



**CITY OF SOUTHPORT  
ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING MINUTES  
113 W. MOORE STREET  
March 25, 2025  
4:30 PM**

**Members Present:** Chair Pete Haislip, Vice Chair Jason Robbins, Steve Doshier, Rodney Ross, Tuck Masker, John Allen, Chris Eckert

**Absent Members:** Harley Lemons

**Staff Present:** Maureen Meehan, Planning Services Director  
Wendell Biddle, City Planner  
Tori Deviney, Deputy City Clerk  
Ray DiGuseppe, Board of Adjustment Attorney

A. Chair Haislip called the meeting to order at 4:00 PM

B. Chair Haislip led everyone in the Pledge of Allegiance

**C. Approval of Agenda**

A Motion was made to move agenda item G.1 to above item E by Mr. Robbins which was seconded by Mr. Allen. ***Unanimous vote, motion carried.***

*Mr. Steve Doshier was brought into the meeting as a voting member.*

**D. Approval of Minutes**

A Motion to approve the January 28, 2025 and February 25, 2025 Board of Adjustment meeting minutes was made by Mr. Allen and seconded by Mr. Masker. ***Unanimous vote, motion carried.***

1. January 28, 2025 Board of Adjustment Meeting Minutes

2. February 25, 2025 Board of Adjustment Meeting Minutes

**E. Explanation of Quasi-Judicial Process**

Chair Haislip provided an overview of the quasi-judicial process for the public.

## F. New Business

### 1. **Special Use Permit - 218 W St George St - [ Wendell Biddle ]**

City Planner Wendell Biddle presented the application for Special Use Permit SUP-25-01, submitted by Mr. Kelly Byerley, who is both the applicant and property owner. The request is for the development of an accessory dwelling unit (ADU) to be located at 218 West St. George Street, approximately 3,000 feet south of City Hall at the corner of West St. George Street and North Caswell Avenue.

Mr. Biddle explained that the ADU would be positioned to the rear of the lot, while the principal single-family residence would face West St. George Street. The lot is currently undeveloped and is zoned Residential (R-10), surrounded by similarly zoned single-family residential parcels. He noted the site area is approximately 0.25 acres and clarified that the proposal requires a Special Use Permit under the City's Unified Development Ordinance (UDO) per Table 3.1 and associated specific use standards.

Mr. Biddle confirmed that the proposed ADU is indicated in green on the site plan and would be situated next to a pool, which is not part of this review. The single-family home would be to the left of the ADU.

Mr. Robbins asked whether the lot was currently vacant. Mr. Allen clarified that an ADU could be applied for prior to construction of the principal structure, provided it is contingent upon the structure being built. Mr. Biddle added that the applicants were completing their due diligence to avoid delays in construction.

Mr. Robbins inquired further about neighboring properties visible in the aerial photo. Mr. Biddle confirmed that the structure seen beyond the lot is a neighboring residence and the rear of a nearby church.

Mr. Biddle reviewed the layout of the property, confirming that the ADU will meet all required setbacks—20 feet from the front, 10 feet from the rear, and 5 feet from the side. Mr. Masker brought up a question about the location of a driveway determining the address of the property. Mr. Biddle stated that the principal residence would face West St. George Street, and although the driveway cut is on North Caswell Avenue, it does not determine the address.

Mr. Biddle then reviewed all 8 specific standards in the UDO regarding ADUs, noting that the application complies fully with each. The ADU will be a detached structure located above a garage, not exceed 800 square feet (measuring 481 sq ft), share the same ownership and driveway as the main residence, and meet all parking, footprint, and setback requirements. The proposed garage is under the 530 sq ft threshold and is located behind the principal structure as required.

Planning staff found the application complete and compliant with all relevant standards. Mr. Biddle concluded his remarks and noted the applicant was present and available for questions.

Mr. Masker raised concerns about a large tree on the lot, specifically its potential impact and protection under the UDO's tree preservation standards. Mr. Biddle confirmed that while the ADU would not affect the tree, the principal residence likely would. He noted that

the UDO includes allowances for the removal of trees when necessary to permit construction, though mitigation would be required if feasible. Chair Haislip and Mr. Masker discussed the applicability of the drip line for determining tree protection zones under the UDO. Mr. Biddle affirmed that protection applies from the drip line inward.

Mr. Kelly Byerley, the homeowner and applicant, was sworn in.

Mr. Byerley confirmed that he and his wife are actively working to preserve the trees. He identified himself as a retired certified arborist and stated that they are building around the trees as carefully as possible. Mr. Masker asked where the driveway would go if the ADU were not approved. Mr. Byerley confirmed that it would remain in the same location regardless.

With no additional questions or speakers in support or opposition, Chair Haislip closed the public hearing and moved to the findings and motions required for Special Use Permit consideration.

**MOTION 1:**

**Mr. Robbins motioned** that the use will not materially endanger the public health, safety, or general welfare if located where proposed and developed according to the plan as submitted and approved. He noted that there had been no objections raised, and the application meets all requirements.

**Motion was seconded by Mr. Eckert.** The motion was put to a vote and with all in favor, it passed unanimously.

**MOTION 2:**

**Mr. Allen motioned** that the use meets all required conditions and specifications, citing that it meets all eight UDO standards.

**Motion was seconded by Mr. Eckert.** The motion was put to a vote and with all in favor, it passed unanimously.

**MOTION 3:**

**Mr. Allen motioned** that the use will not adversely affect the use or physical attributes of adjoining or abutting property, or that the use is a public necessity. He cited compliance with all setback requirements.

**Motion was seconded by Mr. Ross.** The motion was put to a vote and with all in favor, it passed unanimously.

**MOTION 4:**

**Mr. Robbins motioned** that the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the City of Southport Comprehensive Plan. He provided a finding of fact that the application meets all applicable design standards and no objections had been raised.

**Motion was seconded by Mr. Ross.** The motion was put to a vote and with all in favor, it passed unanimously.

**MOTION FIVE:**

**Mr. Allen motioned** to approve the Special Use Permit application with the condition that the ADU must be constructed in conjunction with the principal structure. Discussion

followed regarding whether additional conditions could be added limiting the ADU from being used as a rental or short-term rental.

Mr. DiGuiseppe advised that the Board could condition the permit on compliance with all applicable code requirements, and not specifically require concurrent construction as a restriction, although it was noted the applicant had already submitted permit applications for both structures and intended to build simultaneously.

**Deputy Clerk Deviney restated the proposed condition:** that the ADU must be constructed in compliance with all applicable code requirements, and that it may not be rented separately from the main structure. After further discussion, the Board acknowledged prior practice and affirmed the condition.

**Motion was seconded by Mr. Robbins.** The motion was put to a vote and with all in favor, it passed unanimously.

Chair Haislip informed the applicant that a formal letter of approval would be issued within a few weeks.

2. **Variance - Home2 Suites Hotel - [ Wendell Biddle ]**

City Planner Wendell Biddle introduced the variance request submitted by Mr. Lowell Larson on behalf of Meridian Southport Series III, LLC. The applicant is seeking to develop a Homes2 Suites hotel on Eason Street, a secondary roadway zoned Highway Commercial (HC). The subject parcels, identified as 2210000207 and 2210000208, are located at the roundabout on Eason Street within the Dutchman Village development, approximately 1.6 miles north of City Hall. The combined lot size is approximately 2.5 acres.

Mr. Biddle presented an aerial view of the parcels, showing their proximity to Rivermist to the north and Highway 211 to the south. A preliminary site plan was also presented, depicting a 103-room hotel with a proposed maximum height of 50 feet, 6 inches. Mr. Biddle noted that although the lots comply with certain standards—such as minimum lot size and distance from residential zoning—three issues necessitate variances: (1) lack of direct ingress/egress on a major thoroughfare, (2) insufficient frontage on a major thoroughfare, and (3) exceeding the 40-foot maximum building height permitted in the Highway Commercial (HC) district.

He emphasized that while Eason Street is classified as a secondary roadway, it functions as a commercial corridor designed to accommodate commercial uses. The applicant believes that this commercial context helps meet the intent of the ordinance. Mr. Biddle also noted that Fire Chief Drew had confirmed the increased building height would not impede the Fire Department's ability to serve the site, and a copy of the chief's email was included in the meeting packet.

Mr. Biddle further explained that if the variance is granted, the project would still be subject to a formal Technical Review Committee (TRC) process before proceeding to Major Site Plan Review by the Planning Board.

Mr. Tuck Masker asked whether the applicant needed to recombine the lots. Mr. Biddle responded that recombination was not required, as both lots independently meet the minimum size requirement, though he would encourage recombination during the TRC

review. Mr. Jason Robbins inquired whether the hotel building would straddle the property line. Mr. Biddle stated that the structure would mostly sit on one parcel but acknowledged that a small portion might extend over the line, particularly the parking area.

When Chair Haislip asked whether this was a concern, Mr. Biddle explained that he intended to discuss it further with the applicant during the TRC process. At Mr. Robbins' request, Mr. Biddle clarified that TRC stands for Technical Review Committee—a group of department representatives (e.g., Planning, Fire, Stormwater, Environmental Health) who collectively review site plans for ordinance compliance. Addressing the three variances requested, Mr. Biddle explained each in detail:

1. **Ingress/Egress on a Major Thoroughfare:** The subject site currently accesses Eason Street, which connects to J. Swain Boulevard—a designated major thoroughfare under the Brunswick County Comprehensive Transportation Plan. However, the site does not directly access J. Swain, which constitutes a variance need.
2. **Frontage on a Major Thoroughfare:** The parcels do not have the required 200 feet of frontage on a major thoroughfare, as they front only Eason Street.
3. **Building Height:** The proposed structure exceeds the 40-foot height limit by 10 feet, six inches, reaching a total height of 50 feet, six inches to accommodate an elevator penthouse.

Mr. Robbins questioned the intent behind requiring proximity and frontage on major thoroughfares. Mr. Biddle explained that such provisions are intended to minimize traffic congestion on minor roads and promote safe and efficient site access. He also noted that Eason Street is currently developed exclusively with commercial uses.

Mr. Robbins sought a comparison between the proposed hotel and the existing Fairfield Inn nearby but Mr. Biddle did not have those figures available. Mr. Robbins and Director Meehan discussed a nearby planned office building on the corner of Eason and J. Swain, which was initially proposed at 40 feet but will now be closer to 35 feet in height.

Mr. DiGuseppe raised a question about subsection 5(b) of the UDO's use standards, which addresses proportional setback increases with building height. Mr. Biddle stated that this provision was not applicable to the current proposal, as the building setback would still allow for sufficient buffering.

Mr. Biddle clarified that projects over 10,000 square feet are subject to Major Site Plan Review by the Planning Board. However, variances must first be granted before a complete application can be submitted to the Planning Board. Mr. Robbins questioned the process due to past complications when a variance was granted without prior Planning Board involvement, prompting public criticism of the Board of Adjustment. Mr. Biddle emphasized that staff are working to avoid repeating that situation by ensuring a more complete application before submitting to the Planning Board.

Chair Haislip expressed concern that Planning Board members had not attended the hearing despite their previous objections and the subsequent media attention. Mr. Robbins and Mr. DiGuseppe shared similar concerns and discussed the “chicken or egg” dilemma between variance approval and Planning Board review. Mr. DiGuseppe

explained that under the current Unified Development Ordinance (UDO), the Planning Board lacks quasi-judicial authority to overturn or contradict decisions made by the Board of Adjustment, which has sole jurisdiction over variance approvals. He suggested that potential future UDO amendments could allow the Planning Board to play a more substantial role earlier in the process, but such changes had not yet been made.

Director Meehan was sworn in.

Director Meehan addressed the board and reminded them that it is the applicant's responsibility to demonstrate how the proposal does or does not meet the required findings for a variance and that staff's role is to provide factual information rather than determine compliance with the intent of the ordinance.

Mr. Robbins noted that it would be helpful for the Board to receive information comparing the requested relief against the bulk requirements outlined in the UDO. Mr. Masker requested to see site plans and elevations showing where the proposal is deficient. Mr. Biddle showed the site plan and pointed to the areas lacking frontage on a major thoroughfare and the building height exceeding the permitted limit. He confirmed that the structure would be approximately 200 feet from J. Swain Boulevard but reiterated that neither the ingress/egress nor the frontage standards were met. He explained that the elevator penthouse and roof features would exceed the height limit of 40 feet by 10 feet, six inches.

The Chair recognized the applicants and invited them to speak on the request.

**Lowell Larson**- 819 Pinedale Rd Fort Walton Beach, FL 32547 - Applicant

**Mel Miller**- 819 Pinedale Rd Fort Walton Beach, FL 32547 - Architech

**Patrick Jehle**- McKim and Creed, 1301 N Palafox St Suite 200, Pensacola FL 32501 - Civil Engineer

Mr. Lowell Larson, applicant, explained his extensive background in residential and hotel development and shared his company's goal of constructing high-quality, long-term hotel investments across the Southeast. He described Southport as a community with a character reminiscent of Bar Harbor, Maine, and expressed his belief that the subject site was ideally suited for a hotel due to its commercial surroundings and quiet cul-de-sac location. He confirmed that the proposed Homes2 Suites by Hilton would feature concrete construction and high-quality design, consistent with brand standards and resilient enough to serve as an emergency shelter if needed.

Mr. Larson introduced Ms. Mel Miller, the project's architect, and Mr. Patrick Jehle of McKim & Creed, the civil engineer, who were also present to assist in addressing the variance criteria.

Ms. Miller provided a visual walkthrough of the project, including renderings of a typical Homes2 Suites property, elevations, and contextual overlays showing the hotel's relationship to nearby commercial and residential areas. She emphasized that the hotel would include large, multi-use meeting rooms to encourage community use for events such as baby showers, retirements, and weddings. Ms. Miller explained that the rooftop penthouse was strictly for elevator equipment and mechanical screening, and that the structure was set well back from residential areas. She also confirmed that the hotel's

appearance was modern and sleek, and efforts were made to blend it with the surrounding landscape.

Mr. Larson clarified that the only structure approaching the property line was the pool deck and not the hotel itself. He also confirmed that the hotel had received required approvals from the Dutchman Village Homeowners Association (HOA) and the seller, as stipulated in the purchase contract. When Chair Haislip asked which HOA this was, Director Meehan clarified that it was the commercial HOA for Dutchman Village, not any residential association.

Mr. Robbins asked if the land sale was finalized. Mr. Larson explained that the purchaser remained contingent on receiving approvals for the hotel use.

Ms. Miller elaborated on the building elevations, noting that the main parapet wall would be at 41 feet and that all rooftop equipment, including the elevator penthouse, would be set back and screened to limit visual impact. She indicated the elevator bulkhead may come down once actual specifications are provided but had been illustrated at maximum height to account for worst-case conditions.

Mr. Jehle then led the discussion of how the variance request met the four required hardship criteria:

1. **Unnecessary Hardship from Strict Application of the Ordinance:** Mr. Jehle argued that without relief from frontage and access requirements, the applicant could not construct a hotel on the site despite it being a permitted use in the HC zoning district. The hardship, he stated, was regulatory rather than physical, as Eason Street—though functionally suitable for commercial use—was not designated a “major thoroughfare.” As a result, the ordinance imposed an undue restriction relative to similarly zoned parcels with direct Highway 211 frontage.
2. **Hardship Due to Conditions Peculiar to the Property:** The site is located within Dutchman Village, a commercial subdivision established prior to the current UDO. While surrounded by other HC-zoned parcels, the property lacks direct access to a designated major thoroughfare. Mr. Jehle emphasized this disconnect between zoning and thoroughfare classification, noting the hardship is not common to all HC parcels in the area.
3. **Hardship Not Self-Created:** Mr. Jehle and Ms. Miller clarified that the site’s configuration, road designations, and development conditions were all inherited and not created by the applicant. Mr. Larson is seeking to develop a use consistent with the existing zoning and is not requesting a rezoning or speculative relief.
4. **Consistency with Spirit, Purpose, and Intent of the Ordinance:** Mr. Jehle stated that the project aligns with the intent of the HC district, which is to serve transient users. The hotel would promote commercial activity, provide adequate buffering and access, and undergo a complete technical review to ensure compliance with safety, stormwater, and infrastructure standards.

Mr. Robbins raised concerns regarding traffic impacts, particularly since the hotel would share ingress and egress with Rivermist, a nearby subdivision. He emphasized that safety concerns relating to traffic should be addressed at the variance stage, as findings made here could not be revisited later. Mr. DiGuiseppe agreed, cautioning that deferring

discussion of traffic impacts to later phases—such as Planning Board review—would create the same procedural conflict encountered in a prior case. He noted that, legally, the Board must base its quasi-judicial findings on evidence presented during the variance hearing.

Director Meehan informed the Board that staff had reached out to NCDOT, sending the site plan to Division Engineer Ben Hughes. He responded with no comments or objections regarding access or anticipated use.

Mr. Larson responded to traffic concerns, stating that hotel traffic would be light and mostly confined to afternoon and early evening check-ins and morning check-outs. He described the site as having good visibility and easy access via four-lane roads leading to Highway 211. Director Meehan further explained that if the project generates more than 500 daily trips, a formal Traffic Impact Analysis (TIA) will be required and reviewed by both the City and NCDOT prior to Planning Board consideration.

The Board then heard public comment from Shelle Facchina, a resident of RiverMist, who expressed concern over traffic and access limitations. She described J. Swain Boulevard as a dead-end street and emphasized that there is only one way in and out of her neighborhood. She raised safety concerns about increasing traffic in this area and expressed skepticism about whether adequate parking and access were feasible for a 103-room hotel. Chair Haislip reminded Ms. Facchina that comments should relate to facts pertinent to the case, but acknowledged her concerns as a resident.

Mr. DiGuiseppe advised that if the Board wished to approve the variance, it could include conditions to ensure that (1) the variances apply only to the hotel project as proposed, and (2) that the required TIA be completed and accepted before the project moves forward. This would make the Board's findings contingent upon subsequent demonstration of safety compliance.

Mr. Robbins suggested limiting the variance specifically to the proposed hotel project, expressing concern about issuing variances that would remain in effect regardless of changes to the development. Mr. DiGuiseppe agreed, recommending language that would tie the variance to the specific use and approved site plan, while still allowing the variance to remain valid if the property were sold to a different owner who pursued the same project.

Ms. Miller explained that although the total height was proposed at 50 feet, the elevator bulkhead and screening structures were exempt per Section 3.9(C) of the UDO, which allows for architectural features and mechanical screening to exceed height limits by five feet. Director Meehan confirmed that the policy disallows elevator cars from exceeding height limits, but mechanical rooms and screening structures are permissible.

As the meeting neared its conclusion, Mr. DiGuiseppe advised the Board that they could simplify the decision-making process by grouping the two road-related variances (major thoroughfare frontage and access) into one set of motions and treating the height variance separately. He reiterated that while the variances were interrelated, individual findings of fact and conditions should still be clearly articulated in the record.

Mr. Masker expressed comfort with the project's location and setbacks from the major

thoroughfare. He noted that Fire and Police had reviewed the site and raised no objections. He was particularly reassured that Fire Department officials had no concerns about fire truck access via the cul-de-sac. Mr. Masker and Mr. Robbins emphasized that traffic concerns should be defined through Level of Service (LOS) analysis and addressed in the required TIA.

Chair Haislip confirmed that the public hearing was now closed.

### **Motion 1 – Unnecessary Hardship**

**Motion by:** Mr. Robbins

**Second by:** Mr. Masker

**Vote:** Unanimous, all ayes. Motion Carried.

1. “I move unnecessary hardship **would** result from a strict application of the ordinance addressing the variance first variance request for UDO Section 3.8(R) Subsection (2) in regards to ingress and egress.  
**Finding of fact** that the applicant has demonstrated that ingress and egress appear to be adequate subject further review by the Technical Review Committee and the Planning Board and satisfying their requirements.”
2. “I move that unnecessary hardship **would** result from a strict application of the ordinance, specifically 3.8(R) Subsection (3), as regards to the component of the variance request regarding the 200 feet of frontage requirement.  
**Finding of fact** that the applicant has demonstrated that ingress and egress appear to be adequate subject further review by the Technical Review Committee and the Planning Board and satisfying their requirements.”
3. “I move that unnecessary hardship **would** result from a strict application of the ordinance, specifically UDO Section 3.8(R) Subsection (5), as regards the height proposed in the project, defining the fact that the applicant has articulated that the and staff is — city staff have concurred — that the excessive height above the UDO required limit is in line with the exceptions provided, typically. And the Fire Chief has concurred that the Southport Fire Chief can provide adequate fire protection.  
**Finding of fact** that the applicant has demonstrated that ingress and egress appear to be adequate subject further review by the Technical Review Committee and the Planning Board and satisfying their requirements.”

### **Motion 2 – Hardship Due to Peculiar Conditions**

**Motion by:** Mr. Robbins

**Second by:** Mr. Allen

**Vote:** Unanimous, all ayes. Motion Carried.

1. “I move that the hardship results from conditions that are peculiar to the property, such as location, size or topography, and that we grant variance to set the UDO Section 3.8(R) Subsection (2), as regards to ingress and egress, with the finding of fact that this lot was is platted prior to the current version of the UDO and has always been designated Highway Commercial (HC), and that the use conforms with the spirit of that.”
2. “I move that the hardship results from conditions that are peculiar to the property in regard to the 200 feet of frontage variance requested under UDO Section 3.8(R) Subsection (3), same finding of fact.”
3. “I move that the hardship results from conditions that are peculiar to the property, and that we approve variances Section 3.8(R) Subsection (5) as addresses the

height limitations, same finding of fact.”

### **Motion 3 – Not Self-Created Hardship**

**Motion by:** Mr. Robbins

**Second by:** Mr. Allen

**Vote:** Unanimous, all ayes. Motion Carried.

1. “I move that the hardship did not result from actions taken by the applicant or property owner, and that this is not a self-created hardship, and that we should grant variance to UDO Section 3.8(R) Subsection (2), that is, addresses the ingress/egress. This is an approved plat with commercial intent — would be the finding of fact — and that in light of the unique circumstances and conditions of the lot this makes sense.”
2. “The hardship does not result from actions taken by the applicant or property owner and are not self-created — the hardship — as regards to the variance requested to UDO Section 3.8(R) Subsection (3), specifically, the 200 feet of frontage requirement on the main road, with finding of fact that the applicant, with factual reinforcement from the City’s presentation, demonstrated that the effective location satisfy the spirit of the requirement.”
3. “I move that the hardship did not result from actions taken by the applicant or property owner, and that it is not a self-created hardship to the — and the agreement — grant of the variance requested under 3.8(R) Subsection (5), specifically the height limitations. With the same finding of fact.”

### **Motion 4 – Consistency with Spirit, Purpose, and Intent of Ordinance**

**Motion by:** Mr. Robbins

**Second by:** Mr. Ross

**Vote:** Unanimous, all ayes. Motion Carried.

“I move that the requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice achieved.

**The finding of fact** that the presentations and representations submitted to the board today do appear to meet that requirement. And note that with the Board noting that the further review will be occurring on many of those areas. And this would apply to the variances requested under UDO Section 3.8(R) Subsections (2), (3), and (5).”

When asked by Mr. DiGuseppe whether the motion applied to all three variance requests, Mr. Robbins confirmed that it did. He specified that the motion applies collectively to the variances requested under **UDO Section 3.8(R), Subsections (2), (3), and (5)**, which address primary access, frontage, and height.

### **Motion 5 – Approval of the Variance Application with Conditions**

**Motion by:** Mr. Robbins

**Second by:** Mr. Allen

**Vote:** Unanimous, all ayes. Motion Carried.

“I move that we approve the variance application with the following conditions:

1. That the variance be predicated on the satisfactory completion of the Technical Review Committee (TRC) review, particularly as concerns traffic and safety, but not

2. The variance shall be expressly tied to the use as presented — as a major site plan specifically for the purpose of hotel/motel/inn and presented in the specifications and plans.”

## G. Other Business

### 1. Adopting the Written Order for 406 Brunswick St - Floodplain Appeal

Mr. DiGuiseppe provided background regarding the preparation of the order related to the Board’s prior decision. He stated that he and Mr. Herman, the City’s attorney for the Board of Aldermen, had worked extensively with the applicant’s attorney, Mr. Coggins, and his colleague, Jamie Fisher, to create an order that memorialized the Board’s findings in a clear and legally sound manner. He noted that while the Board could have finalized the order during the meeting without a draft, a proposed version had been circulated in advance to streamline the process.

Mr. DiGuiseppe clarified that the version of the order initially included in the public agenda packet was not the final version. Additional revisions, as suggested by Mr. Herman, were made and shared with all parties. These revisions primarily involved the addition of four introductory paragraphs that provided statutory context and background—specifically addressing the “Substantially Improved Rule” (S.I.R.) as the central issue adjudicated by the Board. The remainder of the document remained consistent with what had been previously circulated and discussed.

He emphasized that the revised order was not materially different in substance from what the Board had already decided. The added content simply offered legal background to better frame the Board’s prior findings. Mr. DiGuiseppe explained that the Board could approve the version as presented, or suggest non-substantive changes, such as edits to terminology or preferred wording, which could be noted by interlineation and reflected in the final signed copy.

Mr. Robbins asked for clarification regarding the nature of the Board’s action—whether it was simply to approve the order as written and authorize the Chair to sign it. Mr. DiGuiseppe confirmed that was correct, and that the document served as a formal memorialization of what had already been decided.

Chair Haislip noted that, although he could have signed the order administratively, he preferred to bring it before the full Board for transparency and inclusivity. He expressed that the document accurately reflected the Board’s discussions and final decision from the previous meeting. He then opened the floor for questions or comments.

Mr. Masker asked for confirmation that cost details and supporting documentation from the record were still preserved and did not need to be included directly in the order. Mr. DiGuiseppe confirmed that all such materials remained part of the record and were adequately referenced by the language in the order’s preamble.

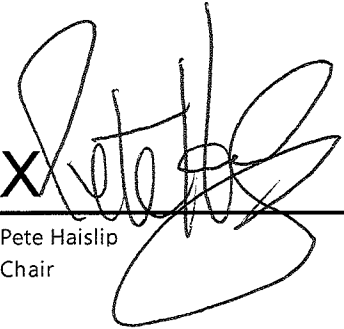
Upon hearing no further questions or comments, Chair Haislip called for a motion. **A motion to approve the finalized order and authorize the Chair to sign was made by**

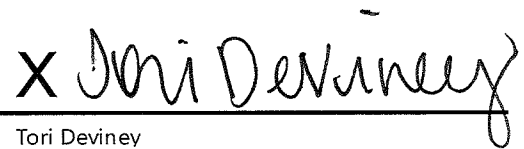
Mr. Eckert and seconded by Mr. Robbins. The motion passed unanimously.

**H. Adjourn**

A motion to adjourn was made by Mr. Allen and seconded by Mr. Robbins.

The meeting adjourned at 6:50 p.m.

X   
Pete Haislip  
Chair

X   
Tori Deviney  
Deputy City Clerk

