



Based on the applicant's submittal, the applicant states "There are covenants the neighborhood HOA requires the proposed homes meet."

In closing, Mr. Lovell stated that pursuant to the article stated earlier, that the Board can not hear this case and requested the Board to rule this case out of order.

Dave Merrill, Kerley Family Homes representative, came forward and stated that these lots were purchased with the intention to build homes but that the decks encroach into the stream buffer.

Board Member Clayton made a motion to rule the request out of order. Board Member Cooley seconded the motion. Motion carried unanimously. Vote: 5-0

## **OTHER**

### **3. Attendance Policy Text Amendment**

Randy Mannino, Planning and Development Director, stated that all boards and commissions were implementing an attendance policy provision and that this will also go before the Planning Commission on January 10, 2023, before going before the City Council for a first reading on January 15, 2023, and a second reading on February 2, 2023.

With no other business to discuss, Board Member Clayton made a motion to adjourn at 6:01P.M.

January 12, 2023  
Date Approved \_\_\_\_\_

/s/ \_\_\_\_\_  
Chair