



Legislation Details (With Text)

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On agenda: 6/23/2021 **Final action:** 6/23/2021

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Title: QUASI-JUDICIAL HEARING: REVIEW OF PLANNING BOARD DECISION OF MAY 11, 2021;
AESTHETIC REVIEW 401 E. CHASE STREET

Sponsors: Jared Moore

Indexes:

Code sections:

Attachments: 1. 5-11-21 LH minutes - Planning Board, 2. PROOF OF PUBLICATION QUASI JUDICIAL HEARING, 3. PLANNING BOARD APPLICATION, 4. PHOTOS PROVIDED BY APPLICANT, 5. OVERHEAD SLIDES PRESENTED BY CITY STAFF

Date	Ver.	Action By	Action	Result
6/23/2021	1	City Council Special Meeting	Approved	Pass

LEGISLATIVE ACTION ITEM

SPONSOR: City Council President Jared Moore

SUBJECT:

QUASI-JUDICIAL HEARING: REVIEW OF PLANNING BOARD DECISION OF MAY 11, 2021;
AESTHETIC REVIEW 401 E. CHASE STREET

RECOMMENDATION:

That City Council conduct a quasi-judicial hearing to review a decision of the Planning Board.

HEARING REQUIRED: Quasi-Judicial

SUMMARY:

Kings Roofing LLC is requesting an aesthetic review to replace a roof at 401 E. Chase Street with “Bronze” colored Gulf Rib Panels. This property is located in the Gateway Redevelopment District and is subject to Sections 12-3-12.

Kings Roofing LLC initially submitted an Abbreviated Aesthetic Review application for a roof replacement on April 1, 2021 which was for “Terra Cotta” colored Gulf Rib Panels. This application was approved by the Planning Board Chair through an abbreviated review process on April 9, 2021. After installation began it was brought to staffs attention that the color of the roof panels being installed weren’t “Terra Cotta” which is what was proposed in their application for an Abbreviated

Aesthetic Review. Since the applicant deviated from the approved Abbreviated Aesthetic Review application a stop work order was issued by the Inspections Department and the applicant was asked to return to the full board for approval of the "Bronze" roof panels.

On May 11, 2021 the Planning Board heard this item (minutes attached). While a motion to deny was properly made and seconded, this motion resulted in a 2-2 vote. No other properly formed motion was made and seconded. Planning Board Procedures state under Section 5 (F) - Quorum, "Four (4) members of the board shall constitute a quorum, and the affirmative vote of majority of the quorum shall be necessary for any action thereof...." The result of the 2-2 vote would appear to be a constructive denial of the request.

PRIOR ACTION:

May 11, 2021 - Planning Board considered this matter

FUNDING:

N/A

FINANCIAL IMPACT:

None

STAFF CONTACT:

Don Kraher, Council Executive

ATTACHMENTS:

- 1) 5-11-21 LH minutes - Planning Board

PRESENTATION: No