

**A. Jacob Allenbaugh's appeal of a decision by the Community Development Director that construction of a residence on property at 6390 77<sup>th</sup> Street with a legal nonconforming 500' tall communications tower is not allowed under county regulations (98030058-86943) [Quasi-Judicial]**

Chairperson Mr. Todd Brognano asked the Commissioners to reveal any ex-parte communication with the applicant or any conflict that would not allow them to make an unbiased decision. The members stated that they had not had any ex-parte communication.

The secretary administered the testimonial oath to those present who wished to speak at tonight's meeting on this matter.

Mr. Ryan Sweeney reviewed information regarding the appeal of a decision by the Community Development Director and gave a PowerPoint presentation, copies of which are on file in the Board of County Commissioners (BCC) Office. After detailing the timeline of the case as well as the appeal criteria, he recommended that the PZC find that the staff's determination did not fail any of the three criteria areas outlined in LDR Section 902.07(4), deny the appeal and wholly affirm staff's determination.

Mr. Ryan Sweeney, along Mr. Bill DeBraal, Deputy County Attorney, and Mr. Phillip Matson, Community Development Director, answered questions from the Commissioners regarding zoning district regulations as they relate to the Subject Property.

Applicant Mr. Jacob Allenbaugh clarified the basis for the appeal as well as his reasons for wanting to purchase the Subject Property and build a residence for his family.

**ON MOTION BY Mr. Harry Howle, SECONDED BY Mr. Jordan Stewart, the members voted (3-4) to grant the applicant's appeal on this Quasi-Judicial matter. Mr. Alan Polackwich Sr., Mr. Chip Landers, Chairperson Todd Brognano and Dr. Jonathan Day were the opposing votes and this motion failed.**

**ON MOTION BY Mr. Alan Polackwich Sr., SECONDED BY Mr. Chip Landers, the members voted (5-2) to approve staff recommendations on this Quasi-Judicial matter by denying the appeal based on finding that staff properly met the three appeal**

**criteria areas. Mr. Jordan Stewart and Mr. Harry Howle were the opposing votes and this motion passed.**

**Discussion followed regarding approaches the applicant could utilize to accomplish his mission of building a residence on the subject property.**

### **Commissioner's Matters**

There were none

### **Planning Matters**

Mr. Ryan Sweeney noted that the next scheduled meeting on August 13, 2020 will likely not occur but that meetings would likely begin meeting more regularly in the coming months.

### **Attorney's Matters**

There were none.

### **Adjournment**

There being no further business, the meeting adjourned at 7:54 p.m.