

TOWN OF GEORGETOWN - BOARD OF ADJUSTMENT

Meeting Minutes April 5, 2023

ATTENDANCE

Board Members

**Jane Hovington
Tom Baker
Ron Howard
Mike DiGiacoma
Billy Edwards**

Staff

**Jamie Craddock
Jocelyn Huff
John Paradee, BOA Solicitor**

1. CALL MEETING TO ORDER

Chairperson Hovington called the meeting to order at 5:00 p.m.

2. APPROVAL OF JANUARY 4, 2023 MEETING MINUTES

Member DiGiacoma moved, seconded by Member Howard, to approve the January 4, 2023 regular meeting minutes as presented. **APPROVED (UNANIMOUS)**

3. Public Hearing:

A. Interpretation of Code Section: §230-184 - Duration of Special Exception Approval

Board Solicitor, John Paradee, addressed the Board on the code section and expiration of a decision if the decision is under judicial appeal. In case law, it is universally held that a judicial appeal stays the decision, it is held in obedience until a court decision, and then the clock would start again for the duration of the approval.

Member DiGiacoma moved, seconded by Member Baker, to accept the recommendation of the Board Solicitor; the Board resolves that the one-year time frame of Code Section §230-184 be stayed upon the filing of a judicial appeal until such matter has been resolved.

Roll call vote:

Member DiGiacoma – Yes, as stated.

Member Edwards – Yes, the duration of a special exception should be stayed upon a judicial appeal.

Member Baker – Yes, subject to discussion.

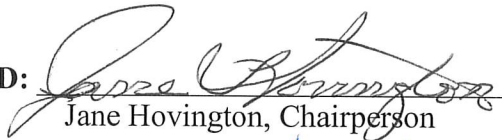
Member Howard – Yes, agree with discussion.

Chairperson Hovington – Yes, until the court decision has been made, nothing can be done.

APPROVED (UNANIMOUS)

4. **ADJOURNMENT**

Member DiGiacoma moved, seconded by Member Edwards, to close the meeting at 5:42 p.m. **APPROVED** (UNANIMOUS)

APPROVED: 
Jane Hovington, Chairperson

ATTEST: 
Jocelyn Huff, Planning Department