BOARD OF ZONING APPEALS

City Council Chambers, City Hall
Tuesday, June 18, 2024, at 6:00 PM

ACTION REPORT

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. INTRODUCTION OF MEMBERS

Present: Hodge Patel, Zach Middlebrooks, Adam D'Anella, Lauren Holmes, Nick Horton.

Absent: Billy Carman, Zac Stafford

4. APPROVAL / AMENDMENT OF AGENDA

Motion to Approve: Hodge Patel

Second: Adam D'Anella

Vote: 5-0- Approved

5. APPROVAL OF PAST MEETING MINUTES

A. Approval of April 16, 2024, Meeting Minutes

Motion to Approve: Hodge Patel

Second: Adam D'Anella

Vote: 5-0- Approved

6. CONSIDERATION OF PRIMARY VARIANCES

A. CASE #V24-08

Project Address: 15165 Birmingham Highway

Request(s):

Part 1- Sec. 3.1 .4 (A) & (B) - To reduce the 60-foot minimum front yard to 33.1 feet and reduce the 25-foot minimum side yard to 5.1 feet adjacent to the south property line for an existing one-story frame accessory structure.

Part 2- Sec. 3. I .4 (B) - To reduce the 25-foot minimum side yard to 21 .6 feet adjacent to the northeast property line for an existing shed accessory structure.

Part 3- Sec. 2.3.2.E - To allow an existing 8 feet high opaque fence along the exterior street and southern property line to exceed the 5 feet maximum height requirement.

Part 4 -Sec. 2.3.2.E. I .b - To allow an existing 8 feet high opaque fence along the exterior street and southern property line, to be an opaque fence, and not the required equestrian fence.

Part 1 and **Part 2 APPROVED** with the following conditions:

- With respect to the location of the existing one-story frame accessory structure and the existing shed accessory structure per the survey from Keystone Land Surveying, Inc received on May 7, 2024 by the Community Development Department.
- The shed accessory structure and one-story frame accessory structure shall receive Community Development approved building permits.

Motion to **Approve Part 1 and Part 2**: Adam D'Anella

Second: Hodge Patel

Vote: 5-0 Approved

Motion to **DENY Part 3 and Part 4**: Adam D'Anella

Second: Hodge Patel

Vote: 4-1 Approved (Opposed - Lauren Holmes)

B. CASE #V24-09

Project Address: 1105 Birmingham Road

Request(s):

Part 1 —Sec. 8.8.6.2 To reduce the existing barn housing animals distance requirement from 100 feet to 32.09 feet adjacent to the east property line for an existing barn.

Part 2 — Sec. 3.1.4 (Accessory Structure Setbacks) To allow an existing accessory structure shed to remain in front of the proposed Single-Family home adjacent to the east property line.

Part 1 and **Part 2 APPROVED** with the following condition:

- Per the survey from Brumbelow-Reese and Associates Inc. received on May 2, 2024 by the Community Development Department showing the location of the structures.

Motion to Approve: Zach Middlebrooks

Second: Nick Horton

Vote: 5-0 Approved

C. V24-10, 2390 Bethany Bend (Deferral Request to the August 20th meeting)

Motion to Approve: Adam D'Anella

Second: Zach Middlebrooks

Vote: 5-0 Approved

D. CASE #V24-11

Project Address: 835 Foxhollow Run

Request(s):

Sec. 3.1.4 (B) a (D) To reduce the 25-foot minimum side yard to 23 feet adjacent to the east property line and reduce the 50-foot minimum rear yard to 41 .8 feet adjacent to the south property line for an existing accessory structure.

Variance approved with following condition:

Per the survey from Busbee & Poss Land Surveying Company received on May 24, 2024 by the Community Development Department.

Motion to Approve: Hodge Patel

Second: Zach Middlebrooks

Vote: 5-0 Approved

7. CONSIDERATION OF APPEALS / SECONDARY VARIANCES

None

8. OLD BUSINESS

None

9. NEW BUSINESS

None

10. ADJOURNMENT

Motion to Adjourn: Adam D'Anella

Second: Zach Middlebrooks

Vote: 5-0

Persons needing special accommodations in order to participate in any City meeting should call 678.242.2500.