and be a compatible neighborhood design with a full width front porch and cementitious siding. Mr. Gillette noted that the property is located on the west side of North 20th Street midblock between Fairfield Avenue and Brauers Lane. The lot in question is 60 feet in width and 130 feet in depth and containing 7980 ft.² of lot area. The proposed lot split will

result in two lots that are 27.5 feet in 32.5 feet in width respectively and contain 3657 ft.² and 4322 ft.² of lot area. Mr. Gillette noted that the lot previously consisted of two legal lots of record that were subsequently combined by deed. In addition, the off-street parking requirements will be met via a north-south alley at the rear of the lot. The lots would have side yards of not less than 10% of the lot width as required and the division will comply with the subdivision requirements. Mr. Gillette noted that the subject lots are consistent with the predominant lot areas and lot widths in the vicinity. Mr. Gillette indicated that the lots are located within the Unity Civic league which has not responded to their overtures for comment. In addition letters were sent to all property owners within a 150 foot radius and no opposition was noted.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 114-1040.3 (2) of the zoning ordinance, the subject lots have previously consisted of legal lots of record that were subsequently combined by deed, and the number of lots to be created do not exceed the number of previously existing lots of record, the new lots comply with Section 114-610.1 of the zoning ordinance and off-street parking requirements will be met, each lot created by the division will comply with the requisite side yard requirements, the division will comply with applicable requirements of the subdivision regulations and that dwellings to be constructed on the lots will be compatible with the dwellings existing or to be constructed in the immediate vicinity of the property.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the lot area and lot width requirements be granted to Jennings Family Investments, LLC for a lot split and building permit to construct a new single-family detached dwelling, subject to substantial compliance with the plans submitted to the Board and provision of cementitious siding.

ACTION OF THE BOARD: (5-0)

Vote to Grant Conditionally

affirmative: York, Poole, Hogue, Sadid, Robertson

negative: None

BZA 58-2021

APPLICANT: Pierce Management, LLC

PREMISES: 210 EAST 18th STREET
(Tax Parcel Number S000-0235/025)

SUBJECT: A lot split and building permit to construct a new single-family detached dwelling.

DISAPPROVED by the Zoning Administrator on September 17, 2021, based on Sections 30-300 & 30-413.5(1) of the zoning ordinance for the reason that: In an R-7 (Single- and Two-Family Urban Residential) District, the lot area and lot width requirements are not met. Lot areas of three thousand six hundred square feet (3,600 SF) and lot widths of thirty feet (30') are required. For zoning purposes, one (1) lot having a lot area of 6,675 square feet and a lot width of sixty feet (60') currently exists. A lot area of 3,424.2 square feet and width of 30.78 feet is proposed for No. 210. A lot area of 3,278.7 square feet and width of 29.47 feet is proposed for No. 212.

APPLICATION was filed with the Board on August 13, 2021, based on Section 1040.3(2) of the City of Richmond Zoning Ordinance.

APPEARANCES:

For Applicant: Justin Pierce

Against Applicant: None

FINDINGS OF FACT: The Board finds from sworn testimony and exhibits offered in this case that the applicant, Pierce management LLC, has requested a special exception to construct a new single-family detached dwelling for property located at 210 E. 18th Street. Mr. Justin Pierce, representing the applicant, testified that the subject lot does not meet lot area or lot width requirements. Mr. Pierce noted that the zoning ordinance requires a lot width of 30 feet and a lot area of 3600 ft.². The lot at 210 E. 18th Street has a lot area of 3278.7 ft.² and a lot width of 29.47 feet. Mr. Pierce noted that in terms of the R-7 lot width and lot area requirements that the subject lot was only slightly deficient. Mr. Pierce indicated that all applicable setbacks will be met as well as off-street parking which will be provided at the rear of the lot. Mr. Pierce stated that he reached out to all property owners within 150 feet as well as the civic association and no opposition had been expressed. Letters of support had been received from the property owners of 211 and 207 E. 18th Street. In addition the proposed dwelling will be consistent with other dwellings in the surrounding neighborhood and consist of three beds and two one half baths and have cementitious siding.

The Board is satisfied that the property was acquired in good faith and pursuant to Section 114-1040.3 (2) of the zoning ordinance, the subject lots have previously

consisted of legal lots of record that were subsequently combined by deed, and the number of lots to be created do not exceed the number of previously existing lots of record, the new lots comply with Section 114-610.1 of the zoning ordinance and off-street parking requirements will be met, each lot created by the division will comply with the requisite side yard requirements, the division will comply with applicable requirements of the subdivision regulations and that dwellings to be constructed on the lots will be compatible with the dwellings existing or to be constructed in the immediate vicinity of the property.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING APPEALS that a request for a special exception from the lot area and lot width requirements be granted to Pierce Management, LLC for a lot split and building permit to construct a new single-family detached dwelling, subject to substantial compliance with the plans submitted to the Board and provision of cementitious siding.

ACTION OF THE BOARD: (5-0)

Vote to Grant Conditionally

affirmative: York, Poole, Hogue, Sadid, Robertson

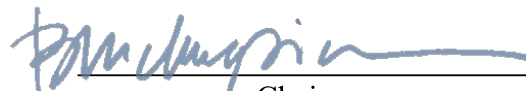
negative: None

Upon motion made by Mr. Poole and seconded by Ms. Hogue, Members voted (4-0) to adopt the Board's October meeting minutes.

The meeting was adjourned at 2:00 p.m.



Secretary



Chairman