

OFFICIAL MINUTES – BOARD OF ZONING APPEALS – AUGUST 11, 2003

Members Present

Tom Mosier
Edgar Lowe
Mike Cunningham
Owen Sanders

Others Present

Bobby Rager	John Tidwell
Charlie Morrow	Malcolm Murphy
Mike Malone	John Adcock
Paul Holloway	Jim White
And others of the public	

Staff Present

Benny Lane, Codes Director
Bill Terry, Planning Consultant

Chairman Mosier opened the meeting. The approval of the minutes of the previous meeting was deferred.

Chairman Mosier asked Bill Terry to present the case. Terry responded as follows:

Case No. 03-7-451 Request for a variance to permit the construction of a storage structure on a vacant lot.

Analysis – The owner of this property and applicant, Paul Holloway, owns the vacant lot across the street from his house at 1119 Hitt Lane. He also owns a large motor home and would like to have a garage in which to put it to keep it out of the weather and wants to place the garage on the vacant lot. The storage garage would be a 24 x 36 foot metal building.

According to the zoning ordinance, a garage or storage building is defined as an accessory building not a principal building. In a residential zone the house is the principal building and since one does not exist, the garage or storage building would become principal. However, storage is not permitted in a residential zone unless it is accessory to the principal use. Thus, the storage building is not permitted.

Paul Holloway presented his case by stating that he needed the storage room and that there was no space available for the building on the lot where his house was located.

Tom Mosier questioned the use of the building in the future if the current owner sells the lot and whether this would create a long-term enforcement problem. Edgar Lower also questioned how the use could be monitored in the future so that no illegal activities in a residential zone would occur.

Edgar Lower moved that the request be denied. Motion seconded by Owen Sanders and carried unanimously.

Case No. 03-07-452

Request for a conditional use permit for a church in a residential zone.

Analysis – The subject property is located on the south side of Long Hollow Pike just before the intersection of Grace Drive. Two parcels in the same ownership consisting of 5.3 acres are involved. The location and size of the parcel meet the requirements for a conditional use permit, but other detailed information relating to size, church schools, day care and other possible on-site activities was not submitted.

Mike Malone, agent for the owner Bobby Rager, presented for the church. He stated that the church had about 225 members at its current location and would have that many when they move to this location. There would be no church schools, day care or even Sunday school. The services are strictly traditional church services.

The board raised questions related to peak traffic volumes, effect on storm water run-off and details of the building and site development.

Chairman Mosier opened the public hearing, and the following people spoke:

John Adcock, 520 Long Hollow Pike

He questioned the number of churches already located in the area and their cumulative on traffic. He was also concerned about excessive storm water run-off, traffic across from his house and the fact that the property would become tax free.

Malcolm Murphy, 518 Elba Drive

He was concerned about the possibility that a dedicated but unbuilt right-of-way from Elba Drive to the rear of the subject property might be opened for access to the church.

Charles Morrow, 518 Long Hollow Pike

He was concerned about the people who frequently speed on Long Hollow Pike conflicting with the intersecting church traffic, about the setback of the building from the road and drainage into the major drain that runs in front his house.

Jim White, Elba Drive

He was concerned about the dedicated right-of-way and about blasting that would damage his house located immediately behind the property.

The public hearing was closed.

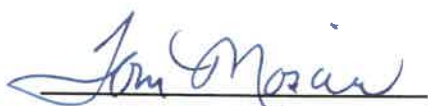
Edgar Lower questioned the location of the building site in relationship to the steepness of the property.

Bobby Rager responded that the building building site would be about 300 feet from the road. He also stated that the neither the church nor him would object to the permanent abandonment of the dedicated right-of-way since they had no plans to use it.

Mike Cunningham stated that he would like to see a general layout plan for the building and parking lot and possible locations of detention facilities. Edgar Lowe stated that he would like to see more definitive information about traffic.

Mike Cunningham moved that the request be deferred for one month and that the church provide the information requested by him and Edgar Lowe. Owen Sanders seconded, and motion carried unanimously.

Meeting adjourned.

A handwritten signature in blue ink, reading "Tom Mosier", is written over a horizontal line.

Tom Mosier, Chairman