

MINUTES

Board of Zoning & Appeals

April 4, 2018

MEMBERS PRESENT: Mr. Johnny Wilson, Ms. Brenda Bessinger, Mr. John Kester, & Ms. Susan Montgomery

MEMBERS ABSENT: Mr. James Dozier & Ms. Sandra Quinn

OTHERS PRESENT: Rick Martin, Matt Millwood, & Debra Grant

- I. **Call to Order**
- II. **Public Hearing: None**
- III. **Approval of Minutes for March 7, 2018;** Ms. Bessinger made a motion to approve the minutes as submitted, seconded by Mr. Wilson; the motion carried 3 to 0 (*Ms. Montgomery was absent from the March meeting*).
- IV. **Variance Request**

V#18-04

1. **Stephen Harms**, property owner of 112 St. James Street (TMS# 05-0033-071-00-00), is seeking variances to Article VIII (setbacks; rear and side) of the City of Georgetown Zoning Ordinance. **Matt Millwood/City Staff** told the Board that a plat was included in the packets showing the location of the carriage house in question. The property is in the R-4 district and if this Board grants the variance the owner will have to go to the ARB for the design of the project. The request is for 5 ft. rear variance and 8 ft. side variance (left side). The garage is currently within the setbacks, however because something new is being requested, a variance will be required. **Ms. Montgomery** asked if there was any feedback from the neighbors. **Matt/City Staff** said letters went out and the property was posted, staff did not get any calls or letters. **Rick/City Staff** said because the structure would be open, Staff did not have any problems with allowing it, because the owner would be able to do maintenance in the area. Rick also said the drainage would not be an issue since the owner has addressed that in his plans. **Matt/City Staff** with the building being open it would be good for Fire Fighters to access the area. **Mr. Stephen Harms/Owner** said his garage is noncontributing and built in 1940; the request is to be able to convert this garage into a carriage house for guest that may visit. The issue is that a part of the current building is used as a storage area for tools and lawn care supplies. The yard is very small, being only 6600 sq. ft. and there is limited room for storage buildings. The open storage area that is being requested will provide a roofed area with four (4) supporting posts for the yard tools and supplies. There will be a privacy fence that will be merged with the neighbor's fence, on the side yard, the rear yard currently has a chain linked fence that will be replaced with a privacy fence also, so the open storage will not be seen by the neighbors. Currently there are two side doors on the left side of the garage, after the conversion one door will remain and a window will be added to replace the second door. **Mr. Kester** said the problem he had is that the Board is governed by State law and there are certain criteria's that has to be met before a variance can be granted. In granting a variance that does not meet the 4 criteria's will set a precedent that others will come in and ask for the same thing. **Mr. Harms** said he has a unique situation because he needs storage space for his yard equipment. **Mr. Kester** said he does not

have a personal problem with the request however Mr. Harms does have storage, but he wants to convert it into a different use and now he has a problem with storage space, and that goes against the criteria's given by State law. **Ms. Bessinger** said this truly is not a hardship, because others in that area does not have adequate storage space. **Ms. Kester** asked if the storage space could not be placed on the side of the current garage or put another storage building in the yard. **Mr. Harms** said the yard is not large enough to put another building in and he would not be able to add to the side of the garage because it would be too close to the house. **Matt/City Staff** said if Mr. Harms added to the side of the garage, Staff would have to look at the design to verify that 6 ft. is left between the two structures. **Mr. Harms** said his final plea is that the project will be an architectural upgrade and it will not be a water issue, and it would help with elderly relative guests. **Mr. Kester** said there is nothing preventing the owners from doing what they want to do with the building, they just can't do the carriage house and the open storage in the rear, with zero setbacks. Mr. Kester said the Board does not have the authority or freedom to circumvent the Zoning Ordinance. **Ms. Montgomery** suggested a canvas roof in the rear of the garage, or a pergola type structure. **Mr. Kester** suggested the owner adding a roof without any supporting post. **Mr. Harms** said that is something he will look into.

Public Input: None

Motion: Mr. Wilson made a motion to deny the request for the side and rear yard variance, seconded by Ms. Bessinger; the motion carried 4 to 0.

- V. **Board Discussion:** **Matt** said there will be a meeting in May.
- VI. **Adjournment:** With there being no further business the meeting was adjourned.

Submitted By,

*Debra Grant
Board Secretary*