

1. Call to Order

2. Roll Call

Present 4 - Rick Miles, Doug Gilmore, Kevin Bailey, and Casey Caples

Absent 1 - Max Dacus

3. Approval of Minutes

MIN-21:075 MINUTES: Minutes from August 27, 2021 BZA Meeting

Attachments: Meeting Minutes from August 27, 2021 BZA Meeting

4. Appeal Cases

VR-21-28 VARIANCE: 1104 Thrush Road

Gabe and Megan Roberts are requesting a variance for 1104 Thrush Road to build within seven feet (7') of the side and rear setbacks on their property. This is to allow space for a carport and covered patio to be build. This property is zoned as R-1 Single Family District.

APPLICANT: Gabe Roberts stated that he is requesting a variance to build a carport and a covered sitting area at the end of the driveway. All adjoining neighbors have signed off. Gabe stated that both of these will be detached.

COMMISSION: Kevin Bailey asked what the setbacks are for this property.

STAFF: Ryan Robeson answered that the rear setback is 25 feet and seven and a half on each side.

COMMISSION: Rick Miles stated that there have been many requests similar to this in that area.

COMMISSION: Doug Gilmore asked if there are any questions or if anyone opposes this variance.

COMMISSION: Kevin Bailey asked the applicant if his hardship was being unable to build the structure without the variance.

APPLICANT: Gabe Roberts answered yes and explained that without the variance they would only have enough space for a golf cart covering, without a variance he couldn't do anything with the space they have.

COMMISSION: Kevin Bailey asked Doug Gilmore if the Commission has granted variances in Birdland for similar situations in the past.

COMMISSION: Doug Gilmore stated that yes due to homeowners wanting to add on to their houses and things of that nature, we have allowed this type of thing several times in Birdland.

(See video for comments)

A motion was made by Rick Miles to rule on the motion, seconded by Casey Caples. The motion PASSED with the following vote.

Aye: - 3 Rick Miles, Kevin Bailey, and Casey Caples

Nay: - 0

VR-21-30 VARIANCE: 511 West Monroe Avenue

Jim Little, representing Bryant Marshall of 511 W Monroe Ave, is requesting a variance to allow a single family residence to be built within the C-2 Downtown Fringe Commercial District within the Industrial Arts District. Single family structures are not usually allowed in this district.

APPLICANT: Jim Little stated that his client is trying to build a single family home in the 500 block of Monroe. Jim explained that the one thing that can't be built in the Industrial Arts District is a single family structure, he stated this particular lot is about 5000 square feet and anything else doesn't fit well on this site. Jim Little stated that all surrounding property owners have been notified and signed off. He stated that this block of Monroe has single family, multifamily and commercial. There was a single family home located on this property when it was purchased, it was in disrepair and torn down.

COMMISSION: Doug Gilmore asked for questions. Kevin Bailey asked for the City Engineer's opinion.

STAFF: Craig Light stated that in these redevelopment districts they specify what they want to allow and single family structures wasn't selected for this district. He stated that a two story structure might fit the district better in terms of character.

COMMISSION: Kevin Bailey asked the Applicant if his client has considered a two story structure.

APPLICANT: Jim Little stated, they have looked at different options but his client chose to go with the single family.

COMMISSION: Rick Miles asked the Applicant what the residence will be used for.

APPLICANT: Jim Little stated that the client owns rentals, it will be rented out.

COMMISSION: Doug Gilmore asked for questions.

A motion was made by Kevin Bailey to rule on the motion, seconded by Casey Caples. The motion PASSED with the following vote.

Aye: - 3 Rick Miles, Kevin Bailey, and Casey Caples

Nay: - 0

VR-21-31 VARIANCE: 3101 Parker Annex Road

George Hamman of Civilogic, representing HCS Investment and Development, LLC, is requesting a variance to reduce building setbacks and to waive the overlay district regulations, access management regulations, and to maintain the current drive on the south side of the existing building. This property is located in the I-1 Limited Industrial District.

APPLICANT: George Hamman stated that his client is buying the property at 3101 Parker Annex Rd, the hardship is the existing building doesn't meet the setback and standards that are in place today. The client wants to duplicate the existing building on the property to the North.

COMMISSION: Kevin Bailey asked for engineering comments.

STAFF: Craig Light stated that the existing building being over the setbacks isn't an issue, the issue is waiving all the other regulations. He stated granting the variances defeats the purpose of having regulations in place to begin with. He also stated that it is unclear what the client's hardship is.

(See video for comments)

COMMISSION: Doug Gilmore asked the Applicant to explain what the intent is for these buildings and if the applicant and client have discussed trying to meet these new code requirements.

APPLICANT: George Hamman stated that the new building will be used as another storage unit warehouse. He stated that the client would like to be consistent with the two buildings because it is such a small site.

(See video for comments)

COMMISSION: Asked that the owners answer a few questions.

APPLICANT: Haden Staten stated that he just purchased this property and plans to build another building on the property to get more storage units on the piece of property. He explained that paving the driveway, adding another building, and fencing the entire area would improve the property, along with any landscaping that needs to be done.

COMMISSION: Doug Gilmore suggested that the Applicant and the Client meet with the City Engineer and get a drawing of the finished idea and submit it for review.

A motion was made by Rick Miles to table the request, seconded by Casey Caples. The motion PASSED with the following vote.

Aye: - 3 Rick Miles, Kevin Bailey, and Casey Caples

Nay: - 0

5. Staff Comments

6. Adjournment

