

**BRANDON DEVELOPMENT REVIEW BOARD HEARING
AUGUST 27, 2014
SETBACK WAIVER
APPLICANT AND LANDOWNER CHRISTIE & CARL WHITTEMORE #5669**

Board members present: Samantha Stone, John Peterson, Eric LaRock, Bob Clark

Others present: Janet Mondlak, Secretary, Jon Andrews, former Interim Zoning Administrator; Carl and Christie Whittemore

The hearing was opened at 7:14 pm.

Carl and Christie Whittemore and Jon Andrews were sworn in.

The warning was read and found to be in order.

Christie Whittemore said they purchased the property in 1995. It was a mobile home. They installed a canvas carport in 1996.

In Dec. 2012, a windstorm damaged the carport. In 2013 a permit was issued for a metal garage to replace the carport. The garage measures 20' x 25'. The carport was 6' from the property line and the new garage was installed in the same place. The Zoning Administrator at the time issued the permit without requiring a variance and considered it "grandfathered."

Christie Whittemore said they do not own the driveway they use to access their property and are negotiating with their neighbors to purchase the property the driveway sits on. That will require a boundary line adjustment.

According to the ordinance, in order to do a boundary line adjustment, the property must conform to regulations in Section 109 of the Brandon Land Use Ordinance. Christie Whittemore described the boundary line adjustment being proposed. The Development Review Board will not be involved in determining the boundary line adjustment.

Jon Andrews, former Interim Zoning Administrator, said in order to do a boundary line adjustment, this setback waiver needs to be approved. He said it is not for him to decide if the garage should have been permitted without a variance, but it was permitted. It would be a burden to move it. The property meets the criteria for setback waiver. There won't be any change to the neighborhood -- the structure is already there.

Christie Whittemore asked the Board questions about the next steps in their process, the timeline, and if this waiver has a deadline for completing the boundary line adjustment. The discussion was not relevant to the setback waiver information.

Being no further testimony, the hearing closed at 7:27 pm.

Respectfully submitted

Janet Mondlak