

KINGSPORT BOARD OF ZONING APPEALS AGENDA
REGULAR MEETING: April 2, 2020
Civic Auditorium

CALL TO ORDER – 12:00 P.M. NOON

INTRODUCTION / MEETING PROCEDURES

PUBLIC HEARING:

Case: 20-701-00003 – Property located at 3100, 3120, 3130, and 3140 E. Stone Dr., Control Map 032 and 032P, Group C, Parcels 001.00, 002.00, 003.00, and 015.20 requests a 25 foot periphery yard variance to Sec 114-230(c) for the purpose of constructing a commercial building. The property is zoned B-4P (Planned Business District).

INTERESTED PARTIES:

Owner: B&G Investment Properties
921 E. Stone Drive
Kingsport, TN 37660
423.378.6100

Representative: Greg Glass

Case: 20-701-00004 – Property located at 2389 Cleek Rd., Control Map 47, Parcel 024.00 requests a 38.8 front yard variance to Sec 114-181(e)1(c), a 7 foot side yard variance to Sec 114-181(e)1(d), and a 14.4 foot side yard variance to Sec 114-181(e)1(d) for the purpose of constructing a single family home. The property is zoned A-1 (Agricultural District).

INTERESTED PARTIES:

Owner: John Rose
1017 Hill Road
Blountville, TN 37617
423.579.2449

Representative: John Rose

BUSINESS:

Approval of the March 5, 2020 driving tour and regular meeting minutes.

Stating for public record, the next application deadline is April 15, 2020 at noon, and meeting date (Thursday, May 7, 2020).

ADJUDICATION OF CASES:

REGULAR MEETING
& PUBLIC HEARING
Kingsport Board of Zoning Appeals

NOTICE IS HEREBY GIVEN to all citizens of the City of Kingsport, Tennessee, to all persons interested, and the public at large that an open and public meeting of the Kingsport Board of Zoning Appeals scheduled for Thursday, April 2, 2020 will be conducted beginning at NOON at the Kingsport Civic Auditorium, 1550 Fort Henry Drive, Kingsport, Tennessee.

Public Hearing: The Kingsport Board of Zoning Appeals will conduct a Public Hearing during this meeting to consider the following cases:

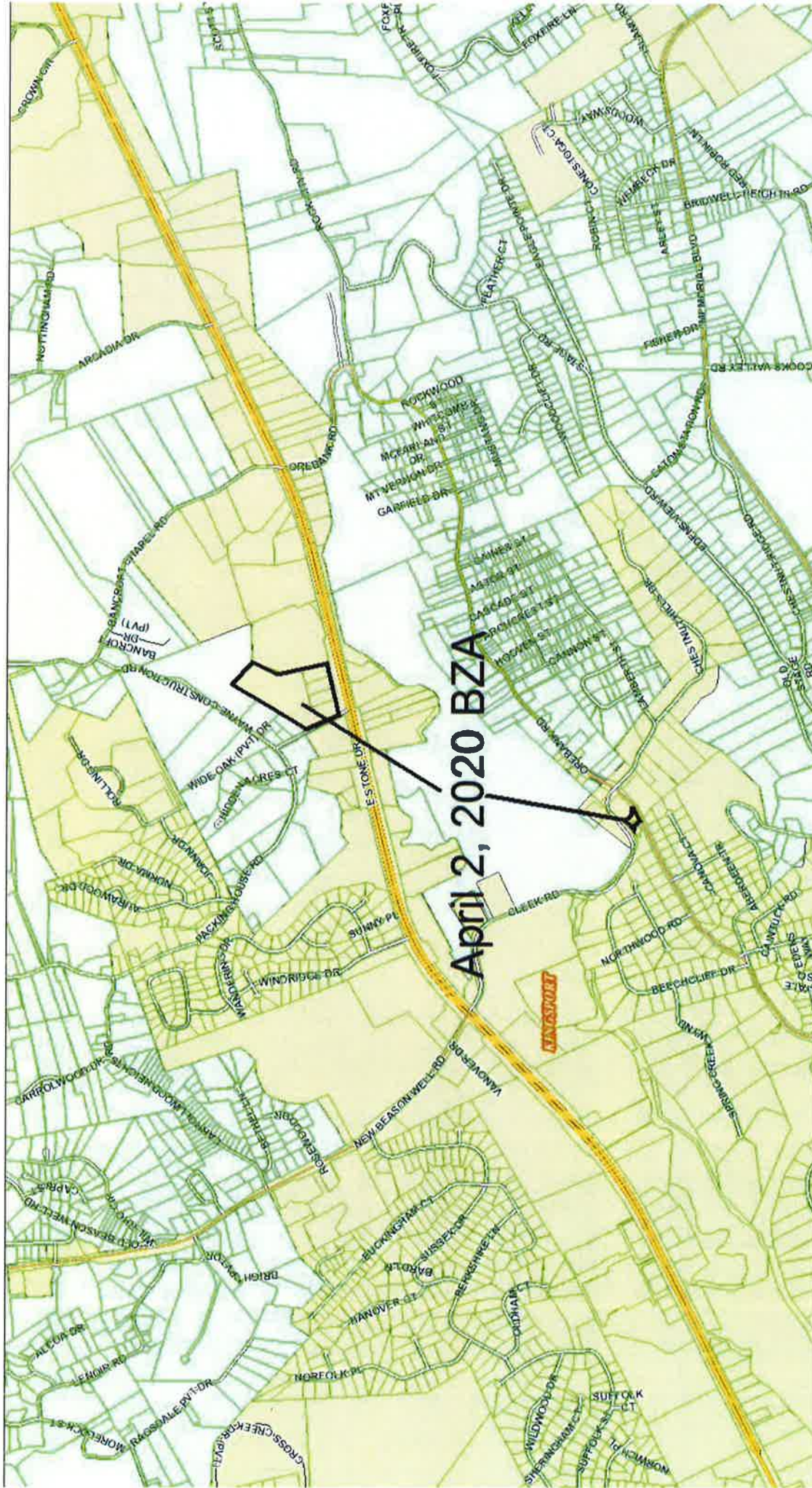
Case: 20-701-00003 – Property located at 3100, 3120, 3130, and 3140 E. Stone Dr., Control Map 032 and 032P, Group C, Parcels 001.00, 002.00, 003.00, and 015.20 requests a 25 foot periphery yard variance to Sec 114-230(c) for the purpose of constructing a commercial building. The property is zoned B-4P (Planned Business District).

Case: 20-701-00004 – Property located at 2389 Cleek Rd., Control Map 47, Parcel 024.00 requests a 38.8 front yard variance to Sec 114-181(e)1(c), a 7 foot side yard variance to Sec 114-181(e)1(d), and a 14.4 foot side yard variance to Sec 114-181(e)1(d) for the purpose of constructing a single family home. The property is zoned A-1 (Agricultural District).

All interested persons are invited to attend this Public Hearing. Additional information concerning this case may be obtained by contacting City of Kingsport Planning Division staff, telephone (423) 229-9485.

City of Kingsport, Tennessee
Sidney Cox, City Recorder
P1T: 3/24/20

ArcGIS Web Map



1/2020, 11:46:20 AM

1:18,056



- Irian County Parcels
- Lake_Pond
- Parcel_Conflict
- Parcels
- Railroad_ROW
- River
- Street_ROW
- Hawkins County Parcels
- Lake_Pond
- Parcel_Conflict
- Parcels
- Railroad_ROW
- River



TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: March 21, 2020

RE: 3100, 3120, 3130, and 3140 E. Stone Dr.

The Board is asked to consider the following request:

Case: 20-701-00003 – Property located at 3100, 3120, 3130, and 3140 E. Stone Dr., Control Map 032 and 032P, Group C, Parcels 001.00, 002.00, 003.00, and 015.20 requests a 25 foot periphery yard variance to Sec 114-230(c) for the purpose of constructing a commercial building. The property is zoned B-4P (Planned Business District).

The B-4P district requires a 30 foot periphery yard designated around the border of the entire district:

(c)

Periphery yard. The B-4P district shall have a 30-foot landscaped development-free periphery yard. The periphery yard shall be measured from the property lines around the district. Structures including parking areas shall not be permitted within the periphery yard. However, transit stops, transit shelters, and other public uses may be located in the periphery yard.

The parcels front a wider section of right-of-way off E. Stone Dr. as compared to adjacent parcels. The proposed 5 foot periphery yard along E. Stone Dr. will contain landscaping as proposed.

APPLICATION
Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name: B & G Investment Properties LLC First: N/A M.I. N/A Date: 3/3/2020
Street Address: 921 E Stone Drive Apartment/Unit #: N/A
City: Kingsport State: Tennessee ZIP: 37660
Phone: (423) 378-6100 E-mail Address: Greg.Glass@Glassmachineryco.com

PROPERTY INFORMATION:

Tax Map Information Tax map: 032 & 032P Group: C Parcel: 01.00, 02.00, 03.00 & 015.20 Lot:
Street Address: 3100, 3120, 3130 & 3140 E. Stone Drive Apartment/Unit #
Current Zone: B-4P Proposed Zone: B-4P
Current Use: None Proposed Use: Kubota Tractor Sales & Service

REPRESENTATIVE INFORMATION:

Last Name: Glass First: Greg M.I.: D Date: 3/3/2020
Street Address: 204 Lynn Garden Drive Apartment/Unit #
City: Kingsport State: Tennessee ZIP: 37660
Phone: (276) 393-9550 E-mail Address: Greg.Glass@Glassmachineryco.com

REQUESTED ACTION:

DIVISION 3. – PLANNED BUSINESS DISTRICT (B-4P)

Sec. 114-230. – Design Standards.

(c) Periphery yard. Provide a 25 foot reduction of the required landscaped periphery yard (development buffer) along Stone Drive (11-W)

DISCLAIMER AND SIGNATURE

By signing below I state that I have read and understand the conditions of this application and have been informed as to the location, date and time of the meeting in which the Board of Zoning Appeals will review my application. I further state that I am/we are the sole and legal owner(s) of the property described herein and that I am/we are appealing to the Board of Zoning Appeals.

Signature: [Handwritten Signature] MBR
Signed before me on this 12th day of March, 2020.

Date: 03/12/2020

a notary public for the State of Tennessee
County of Sullivan

Notary Patricia Rhea Gibbons
My Commission Expires 08/01/2023



Variance Worksheet – Finding of Facts

Variances. Except as provided herein to hear and decide applications for variance from the terms of this chapter, because of exceptional narrowness, shallowness or shape of a specific piece of property which on June 16, 1981, was a lot of record or where, **because of exceptional topographic conditions or other extraordinary or exceptional situation or condition of a piece of property**, the strict application of this chapter would result in peculiar and exceptional practical difficulties to exception or undue hardship upon the owner of such property, provided that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this chapter. In granting a variance the board may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable in furtherance of the purposes of this chapter. Before any variance is granted, the board must find all of the following, which shall be recorded, along with any imposed conditions or restrictions, in minutes and records and issued in written form to the applicant to constitute proof of the variance:

- a. The specific conditions in detail which are unique to the applicant's land. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.

This property is located on the north side of Stone Drive (Hwy 11-W) just east of Packing House Road. The zoning of the property is B-4P. The B-4P zoning specifically supports the intended use of the property; an equipment sales, service and rental establishment (a Kubota Tractor dealership). B-4P zoning requires a 30 foot deep landscaped periphery yard free of buildings or parking. The right-of-way for Stone Drive is very wide, the front property line of this site is approximately 80 feet from the nearest driving lane of the highway. Immediately to the east of this site is a property consisting of small, vegetation covered hills. The combination of the hills and trees to the east, the wide highway right-of-way and the 30 foot deep landscaped periphery yard essentially serve to hide the site, and any business located on it, from west bound travelers on Highway 11-W.

- b. The manner in which the strict application of this chapter would deprive the applicant of a reasonable use of the land.

The requirement of the 30 foot deep landscaped periphery yard along 11-W, in conjunction with the wide highway right-of-way and the visual barrier created by the adjacent hills and trees restricts the visibility of any business choosing to locate on this site. This lack of visibility would be detrimental to a business at this location. By not requiring the 30 foot periphery yard along Stone Drive any building would be afforded a more visible presence on the highway.

c. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption or amendment of this chapter.

The applicant has made no changes to the existing property.

d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.

The essential character of the neighborhood is commercial and light industrial, similar to the proposed use of the site in question. To the west and south of the site are properties zoned for business (B-3). Immediately to the east of the property is an undeveloped tract zoned for residential (R-1B), this undeveloped residential tract is sandwiched between our site zoned B-4P and a property zoned M-1. The requested variance does not remove the requirement of the 30 foot periphery yard on the side adjacent to the residential zoned property, or any other adjacent property; it would only remove the periphery yard along Stone Drive.

Further, a variance may be granted only if the Board finds that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning plan and this chapter. Variances shall not be granted permitting an increase in floor area or density above the maximum permitted by the zoning district; allowing a use other than those specifically authorized by this chapter in the applicable zoning district; or from the denial of a zoning permit when such denial is due to the fact that such lot has no frontage on a public street unless such lot was a lot of record on June 16, 1981.

Hardship - There is no definition of a "hardship". Some guidelines, based on legal precedent, for applying the concept of unnecessary hardship are:

1. The premises of cannot be used in a manner permitted by the Zoning Ordinance unless the variance is granted.
2. A strict application of the terms of the Zoning Ordinance precludes its use for any purpose to which the land is reasonably adopted.
3. Inability to put the property to its most profitable use DOES NOT constitute a "hardship".
4. Mere inconvenience to the applicant is not sufficient grounds for determining a "hardship". In granting a variance the BZA may not make any decision that is contrary to the purpose and intent of the Zoning Ordinance.

ArcGIS Web Map



1/2020, 11:49:57 AM

- Kpt 911 Address
- River
- Railroad_ROW
- Irian County Parcels
- Street_ROW
- River
- Lake_Pond
- Hawkins County Parcels
- Street_ROW
- Parcel_Conflict
- Lake_Pond
- Parcels
- Parcel_Conflict
- Railroad_ROW
- Parcels

1:4,514





TO: KINGSPORT BOARD OF ZONING APPEALS

FROM: Ken Weems, AICP, Planning Manager

DATE: March 21, 2020

RE: 2389 Cleek Road

The Board is asked to consider the following request:

Case: 20-701-00004 – Property located at 2389 Cleek Rd., Control Map 47, Parcel 024.00

requests a 38.8 front yard variance to Sec 114-181(e)1(c), a 7 foot side yard variance to Sec 114-181(e)1(d), and a 14.4 foot side yard variance to Sec 114-181(e)1(d) for the purpose of constructing a single family home. The property is zoned A-1 (Agricultural District).

The A-1 district contains the following setback requirements:

(e) Dimensional requirements. The minimum and maximum dimensional requirements for the A-1 district are as follows:

(1) Minimum requirements.

a. Lot area, 20,000 square feet.

b. Lot frontage, 100 feet.

c. Front yard, 50 feet.

d. Each side yard, 20 feet; plus six feet on the street side yard.

e. Rear yard, 50 feet.

The property is currently going through a right-of-way vacating for both the existing Cleek Road and the former Cleek Road (see graphic attached in the submittal). Successful variance approval will have an end result of conformance to R-1B standards once the right-of-way vacatings are completed.

APPLICATION
Board of Zoning Appeals



APPLICANT INFORMATION:

Last Name Rose First John M.I. P Date 3-18-2020
Street Address 1017 Hill Road Apartment/Unit #
City Blountville State TN ZIP 37617
Phone _____ E-mail Address _____

PROPERTY INFORMATION:

Tax Map Information Tax map: 47 Group: _____ Parcel: 54 Lot: _____
Street Address 2389 Creek Road Apartment/Unit #
Current Zone A1 Proposed Zone R1B
Current Use Single Family Proposed Use Single Family

REPRESENTATIVE INFORMATION:

Last Name Rose First John M.I. P Date 3-18-2020
Street Address 1017 Hill Road Apartment/Unit #
City Blountville State TN ZIP 37617
Phone (423) 579-2449 E-mail Address promise.lsndtn@gmail.com

REQUESTED ACTION:

~~Rezoned from A1 to R1B~~ AR
Zero set backs on front, west side and south sides of property.

DISCLAIMER AND SIGNATURE

By signing below I state that I have read and understand the conditions of this application and have been informed as to the location, date and time of the meeting in which the Board of Zoning Appeals will review my application. I further state that I am/we are the sole and legal owner(s) of the property described herein and that I am/we are appealing to the Board of Zoning Appeals.

Signature: [Handwritten Signature] Date: 3-19-2020

Signed before me on this 19th day of March, 2020

a notary public for the State of Tennessee

County of Sullivan

Notary [Handwritten Signature]

My Commission Expires 9/29/21

CITY PLANNING OFFICE



Variance Worksheet – Finding of Facts

Variances. Except as provided herein to hear and decide applications for variance from the terms of this chapter, because of exceptional narrowness, shallowness or shape of a specific piece of property which on June 16, 1981, was a lot of record or where, because of exceptional topographic conditions or other extraordinary or exceptional situation or condition of a piece of property, the strict application of this chapter would result in peculiar and exceptional practical difficulties to exception or undue hardship upon the owner of such property, provided that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this chapter. In granting a variance the board may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable in furtherance of the purposes of this chapter. Before any variance is granted, the board must find all of the following, which shall be recorded, along with any imposed conditions or restrictions, in minutes and records and issued in written form to the applicant to constitute proof of the variance:

a. The specific conditions in detail which are unique to the applicant's land. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity.

1. ROW is not in the proper location.
2. "Old" Creek Road was not properly vacated.

b. The manner in which the strict application of this chapter would deprive the applicant of a reasonable use of the land.

It would prevent me from using excessively large portions of the property.

c. The unique conditions and circumstances are not the result of actions of the applicant taken subsequent to the adoption or amendment of this chapter.

Current conditions are not the result of any action taken by the applicant.

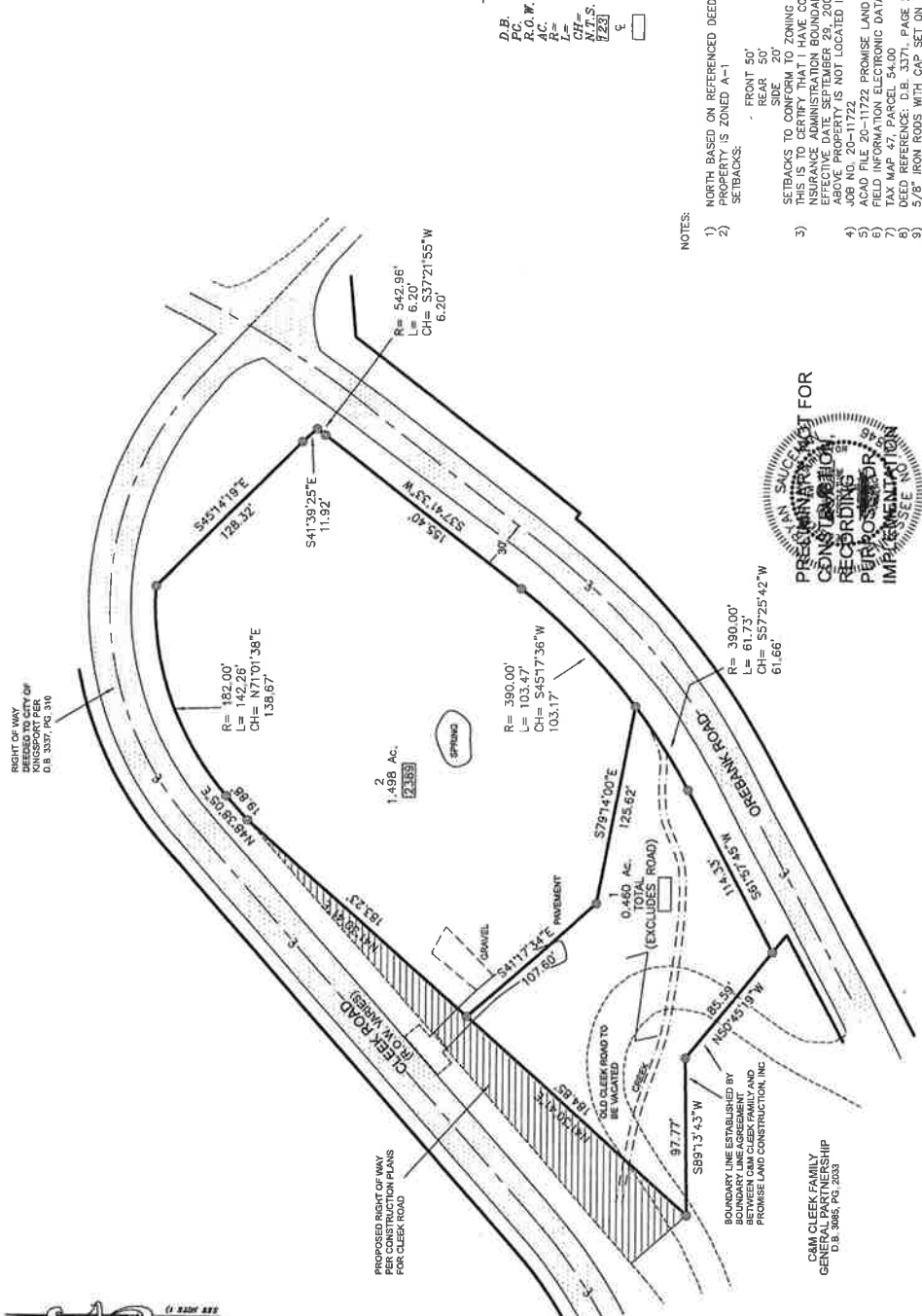
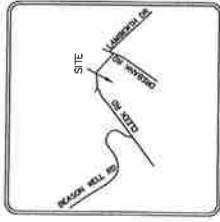
d. Reasons that the variance will preserve, not harm, the public safety and welfare and will not alter the essential character of the neighborhood.

The requested variance will allow construction to match surrounding zoning requirements.

Further, a variance may be granted only if the Board finds that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning plan and this chapter. Variances shall not be granted permitting an increase in floor area or density above the maximum permitted by the zoning district; allowing a use other than those specifically authorized by this chapter in the applicable zoning district; or from the denial of a zoning permit when such denial is due to the fact that such lot has no frontage on a public street unless such lot was a lot of record on June 16, 1981.

Hardship - There is no definition of a "hardship". Some guidelines, based on legal precedent, for applying the concept of unnecessary hardship are:

1. The premises of cannot be used in a manner permitted by the Zoning Ordinance unless the variance is granted.
2. A strict application of the terms of the Zoning Ordinance precludes its use for any purpose to which the land is reasonably adopted.
3. Inability to put the property to its most profitable use DOES NOT constitute a "hardship".
4. Mere inconvenience to the applicant is not sufficient grounds for determining a "hardship". In granting a variance the BZA may not make any decision that is contrary to the purpose and intent of the Zoning Ordinance.

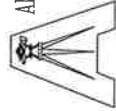


LEGEND

- D.B. DEED BOOK
- P.C. PAGE
- A.O.W. HIGHWAY-OF-WAY
- R= RADIUS
- L= LENGTH
- CH= CHORD
- BEARS. BEARINGS
- 911 ADDRESS
- SCALE
- CENTERLINE
- PAVEMENT

NOTES:

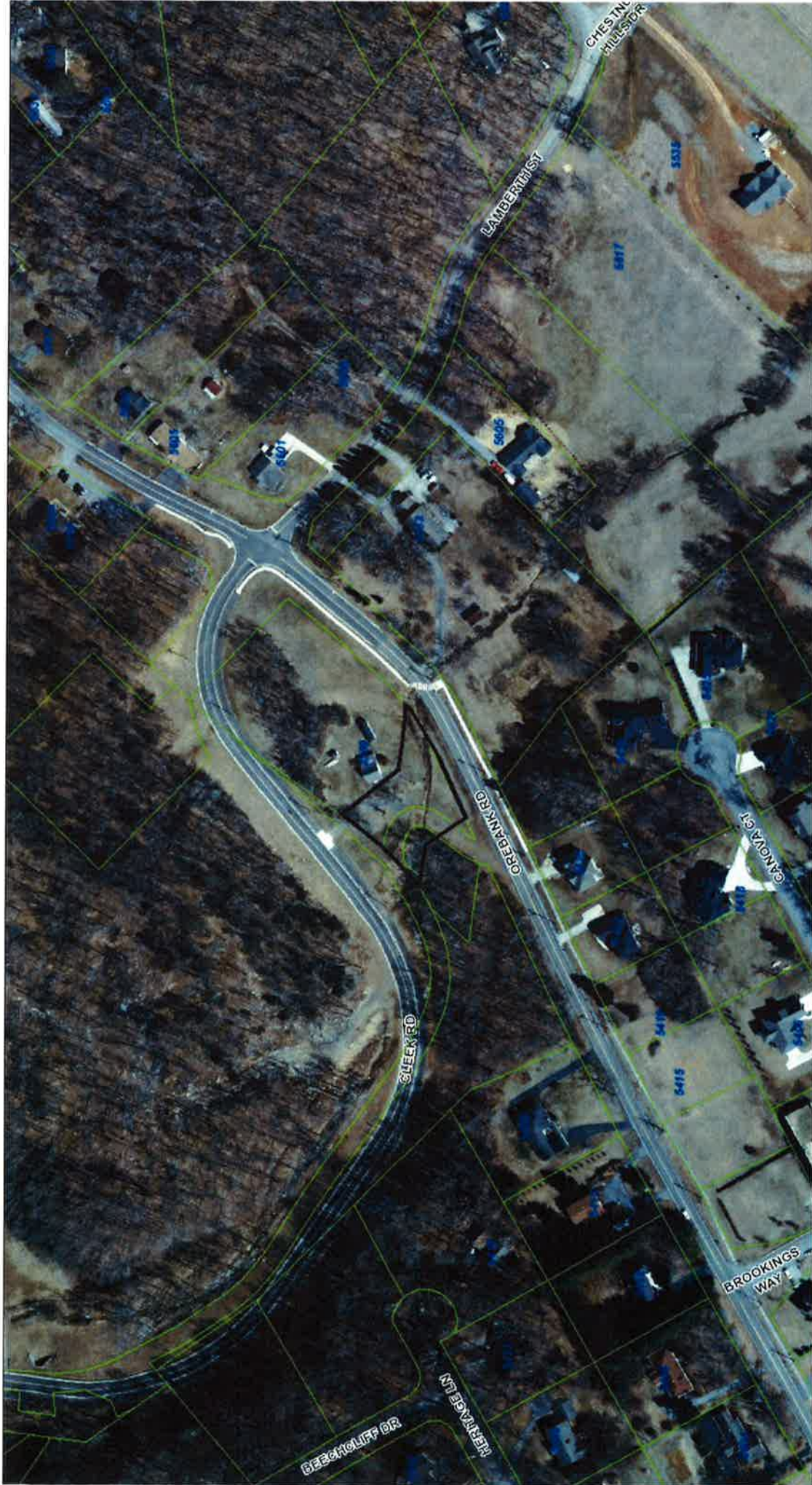
- 1) NORTH BASED ON REFERENCED DEED
- 2) PROPERTY IS ZONED A-1
SETBACKS: FRONT 50'
SEAR 50'
SIDE 50'
- 3) SETBACKS TO CONFORM TO ZONING DESIGNATION
THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL FLOOD INSURANCE ADMINISTRATION BOUNDARY MAP 47163C00850 DATED SEPTEMBER 29, 2006 AND FOUND THAT THE PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA.
JOB NO. 20-11723
- 4) ACAD FILE 20-11722 PROMISE LAND CONSTRUCTION.DWG
- 5) FIELD INFORMATION ELECTRONIC DATA COLLECTED
- 6) TAX MAP 47, PARCEL 54-00
- 7) DEED REFERENCE: D.B. 3377, PAGE 2081
- 8) ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED
- 9) I HEREBY CERTIFY THAT THIS SURVEY AND THE RATIO OF PRECISION OF THIS SURVEY IS BETTER THAN 1:10,000.
- 10) THIS SURVEY WAS DONE IN COMPLIANCE WITH CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE.
- 11) THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ABSTRACT TITLE AND WITHOUT REGARD TO ANY RIGHTS-OF-WAY EASEMENTS, RESERVATIONS AND RESTRICTIONS, WRITTEN AND UNWRITTEN, RECORDED AND UNRECORDED.
- 12)
- 13)



ALLEY & ASSOCIATES, INC.
 SURVEYORS
 405
 COLUMBIA, TENNESSEE 37603
 TELEPHONE (423) 382-8888
 FAX (423) 382-8888
 E-MAIL: kentonsullivan@alleyassoc.com

<p>CERTIFICATE OF OWNERSHIP AND CONSENT</p> <p>I, THE UNDERSIGNED, OWNER OF THE ABOVE DESCRIBED PROPERTY, HEREBY CERTIFY THAT THE ADDRESS, AS SHOWN ON THE FINAL PLAT, HAS BEEN APPROVED AS ASSIGNED</p> <p>CITY OF DAYTON COUNTY OF MONROE, MISSISSIPPI</p> <p>DATE _____</p>	<p>CERTIFICATE OF APPROVAL OF THE BOARD OF PUBLIC UTILITIES</p> <p>I HEREBY CERTIFY THAT THE INSTALLATION OF THE ABOVE DESCRIBED WATER UTILITY SYSTEM HAS BEEN APPROVED AS SHOWN</p> <p>DATE _____</p>	<p>CERTIFICATE OF APPROVAL OF THE PUBLIC UTILITIES</p> <p>I HEREBY CERTIFY THAT THE INSTALLATION OF THE ABOVE DESCRIBED WATER UTILITY SYSTEM HAS BEEN APPROVED AS SHOWN</p> <p>DATE _____</p>	<p>CERTIFICATE OF APPROVAL OF THE ENGINEER</p> <p>I HEREBY CERTIFY THAT THE ENGINEER HAS REVIEWED THE PLANS AND SPECIFICATIONS AND HAS APPROVED THEM AS SHOWN</p> <p>DATE _____</p>	<p>CERTIFICATE OF APPROVAL OF THE SURVEYOR</p> <p>I HEREBY CERTIFY THAT THE SURVEY HAS BEEN MADE IN ACCORDANCE WITH THE TENNESSEE SURVEYING ACT AND THAT THE SURVEY IS CORRECT AND ACCURATE AS SHOWN</p> <p>DATE _____</p>	<p>CERTIFICATE OF APPROVAL OF THE CITY ENGINEER</p> <p>I HEREBY CERTIFY THAT THE ENGINEER HAS REVIEWED THE PLANS AND SPECIFICATIONS AND HAS APPROVED THEM AS SHOWN</p> <p>DATE _____</p>
<p>JOY ESTATES</p> <p>KINGSPORT REGIONAL PLANNING COMMISSION</p> <p>TOTAL ACRES _____ TOTAL LOTS 2</p> <p>ACRES NEW ROAD _____ FEET NEW ROAD 0</p> <p>OWNER PROMISE LAND CONSTRUCTION, INC.</p> <p>SURVEYOR ALLEY & ASSOCIATES, INC. CIVIL DISTRICT 10TH</p> <p>SCALE 1"=50' 0 25 50 75 100</p> <p>CLOSURE ERROR 13.00.00</p>					

ArcGIS Web Map



1/2020, 11:49:30 AM

<input type="checkbox"/> Kpt 911 Address	<input type="checkbox"/> River	<input type="checkbox"/> Railroad_ROW
<input type="checkbox"/> Iivan County Parcels	<input type="checkbox"/> Street_ROW	<input type="checkbox"/> River
<input type="checkbox"/> Lake_Pond	<input type="checkbox"/> Hawkins County Parcels	<input type="checkbox"/> Street_ROW
<input type="checkbox"/> Parcel_Conflict	<input type="checkbox"/> Lake_Pond	
<input type="checkbox"/> Parcels	<input type="checkbox"/> Parcel_Conflict	
<input type="checkbox"/> Railroad_ROW	<input type="checkbox"/> Parcels	

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0 0.0275 0.055 0.11 n

0 0.0425 0.085 0.17 km

**MINUTES OF THE DRIVING TOUR OF THE
KINGSPORT BOARD OF ZONING APPEALS (BZA)**

March 5, 2020

10:30 a.m.

Members Present:

Bill Sumner
Joe White
Tracey Cleek

Members Absent:

Calvin Clifton
Jeff Little

Staff Present:

Ken Weems, AICP

At 10:30 a.m., the BZA departed the Development Services Building, 201 W. Market St. to conduct a driving tour of property located at 1618 Belmeade Drive and 1273 Catawba St. No official action was taken.

The driving tour concluded at 11:30 a.m.

Respectfully Submitted,

Ken Weems, AICP
Planning Manager

MINUTES OF THE KINGSPORT BOARD OF ZONING APPEALS (BZA)

March 5, 2020, Regular Meeting

Noon

Bob Clear Conference Room, 1st floor of the Development Services Building

Members Present:

Bill Sumner
Joe White
Tracey Cleek

Members Absent:

Calvin Clifton
Jeff Little

Staff Present:

Ken Weems, AICP
Page Jeffers

Visitors:

Pat Breeding	Bill Horton
Travis Patterson	Karen Horton
Joe Fleming	Krista Luna
Tom Williams	Ty Bowman

Chairman Sumner called the meeting to order.

Chairman Sumner explained the meeting procedures.

Ms. Page Jeffers conducted the swearing in ceremony for those wishing to speak during the regular meeting. Pat Breeding, Travis Patterson, Joe Fleming, Karen Horton, Bill Horton, Krista Luna, and Ty Bowman were sworn in.

Public Hearing:

Case: 20-701-00001 – Property located at 1618 Belmeade Drive, Control Map 046M, Group E, Parcel 004.00, requests a 900 square foot variance to residential accessory structure size, Sec 114-133(2). The property is zoned R-1A, Residential District.

Mr. Travis Patterson presented the case to the Board. Mr. Patterson stated that his request would allow him to finish the top portion of his garage for use as a home office. Mr. Patterson asked if the Board was able to travel by adjacent properties with similar garage configurations. Chairman Sumner stated that the Board had traveled by the adjacent neighbor garages in the neighborhood. Bill Horton inquired as to whether the garage was too close to the adjacent property line. Staff stated that the existing garage was located outside the standard three foot setback for a detached accessory structure from the rear yard property lines.

Chairman Sumner, seeing no one else wishing to speak, closed the public hearing.

Case: 20-701-00002 – Property located at 1273 Catawba Street, Control Map 046N, Group H, Parcel 007.00, requests approval for commercial vehicle (food truck) parking in a residential zone to Sec 114-563(4). The property is zoned R-1B, Residential District.

Mr. Ty Bowman presented the case to the Board. Mr. Bowman stated that he uses the food truck in question for his income and that the truck is not parked on site for the majority of year while he is touring festivals. Mr. Bowman stated that if he had to park the food truck in a storage lot, he would have to park his motor home at his house. Mr. Bowman stated that he

was not able to park the food truck in his rear yard since his lot holds too much water and the food truck would get stuck in the mud. Mr. Bowman stated that allegations from neighbors about pouring grease down the street are false. Krista Luna stated that they have always wanted to be good neighbors. Pat Breeding spoke of the concern over approval of the food truck being allowed to park on the property setting a precedent. Mr. Breeding also stated that the food truck being parked on the lot would lower home values.

Chairman Sumner, seeing no one else wishing to speak, closed the public hearing.

The Chairman opened the business portion of the meeting. Mr. White made a motion to approve the driving tour and regular meeting minutes from the February 6, 2020 meeting. Ms. Cleek seconded the motion. The motion passed, 3-0. Next, the Board stated for public record that the next application deadline is March 16, 2020 at noon for the meeting date of April 2, 2020.

Adjudication of Cases:

Case: 20-701-00001 – Property located at 1618 Belmeade Drive, Control Map 046M, Group E, Parcel 004.00

The Board acknowledged that little would change concerning the appearance of the structure from the street if the request is approved. The Board acknowledged other freestanding garages in the neighborhood that were similar in size to the request.

MOTION: made by Mr. White, seconded by Ms. Cleek, to grant the requested 900 square foot variance.

VOTE: 3-0 to approve the request.

Case: 20-701-00002 – Property located at 1273 Catawba Street, Control Map 046N, Group H, Parcel 007.00

Chairman Sumner stated that he is concerned about the precedent that an approval would create, especially since the truck would have to remain highly visible from the street.

MOTION: made by Mr. White, seconded by Ms. Cleek, to deny the request, with a date of conformance set for September 1, 2020.

VOTE: 3-0 to approve the request.

With no further business the meeting was adjourned at 12:50 p.m.

Respectfully Submitted,

Ken Weems, AICP
Planning Manager