



BOARD OF ZONING ADJUSTMENT

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MINUTES MAY 30, 2017

MEMBERS PRESENT: Vice-Chairman, Charles Taylor, Mr. Collis Stevenson, Mr. Forrest Temple

SUPERNUMERARIES: Ms. Delayne Dean

OTHERS PRESENT: Mr. Wally Terry, Director
.....and Custodian of Records
Mr. Chip Alexander, Asst. City Attorney
Mrs. Karen Smith, Planner
Mr. Bob Sims, Building Inspector
Ms. Judy Bosworth, Recorder

Vice-Chairman, Charles Taylor called the meeting to order at 4:00 p.m. in the Council Chambers at City Hall. Mr. Bob Sims called the roll.

Mr. Forrest Temple moved to **approve** the minutes of the April meeting as printed. Mr. Collis Stevenson seconded the motion. On a voice vote, the motion carried.

The Board considered the following applications and appeals.

Point of Information: The rules and regulations of a home occupation were explained to each applicant requesting a home occupation. Each applicant stated they understood the rules and regulations.

CASE NO 1

Application and appeal of Precious Bankston for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a residential cleaning and lawn care service at 303 Prospect DR SE, Apt 1A, property located in an R-4 Residential Multi-Family Zoning District.

Ms. Precious Bankston presented this case to the Board. Ms. Bankston stated she wanted an administrative office in order to clean homes inside and outside that had been foreclosed. Ms. Bankston also stated there would be no employees.

Both Mr. Sims of the Building Department and Mrs. Smith of the Planning Department recommended approval.

Mr. Forrest Temple moved to approve this home occupation request as submitted. Mr. Collis Stevenson seconded the motion. On a roll-call vote, the motion carried.

CASE NO 2

Application and appeal of Denisha Nicole Smith for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an office to make and sell wigs at 907 Britwood Dr SW, property located in a R-2 Residential Single-Family Zoning District.

During public testimony Ms. Smith stated her mother lived at 907 Britwood Dr SW, but that she did not live there.

Assistant City Attorney, Chip Alexander stated the Board would not be able to hear this case because she does not reside at the location advertised.

Ms. Smith stated she thought it was not allowed to make application from an apartment address; therefore, she used her mother's address.

The Board voted to Table the request until next month's meeting when she could apply from the address where she resides.

CASE NO 3

Application and appeal of Sheree Brown for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a Social art working consulting business at 710 Well ST NE, property located in a R-3H Residential Historic Single-Family Zoning District.

Ms. Sheree Brown presented this case to the Board. Ms. Brown stated she would like an administrative office to schedule paint parties at off-site locations such as Java Jay, Magnolia Room, etc. Ms. Brown also stated no one would come to her home.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith stated the Planning Department would recommend approval with the understanding that the home occupation was for administrative use only.

Mr. Collis Stevenson moved to approve this home occupation request as submitted. Mr. Forrest Temple seconded the motion. On a roll-call vote, the motion carried.

CASE NO 4

Application and appeal of Mario L. Baker for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a costumed character event rental business at 301 Monroe DR NW, property located in a R-3 Residential Single-Family Zoning District.

Mr. Mario L. Baker presented this case to the Board. Mr. Baker stated he wanted an administrative office for a costumed character event rental business. Mr. Baker further explained

he had a list of characters that could be rented on his face book page and also he would advertise on face book.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith put forth the question that if a client wanted to rent several characters at once for a party who else would be dressing up and at what location would they get outfitted.

Mr. Baker stated they would come to his home where he had the costumes. Mrs. Smith stated that no one could come to his home for outfitting.

Vice-Chairman Charles Taylor reiterated that coming to the home was not allowed under the home occupations regulations. Therefore, other arrangements would need to be made.

Mr. Baker stated he understood and they would get outfitted elsewhere.

Mrs. Smith stated the Planning Department would recommend approval.

Mr. Collis Stevenson moved to approve this home occupation as submitted. Mr. Forrest Temple seconded the motion. On a roll-call vote, the motion carried.

CASE NO 5

Application and appeal of Larry D. Thompson for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a lawn care business at 1220 Byron AVE SW, property located in a R-2 Residential Single-Family Zoning District.

Mr. Larry D. Thompson presented this case to the Board. Mr. Thompson stated he would like an administrative office for a lawn care business. Mr. Thompson also stated he had one employee that he would go pick up for work and he would keep his equipment in his garage. Additionally he added his mother was the owner of the property and she was aware of his request.

Both Mr. Sims of the Building Department and Mrs. Smith of the Planning Department recommended approval.

Mr. Forrest Temple moved to approve this home occupation request as submitted. Mr. Collis Stevenson seconded the motion. On a roll-call vote, the motion carried.

CASE NO 6

Application and appeal of Devin Schmelter for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a lawn care service at 106 Raymond ST SW, property located in a R-2 Residential Single-Family Zoning District.

Mr. Devin Schmelter presented this case to the Board. Mr. Schmelter stated he would like an administrative office for a lawn care business and the owner was aware of the request.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith stated the Planning Department would concur with the Building Department.

Mr. Collis Stevenson moved to approve this home occupation request as submitted. Mr. Forrest Temple seconded the motion. On a roll-call vote, the motion carried.

CASE NO 7

Application and appeal of Shelia Burks for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a residential cleaning service at 524 Laurel ST SW, property located in a AG-1 Agricultural Zoning District.

Ms. Shelia Burks presented this case to the Board. Ms. Burks stated she would like an administrative office for a residential cleaning service.

Both Mr. Sims of the Building Department and Mrs. Smith of the Planning Department recommended approval.

Ms. Delayne Dean moved to approve this home occupation request as submitted. Mr. Forrest Temple seconded the motion. On a roll-call vote, the motion carried.

CASE NO 8

Application and appeal of Jay & Lynn Tunncliff for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office to sell clothing online at 1811 Cumberland Ave SW, property located in a R-2 Residential Single-Family Zoning District.

Mr. Jay Tunncliff presented this case to the Board. Mr. Tunncliff stated he and his wife would like an administrative office to sell clothing online. Mr. Tunncliff additionally stated the customer would order online, pay online and the merchandise would either be hand delivered or mailed to the customer.

Both Mr. Sims of the Building Department and Mrs. Smith of the Planning Department recommended approval.

Mr. Collis Stevenson moved to approve this home occupation request as submitted. Mr. Forrest Temple seconded the motion. On a roll-call vote, the motion carried.

CASE NO 9

Application and appeal of Cheryl Torain for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office to sell jewelry online at 1801 8th Ave SW, property located in a R-1 Residential Single-Family Zoning District.

Ms. Cheryl Torain presented this case to the Board. Ms. Torain stated she would like an administrative office to sell jewelry on-line.

Both Mr. Sims of the Building Department and Mrs. Smith of the Planning Department recommended approval.

Mr. Forrest Temple moved to approve this home occupation request as submitted. Mr. Collis Stevenson seconded the motion. On a roll-call vote, the motion carried.

CASE NO 10

Application and appeal of Dustin Swift for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for an outdoor property maintenance service at 1215 Jackson St SE, property located in a R-1 Residential Single-Family Zoning District

Mr. Dustin Swift presented this case to the Board. Mr. Swift stated he would like an administrative office for an outdoor property maintenance business.

The Board inquired what type of outdoor maintenance he would be doing.

Mr. Swift stated he would be cutting grass, pressure washing, etc. Mr. Swift explained that he had no employees currently but in the future he may and if that happens, he will pick them up or meet them at the job site. Mr. Swift also stated he had no signs except on his vehicle and that those signs would not contain his address.

Both Mr. Sims of the Building Department and Mrs. Smith of the Planning Department recommended approval.

Mr. Collis Stevenson moved to approve this home occupation request as submitted. Mr. Forrest Temple seconded the motion. On a roll-call vote, the motion carried.

CASE NO 11

Application and appeal of Linda Standridge for a 5 foot rear yard setback variance from Section 25-10.9(2)(d) of the Zoning Ordinance in order to construct a roof over the existing concrete patio at 3120 Battlement RD SW, property located in a R-2 Residential Single-Family Zoning District.

Ms. Linda Standridge presented this case to the Board. Ms. Standridge stated she wanted to cover her patio and was seeking a 5 foot rear yard setback variance. Ms. Standridge stated there would be a 12" overhang.

Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith stated the Planning Department had no comment.

Mr. Forrest Temple moved to approve this variance request as submitted. Mr. Collis Stevenson seconded the motion. On a roll-call vote, the motion carried.

CASE NO 12

Application and appeal of James R. Byrd III for a 2.5 foot side yard setback variance from Section 25-10.9(2)(e) of the Zoning Ordinance in order to construct an addition at 2217 State Ave SW, property located in a R-2 Residential Single-Family Zoning District.

Mr. James R. Byrd III presented this case to the Board. Mr. Byrd stated he had purchased an old home and wanted to add an addition and in order to do that, he needed a 2.5 foot side yard setback variance.

Mr. and Mrs. Ken Schrimsher of 1204 Cedar St. SW stated they were Mr. Byrd's neighbors and they had many concerns about privacy, lot grading, elevation and flooding, fire safety, location of the fence line and the location of the condensing unit. Additionally, Mr. & Mrs. Schrimsher had questions about the location of the windows and if the windows would look directly into their bedroom.

Mr. Byrd III stated there were no windows on the side facing the neighbors and there is no dirt work being done at this time. Additionally, Mr. Byrd explained that the flooding issue had been that way for years and it was not his intention to make it any worse by constructing an addition.

Mr. Sims stated the grading issue and site drainage would be addressed during building and further the construction Mr. Byrd was proposing to do was negligible. Mr. Sims stated the Building Department would recommend approval.

Mrs. Smith stated the Planning Department would recommend approval with Mr. Sim's comments regarding drainage.

Mr. Collis Stevenson moved to approve this variance request as submitted. Mr. Forrest Temple seconded the motion. On a roll-call vote, the motion carried.

The meeting adjourned at 4:50

Vice-Chairman, Charles Taylor

AGENDA JUNE 27, 2017

CASE NO 1

Application and appeal of Cheri M. Alexander for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office to sell clothing online at 2101 Covington LN SW, property located in a R-2 Residential Single-Family Zoning District.

CASE NO 2

Application and appeal of Le'Torian Smith for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a mobile detailing business at 2115 Central Parkway Place Apt C-1, property located in an R-4 Residential Multi-Family Zoning District.

CASE NO 3

Application and appeal of Dr. Michael Smith for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for freelance writing and adoption home studies at 1406 16th Ave SE, property located in a R-2 Residential Single-Family Zoning District.

CASE NO 4

Application and appeal of Mary Harris for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have a quilting business at 1707 Loring Ave SE, property located in a R-3 Residential Single-Family Zoning District.

CASE NO 5

Application and appeal of Demetrius M. Stevenson for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a lawn care service at 1507 17th Ave SW, property located in a R-2 Residential Single-Family Zoning District.

CASE NO 6

Application and appeal of Lourdes Montel for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a commercial janitorial business at 608 Freemont St SW, property located in a R-2 Residential Single-Family Zoning District.

CASE NO 7

Application and appeal of Charlie W. Johnson for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office to provide off-site bounce houses for children at 102 Driftwood CT SE, property located in a R-3 Residential Single-Family Zoning District.

CASE NO 8

Application and appeal of David G. Rawlings for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a firearms and personal safety training business at 1546 River Bend Pl SE, property located in a PRD-6 Planned Residential Development District.

CASE NO 9

Application and appeal of Natalie Dubach for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a design service for home remodels and new construction at 3211 Mountainview DR SE, property located in a R-2 Residential Single-Family Zoning District.

CASE NO 10

Application and appeal of Chante' Thomas for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a commercial and residential cleaning service at 2217 Lancelot DR SW, property located in a R-2 Residential Single-Family Zoning District.

CASE NO 11

Application and appeal of Gloria McRae for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for on line jewelry business at 2310 Auburn Dr SW, property located in a R-2 Residential Single-Family Zoning District.

CASE NO 12

Application and appeal of McKenzie Voorhees for a determination as a use permitted on appeal as allowed in Section 25-10 and as defined in Article VI, as amended and adopted, of the Zoning Ordinance to have an administrative office for a graphic designer and photographer at 306 Courtney DR SW, Apt 210, property located in a R-4 Residential Multi-Family Zoning District.

CASE NO 13

Application and appeal of Steve Reeves for a 6 foot rear yard setback variance from Section 25-10 of the Zoning Ordinance in order to enclose a patio at 2211 13th St SE, property located in a R-2 Residential Single-Family Zoning District.

CASE NO 14

Application and appeal of GBW Architects for three different 35 foot setback variances to Sections 25-10(2)(c)(1) ;25-10(2)(d)(1) and 25-10(2)(e)(1) in order to construct two buildings for a public park at 617 12th Ave NW, property located in a R-4 Residential Multi-Family Zoning District.

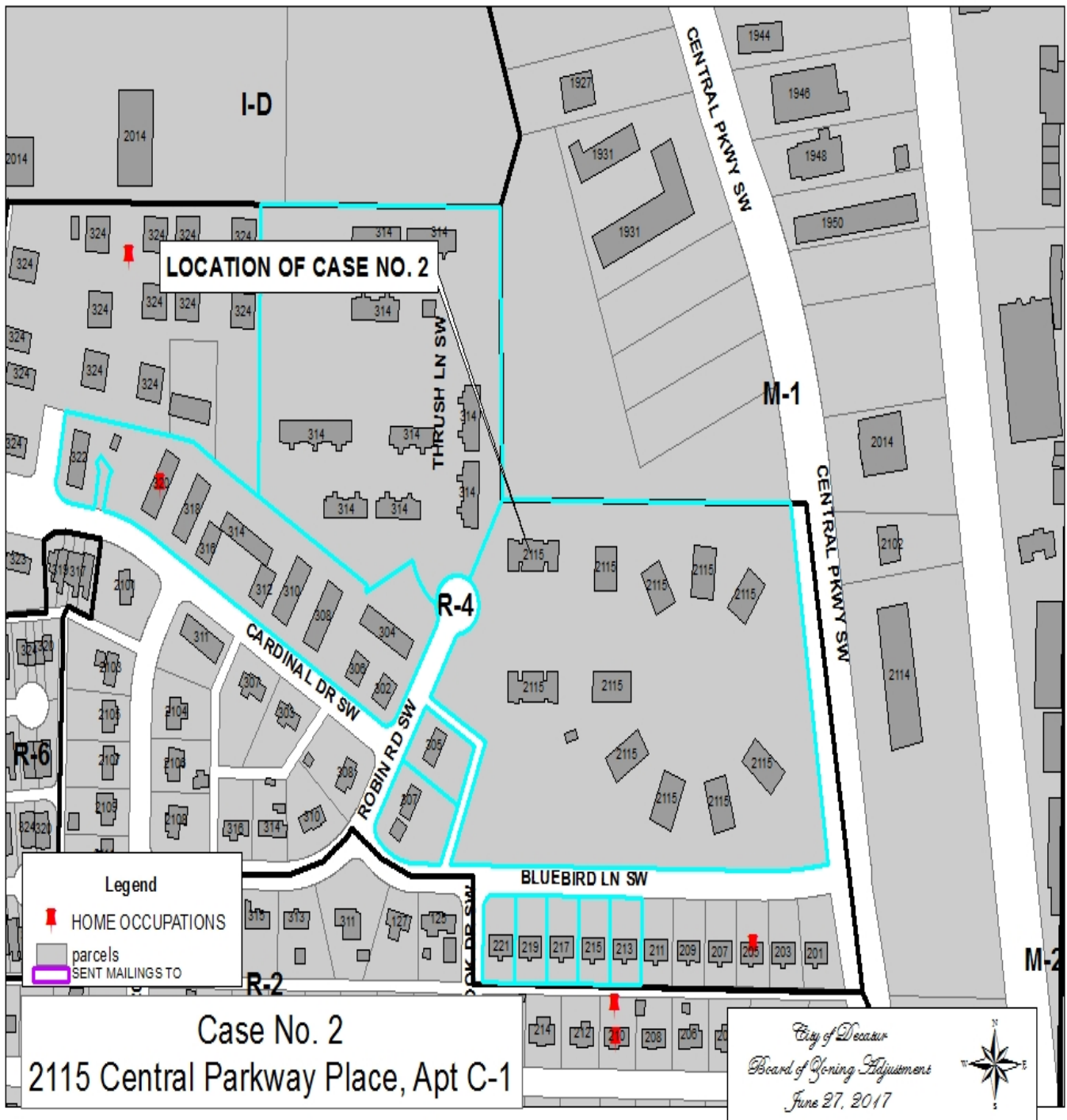
CASE NO 1 2101 COVINGTON LN SW

QUESTIONNAIRE

LOCATION MAP 2101 COVINGTON LN SW

CASE NO 2 2115 CENTRAL PKWY PL APT C-1

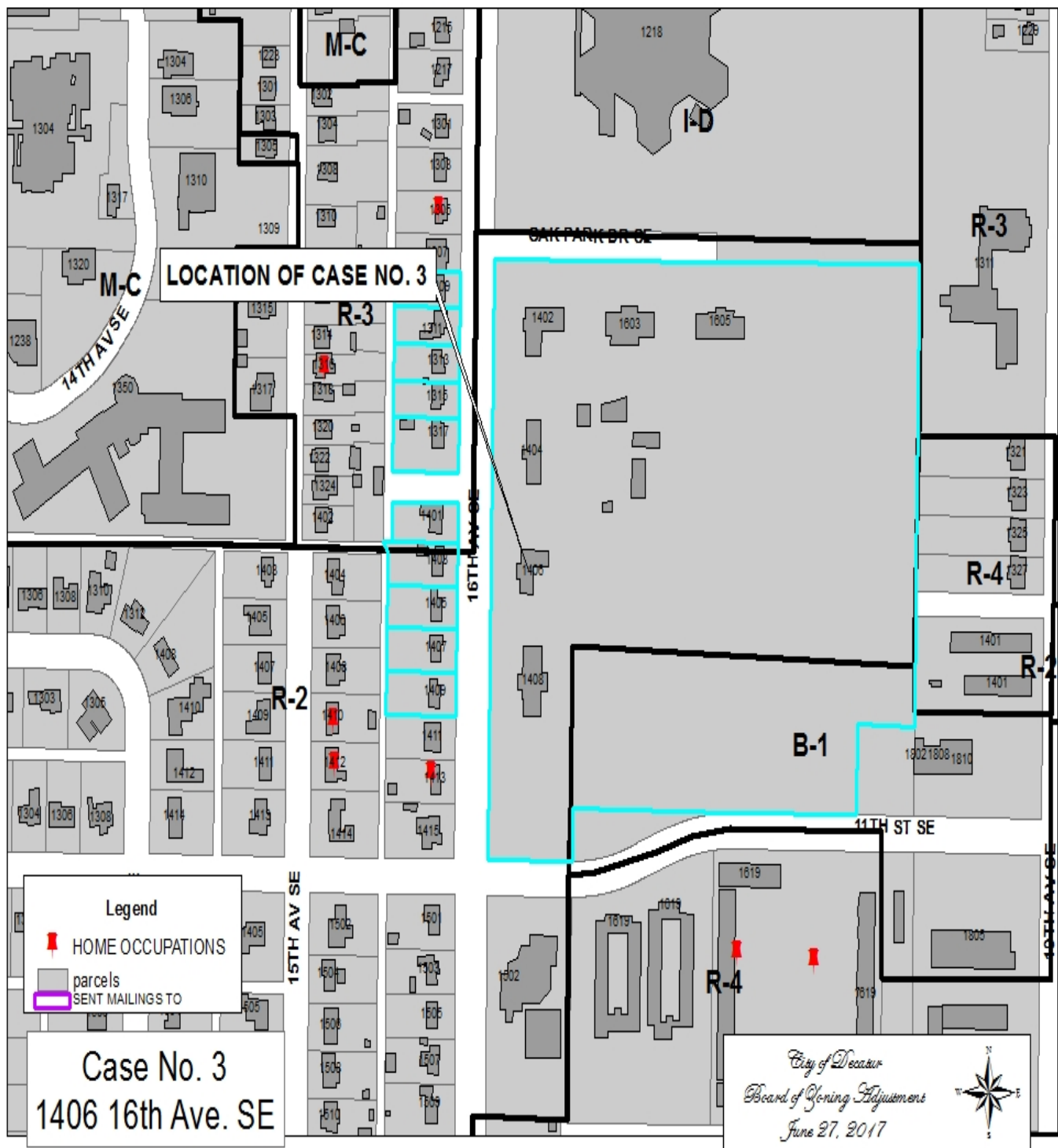
QUESTIONNAIRE



LOCATION MAP 2115 CENTRAL PKWY PL APT C-1

CASE NO 3 1406 16TH AVE SE

QUESTIONNAIRE



LOCATION MAP 1406 16TH AVE SE

CASE NO 4 1707 LORING AVE SE

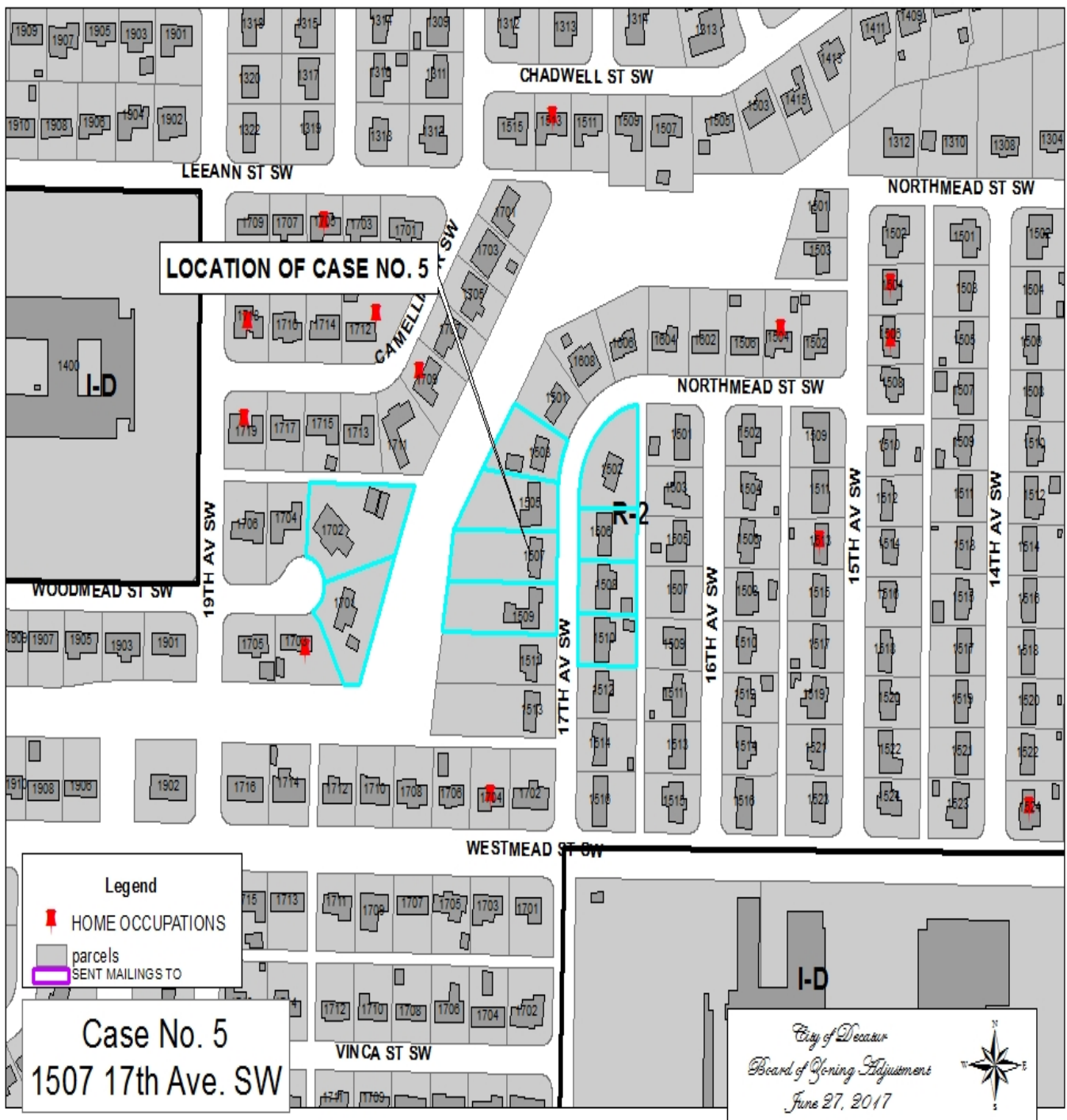
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LOCATION MAP 1707 LORING AVE SE

CASE NO 5 1507 17TH AVE SW

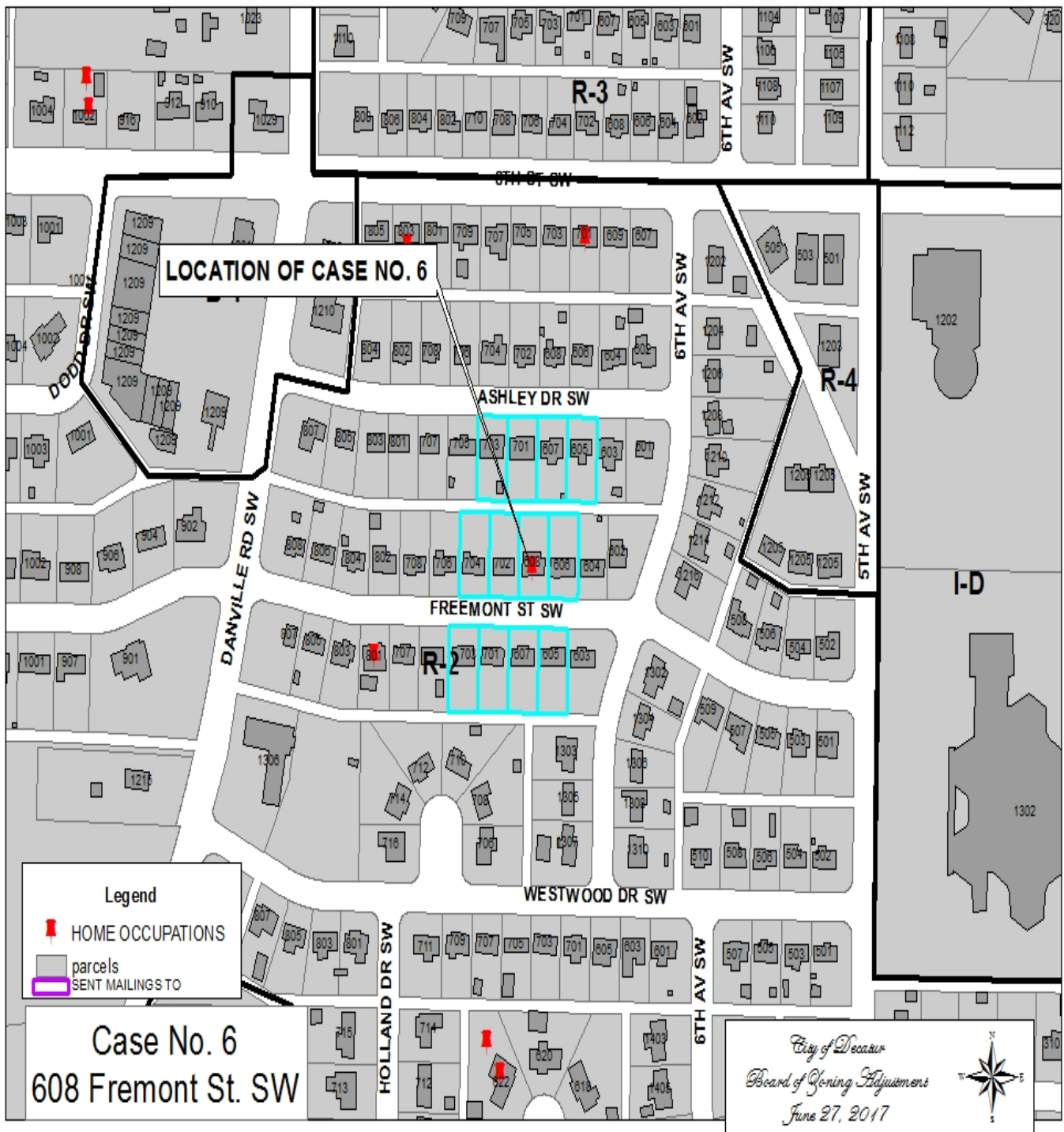
QUESTIONNAIRE



LOCATION MAP 1507 17TH AVE SW

CASE NO 6 608 FREEMONT ST SW

QUESTIONNAIR



LOCATION MAP 608 FREEMONT ST SW

CASE NO 7 102 DRIFTWOOD CT SE

QUESTIONNAIRE

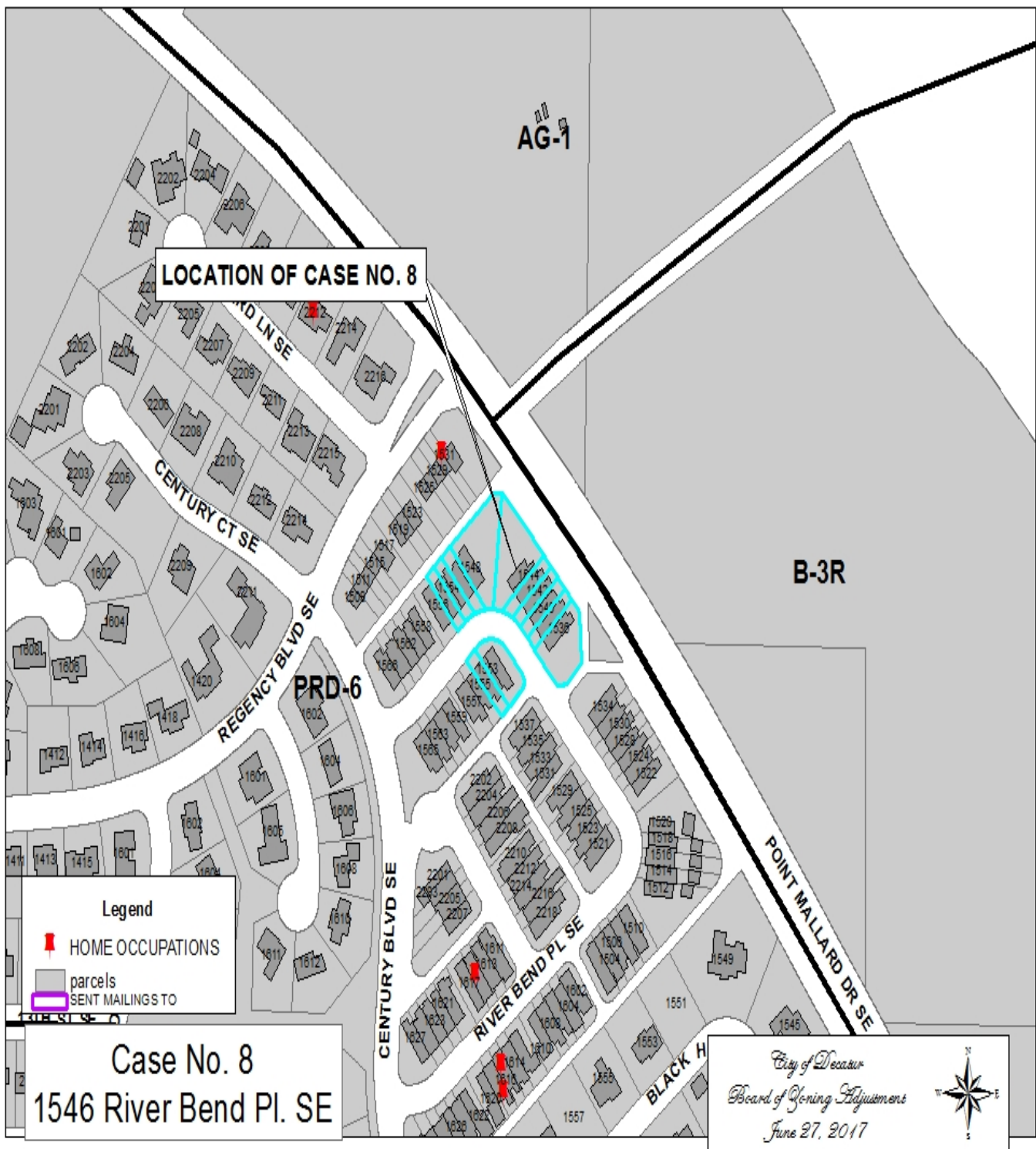
PICTURE OF BOUNCE HOUSE



LOCATION MAP 102 DRIFTWOOD CT SE

CASE NO 8 1546 RIVER BEND PL SE

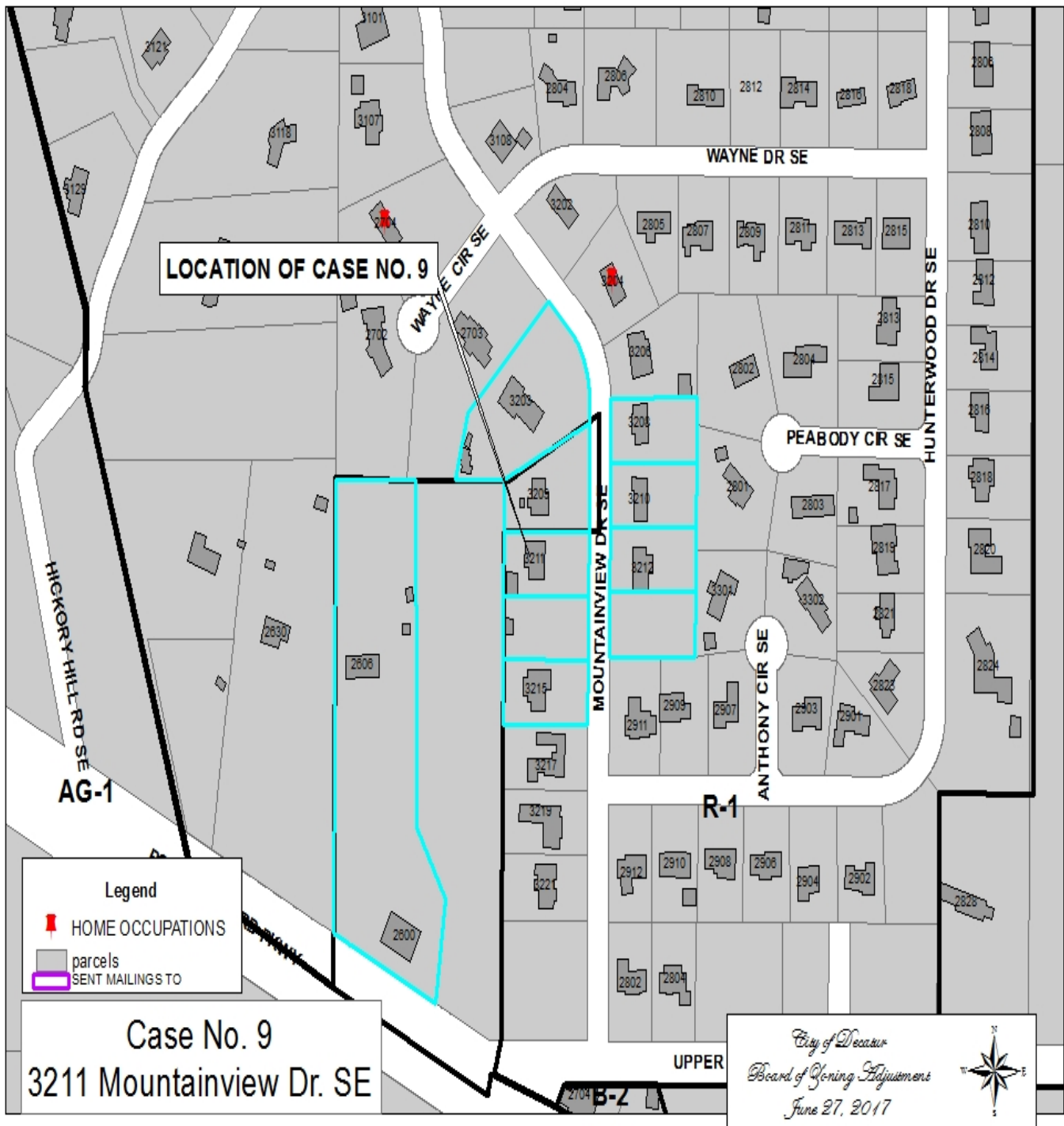
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LOCATION MAP 1546 RIVER BEND PL SE

CASE NO 9 3211 MOUNTAINVIEW DR SE

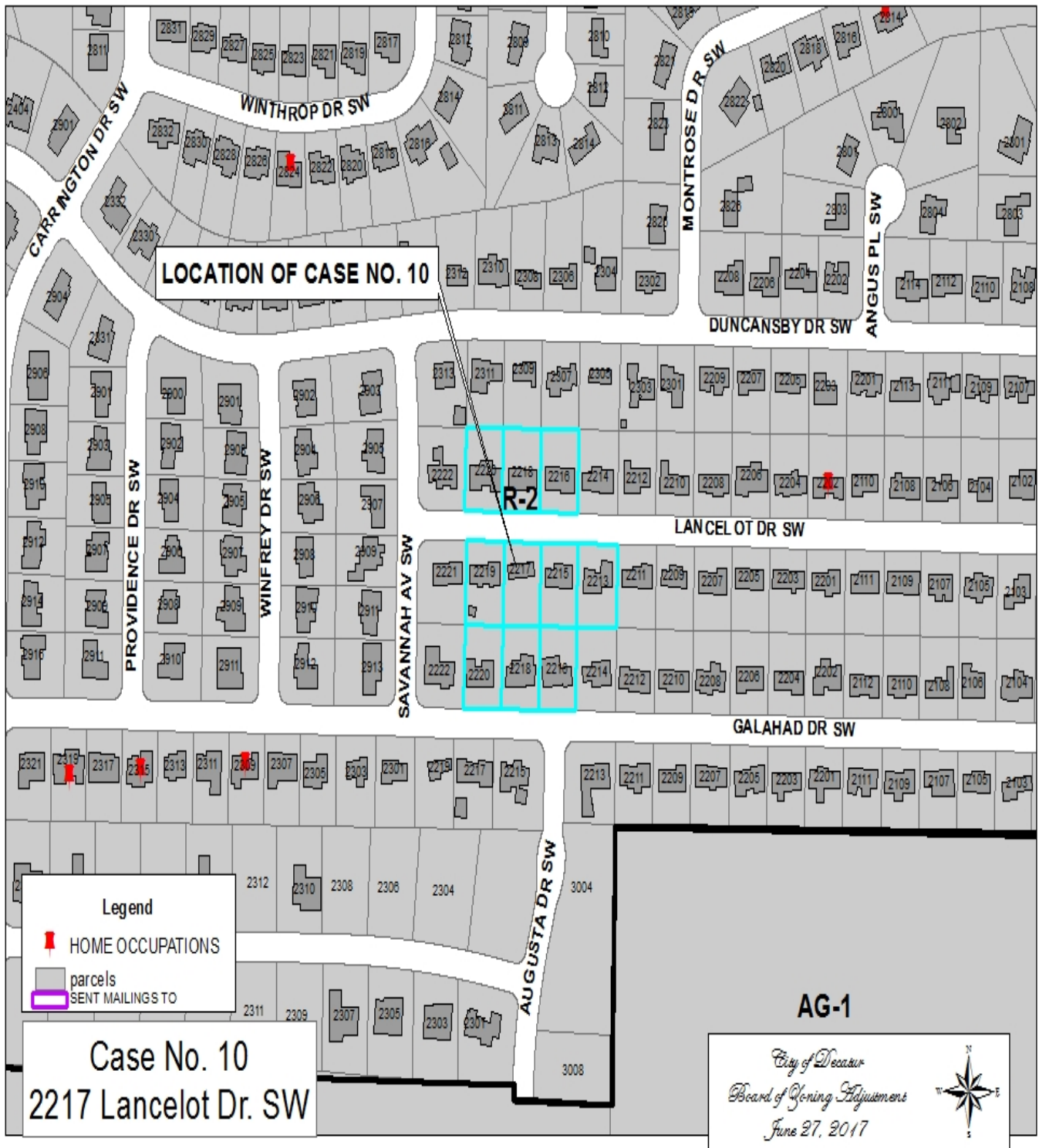
QUESTIONNAIRE



LOCATION MAP 3211 MOUNTAINVIEW DR SE

CASE NO 10 2217 LANCELOT DR SW

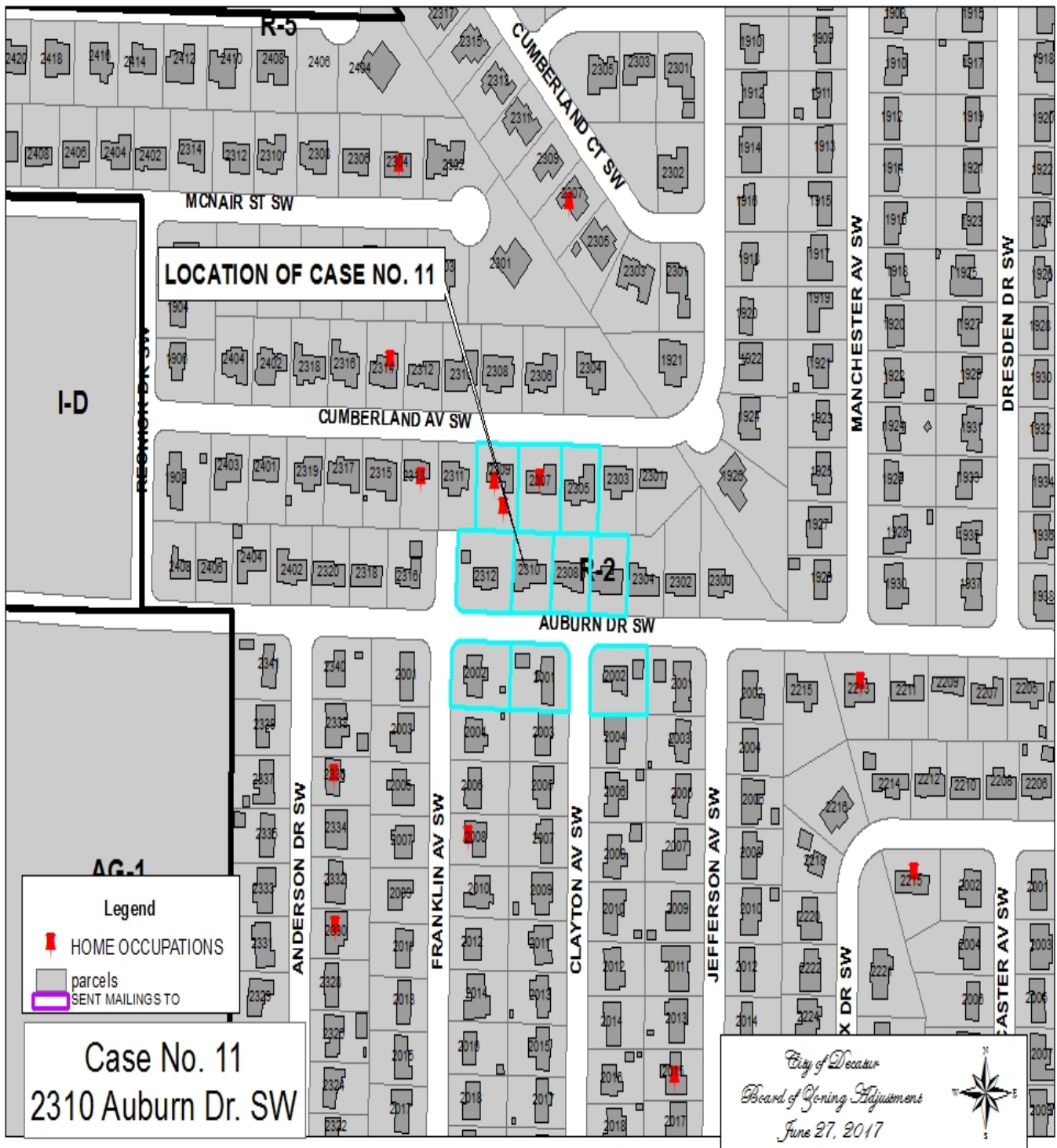
QUESTIONNAIRE



LOCATION MAP 2217 LANCELOT DR SW

CASE NO 11 2310 AUBURN DR SW

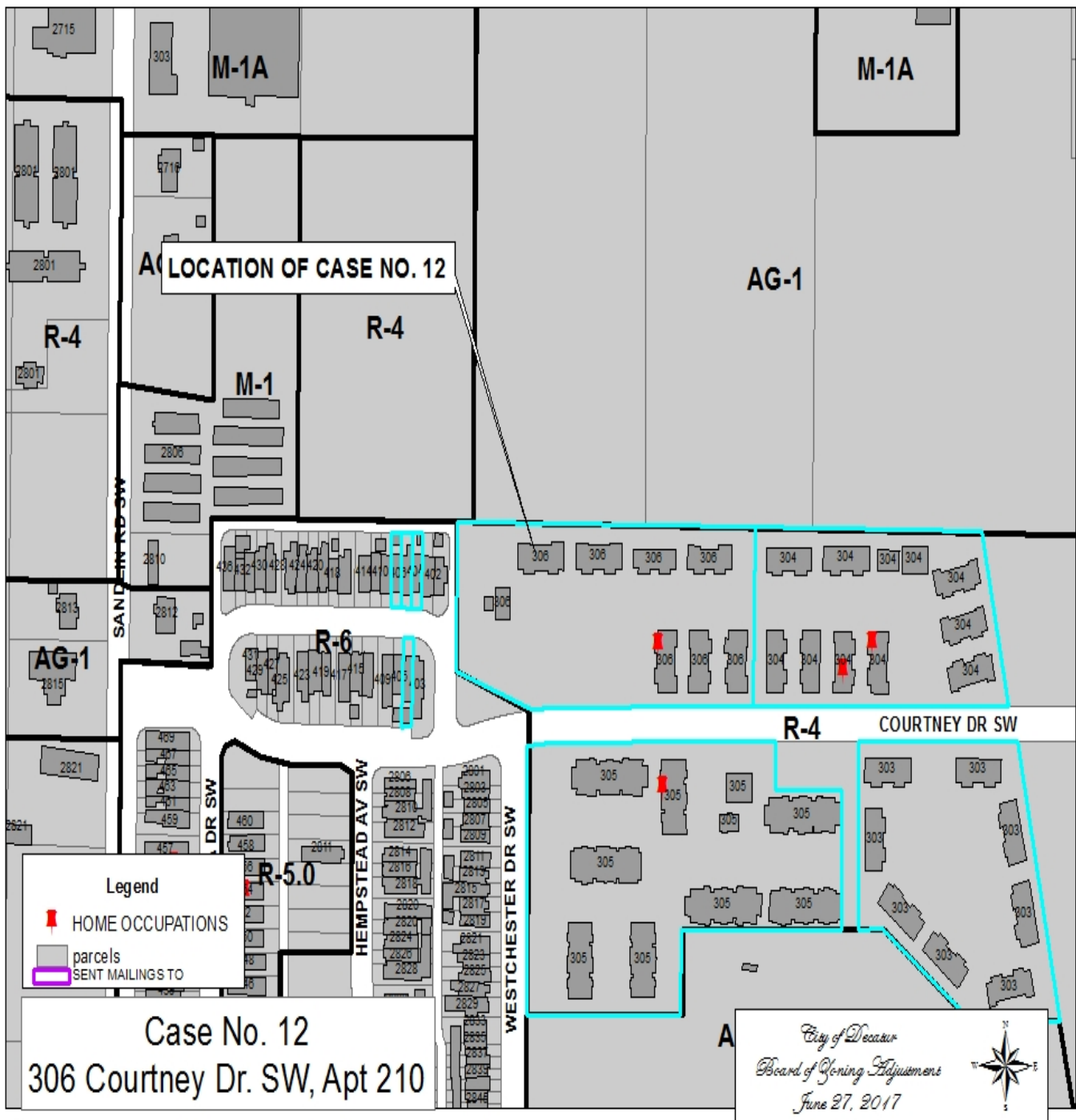
QUESTIONNAIRE



LOCATION MAP 2310 AUBURN DR SW

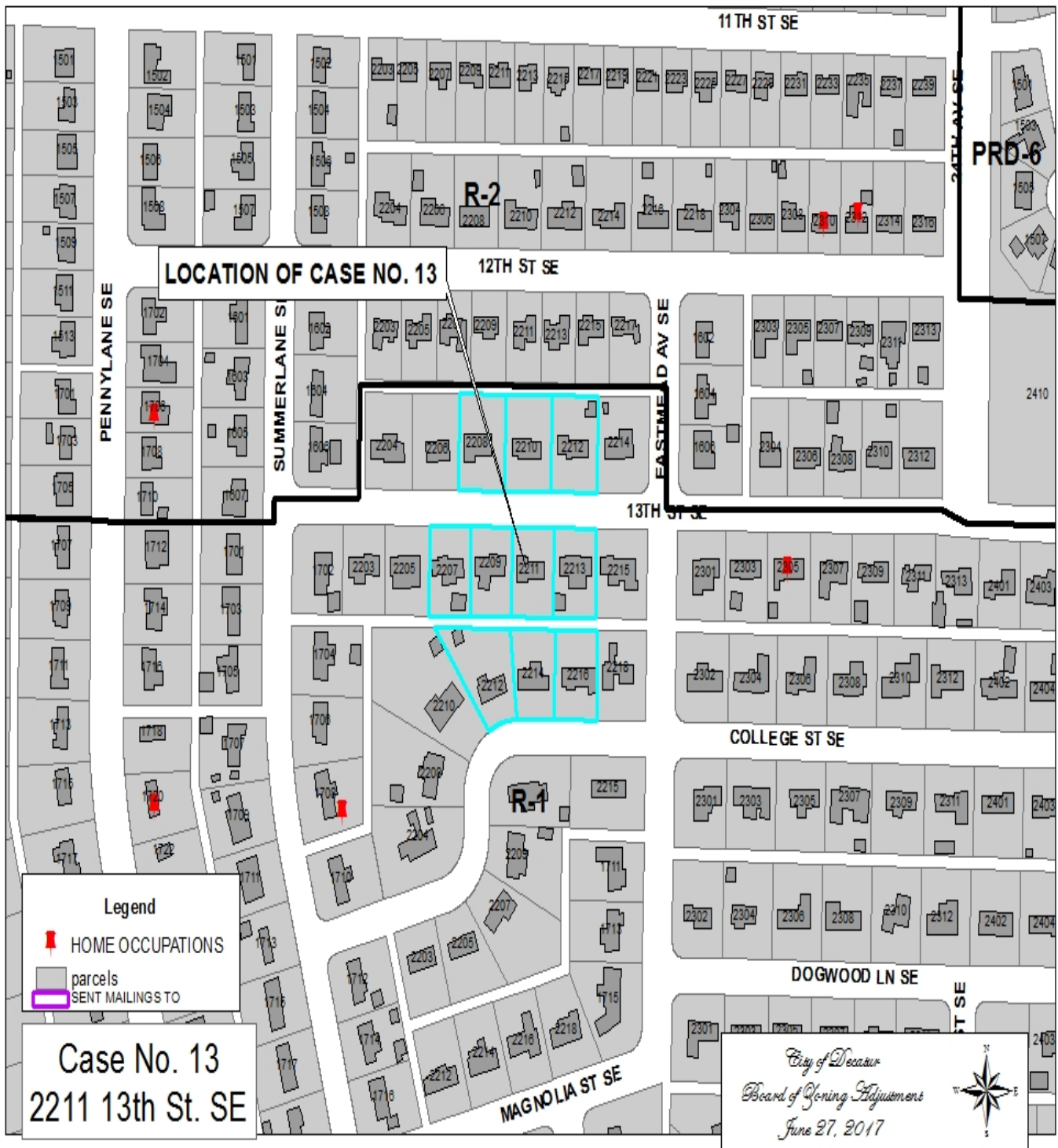
CASE NO 12 306 COURTNEY DR SW, APT 210

QUESTIONNAIRE



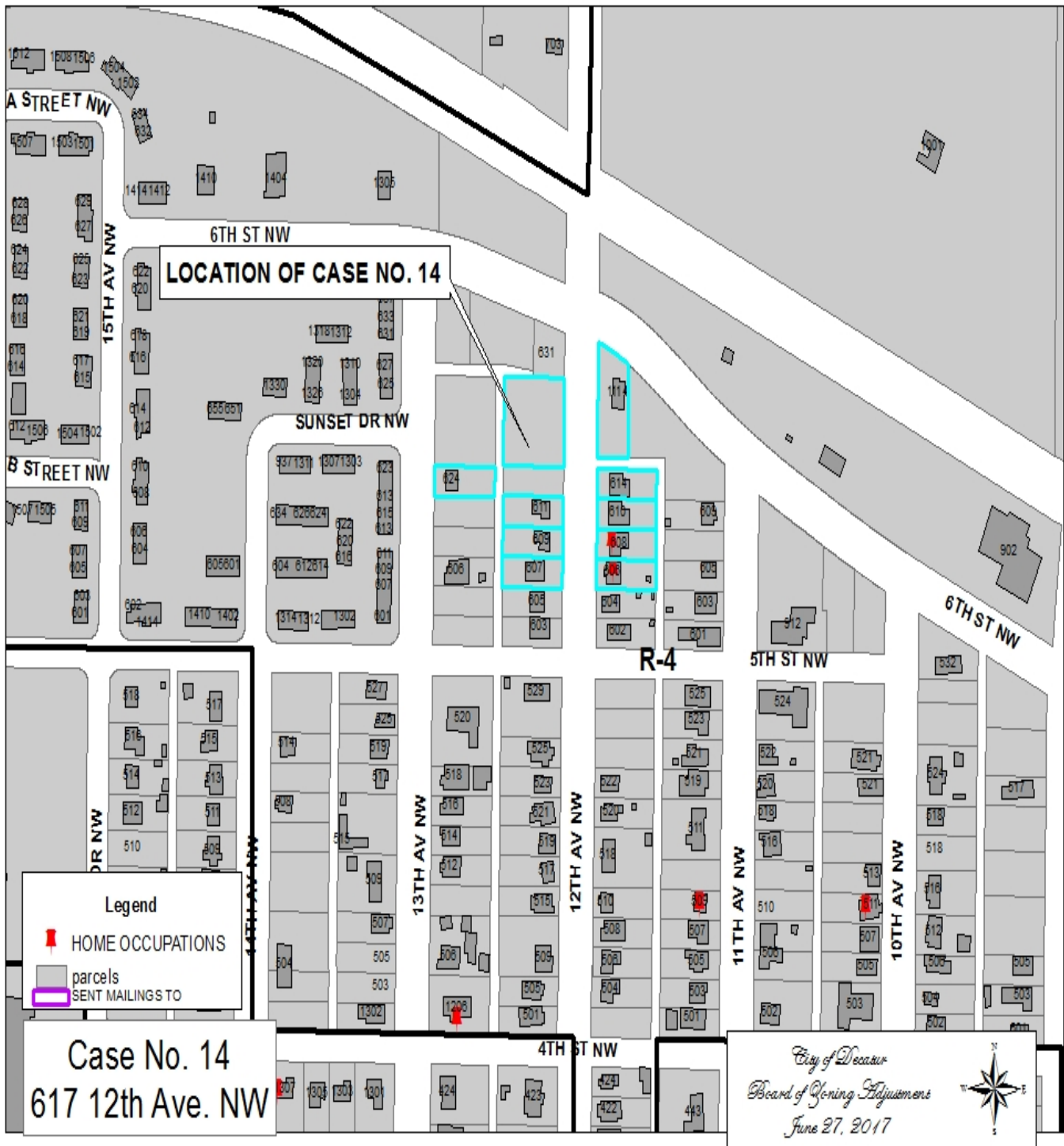
LOCATION MAP 306 COURTNEY DR SW, APT 210

CASE NO 13 2211 13TH ST SE



LOCATION MAP 2211 13TH ST SE

CASE NO 14 617 12TH AVE NW



LOCATION MAP 617 12TH AVE NW