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**BOARD OF ADJUSTMENT**

**January 10, 2012**

**Minutes**

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Members Present:                Scott Hay  
    Wayne Bradshaw  
    Roger Huber  
    Brad Carter  
    Col. Morton Langholtz  
    Bob Beerman

Staff Present:                    Zack Rainbow, Planner II  
    Ben Bryner, Planning Services Manager  
    Kelley Messer, Attorney  
    Debra Hill, Secretary II (recording)

Others Present:                 Jackie Corley Rounsaville                 1409 Shelton

**Item One:    Call the Meeting to Order:**

Mr. Bradshaw called the meeting to order at 8:30 AM and declared a quorum present.

**Item Two:    Approval of the Minutes**

**Col. Langholtz moved to approve the minutes of the December 13th, 2011 meeting. Mr. Huber seconded the motion and the motion carried by a vote of six (6) in favor (Hay, Huber, Carter, Bradshaw, Beerman and Langholtz) to none (0) opposed.**

Mr. Bradshaw read the opening statement for the Board of Adjustment.

**Item Three:    Special Exception:**

**a.        BA-2012-01**

A public hearing to consider a request from Jackie Corley Rounsaville for special exception to locate a carport in the front yard building setback in RS-6 (Residential Single Family) zoning. Legal description being CRESCENT HEIGHTS, BLOCK G, LOT 10. Located at 1409 Shelton Street.

Mr. Zack Rainbow presented the staff report for this case. This property and most of the surrounding properties are developed with single family homes. The applicant is requesting a Special Exception to allow for a 25' x 19.6' carport extending from the existing garage. The carport would be 7' from the side property lines and 20' feet from the curb on Shelton St. The parkway width on Shelton St. is 15'. The Board of Adjustment has the authority to grant a special exception for a front carport up to 5' from the front property line. Therefore, if the special exception is granted the carport must be a minimum of 20' from the curb.

The applicant had a previous carport at this location that has since been taken down. The driveway has also been widened and the new carport would extend over the newly poured driveway as well.

**THE FOLLOWING 3 CRITERIA MUST BE FOUND IN THE AFFIRMATIVE TO APPROVE THIS REQUEST:**

**1. THE PROPOSED USE IS COMPATIBLE WITH THE AREA:**

There are multiple other front carports located in the surrounding area that appear to be within the front building setback.

**2. THERE WOULD BE NO SIGNIFICANT NEGATIVE EFFECT ON PUBLIC FACILITIES:**  
Staff anticipates no negative effects on public facilities from a carport at this location.

**3. THE REQUEST IS IN HARMONY WITH THE INTENT OF THE REGULATIONS:**

The intent of this regulation is to allow carports in front yards only in areas where such structures already exist. This provides for uniform and consistent development in areas with no front carports while providing an opportunity for property owners in areas with carports to make similar improvement to their properties. Since this proposed carport is in an area with similar front carports, the proposal is consistent with the intent of the regulation.

Property owners within 200 feet of the request were notified. Four (4) comment forms were returned in favor and none (0) on opposition of the request.

Planning staff recommends approval as the request meets the criteria necessary to grant a Special Exception.

Mr. Carter asked clarification on the previous carport. Mr. Rainbow stated there was a carport previously and is being replaced by the proposed carport. He added that since the applicant is widening the size of the carport, this has prompted the resubmission to the Board.

Mr. Bradshaw opened the public hearing.

Mrs. Jackie Corley Rounsaville (applicant) spoke in favor of this request. Mrs. Rounsaville stated she is need of the carport for added protection for her vehicles. Mr. Langholtz asked if the carport would be attached to the existing home. Mrs. Rounsaville stated it would. Mr. Beerman asked the location of the carport. Mrs. Rounsaville stated it would be located in the front over the new concrete addition.

Mr. Bradshaw closed the public hearing.

**Col. Langholtz moved to approve BA-2012-01. Mr. Carter seconded the motion and the motion carried by a vote of six (6) in favor (Hay, Huber, Carter, Bradshaw, Beerman and Langholtz) to none (0) opposed.**

**Item Four: Adjourn**

Mr. Bradshaw moved to adjourn the meeting.

Approved: \_\_\_\_\_, Chairman