

BZA December 2023  
December 6<sup>th</sup>, 2023

Board Members Present Were: Al Hayes, Fred Cobb, Shaun Roberts, Doug Jefcoat.

City Personnel Present Were: Isaac Todd

Meeting Called to Order: 2:00pm

First order of business to approve minutes from November 1<sup>st</sup> hearing. Doug Jefcoat made a motion to approve the minutes. Seconded by Shaun Roberts. All vote in favor, minutes approved.

**BZA-11-23-002187**

8824 Creekrise Dr

Christopher Beck and Mark from Aquarius pools construction present for 8824 Creekrise dr. to request a variance to place a pool on the side rear portion of home. Mr. Beck and Mr. Mark explain the process of building the pool and stated pool is close to the garage. Fred Cobb emphasized the layout of the house and how the pool will only stick out a small amount viewed from the front. Fred inquired about why can't they push it further into the backyard. Mr. Beck explained the gully in the yard is very steep and would have to build a large retaining wall to prevent erosion. Al Hayes called for opposition. None present.

CASE DECISION: Roberts motions to vote to approve due to shape of house and large gully in backyard. Jefcoat seconds the motion. All vote to approve.

**BZA-11-23-002188**

365 Sunset Rd

Devaraj Thiruppathi is present for 365 Sunset Rd. to request a variance to build an accessory structure in the rear yard and increase the maximum height from 14 feet required to 20 feet.

Mr. Thiruppathi passed out photos of the structure. He explains he needs more storage for parents moving into his house next month. He stated that his neighbor does not mind and provides a written and signed letter from his neighbor stating they do not mind the structure to be built. Jefcoat asked if the structure is already built. Mr. Thiruppathi said it is already built. The builder constructed it, however it was not to his liking so he wanted to change the storage room to be bigger and needs the height variance approval to do so. Jefcoat asked how it would go if denied. Cobb replied saying it would have to be deconstructed to correct height. Roberts asked about the roofline compared to the house's height. It is revealed the storage building will not be taller than the house. Al asked for opposition. None present.

CASE DECISION: Jefcoat motion to approve based on already being constructed and neighbor does not mind. Roberts seconds the motion. All vote to approve.

**BZA-11-23-002190**

1829 Overlook st

BZA December 2023  
December 6<sup>th</sup>, 2023

Jack Jenkins and Brock Jones present for 1829 Overlook st. to request a variance to overturn a BHAR decision to deny an addition to front side of home. Jenkins explained how BHAR turned them down. Cobb notified the appellant that the board has reviewed the BHAR document stating why they turned them down. Jenkins explains the owner wants to go with the 1<sup>st</sup> proposed plan and the 2<sup>nd</sup> plan is not what they fully want. Jenkins emphasized that BHAR does not want them to build a structure in the front. Jones explained that the addition being in the back would junk up the house and make it hard for the owner to live there. Brock also stated that the addition would not affect the setbacks. Fred calls for opposition.

Tony Johnson of 605 Broad stepped up. He is part of the BHAR board and stated BHAR would accept revisions, but the façade changes couldn't be built due to the UDO. He stated it would be inconsistent with other homes in the historic district. Cobb noted that it is rare to overturn BHAR decisions and they have never overturned one concerning façade changes. Johnson stepped down. BHAR board member Libby Smith of 2901 Beacon Ave stepped up and stated she has never approved façade changes for the entirety of her time on the BHAR board. Fran Carpenter of the BHAR board stepped up. Stated she has been on the BHAR board for three years. She noted the proposed plan is pretty, however it doesn't match the neighborhood. Carpenter also revealed they could have come back to BHAR with new plans, but never did and took it to the BZA. Al Hayes asks for any more questions or opposition. Nobody else stands. Cobb reminded the board that this vote is only to uphold BHAR decision or overturn it. Not to vote on the variance itself. Jenkins replied that their client would like a vote and they will not withdraw.

CASE DECISION: Jefcoat motions to deny request based on how BHAR reviewed it previously and to preserve the guidelines. Roberts seconds the motion. All vote to deny.

Meeting adjourned at 2:38 P.M.