

MINUTES  
BOARD OF ADJUSTMENT  
Regular Meeting  
October 30, 2017  
5:00P.M.

Attendees: Chairman Baxter, Gjergji, Vice Chair -Young  
Absent:

APPROVAL OF MINUTES

Member Gjergji offered the following Motion:

I move that the reading of the minutes for September 5, 2017, be waived, and that the Minutes of said meeting, as prepared by the secretary, be approved as written.

The motion was seconded by Vice-Chair Young and adopted (3).

OLD BUSINESS:

NEW BUSINESS:

**Crocket Howard Properties -Public Hearing- Conditional Use request- 1606 North 12th Street**

Member Gjergji offered the following Motion:

I move that this Board receive and file the application of Crocket Howard Properties for approval of a Conditional Use permit for a church doing ministry at 1606 North 12th Street.

I further move that this Board find:

The proposed church is permitted in the R-3 Zone as a Conditional Use.

The proposed church will not substantially or permanently injure the appropriate use of neighborhood property.

I further move that the Conditional Use permit be approved with the following conditions:

1. No more than six vehicles are to be parked on the property at any one time within 20' of the side property lines.
2. Classes and group activities must adjourn no later than 9:00p.m.
3. A fence must be installed around the property to keep children on the lot on any part of the lot they have access to.

4. Any signage must be externally lit with no floodlight or otherwise be lighted by other artificial means.
5. No sound or music may be amplified outdoors at any time.

Adjacent Property Owners Voiced Their Concerns:

Mr. and Ms. Sylvester Jackson next door – Concerned about Noise, Traffic, kids, Elderly Residents on Street.

Kathleen Gillespie

Mike Howard-Owner of the Property Stated Might Be A Plus To The Neighborhood.

Vice-Chair Young offered the following Motion:

I move that the condition at the fence be revised to state the fence must be installed at the beginning of any activities to take with the ministry; said fence shall surround any areas where the children will be located including pick-up and drop-off points.

The Agenda Item was re-read by Member Gjergji adding Vice-Chair Young's Motion as Item 3.

I move that this Board receive and file the application of Crocket Howard Properties for approval of a Conditional Use permit for a church doing ministry at 1606 North 12<sup>th</sup> Street.

I further move that this Board find:

The proposed church is permitted in the R-3 Zone as a Conditional Use.

The proposed church will not substantially or permanently injure the appropriate use of neighborhood property.

I further move that the Conditional Use permit be approved with the following conditions:

1. No more than six vehicles are to be parked on the property at any one time within 20' of the side property lines.
2. Classes and group activities must adjourn no later than 9:00p.m.
3. The fence must be installed at the beginning of any activities to take place with the ministry; said fence shall surround any areas where the children will be located including pick-up and drop-off points.
4. Any signage must be externally lit with no floodlight or otherwise be lighted by other artificial means.
5. No sound or music may be amplified outdoors at any time.

The Motion was seconded by Vice-Chair Young, Yeah Votes (Vice- Chair Young, Chairman Baxter) Nay Vote (Member Gjergji acquiesced himself)

**Michael and Tanya Lynn Spaulding – Public Hearing – Variance Request – 6407 Garden View Drive.**

Vice-Chair Young offered the following Motion:

I move that this Board receive and file the application of Michael and Tanya Lynn Spaulding for approval of a .10foot side yard variance request for a new setback for an existing townhome to be established at 6407 Garden View Drive.

I further move that

(a) The requested variance arises from special circumstances which do not generally apply to land Inthe general vicinity or inthe 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 adopted by Member Gjergji and adopted (3).

**Mike and Flora Smith-Public Hearing- Variance request- 6409 Garden View Drive**

Vice-Chair Young offered the following Motion:

I move that this Board receive and file the application of Mike and Flora Smith for approval of a .10 foot side yard variance request for a new setback for an existing townhome to be established at 6409 Garden View Drive.

I further move that:

The requested variance arises from special circumstances which do not generally apply to land inthe general vicinity or inthe same zone; and

(a) 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

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

I further move that the variance be approved.

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

OTHER:

DISCUSSION: