

BZA

Board Minutes March 31, 2022

- I. Meeting called to order 5:33pm
- II. Roll call:
 - a. Kelly Miller
 - b. Roger Butler
 - c. Jerry Clark
 - d. Kevin McNeeley - absent
 - e. Judy Prickett
 - f. David Schrader
- III. Minutes from May 26, 2021 meeting
 - a. Motion to approve the minutes
 - i. Roger – 1st
 - ii. Judy – 2nd
 - iii. Vote:
 1. Roger – yes
 2. David – yes
 3. Jerry – yes
 4. Kelly – yes
 5. Judy – yesMotion approved
- IV. Old Business:
 - a. None
- V. New Business:
 - a. To consider a variance on the height of a fence past the front of the property at 160 Franklin Rd., 153. 196(C) (F)
 - i. 153.196 FENCES AND HEDGES
 1. (C) **Decorate fences required.** Only decorative fences shall be constructed in front setbacks or side setbacks abutting streets. Decorative fences shall mean split rail or ornamental iron or other decorative fences as approved by the Director.
 - a. SPEAKER: Holly Campbell, 160 Franklin Rd.
 - i. Property has not been surveyed yet, because she didn't want to spend the money if the variance would not be granted.
 - ii. She is trying to improve the appearance of her property
 - b. SPEAKER: Julie Malcom & Jessie Daniel Malcom, 264 N. Main St.
 - i. Request for the survey to be completed prior to project
 - ii. Was seeking clarification on what the variance request was going to be
 - c. SPEAKER: Susan Elam and Casey Elam, owner of the empty lot across the street from 160 Franklin Rd, no address known.

- i. They were concerned that the variance would have to do with an easement behind the building on the corner (where Jamie Gabbard is renovating her new office), and there is a tree that they like that they wanted to ensure would not be touched). All of this is a non-issue since the variance request is concerning a different piece of land.
 - d. SPEAKER: Julie Malcom & Jessie Daniel Malcom, 264 N. Main St.
 - i. Approached again with a concern over a concrete pad at the end of the property line that spreads the several feet beyond their property onto 160 Franklin Rd. They were concerned that the owners of 160 Franklin Rd use that concrete pad and they didn't know if there was a right to do that.
 - e. BOARD DISCUSSION:
 - i. Holly verified that the 6 foot fence portion would be set back approximately 28 feet from front edge of the property, according to code.
 - ii. Holly verified that in the event of variance approval, that she would be having the proper surveying completed prior to construction.
 - iii. Holly would be replacing the chain link fence the remainder of the distance from the 6 foot setback up to where the current fence ends at the front of the property with an ornamental fence.
 - iv. Motion for Privacy fence of 6 feet tall with a set back of at least 28 feet and according to code:
 - 1. 1st - Kelly
 - 2. 2nd - David
 - 3. Vote:
 - a. Roger – yes
 - b. Jerry – yes
 - c. David – yes
 - d. Kelly – yes
 - e. Judy- yes
 - 4. Motion carried
- 2. (F) **Location in front setbacks.** Fences and hedges in front setbacks and/or side setbacks abutting streets and alleys in any district shall not exceed three feet in height and shall not obstruct the view of pedestrians or vehicular traffic or be detrimental to the public safety.
 - a. It was determined that the request for variance by Holly Campbell of 160 Franklin Rd. is not necessary as long as it does not:
 - i. Exceed three feet in height
 - ii. Obstruct the view of pedestrians or vehicular traffic
 - iii. Is not detrimental to the public safety.
 - b. No vote required.

VI. Motion adjourned: 6:05pm