

CITY OF CLARKSVILLE

BOARD OF ZONING APPEALS

-MINUTES-

DATE: March 2, 2022

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. MEMBERS PRESENT

Bobby Powers
Joe Shakeenab
Micheal Long

STAFF PRESENT

Justin Crosby, Building Official
Valerie Ogle

OTHERS PRESENT ADDRESSING THE BOARD

Representatives for BOZA applications

III. ADOPTION OF MINUTES

Bobby Powers entertained a motion to adopt the February 2, 2022 minutes. Joe Shakeenab made a motion to adopt the minutes as written; Micheal Long seconded the motion. The minutes were adopted.

IV. BOARD OF ZONING APPEALS CASES

- A. Case Number BZA-53-2021:** Application of Kinfe Kahasay, property located at 1991 Ft. Campbell Blvd., Tax Property Map No. 030-J, Parcel C-006.00, Zoned C-5. Description of the Request: "Applicant is requesting a 37.4 foot variance from the required 50 foot front yard setback in order for the structure to be 12.6 feet from the North property line." The staff recommendation is for disapproval; request does not meet the requirements of the current zoning ordinance and hardship is considered self-imposed. Kinfe Kahasay was present to speak on behalf of the request. Justin Crosby explained there is an existing building within

the setback off Ringgold Road. Mr. Kahasay stated his goal is to open a gas station. Michael Long asked if they were to remodel, would it take the structure closer to Ringgold Road? Mr. Kinfe responded that it would be unlikely. Mr. Crosby also responded that moving any closer to the road would require them to come back before the board. There was no opposition present. After discussing, Bobby Powers entertained a motion. Micheal Long made a motion to approve the request, seconded by Joe Shakeenab. The motion passed two to one.

- B. Case Number BZA-06-2022:** Application of Travis Egan, property located at 1267 Eagles View Dr., Tax Property Map No. 017-J, Parcel G-006.00, Zoned R-2. Description of the Request: “Applicant is requesting a Use Permitted on Review in an R-2 zone to allow for a Business Office (mortgage broker) as a customary home occupation.” The staff recommendation is for approval; request will have no adverse effects on surrounding properties. Travis Egan was present to speak on behalf of the request. Mr. Powers asked what type of company would it be; Mr. Egan replied it is an all virtual mortgage company. There was no opposition present. After discussing, Bobby Powers entertained a motion. Joe Shakeenab made a motion to approve the request as presented, seconded by Micheal Long. The motion passed unanimously.
- C. Case Number BZA-07-2022:** Application of Thurmantha Thompson, property located at 3174 Cross Ridge Dr., Tax Property Map No. 032-B, Parcel E-028.00, Zoned R-2. Description of the Request: “Applicant is requesting a Use Permitted on Review in an R-2 zone to allow for a Family Day Care Home as a customary home occupation. Six (6) children allowed.” The staff recommendation is for approval; request will have no adverse effects on surrounding properties. Thurmantha Thompson was present to speak on behalf of the request. Mr. Shakeenab asked what the anticipated traffic would be; Ms. Thompson responded she will have four families with the earliest drop off at 7:30 am and the latest pick up at 4:30 pm. There was no opposition present. After discussing, Bobby Powers entertained a motion. Micheal Long made a motion to approve the request as presented, seconded by Joe Shakeenab. The motion passed unanimously.
- D. Case Number BZA-08-2022:** Application of Raymon Sheppard, property located at 875 Richardson St., Tax Property Map No. 079-D, Parcel C-043.00, Zoned R-3. Description of the Request: “Applicant is requesting a 6.4 foot variance from the required 50 foot front yard setback in order for the structure to be 43.6 feet from the North property line.” The staff recommendation is for disapproval; request does not meet the requirements of the current zoning ordinance and hardship is considered self-imposed. Raymon Sheppard was present to speak on behalf of the

request. Mr. Crosby explained the house is 49.6 feet and the covered porch is 43.6 feet from the property line. Mr. Powers asked if the staff recommendation was based on a standard disapproval such as no topographical need; Mr. Crosby responded yes, there is no topographical need for this request. Mr. Powers asked if the house was out of line with surrounding houses; Mr. Crosby replied no, certainly not to the naked eye and if the front porch were not there, then a variance letter would have been processed for this request. Mr. Sheppard stated he had always been taught that porches did not matter, covered or uncovered, and he attempted to conform to surrounding houses. There was no opposition present. After discussing, Bobby Powers made a motion to approve the request as presented, seconded by Micheal Long. The motion passed unanimously.

E. Case Number BZA-09-2022: Application of TLZ Clarksville Madison, LLC, property located at Meadowhill Ln., Tax Property Map No. 081-J, Parcel A-007.00, Zoned O-1. Description of the Request: “Applicant is requesting a Use Permitted on Review in an O-1 zone to allow for a Child Care Facility.” The staff recommendation is for approval; request will have no adverse effects on surrounding properties. Cal McKay was present to speak on behalf of the request. There was no opposition present. After discussing, Bobby Powers entertained a motion. Micheal Long made a motion to approve the request as presented, seconded by Joe Shakeenab. The motion passed unanimously.

F. Case Number BZA-10-2022: Application of Habitat for Humanity, Syd Hedrick, Agent, property located at 494 Elder St., Tax Property Map No. 066-K, Parcel F-033.00, Zoned R-3. Description of the Request: “Applicant is requesting a 14.3 foot variance from the required 40 foot front yard setback in order for the structure to be 25.7 feet from the South property line.” The staff recommendation is for approval; request will have no adverse effects on surrounding properties. Mr. Hedrick explained that lots are getting harder to come by and Habitat for Humanity has owned this lot for a while and are now in need of a lot to build on. There was no opposition present. After discussing, Bobby Powers entertained a motion. Micheal Long made a motion to approve the request as presented, seconded by Joe Shakeenab. The motion passed unanimously.

V. NEW BUSINESS: N/A

VI. CITY COUNCIL ACTION REQUIRED: N/A

ADJOURNMENT

Motion to adjourn made by Joe Shakeenab; seconded by Micheal Long.