

## **BOARD OF ZONING APPEALS**

### **Minutes**

**April 25, 2011**

|                      |         |
|----------------------|---------|
| Eron Moore, Chairman | Present |
| Ronnie Allen         | Present |
| Mark Burson          | Present |
| John Pentecost       | Present |
| Sandra Futch         | Present |

Chairman Moore called the meeting to order at 6:00 pm and declared a quorum present.

A motion was made by Mr. Pentecost to approve the prior meeting minutes of March 28, 2011. The motion was seconded by Mr. Allen. Approved unanimously 4-0

### **OLD BUSINESS**

- 1. V-11-01**  
**Atlenco Builders, LLC**  
**Lots 73 – 100**  
**Scenic Crossing Subdivision**

Mr. Moore asked if the applicant was present. Mr. Steve Sappington of Precision Planning gave the presentation on behalf of the applicant. Mr. Sappington stated that the variance request was to reduce the requirement in the RS-60 zoning district that all four sides of residences be constructed of brick, to only requiring the front facade construction of brick. The variance request would be for the lots 73 – 100 of the Scenic Crossing Subdivision only.

Mr. Sappington stated that the applicant is prepared to “coin” the sides of the residences with one foot of brick. Mr. Sappington also stated that all but 9 of the lots back up to existing wooded areas.

Mr. Pentecost asked the applicant when Atlenco Builders purchased the property. Mr. Sappington said the property was purchased by Atlenco Builders in approximately 2005.

Mr. Moore asked for the staff recommendation. Mr. Ferguson gave the report on behalf of the Planning and Zoning Department. Mr. Ferguson stated that the approval of the application would be contrary to the interest of the public, the need for a variance was due to direct actions of the applicant and there was no hardship that existed. Mr. Ferguson also stated that the approval of the application would be detrimental to the neighborhood by deviating from the current aesthetic character and could negatively affect the home values in the subdivision. It was for these reasons that the Planning and Zoning Department recommended denial of the variance request.

Mr. Moore then asked if there was any opposition to the variance request. Ms. Marla Greene and Mr. Dwayne Cooper spoke in opposition to the variance request. Ms. Green stated that even though the homeowners and the applicant had met to discuss the variance request and the homeowners have a better understanding of the project, the homeowners are still opposed to the request. Ms. Green stated decreased property values, the potential fire hazard of hardiplank, and that hardiplank is not low maintenance as the reasons the homeowners were in opposition to the request.

Mr. Cooper spoke in opposition to the request stating that the allowance of the request would further affect the already diminished home values which are a result of the current economic situation.

Mr. Moore asked if the applicant would like to use the rest of his time for rebuttal. Mr. Sappington stated that the applicant purchased the properties in 2005 at full market value and the intent of the applicant is to finish the project without a loss.

Mr. Moore then asked for a motion from the board for either approval or denial. Mr. Burson made a motion to DENY the variance request. The motion was seconded by Mr. Allen. The motion carried. 4-0

#### NEW BUSINESS

There was no new business.

Mr. Moore entertained a motion to adjourn. Mr. Burson made a motion to adjourn. Mr. Allen seconded the motion. The motion carried. 4-0

---

Eron Moore, Chairman

---

Joshua M. Ferguson,  
Planning and Zoning Department