

MINUTES
BOARD OF ADJUSTMENT
Regular Meeting
April 24, 2017
5:30 P.M.

Attendees: Chairman Baxter, Gamble, Gjergji

Absent: Vice-Chair Young

APPROVAL OF MINUTES

Member Gamble offered the following Motion:

I move that the reading of the minutes for February 16, 2017, be waived, and that the Minutes of said meeting, as prepared by the secretary, be approved as written.

The motion was seconded by Member Gjergji and adopted (3).

OLD BUSINESS:

NEW BUSINESS:

Wanda Ray – Public Hearing – Variance – 2562 Madison Street.

Member Gamble offered the following Motion:

I move that this Board receive and file the application of Wanda Ray for approval of a 4' side yard variance request for a carport to be kept on the east property line at 2562 Madison Street. Said carport addition shall meet all required Building Code requirements as applicable. It is further noted that a 2' variance was previous granted February 16, 2017.

I further move that:

(a) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or in the same zone; and

(b) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and

(c) The circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

I further move that the variance be approved.

The Motion was seconded by Member Gjergji.

Member Gjergji offered the Motion to Amend the Agenda Item to grant an additional 2' variance to make the carport flush against the home.

Brooks & Burnett Property, LLC – Public Hearing – Variance – 104 & 108 Pheasant Run.

Member Gamble offered the following Motion:

I move that this Board receive and file the application of Brooks & Burnett Property, LLC for approval of a 16' front yard variance request for a duplex to be constructed 24' from the North property line at 104 & 108 Pheasant Run.

I further move that:

- (a) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or in the same zone; and
- (b) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and
- (c) The circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

I further move that the variance be approved.

The Motion was seconded by Member Gjergji and adopted (3).

Larry Bailey – Public Hearing – Variance – 2408 Clay Street.

Member Gjergji offered the following Motion:

I move that this Board receive and file the application of Larry Bailey for approval of a 6' side yard variance request for a garage to be constructed on the East property line at 2408 Clay Street. Said garage shall meet all required Building Code requirements as applicable.

I further move that:

(a) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or in the same zone; and

(b) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and

(c) The circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

I further move that the variance be approved.

The Motion was seconded by Member Gamble and adopted (3).

Market House Museum – Public Hearing – Variance – 305 Jefferson Street.

Member Gjergji offered the following Motion:

I move that this Board receive and file the application of the Market House Museum for approval of a 26 square foot variance request for a 32 square foot sign to be kept at 305 Jefferson Street.

I further move that:

(a) The requested variance arises from special circumstances which do not generally apply to land in the general vicinity or in the same zone; and

(b) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant; and

(c) The circumstances are not the result of actions of the applicant taken subsequent to the adoption of the zoning regulation from which relief is sought.

I further move that the variance be approved.

The Motion was seconded by Member Gamble Yea Vote, (1) – Member Gamble; Nay Vote (2) - - Members Gjergji and Chairman Baxter.

Member Gjergji offered the following Motion:

I move that this Board find as fact that the approval of a 26 square foot variance request to keep a 32 square foot sign at 305 Jefferson Street be denied for the following:

Item

- The sign should not be larger than 6' square feet, as it is off-premise.
- This sign falls within the definition of an Advertising Sign as provided in Section 126-76 of the Paducah Zoning Ordinance.

The Motion was seconded by Member Gamble and adopted (3).

OTHER:

DISCUSSION: