

Call meeting to order on December 10, 2019 at 5:30 PM:

Roll Call: Mary Benton Charles Jennings Andy Paton Cody Richardson Dr. Scott Rogers
Dotty Smith Chris Tackett

Staff present at roll call was Public Information Officer Andrew Lawson and Principal Planner Josh White

Also present at roll call were Sara Williams and Harold Arnett representing Best Western and SCKMC; Citizens Jeff and Natasha Bryant, Mark and Robin Bartlett and an unidentified county resident.

1. Declaration:

No declarations of outside or ex parte communication or other conflicts of interests were made.

2. Public Comments:

No members of the public brought any comments for items not on the agenda.

3. Consent Agenda:

Rogers made a motion to approve the October 29, 2019 meeting minutes as written. Smith seconded the motion. Voice vote carried the motion.

4. Recess the Planning Commission and Convene the Board of Zoning Appeals (Growth Area members should step down)

Jennings made a motion to recess the Planning Commission and convene the Board of Zoning Appeals. Rogers seconded the motion. Voice vote carried the motion. Rogers turned the meeting over to Benton. Benton opened the meeting of the Board of Zoning Appeals.

5. Hold a public hearing to consider a request for a variance to the front yard setback for an addition at 514 Highland Drive

Benton declared the public hearing open. The meeting was turned over to White for the staff report. The project involves an addition of a covering over a new proposed circle drive on the front of the home that would encroach upon the required front yard setback. He indicated staff had no objections to the approval of a variance. Jeff Bryant passed out a drawing of the proposed structure. Smith asked if the house to the south had an existing circle drive. Pictures determined this to be true. Smith asked about drainage issues and applicant Jeff Bryant spoke of his plans for drainage. Drainage was briefly discussed. She also asked if there was any opposition to the request. White indicated he had previously heard no opposition prior to the meeting. Robin & Mark Bartlett of 416 Highland Drive both expressed opposition to the variance citing concerns about the project changing the appearance of the neighborhood and possibly being in violation of covenants placed on the property. Smith asked Bryant to further explain the project. Bryant gave the details of the project noting that carport was not an accurate description as he felt that implied cheapness. This project would be tied into the home and would be tastefully designed. Smith, Rogers & Jennings noted that the project would not obstruct any view and the objection seemed to be more about personal preference. Staff reiterated that this project should not cause any safety or visibility concerns. Smith asked if Bryant was aware of any covenants. Bryant stated he was unaware of any covenants placed on the property. White pointed out that staff does not enforce covenants as they are a private agreement and staff was also unaware of any covenants that may be in place. Jennings asked if any action by the board would not prevent neighbors from filing civil suit against the project. White said no and noted any decision of this board could be appealed to District Court. Jennings made a motion to close the public hearing. Smith seconded the motion. The public hearing was closed. Board members held further discussion on the variance. Smith asked White to confirm who was notified. White noted letters were sent to all property owners within 200 feet. Harold Arnett 2202 Fairlane asked to speak on the request as well. Benton granted his request. Arnett

requested the item be tabled until more research could be done in regards to the covenants. He asked for some clarification of the project and stated he personally did not have any objections. He said this affected the whole neighborhood not just those within 200 feet and felt that more time was needed for the neighborhood to learn more about the project. Jennings expressed concern about not having absolutes. Tackett pointed out that he understood the desire to not spend a lot of money on design and exact measurements if approval of the request may be denied. Smith made a motion to approve a variance to allow a 10 foot front yard setback for an addition at 514 Highland Drive. Benton seconded the motion. The vote was taken by roll call.

Yes: Benton, Jennings, Richardson, Rogers, Smith **No:** Tackett

The motion was declared passed on 5-1 vote.

6. Hold a public hearing to consider a request for a sign variance at 6100 Patterson Parkway

Motion: To approve (or disapprove) a variance to allow a pole sign to exceed the maximum size by 120 square feet at 6100 Patterson Parkway.

Benton opened the public hearing and turned to meeting over to White. White presented the staff report. The project involves a sign that would exceed the allowable size in the C-3 district. He stated that staff had no objection to the granting of the variance due to the fact that it is a sign along a highway and is setback considerably from the roadway itself and would not adversely impact any neighbors. He did note that Strother Field had requested that the lighting be directed downward so as to not affect any incoming air traffic. Smith & Rogers felt this would help with visibility for the two entities as long as Strother Field's concerns were addressed. A county resident present stated that he had no objection, he just wanted to verify the proposed placement of the sign. Rogers made a motion to close the public hearing. Jennings seconded the motion. Voice vote carried the motion. The public hearing was closed. Rogers made a motion to approve a variance to allow a pole sign to exceed the maximum size allowed by 120 square feet at 6100 Patterson Parkway subject to the condition that the lights be pointed downward as requested by Strother Field Airport. Jennings seconded the motion. The vote was taken by roll call.

Yes: Benton, Jennings, Richardson, Rogers, Smith, Tackett **No:** None

The motion was declared passed.

7. Adjourn the Board of Zoning Appeals Sine Die and reconvene the Planning Commission (Growth Area members may return).

Jennings left the meeting. Rogers made a motion to adjourn the Board of Zoning Appeals Sine Die and reconvene the Planning Commission. Smith seconded the motion. Voice vote carried the motion.

8. Other Items:

White mentioned that this was the last meeting for Rogers as he would be joining the City Commission in January. This would also be the last meeting for Tackett who asked to not be reappointed when his term expires. White stated staff is working with the incoming mayor to find replacements. Smith indicated she had several potential candidates and requested applications be sent to her. White stated he would do that.

9. Adjournment:

Tackett made a motion to adjourn. Richardson seconded the motion. Voice vote carried the motion. Meeting adjourned.