

asked why this case was here. Mr. Martin stated that Mr. White wanted to use the duplex, and in order to do that, he needed the PELUC because the duplex was currently nonconforming. Mr. Martin stated that the house was at one time a duplex at one time, but the duplex was recombined back into one large dwelling unit. Mrs. Quarterman asked if the City had a limit on the number of people who live in a single unit. Mr. Martin stated the City did, but it was not legally enforceable, that only the symptoms were addressable. Vice-Chairman Strickland stated that it was complaint driven. Mr. Brantley asked if they could put a lot of people in that house, like 30. Mr. Martin stated that other codes, such as building and fire codes, could address that issue. Mr. Brantley asked how they worked with multiple college kids in one house. Mr. Martin stated if it functioned as a fraternity or sorority house, the City would regulate the use, or deal with the symptoms, such as cars parking on the grass. Chairman McCall stated that Mr. Martin had walked through, and the house did not appear to be a halfway house or a transitional home, but that it could cross that line. Mr. Martin stated that was true. Chairman McCall asked how staff would know it was a halfway house. Mr. Martin stated that licensing and periodic site visits could indicate a change in the use of the property. Mr. Martin stated that the residents were not sent there from a facility, but were voluntarily there. Mrs. Quarterman stated her understanding was that this property was not appropriate for a transitional care facility or halfway house. Mr. Martin stated the zoning was not appropriate for either. Mr. Brantley stated he did not understand why they could not place a limit on the number of people in the big house. Mr. Martin stated that anything was legal till challenged, and that the duplex was the only thing being addressed at this point. Mr. Martin stated he felt that putting conditions on the duplex might be reasonable. Mr. Martin stated, to clear up confusion, there is no request for rezoning or to utilize the property for a halfway house, and that the only request was for a PELUC to re-establish the duplex.

Chairman McCall asked if anyone would like to make a motion, or if the Board had other questions. Mr. Brantley stated that Mr. White should be able to get the PELUC, but the Board should be able to impose additional regulations and restrict the number of occupants in the main residence, and to limit the number in the main residence to five. Mrs. Quarterman stated she had concerns if a large family moved into the main house. Mr. Brantley stated that if someone bought the property, they would be aware of the conditions. Vice-Chairman Strickland stated that potential buyers may not be aware of any conditions imposed on the property. Mr. Martin stated that the PELUC certificate is recorded at the court house. Vice-Chairman Strickland asked if they placed a condition for the maximum number of residents on the property, how would that be amended if a larger family bought the property? Mr. Martin stated that the PELUC would need to be amended.

Chairman McCall asked if anyone would like to make a motion. Ms. Cox asked if she could make one additional comment. Chairman McCall recognized her. Ms. Cox stated the property was not being used as a single family residence and was illegal. Mr. Rowe stated he understood they were discussing the duplex only, and that if they could get past the use of the duplex, then they could concentrate on the use of the house.

Chairman McCall asked if anyone would like to make a motion. Mrs. Quarterman made a motion to approve as presented with two conditions--that the duplex building may not be enlarged or expanded and shall not be occupied by more than two residents each (for four residents total), and the existing vegetative buffer in the rear yard along the northern and eastern property lines shall remain undisturbed. Vice-Chairman Strickland seconded the motion. The motion was called and carried with a vote of 5 to 0.

Agenda Item # 3: Approval of Minutes: December 3, 2019

Chairman McCall asked if any changes needed to be made to the draft minutes. There being none, Chairman McCall called for a motion regarding the December 3, 2019 meeting minutes. Vice-Chairman Strickland made a motion to approve the minutes as presented. Mr. Holt seconded the motion. The motion was called and carried with a vote of 5 to 0.