



# BOARD OF ADJUSTMENT

## AGENDA

September 28, 2021 8:30 a.m.  
Zoom – Virtual Meeting

**I. Call to Order**

**II. Roll Call**

Jacob Rogers, Chair  
Chad Meadows, Vice-Chair  
Ian Kipp  
Michael Retchless  
Teisha Wymore

Jessica Major, Alternate  
Michael Tarrant, Designated Alternate  
Natalie Beauchaine, Alternate

**III. Adjustments to the Agenda**

**IV. Approval of Minutes from (August 24, 2021)**

Attachment: [DRAFT BOA August Minutes.pdf](#)

**V. Cases**

**B2100040 (continued from August)** – City: A request for a variance from the requirement that retaining walls built to support grade eight feet or higher than the grade at the interior edge of the project boundary buffer shall also be set back 10 feet from the buffer. The subject site is located at 927 Ellis Road, is zoned Light Industrial (IL) and in the Urban Tier. Attachment: [B2100040.pdf](#)

**B2100034** – City: An appeal of an administrative decision. The subject site is located at 2201, 2203, 2205, 2207, and 2209 W. Cornwallis Road, is zoned Commercial General (CG) and Residential Suburban-20 (RS-20), and in the Suburban Tier. Attachment: [B2100034.pdf](#)

**B2100035** – City: An appeal of an administrative decision. The subject site is located at 4818 NC HWY 55, is zoned Commercial Neighborhood (CN), Falls/Jordan Protected Area Watershed Overlay (F/J-B), and in the Suburban Tier. Attachment: [B2100035.pdf](#)

**B2100038** – City: A request for a variance from both side yard setbacks. The subject site is located at 2109 Pershing Street, is zoned Residential Suburban – 8 (RS-8), and in the Urban Tier. Attachment: [B2100038.pdf](#)

**B2100042** – City: A request for a variance from the outer 50' of the 100' riparian buffer. The subject site is located at 2702, 2712, 2717 North Duke Street & 1856 Birmingham Avenue, is zoned PDR 8.0, Falls/Jordan Protected Area Watershed Overlay (F/J-B), and in the Urban Tier. Attachment: [B2100042.pdf](#)

**B2100045** – City: A request for a variance from the project boundary buffer requirements. The subject site is located at 103 Crossland Drive, is zoned Residential Suburban – 20 (RS-20), Falls/Jordan Protected Area Watershed Overlay (F/J-B), and in the Suburban Tier. Attachment: [B2100045.pdf](#)

**B2100046** – City: A request for a variance from the street yard requirements. The subject site is located at 4112 Trevor Circle, is zoned Residential Suburban – 20 (RS-20), Eno River Protected Area Watershed Overlay (F/J-B), and in the Suburban Tier. Attachment: [B2100046.pdf](#)

**VI. Old Business**

**VII. New Business**

**B2000018**

- Motion to Dismiss Appeal
- Motion to Exclude the Appeal Narrative from the Evidence
- Motion to Stay the Site Plan

**VIII. Approval of Orders**

**B2100028**

**B2100033**

**B2100040**

**B2100034**

**B2100035**

**B2100042**

**B2100045**

**B2100046**

**IX. Adjournment**

**Public Review:** The agenda can be viewed on the BOA website <https://durhamnc.gov/1372/Board-of-Adjustment-BOA>. For further information, contact [BOA@DurhamNC.gov](mailto:BOA@DurhamNC.gov), or contact Eliza Monroe at 919-560-4137 ext. 28245.

**How to Access the Virtual Meeting**

- BOA members will receive a special email link to access the virtual meeting.
- Members of the public can speak at the meeting by registering at [https://zoom.us/webinar/register/WN\\_RnJ3HNcySPuGVjVRhvEPsA](https://zoom.us/webinar/register/WN_RnJ3HNcySPuGVjVRhvEPsA) or by calling 1-301-715-8592 (Webinar ID: 959 3007 3354) **by 5 p.m. on September 21, 2021**. Standard calling charges may apply.
- The meeting will also be live streamed on YouTube at <https://www.youtube.com/user/CityofDurhamNC>.

**Cómo acceder a la reunión virtual**

- Los miembros del BOA recibirán un enlace especial por correo electrónico para acceder a la reunión virtual.
- Los miembros del público pueden acceder a la reunión registrándose en [https://zoom.us/webinar/register/WN\\_RnJ3HNcySPuGVjVRhvEPsA](https://zoom.us/webinar/register/WN_RnJ3HNcySPuGVjVRhvEPsA) o llamando al 1-301-715-8592

(ID del seminario web 959 3007 3354) **antes de las 5 p.m. el 21 de septiembre.** Se pueden aplicar cargos de llamadas estándar.

- La reunión también se transmitirá en vivo en YouTube en <https://www.youtube.com/user/CityofDurhamNC>.

**Notice under the Language Access Plan** Persons requiring language assistance to effectively participate in this event may contact the City-County Planning Department at 919-560-4137, or [Sara.Young@durhamnc.gov](mailto:Sara.Young@durhamnc.gov) to request interpretation and/or translation services as soon as possible but no later than 48 hours before the event or deadline date.

#### **Notice under the Americans with Disabilities Act (ADA)**

Persons with disabilities may receive an auxiliary aid or service to effectively participate in city government activities by contacting the ADA Coordinator, voice 919-560-4197, fax 560-4196 or [ADA@durhamnc.gov](mailto:ADA@durhamnc.gov), as soon as possible but no later than 48 hours before the event or deadline date.

#### **Aviso bajo el Plan de Acceso al Idioma**

Personas que requieran asistencia lingüística para participar efectivamente en este evento pueden comunicarse con el Departamento de Planificación de la Ciudad y el Condado al 919-560-4137 o [Sara.Young@durhamnc.gov](mailto:Sara.Young@durhamnc.gov) para solicitar los servicios de interpretación y / o traducción tan pronto como sea posible pero no menos de 48 horas antes del evento o fecha límite.

#### **Aviso bajo la Ley sobre Estadounidenses con Discapacidades (ADA, siglas en Ingles)**

Personas con discapacidades pueden recibir asistencia para participar efectivamente en actividades del gobierno de la ciudad al comuníquense con el Coordinador de ADA al 919-560-4197, fax 560-4196 o [ADA@durhamnc.gov](mailto:ADA@durhamnc.gov), tan pronto como sea posible pero no menos de 48 horas antes del evento o fecha límite.