

CITY OF CLARKSVILLE

BOARD OF ZONING APPEALS

-MINUTES-

DATE: March 3, 2021

LOCATION: 100 South Spring Street

I. CALL TO ORDER/ QUORUM CHECK/ PLEDGE OF ALLEGIANCE

Bobby Powers called the Board of Zoning Appeals meeting to order at 2:30 P.M. Mr. Powers stated for the record that a quorum was present.

II. PLEDGE OF ALLEGIANCE

III. MEMBERS PRESENT

Bobby Powers
Cindy Greene
Stacey Wenzler

STAFF PRESENT

Justin Crosby, Building Official
David Smith, Director
Lance Baker, City Attorney
Valerie Ogle

OTHERS PRESENT ADDRESSING THE BOARD

Representatives for BOZA applications

- IV. MOTION:** Bobby Powers read and entertained a motion. *“In order to comply with the technical aspects of the Governor’s Executive Order regarding holding open meetings in a forum other than in the open and in public, this governing body determines that meeting electronically is necessary to protect the health, safety, and welfare of its citizens due to the COVID-19 outbreak.”* Cindy Greene made a motion to adopt; motion seconded by Stacey Wenzler. Vote was unanimous.

V. ADOPTION OF MINUTES

Bobby Powers made a motion to adopt the February 3, 2021 minutes as written; Stacey Wenzler seconded the motion. The minutes were adopted.

VI. BOARD OF ZONING APPEALS CASES

- A. **Case Number BZA-08-2021:** Application of CBP Properties, Bryce Powers, Agent, property located at 204 Al Oerter Dr., Tax Property Map No. 055-G, Parcel A-026.00, Zoned R-2D. Description of the Request: "Applicant is requesting a 15 foot variance from the required 40 foot front yard setback in order for the structure to be 25 feet from the North property line." The staff is recommending approval of the request based on topography and existing drainage. Bryce Powers was present on the call to speak on behalf of the Request. There was no one present to speak in opposition of the Request. After discussing, Mr. Powers entertained a motion. Stacey Wenzler made a motion to approve the request as presented, seconded by Cindy Greene; Bobby Powers abstained from vote. The motion passed.
- B. **Case Number BZA-09-2021:** Application of Tamara Douglas, property located at 247 Pine Mountain Rd., Tax Property Map No. 043-C, Parcel D 011.00, Zoned R-1. Description of the Request: "Applicant is requesting a Use Permitted on Review in an R-1 zone to allow for a Family Day Care Home as a Customary Home Occupation. Six (6) children allowed." The staff is recommending approval of the request. Tamara Douglas was present on the call to speak on behalf of the Request. There was no one present to speak in opposition of the Request. Ms. Douglas explained she intends to keep a maximum of six (6) children ranging in age from 2-5 years old. After discussing, Cindy Greene made a motion to approve the request as presented, seconded by Stacey Wenzler. The motion passed unanimously.
- C. **Case Number BZA-10-2021:** Application of Lindstrom & Company LLC, Scott Lindstrom, Agent, property located at Wilma Rudolph Blvd. & N. Edgewood Place, Tax Property Map No. 032, Parcel 013.02, Zoned AG/C-5. Description of the Request: "Applicant is requesting an 18.8 foot variance from the required 50 foot front yard setback in order for the structure to be 31.2 feet from the South property line." The staff is recommending disapproval of the request; request does not meet the requirements of the current zoning ordinance and hardship is considered self-imposed. Applicant notified the Building & Codes office that they wish to defer the Request for 30 days. Mr. Powers made a motion to defer the request for 30 days, seconded by Stacey Wenzler. The motion passed unanimously.

- D. **Case Number BZA-11-2021:** Application of SDRA Holdings, Allen Moser, Agent, property located at 107 10th St., Tax Property Map No. 066-E, Parcel H-039.00, Zoned C-2. Description of the Request: “Applicant is requesting a 25 foot variance from the required 40 foot front yard setback in order for the structure to be 15 feet from the West property line. Applicant is requesting a 10 foot variance from the required 25 foot rear yard setback in order for the structure to be 15 feet from the East property line.” The staff is recommending disapproval of the request; request does not meet the requirements of the current zoning ordinance and hardship is considered self-imposed. Allen Moser was present on the call to speak on behalf of the Request. Mr. Moser explained that this parcel existed prior to the zoning code or setback requirements. Bobby Powers asked how large is the proposed building going to be; Mr. Moser responded he intends to build a duplex at about 1,250 square feet per unit. There was no one present to speak in opposition of the Request. After discussing, Mr. Powers entertained a motion. Cindy Greene made a motion to approve the request as presented, seconded by Stacey Wenzler. The motion passed unanimously.
- E. **Case Number BZA-12-2021:** Application of Allen Moser, property located at 1224 Gupton Ct., Tax Property Map No. 079-M, Parcel A-021.00, Zoned C-4. Description of the Request: “Applicant is requesting a 25 foot variance from the required 40 foot front yard setback in order for the structure to be 15 feet from the West property line. Applicant is requesting a 30 foot variance from the required 40 foot front yard setback in order for the structure to be 10 feet from the South property line.” The staff is recommending disapproval of the request; supplied survey does not support the request for a variance. Allen Moser was present on the call to speak on behalf of the Request. Justin Crosby explained the survey submitted with the Request does not show a need for the all variances requested. Mr. Moser responded the need for the variance due to the size of the parcel and but would be willing to amend Request if necessary. There was no one present to speak in opposition of the Request. After discussing, Mr. Powers entertained a motion. Cindy Greene made a motion to approve the request as presented, seconded by Stacey Wenzler. The motion passed unanimously.
- F. **Case Number BZA-13-2021:** Application of Allen Moser, property located at 1163 Gupton Ln., Tax Property Map No. 079-L, Parcel B-039.00, Zoned C-2. Description of the Request: “Applicant is requesting a 25 foot variance from the required 40 foot front yard setback in order for the structure to be 15 feet from the West property line.” The staff is recommending disapproval of the request; request does not meet the requirements of the current zoning ordinance and hardship is considered self-imposed. Allen Moser was present on the call to speak on behalf of the Request. Mr. Moser explained that the existing structure burned down

and he intends to build back. After discussing, Mr. Powers entertained a motion. Stacey Wenzler made a motion to approve the request as presented, seconded by Cindy Greene. The motion passed unanimously.

VII. NEW BUSINESS: N/A

VIII. CITY COUNCIL ACTION REQUIRED: N/A

ADJOURNMENT

Motion to adjourn made by Stacey Wenzler; seconded by Cindy Greene.