

Board of Zoning Appeals
September 17, 2007

Chairman Eron Moore	<u>X</u>
Ronnie Allen	<u>X</u>
John Pentecost	<u>X</u>
Mark Burson	<u>X</u>
Bill Perkins	<u>X</u>

Chairman Eron Moore called the meeting of the Board of Appeals to order at 6:00PM.

Mr. Bill Perkins made a motion to approve the minutes of the previous meeting. Mr. Ronnie Allen seconded. Motion carried 4-0.

Mr. John Pentecost then made a motion to approve the published agenda, seconded by Mr. Mark Burson. Motion carried 4-0.

The first item on the agenda in new business was a Judicial Appeal of the denial of a Variance of the Development Regulations. The Planning Director gave an explanation of what this appeal was about since it was the first time this type of appeal was ever requested. After the general explanation Mr. Leonard gave a brief summary on the specifics this particular appeal for Salvatore Albanese at his property at 340 Buford Drive. Mr. Albanese gave his presentation. City Engineer, Mr. Paul Austin gave his opinion. After some discussion Mr. Mark Burson made a motion to over-turn the Directors decision. The motion was seconded by Mr. Ronnie Allen. The motion failed by a 2-3 vote. The Chairman declared that since it was not over-turned the Directors decision is upheld.

The second item was for V-07-08 for Sterling Builder Group Inc. located at 5 lots within Scenic View Estates. (5-117-651,650,649,648,647) for a stream setback Variance. Mr. Chris Franklin gave a presentation and comments were made by the developer. Ms. Erlene Fowler asked questions and she received answers from both the applicant and the planning Director. After some comments from the board Mr. Mark Burson made a motion to approve the Variance. Mr. Ronnie Allen seconded. It carried 4-0

The third item on the agenda was for V-07-09 for R Dean Hodgencamp located at 698 Duluth Hwy (7-009-008) for a waiver of the sidewalk requirements along the road frontage. The Planning Director gave his report. Mr. Daniel Bartel gave the presentation for the applicant. A motion to approve was given by Mr. John Pentecost. It was seconded by Mr. Ronnie Allen. Carried 4-0

The last item on the agenda was for V-07-10 for Ismet Huskovic located at 35 Stonewood Lane (5-150-225) for a front setback Variance. The applicant was not present. The motion to table was made by Mr. Ronnie Allen. Seconded by Mr. Bill Perkins. Carried 4-0

Having no further business, Mr. John Pentecost adjourned the meeting. Seconded by Mr. Ronnie Allen. Carried 4-0

Eron Moore, Chairman
Board of Zoning Appeals

Brad Leonard, Director
Planning, Zoning & Inspections

New Business

V-07-10 Broadway Towers, Applewood Drive, Parcel 5-147-049

The applicant is requesting encroachment into the stream buffers and set backs.

Chairman Moore asked for the staff report. Mr. Leonard presented the report.

Joseph Glenn, representing the applicant and President of Broadway Towers, Inc., presented the purpose of the application. Representatives of the client's engineering firm presented the development plans and the variances needed for the construction of the project. Discussion followed. Board members asked how the plan differed from early submissions. Barry Etheridge explained the differences.

A motion was made to approve the variance as presented by Mr. Burson and seconded by Mr. Pentecost, the motion past by 3-2, with Mr. Perkins and Mr. Allen voting no.

No other business came before the Board.

Chairman Moore asked for a motion to adjourn. Said motion was made and past. The meeting adjourned at 6:40 PM.