

Executive Session (For Legal Matters)

11-11-03 @ 6:40

yes, ~~no~~ 8/24/09

B.T. Make sure that all are on same page.  
May be in for set-up, w/ exhibits sent in, on Child  
Care.  
Judge Albright recently sat on Oak Ridge + looked  
closely @ facts + presentations.

Must look @ presentation from opponents + proponents.

They must back everything up w/ facts.

They are trying to meet ordinance:

One element: Reason they are here because they do not  
have a special use permit to be operating. Therefore  
they are non-conforming.

P.D. will say it is allowed in an AG Zone.

Compatibility: They don't have a SU permit (+ something  
considerably larger, than they have.

Comments about Good business is irrelevant.

MB: That they may not be operating illegally have anything  
to do with character?

BT: no not relevant,

CC: They are grandfathered.

BP: They are a legal non-conforming rather than an  
illegal non-conforming.

(BT) Ordinance will not allow enlargement of non-conforming  
use.

(MB) Can work in opposite.

(BP) All must be met to appr. But only one can deny

(BT) Make sure you give reason by saying because  
The facts say this.

Not trying to tell you to find; just want you to know  
~~what~~ how to prepare for decision.

(BP) Haven't been clear on Special Use Permit.

(BT) Have hearing & then request some time to think or  
look @ site

(MB) Can't talk to anyone about this case if it's continued.

(BT) Been too slow in acquainting w/ special use requirements.  
Must include findings in support of decisions.  
~~Can't~~ Appeal is possible.

(BP) If you can't meet all of them, then deny.

(BT) Discussed Findings of Fact. must meet certain requirements  
to operate a Day Care.

(CC) Have no complaints about Day Care

Mtg 6:55