

CITY OF CLARKSVILLE

BOARD OF ZONING APPEALS

-MINUTES-

DATE: January 6, 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
Stacey Wenzler
Cindy Greene

STAFF PRESENT

Justin Crosby, Building Official
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 entertained a motion to adopt the December 2, 2020 minutes. Stacey Wenzler made a motion to adopt the minutes as written; Cindy Greene seconded the motion. The minutes were adopted.

VI. BOARD OF ZONING APPEALS CASES

- A. **Case Number BZA-01-2021:** Application of RG Brothers, property located at 804 Providence Blvd., Tax Property Map No. 054-E, Parcel D-004.00, Zoned C-2. Description of the Request: “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 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. Bill Ackal was present on the call to speak on behalf of the Request. Mr. Ackal explained the reason for the request was due to an 8” sewer line the runs down the middle of the parcel and they wish to build the structure away from it. Ms. Greene asked what was the intended building use; Mr. Ackal replied it would be used for a blood plasma donation center. Jeff Tyndall asked if the staff received sign off from the Street Department and the Gas & Water Departments and added this is normally something his department does for requests to build so close to the road; Justin Crosby replied no. After discussing, Mr. Powers entertained a motion. Cindy Greene made a motion to defer for 30 days to allow for sign off from other departments, seconded by Stacey Wenzler. The motion passed unanimously.
- B. **Case Number BZA-02-2021:** Application of Hawkins Homes, property located at 432 Kinslow Ct., Tax Property Map No. 017-N, Parcel A-034.00, Zoned R-2. Description of the Request: “Applicant is requesting a 2.2 foot variance from the required 25 foot front yard setback in order for the structure to be 22.8 feet from the North 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. David Kimberling was present on the call to speak on behalf of the Request. Mr. Kimberling explained the front pin was moved and as soon as the error was recognized, they stopped building. After discussing, Bobby Powers made a motion to approve the request as presented, seconded by Cindy Greene. The motion passed unanimously.
- C. **Case Number BZA-03-2021:** Application of Kelly Brooks, property located at 3414 Oconnor Ln., Tax Property Map No. 007-K, Parcel A-055.00, 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. No one was present on the call to speak on behalf 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. The motion passed unanimously.

- D. **Case Number BZA-04-2021:** Application of SNC Investment Partners LLC, Sean Coyle, Agent, property located at 803 N. Second St., Tax Property Map No. 055-O, Parcel A-017.00, Zoned C-2. Description of the Request: “Applicant is requesting a 0.7 space variance from the required 2.2 spaces per unit in order to allow 1.5 spaces per 350 square foot unit.” The staff is recommending approval of the request. Cal McKay was present on the call to speak on behalf of the Request. Mr. McKay noted the request is due to the renovation of an existing hotel into efficiency apartments. 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-05-2021:** Application of Real Property Holdings, Inc., Jimmy Bagwell, Agent, property located at Windermere Dr., Tax Property Map No. 063, Parcel 046.03, Zoned C-4. Description of the Request: “Applicant is requesting a 10 foot variance from the required 50 foot front yard setback in order for the structure to be 40 feet from the North 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. No one was present to speak on behalf of the Request. Justin Crosby added that he did receive a call from an adjoining property owner who was in favor of the request. Cindy Greene asked the intended building use; Mr. Crosby explained that the applicant did not share that information on the application. Bobby Powers made a motion to defer the request for 30 days, seconded by Cindy Greene. The motion passed unanimously.

VII. NEW BUSINESS:

VIII. CITY COUNCIL ACTION REQUIRED: N/A

ADJOURNMENT

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