

Board of Zoning Appeals July 1 2020 2pm

Present Were: Al Hayes, Terry Fields, Tomeika Farley, Ty Harrison
Absent: Charles Smith (Excused)

City Staff Present Were: Fred Cobb, Charlotte Davis, Eric Gansauer, Glenn Davis, Pam Hodge,
Donna Newman

Meeting called to order 2pm

Approval of the June 2020 Minutes

Minutes Approved

BZA-05-20-001815

6910 River Rd

Anthony Slaughter from Moon, Meeks, Mason, & Vinson was present to request a variance to reduce the required TDUs in the River Road overlay district from 20 feet to 10 for the new VA Clinic. The planning for this site is heavily landscaped and it will be difficult to put the overlay requirement in there per Gansauer. Gansauer is in support of the variance request. The requirement is 10 TDUs (tree density unit) per acre and in the overlay, the requirement is double. There are some sparse trees and there are some fence encroachments time work around. Hayes asked about the boundaries of the property. Cobb asked about the retaining wall, which will be about 14 feet off the property lines. The road is elevated. Glenn Davis was present to represent the neighbors. He is an advocate and supporter of the overlay. His concern is for the citizens who may be impacted by this development. Cobb was present to explain board can only vote on the appeal, but they don't have the authority to modify the request. The ROW extends to the property line, according to Gansauer. Hayes mentioned that there is concern about traffic and he is disinclined to be in favor of an exception to the overlay when there are several citizens in opposition of the commercial development. Cobb mentioned that it is up to the appellant to ask for tabling. Slaughter declined to volunteer to table the request. Councilor Davis is asking for a middle ground between the developer and the citizens. Fields asked Gansauer how this project is going to impact nearby projects and Gansauer opined that it will make the area look better. Fields asked for the hardship. Slaughter mentioned that there is no extra place to put trees. David Johnson was present and he lives less than a mile from this project. This project is worth about 60 million dollars. He cannot understand why reducing the tree count is being considered.

Case Decision

Farley made a motion to deny based on the opposition of the homeowners.
Seconded. Motion carries as DENIED.

BZA-06-20-001957

33 Mason Dr

Cleopatra Vaughn was present. The property is a personal care home, and they are licensed for 6 residents. They have been in business to 2013. The purpose was to enclose the carport. The structure was built by Lonnie Taylor, a general contractor, who subcontracted out the work. Vaughn asked her neighbor if the neighbor had any opposition to enclosing the carport. There was an aluminum canopy that was removed, but the slab is intact. The intention is for the

addition to be heated and cooled. The walls and the roof structure have been built without a permit. It's basically framing and exterior. The appellant never built over what was already over the concrete slab. Tyson Mullins was present on behalf of Vaughn. Mullins worked with Chuck LaPlace to draw up site plans. There was a discrepancy of 4 feet versus 4 inches. Tyson claimed that there is 4.5 feet, or 4 feet and 2 inches. There was video evidence that the clearance is 4 feet 2 inches. Andrew Griffin of 35 Mason Dr was present. He had no problem with the addition. He claims it was at least 4 feet. Harrison asked if there is any runoff and there is a drain, according to Mullins. No Opposition.

Case Decision

Farley made a motion to approve based on no opposition from the neighbors and Fields Seconded. Motion carries as APPROVED.

BZA-06-20-001960
2608 Rice St

Maurice Martin and Cameish Martin were present to request a variance to build a carport. Ms. Martin is a disabled veteran and they are first time homeowners and are acting in good faith trying to do what they need to do to get there proper variances. They received complaints about encroachment. Ronald Weeks was present with a complaint that the runoff comes off onto his property. Martin is willing to put in a gutter to help with the runoff. The hardship is that she is a disabled veteran who wishes to preserve her safety. The carport won't fit in the back yard.

Case Decision

Fields made a motion to approve this based on the hardship of accessibility and based on the fact that Martin will take care of the drainage. Farley seconded. Motion carries as APPROVED.

BZA-06-20-001963
120 20th St &
BZA-05-20-001964
2051 1st Ave &
BZA-06-20-001965
2050 1st Ave

Randall Stallins and Ricky C Miles were present to request variances to reduce parking spaces from 20' x 9' required to 18' x 9' for the construction of a new multi-family development. They have a unit requirement and they have to meet for the Department of Housing and Urban Development. Demolition and new construction will take place. Farley asked about parking. Hayes made a motion to Approve based on the hardship of the floodplain and the railroad to maximize the use of the property.

Case Decision

Hayes made a motion to approve based on the hardship of the floodplain and the railroad to maximize the use of the property. Farley seconded. Motion carries as APPROVED.

Meeting Adjourned Approximately 3:17pm