

BZA April 2024
April 3rd, 2024

Board Members Present Were: Al Hayes, Shaun Roberts, Doug Jefcoat Tomeika Farley, Kathleen Mullins.

City Personnel Present Were: Isaac Todd, Eric Gansauer Philip Smith sitting in for Fred Cobb.

Meeting Called to Order: 2:00pm

First order of business to approve minutes from March 6th hearing. Doug Jefcoat made a motion to approve the minutes. Seconded by Shaun Roberts. All vote in favor, minutes approved.

BZA-02-24-000246, BZA-02-24-000248

7020 Spring Walk Dr, 7015 Spring Walk Dr.

Dale Smith Present for Ray M Wright, Inc. Smith begins to explain the variance of changing the setbacks from 30' to 10' and from 30' to 27' respectfully. He states there is nothing behind the lot. The addresses are at the end of a cul-de-sac. Both lots are hit hard by their position. They are also the last two lots in the subdivision. Doug Jefcoat inquires if they have different floorplans. Smith replies they are, one of them is a specific floor plan who wants a single-story building. Al calls for opposition.

CASE DECISION: Jefcoat motions to approve both based on them being cul-de-sac lots being challenging, and they have unique footprints. Kathleen Mullins seconds. All vote to approve.

BZA-03-24-000497

810 1st Ave.

Brain Harris present for Mcbride & Maxey, Inc. Harris expresses the lot is being transferred and needs a replat. Al asks for clarification on location. Harris states most are substandard lots for historic rules. This variance is needed for the replat. It's private owners and there is no room to expand to 40'. Jefcoat asks for clarity which lot is being cut and the new shape. He also asks if the neighbors are okay with it. Harris shows new shape and replies yes, the neighbors are okay with it. Shaun Roberts inquires if it just one. Harris replies yes. Al calls for opposition.

CASE DECISION: Roberts motions to approve for lot width is not changing. Jefcoat seconds. All vote to approve.

BZA-03-24-000499

2005 18th Ave.

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Heith Harden present for Frame One Construction Co. Harden explains they want to re-build a deck that had existed. The deck was torn down. However, they want to move the new deck two feet. Jefcoat explains that it is a variance request and not a zoning issue. Heith replies that he knows and that the neighbors also do not mind. Roberts asks if it is the same footprint as the old deck. Harden replies yes. Al calls for opposition.

CASE DECISION: Roberts motions to approve based on same footprint. Mullins seconds. All vote to approve.

BZA-03-24-000509

7401 Jenkins Rd

David Vega is present as the owner. Vega states he is requesting for an outbuilding to be placed in the front yard, the structure has already been placed there. He states Action Buildings pulled a permit for the structure, sold it to him and placed it there without him realizing he needed a variance for its location. Al inquires about the lot size. Vega states he has been there for ten years. Philip Smith says Action Building pulled the permit even after they put the outbuilding up. Vega said he had no idea the location needed a variance until an inspector showed up to final the permit. Mullins and Smith both clarify that he was unaware a variance was needed and that Action Buildings placed it there. Al calls for opposition.

CASE DECISION: Mullins motions to approve based off Action Buildings actions, and no opposition. Jefcoat seconds. All vote to approve.

BZA-03-24-000511

618 1st Ave.

Cathy Williams is present for Cathy Williams, Builder. Williams states she is building a new home and that BHAR has already approved the setbacks, she just needs the BZA's approval to move forward. Jefcoat inquires that they did approve the setback change from 20' to 10'. Williams informs Jefcoat of the process for approval. Williams continues by stating that the UDO is unclear on who the ruling authority is for these cases, the BZA or BBHAR. She said she is familiar with these situations due to her time served on the BHAR. Deliberation on the ruling authority ensues between Williams and the board. Al calls for opposition.

CASE DECISION: Jefcoat motions to approve. Kathleen Seconds. All vote to approve.

BZA-03-24-000538

7556 Old Moon Rd.

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Ray Smith, Todd Shuster, and Carson Lloyd present for Calvary Church. Shuster explains on the first page describes the plan. The batting cage in relation to the field is on page two. Shuster continues saying the scheduled construction will take 45 days to complete. Arial photos are presented of the batting cages for other schools. He states that most would violate the location of accessory structure UDO rulings. Additionally, he is paying and his contractor ensures they will look good. Ray Smith states the hardship will be if not approved the softball team would have to cross a road to access the other location. AI calls for opposition.

CASE DECISION: Mullins motions to approve on the grounds to eliminate safety issues with crossings roads and to match the other schools. Jefcoat seconds. All vote to approve.

Cathy Williams speaks again before adjourning. She would like clarification on the ruling authority for the historic district. BHAR or BZA. Roberts replies saying BZA overrules BHAR.

Meeting adjourned at 2:32 P.M.