

# BOARD OF ZONING APPEALS

## MEETING MINUTES

June 26, 2023

7:00 PM

**Members Present:** Buddy Albro, David Atwood, Doug Carpenter, John Coleman,

Elizabeth Mc Cartin

**Members Absent:** N/A

**Also Present:** Benjamin Earp – Resident

Danny and Nancy Waters - Resident

**Applicant Present:** Paul Quinlan

### Call to Order:

David Atwood called the meeting to order at 7:00 PM — a quorum was present.

### Approval of Minutes:

Mr. Atwood presented January 30, 2023, meeting minutes provided by Mr. Coleman and asked if everyone had a chance to read them.

Mr. Albro motioned to approve the minutes of January 30, 2023, 2nd by Mr. Carpenter – no further discussion, motion passed (5-0).

### New Business:

- 1. Paul Quinlan and Corrie Roberston; Property address: 311 South Beaver Dam Ave, Damascus; Washington County Tax Map parcel ID # 172B1-A-118**

The Board presented and reviewed the CUP Application for Mr. Paul Quinlan

Mr. Paul Quinlan was present and available to answer any questions.

Mr. Atwood opened the floor to any comments or concerns from residents in regard to Mr. Quinlan's application for a Conditional Use Permit for the property.

Mr. Benjamin Earp, who lives at 511 Bowen Street in Damascus, requested to address the Board of Zoning Appeals on behalf of himself and his wife. His property is located behind and adjoining the Quinlan's property. Mr. Earp supports vacation rental properties in the town, but he is concerned about the impact of this particular property on his family's safety. This is especially due to the fact that he has another short-term rental property across the street and one on the

side. The back wall of the Quinlan property is only 10 to 15 feet from the side yard. A new deck that was added on during the recent remodeling. Their biggest concern is that they won't have privacy and strangers may invade their space, even though they have a new privacy fence installed. Their new privacy fence was installed due to the possibility of their property becoming a vacation rental.

He respectfully asks that the owners install a privacy blocker on the side of their deck facing his property if the property is approved for vacation rental purposes.

He wants to know if the town can revoke a Conditional Use Permit due to recurring problems at the property.

Mr. Earp wants to maintain a good relationship with the new owners while also ensuring their privacy is respected. (Mr. Earp's full written remarks are attached to these minutes.)

Mr. Albro and Mr. Atwood stated that this is a Conditional Use Permit. If the property becomes a nuisance, the first line of defense is the Police Department. If there is an issue, call them first, and they will inform the town manager and then notify us. The property owner is responsible for these permits and they can be revoked at any time.

Mr. Albro stated that in order for the Board of Zoning Appeals to grant a Conditional Use Permit, they must adhere to the Town Code. The permit has been reviewed and qualified by the Planning Commission. While the BZA cannot require a resident to build a privacy screen, it is something that Mr. Earp can work out together with Mr. Quinlan.

Mr. Atwood invited Mr. Quinlan to discuss his permit application. Mr. Quinlan mentioned that he resides in Cary, NC, and enjoys hiking the Appalachian Trail as well as being a Boy Scout leader. The property will primarily be used for short-term rentals, but Mr. Quinlan and his wife will also use it. They plan to personally screen all short-term renters, while a local property management team, Anya and Hunter Faust, will handle day-to-day operations.

During the Board meeting, Mr. Danny Waters from Clifton Street asked if the Quinlan family intended to permanently reside in Damascus. Mr. Quinlan mentioned that his youngest child was still in elementary school, so it wasn't happening soon. Mr. Waters also inquired if the house could be converted to a restaurant or another commercial use in the future. Mr. Atwood clarified that the Conditional Use Permit was only for the specific purpose stated and could not be used for any other purposes outside of those permitted by the town ordinance.

Mr. Quinlan expressed his willingness to work with Mr. Earp on privacy concerns.

Mrs. McCartin reported that there were no property issues from the Planning Commission.

Mr. Atwood confirmed that the application is complete, there is ample parking, and the fence clearly marks the property lines.

Mr. Carpenter motioned to approve the CUP for; 311 South Beaver Dam Ave. 2nd by Mr. Albro – no further discussion, motion passed (5-0)

## **2. Permanent Meeting Time for Board of Zoning Appeals**

Mr. Atwood requested that the Board discuss and establish a permanent meeting time for the scheduled gatherings of the Board of Zoning Appeals.

Discussion was made and Mr. Atwood motioned to set the permanent meeting time of the Board of Zoning Appeals to 7 PM. 2nd by Mr. Albro –no further discussion, motion passed (5-0).

Mr. Albro noted that his term on the Board of Zoning Appeals will end in July.

**Adjournment:**

With no other items on the agenda, Mr. Coleman made a motion to adjourn at 7:17 PM; 2nd by Mr. Atwood– no further discussion, motion passed (5-0).

---

Chairman

---

Secretary