

Board of Zoning Appeals  
May 6, 2020  
VIRTUAL MEETING

**Board of Zoning Appeals Members Present:** Terry Fields, Tomeika Farley, Alfred Hayes, Charles Smith

**City Personnel Present:** Fred Cobb, Eric Gansauer, Charlotte Davis, Danielle Frazier, Will Johnson, Pam Hodge

Meeting called to Order Approximately 2:05pm

Approval of the March 2020 BZA Minutes

[NOTE; The April 2020 BZA meeting was canceled due to COVID-19 Social Distancing/Stay At Home Orders]

Fields made a motion to approve the March 2020 BZA Minutes

Farley Seconded

Minutes Approved.

**BZA-02-20-001269**

500 Creek Rd

Christopher Murphy was asking permission to build an RV cover in the side yard. He explained that there is plenty of room in the side yard and he didn't want to impact his neighbor's yard by having the cover in the back. Farley asked about drainage issues in the back and Murphy mentioned that he has a sloped yard. He explained that he is trying to position the cover where he normally parks the RV. Fields wished to confirm that the RV cover will not extend past the footprint of the house from the front. Murphy confirmed.

No opposition.

**BZA-02-20-001273**

738 Rudgate Rd

David Williams was present to request a setback variance for an accessory structure behind the structure. Harrison explained to Williams that the Board's purpose is to find a hardship for this request. The structure was built without a permit, according to Williams, and requires a retroactive variance. Fields deduced that had the appellant known to pull a permit, there would have been no problem with placing the structure five feet away from the property as required. Williams stated that he hired the contractors. Farley asked what types of are fencing extends around the yard and Williams stated that he has a privacy fence. He has a buffer from his fence to Bradley Park Dr.

No opposition.

**BZA-03-20-001419**

8621 BATTERY DR

Sierra Bazemore was present to request to a reduction of the side yard setback to build a detached garage. Currently the requirement is 25 feet, which would be very close to the rear of the house and thus she is asking for a reduction to 10 feet. Fields asked for the hardship. According to Bazemore, the hardship is that the current requirement would place the structure too close to the rear of the house. Farley asked what exists further beyond the house and asked what the issue would be for placing the structure further back. Bazemore explained that there is a significant slope in the back. Johnson mentioned that the closer the structure can be erected near the house, the better for the home owner due to the existence of a creek at the back of the property. Harrison asked for clarification of the distance of the main structure of the front and the side. Cobb confirmed that the structure is 50 feet from the front and 40 from the side. There is a pool and a deck in the back and Harrison mentioned that it would have been helpful for these features to have been shown on the site plans.

No opposition.

**BZA-04-20-001542**

2112 Floyd Rd

Frank Durst from 3D Development was present, as was Phillip Chivers, the land surveyor. The appellants were present to request a variance to reduce the front yard setback from 20 feet required to 7 foot 8 inches shown due to an error by the land surveyor. Chivers explained that when the survey was drawn, they found iron pipes that they thought were City ROW, but were not. The building, namely, Family Dollar, currently exists. He noted that the "jog out" close to the building serves no purpose on the site plan. Fields asked about renovation. Durst explained that this is a brand new Family Dollar that was built in 2015 and opened in 2016. They have a 15 year lease and the tenant is responsible for facilitating the restoration of the building in case of disaster, and a setback error would impede the repairs process, should that occur. Johnson mentioned that this property changed zoning in 2015. Gansauer requested the property owner information. Davis agreed to facilitate after the meeting.

No opposition.

**BZA-04-20-001561**

3508 4TH AVE

**BZA-04-20-001562**

401 35TH ST

**BZA-04-20-001563**

3701 4TH AVE

**BZA-04-20-001564**

3504 4TH AVE

**BZA-04-20-001565**

3710 4TH AVE

Lance Renfrow from Neighbor Works Columbus was present to request a variance reduce the front yard setbacks of the aforementioned properties in order for new construction to be in line with the existing structures. Per Cobb, all of the cases were heard at once due to the appellant being the same, the variance intent being the same, and the only difference being levels of encroachment (reference BZA May 2020 agenda for detail). Cathy Williams wished to convey that there is an extensive ROW (nearly 20 feet) in the area. Cobb asked Williams to confirm that there were structures that were demolished in this area. Williams confirmed. Johnson explained that Planning prefers for the houses to line up uniformly. Kevin Gabrielson, who is a property owner in the area, was in opposition to the 3 foot setback request for one of the properties because he was under the impression that the 3

foot setback was being requested for the side yard. Williams clarified that the 3 feet request was for the front yard setback and has nothing to do with contiguous properties. No other opposition.

**BZA-04-20-001586**

3701 S LUMPKIN RD

Adam Hunt was present to request a variance to utilize overhead power near the campground for the entrance of the development. Farley asked for clarification about the existing above ground power lines and the impact on the existing trees if underground lines were to be utilized. Fields asked if any of the power lines would extend over the campground. Hunt explained that there would be no lines extending over the campground. Johnson explained that this is not an unprecedented request in the Victory Dr Overlay district. Also, the Planning Department prefers for the lines to be above ground for the preservation of a rare species of tree/plant that University of Virginia researchers travel to research in that area. No opposition.

\*Discussion\*

**Case Decisions**

**BZA-02-20-001269**

500 Creek Rd

Fields made a motion to approve based on the hardship of the back slope and that the RV cover will not extend past the front of the property.

Farley Seconded

No opposition.

Motion Carries as APPROVED

**BZA-02-20-001273**

738 Rudgate Rd

Farley made a motion to approve based on the fact that the structure is already built and there is no impact on the neighbors, plus, no opposition.

Hayes Seconded.

No opposition.

Motion Carries as APPROVED

**BZA-03-20-001419**

8621 BATTERY DR

Smith made a motion to reduce the setback for the construction of the detached garage.

Harrison cited Planning's anecdote of the creek in the back of the property, which would behoove the owner to erect the detached garage as close to the structure as possible.

Farley Seconded

No opposition.

Motion Carries as APPROVED

**BZA-04-20-001542**

2112 Floyd Rd

Fields made a motion to approve based on the hardship of the surveyor error.

Hayes Seconded

No opposition.  
Motion Carries as APPROVED

**BZA-04-20-001561**

3508 4TH AVE

**BZA-04-20-001562**

401 35TH ST

**BZA-04-20-001563**

3701 4TH AVE

**BZA-04-20-001564**

3504 4TH AVE

**BZA-04-20-001565**

3710 4TH AVE

Cobb stated that all of these cases should be voted on at once.

Farley made a motion to approve based on the clarification of the front yard setback impact.

Hayes Seconded

No opposition.

Motion Carries as APPROVED

**BZA-04-20-001586**

3701 S LUMPKIN RD

Farley made a motion to approve based on the existing lines and the non-disturbance of the tree line, building, and surrounding areas.

Harrison cited Planning's anecdote of the rare species plant in the area.

Smith Seconded.

No opposition.

Motion Carries as APPROVED.



**BOARD OF ZONING APPEALS**  
**AGENDA**  
**REGULAR MEETING 5/6/2020 AND 5/6/2020 2:00PM**  
**COLUMBUS CONSOLIDATED GOVERNMENT**  
**420 TENTH STREET, COLUMBUS, GEORGIA 31902-4123**

<u>PLAN CASE NUMBER</u>	<u>APPELLANT'S NAME</u>	<u>LOCATION ADDRESS</u>	<u>ZONE CODE</u>	<u>APPEAL TYPE</u>	<u>HEARING STATUS</u>
BZA-02-20-001269	CHRISTOPHER & PAULA G MURPHY	500 CREEK RD, Columbus	RE1	Zoning Ordinance Variance	APPROVED

Appellant's Appeal: Request variance to locate an accessory structure (18x40 RV cover) in the side yard.

BZA-02-20-001273	DAVID WILLIAMS	738 RUDGATE RD, Columbus	SFR2	Zoning Ordinance Variance	APPROVED
Appellant's Appeal: TO REDUCE THE REAR SET BACK OF AN ACCESSORY BDLG FROM 5 FEET REQUIRED TO 4 FT SHOWN					

BZA-03-20-001419	SIERRA BAZEMORE	8621 BATTERY DR, Columbus	RE1	Zoning Ordinance Variance	APPROVED
Appellant's Appeal: Request a variance to reduce side yard setback from 25' required to 10' shown for the construction of a new detached garage.					

BZA-04-20-001542	3D DEVELOPMENT PARTNERS LLC	2112 FLOYD RD, Columbus	NC	Zoning Ordinance Variance	APPROVED
Appellant's Appeal: Requesting variance to reduce the front yard setback from 20 feet required to 7 foot 8 inches shown due to an error by land surveyor.					

BZA-04-20-001561	CHI Asset Management LLC	3508 4TH AVE, Columbus	RMF1	Zoning Ordinance Variance	APPROVED
Appellant's Appeal: Neighborworks of Columbus is requesting a variance to reduce the front yard setback for parcel 014-014-020 and 014-014-019 from 20 feet required to 3 feet for new residential construction.					

BZA-04-20-001562	COLUMBUS HOUSING INITIATIVE INC	401 35TH ST, Columbus	RO	Zoning Ordinance Variance	APPROVED
Appellant's Appeal: Neighborworks of Columbus is requesting a variance to reduce the front yard setback from 20 feet required to 3 feet shown for new residential construction.					

BZA-04-20-001563	COLUMBUS HOUSING INITIATIVE INC	3701 4TH AVE, Columbus	RMF1	Zoning Ordinance Variance	APPROVED
Appellant's Appeal: Neighborworks of Columbus is requesting a variance to reduce the front yard setback from 20 feet required to 15 feet shown for new residential construction					



**BOARD OF ZONING APPEALS**  
**AGENDA**  
**REGULAR MEETING 5/6/2020 AND 5/6/2020 2:00PM**  
**COLUMBUS CONSOLIDATED GOVERNMENT**  
**420 TENTH STREET, COLUMBUS, GEORGIA 31902-4123**

<u>PLAN CASE NUMBER</u>	<u>APPELLANT'S NAME</u>	<u>LOCATION ADDRESS</u>	<u>ZONE CODE</u>	<u>APPEAL TYPE</u>	<u>HEARING STATUS</u>
BZA-04-20-001564	CHI Asset Management LLC	3504 4TH AVE, Columbus	RMF1	Zoning Ordinance Variance	APPROVED

Appellant's Appeal: Neighborworks of Columbus is requesting a variance to reduce the front yard setback from 20 feet required to 3 feet shown for new residential construction

BZA-04-20-001565	COLUMBUS HOUSING INITIATIVE INC	3710 4TH AVE, Columbus	RMF1	Zoning Ordinance Variance	APPROVED
Appellant's Appeal: Neighborworks of Columbus is requesting a variance to reduce the front yard setback from 20 feet required to 4 feet shown for new residential construction					

BZA-04-20-001586	ADAM HUNT	3701 S LUMPKIN RD, Columbus	GC	Zoning Ordinance Variance	APPROVED
Appellant's Appeal: Request a variance to the Victory Drive Overlay omitting requirement for electrical service to be provided underground.					

END OF VARIANCES

**Meeting Adjourned Approximately 3:05pm**