

CITY OF CLARKSVILLE

BOARD OF ZONING APPEALS

-MINUTES-

DATE: November 2, 2022

LOCATION: 100 South Spring Street

I. CALL TO ORDER/ QUORUM CHECK

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
Micheal Long
Don Trotter
Cindy Greene

STAFF PRESENT

Mat Smiley
Valerie Ogle
Stephanie Rodriguez

OTHERS PRESENT ADDRESSING THE BOARD

Representatives for BOZA applications

IV. ADOPTION OF MINUTES

Bobby Powers entertained a motion to adopt the October 5, 2022 minutes. Micheal Long made a motion to adopt the minutes as written; Don Trotter seconded the motion. The minutes were adopted.

V. COMMITTEE ACTION REQUIRED

- A. Case Number BZA-32-2022:** Application of Bill Mace, property located at 1104 Cardinal Creek Dr., Tax Property Map No. 018N, Parcel G 012.00, Zoned R-1. Description of the Request: "Applicant is requesting a 14.8 foot variance from the required 20 foot rear yard setback in order for the structure to be 5.2 feet from the South property line." Staff recommendation is for disapproval; request does not meet the requirements of the current zoning ordinance and hardship is considered self-imposed. Applicant requested to remove the application from the agenda.

- B. Case Number BZA-57-2022:** Application of Danielle Epstein, Reed Baldwin, Agent, property located at 374 Ryder Ave., Tax Property Map No. 043H, Parcel A 032.00, Zoned R-3. Description of the Request: “Applicant is requesting a 9.5 foot variance from the required 40 foot front yard setback in order for the structure to be 30.5 feet from the North property line.” Staff recommendation is for disapproval; request does not meet the requirements of the current zoning ordinance and hardship is considered self-imposed. Reed Baldwin was present to speak on behalf of the request. There was no opposition present. Mr. Baldwin explained that there are existing power lines that cut through the property and CDE would not be relocating them. After discussing, Bobby Powers entertained a motion. Cindy Greene made a motion to approve the request as presented, seconded by Stacey Wenzler. The motion passed unanimously.
- C. Case Number BZA-59-2022:** Application of Charles Biter, property located at 509 Britton Springs Rd., Tax Property Map No. 030H, Parcel C 031.00, Zoned R-4. Description of the Request: “Applicant is requesting an 11.7 foot variance from the required 25 foot rear yard setback in order for the structure to be 13.3 feet from the North property line.” Staff recommendation is for disapproval; request does not meet the requirements of the current zoning ordinance and hardship is considered self-imposed. Charles Biter was present to speak on behalf of the request. Eva Augustine was present to speak in opposition of the request. Cindy Greene asked if Mr. Biter would be tearing down the existing structure on the property to which Mr. Biter responded yes, that it would be completely removed. Ms. Augustine stated that if the proposed request is granted that the structure would be too close to the property line and would not offer enough privacy. Micheal Long asked Ms. Augustine if she would feel more comfortable if there were trees put up on the backside of the property to provide coverage would that be something she would be okay with? Mrs. Augustine stated yes. Mr. Long asked if the applicant would be agreeable with planting 4-5 trees; Mr. Biter replied yes, the adjoining property has the same requirement. After discussing, Bobby Powers entertained a motion. Cindy Greene made a motion to approve the request, seconded by Micheal Long. The motion passed unanimously.
- D. Case Number BZA-66-2022:** Application of Tykea Jamall Johnson, property located at 431 Cyprus Ct., Tax Property Map No. 032J, Parcel A017, 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 as a customary home occupation.” Staff recommendation is for approval; request will have no adverse effects on surrounding properties. Erica Edgemon was present to speak on behalf of the request. There was no opposition present. Ms. Edgemon stated they purchased a Budget Blinds franchise which will be based out of Paris, TN, the home office business would primarily be for clerical purposes and the majority of the work, such as consultations and installations, are done out of the residence. After discussing, Bobby Powers entertained a motion. Don Trotter made a motion to approve the request, seconded by Micheal Long. The motion passed unanimously.

- E. Case Number BZA-67-2022:** Application of Van Wormer Construction, LLC, Dennis Van Wormer, Agent, property located at 833 Forest St., Tax Property Map No. 66N, Parcel C09, Zoned R-6. Description of the Request: “Applicant is requesting to waive sidewalk requirement.” Staff recommendation is for disapproval; request does not meet the requirements of the current zoning ordinance and hardship is considered self-imposed. Houston Smith was present to speak on behalf of the request. Micheal Long asked if there are existing sidewalks; Mat Smiley replied yes. Mr. Smith stated they would not be removing any existing sidewalks, however, Van Wormer Construction is trying to avoid removing the present rock. After discussing, Bobby Powers entertained a motion. Micheal Long made a motion to approve the request, seconded by Stacey Wenzler. The motion was passed unanimously.
- F. Case Number BZA-68-2022:** Application of Jenna Julian, property located at 517 Hawkins Rd., Tax Property Map No. 079, Parcel 042, Zoned R-1. Description of the Request: “Applicant is requesting a Use Permitted on Review in an R-1 zone to allow for a Guest House.” Staff recommendation is for approval; request will have no adverse effects on surrounding properties. Danny Moon was present to speak on behalf of the request. Mr. Moon stated that the proposed guest house would be for family while they are in town visiting. After discussing, Bobby Powers entertained a motion. Stacey Wenzler made a motion to approve the request, seconded by Cindy Greene. The motion passed unanimously.
- G. Case Number BZA-69-2022:** Application of Tojuana Kendall, property located at 1957 Norwood Trl., Tax Property Map No. 65F, Parcel A-12, Zoned E-1. Description of the Request: “Applicant is requesting a 7.5 foot variance from the required 20 foot side yard setback in order for the structure to be 12.5 feet from the Northwest property line.” Staff recommendation is for disapproval; request does not meet the requirements of the current zoning ordinance and hardship is considered self-imposed. Tojuana Kendall was present to speak on behalf of the request. Melody and Sam Young were present to speak in opposition of the request. Cindy Greene asked if the garage would be built onto the home renovation to which Mrs. Kendall stated yes. Mr. Young stated that he was against the garage being built onto the home for safety reasons. Mr. Young added there was a recent fire at Mrs. Kendall’s house because a vehicle caught on fire and he believes that if the garage is put where Mrs. Kendall is requesting and if another fire occurs it might make its way onto his property. Cindy Greene asked where would the detached garage be placed if the request was denied; Mrs. Kendall stated it would be going in the same location of the request. After discussing, Bobby Powers entertained a motion. Don Trotter made a motion to approve the request, seconded by Micheal Long. The motion passed unanimously.

VI. CITY COUNCIL ACTION REQUIRED: NONE

ADJOURNMENT

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