

MINUTES
Board of Zoning & Appeals
March 7, 2018

MEMBERS PRESENT: James Dozier, Brenda Bessinger, Sandra Quinn, Johnny Wilson, & John Kester

MEMBERS ABSENT: Susan Fischer-Montgomery

OTHERS PRESENT: Rick Martin, Janet Grant, & Debra Grant

- I. **Call to Order**
- II. **Public Hearing: None**
- III. **Approval of Minutes for February 20, 2018;** Ms. Quinn made a motion to approve the minutes as written, seconded by Mr. James Dozier; the motion carried unanimously.
- IV. **Variance Request**

V#18-03

1. **Mr. Walter L. Gibson**, leasing agent from Mr. Larry Feagin at 1923 Highmarket St. (TMS #05-0018-102-00-00), is seeking variances to Article VIII (Front & Side Setbacks) of the City of Georgetown Zoning Ordinance.

Rick Martin/City Staff told the Board that the request is for an addition on the West side of the building. The request is to reduce the front setback from 50 ft. to 17 ft. (representing a 33 ft. variance) and to reduce the side setback from 15 ft. to 8 ft. (representing a 7 ft. variance). This property is located on a corner lot. **Ms. Quinn** asked if the granting of this variance would compromise the site triangle. **Rick Martin/City Staff** said the area is a high traffic location, however the site triangle should not be impacted. **Mr. Kester** asked if this request is for a building that has already been built. **Rick Martin/City Staff** said yes, and stated that a permit was not issued for the construction. **Rick** told the Board two things need to take place; (1) a variance would have to be granted for the building to remain in place, and (2) Mr. Gibson would also have to go before the Community Appearance Board to make sure it meets the Overlay guidelines. Engineering would also need to be approve to make sure the structure is safe for storm conditions and that it was built to code. **Ms. Quinn** asked if the building has not been approved by inspections to verify the codes, shouldn't that be the first step before it is brought to the BZA. **Rick** said no, because if the variance is not granted the addition will have to be removed. **Rick** said he issued a stop work on the project in the fall of 2017. **Ms. Bessinger** commented on the lack of parking for the business. **Mr. Kester** asked how many parking spaces are required for that business. **Rick** said he did not have the amount with him, however it is determined by the square footage of the building (accessory buildings will be included in the square footage).

Walter Gibson/Applicant told the Board that he heard the concerns about parking, and his parking is located in the rear of the property, there are 2 parcels and both are being leased, from Mr. Larry Feagin. Mr. Gibson said a building permit for construction was obtained, however he was confused on the location. When he was told this by Mr. Martin that it was not legal, he asked what could be done and was told that he would have to come before the Board, and submit engineered plans. Rick also told him that he could get up to 3 storage units; at this time he only has 2 storage units. The structure was designed to protect his merchandise from thieves. **Mr. Kester** said the Board has criteria's to go by before a variance can be granted.

Rick Martin/City Staff told the Board that the building permit that was issued was for a lean to in the rear and a structure on the left side. The structure that is in question was not covered under a building permit. **Mr. Dozier** asked what Mr. Gibson's request was tonight.

Walter Gibson/Applicant said he would like to have his enclosure remain as is and not have to remove it. **Rick Martin/City** staff said Mr. Gibson is currently in violation and needs the Board's approval to be allowed to keep the structure up, he also told the Board that there is a court order that states that this matter must come before this Board and Staff has to report back to the courts, within 30 days, however the courts gave an extension which will expire at the end of March. Mr. Gibson will also have to go before the Community Appearance Board and get engineered stamped plans after the approval from this Board.

Public Input: None

Motion: Ms. Brenda Bessinger made a motion to deny the request for a side and front setback, seconded by Ms. Sandra Quinn; the motion for denial carried 5 to 0 by a roll call vote.

Board Discussion: None

Adjournment: With there being no further business the meeting was adjourned.

Submitted By,

*Debra Grant
Board Secretary*