BOARD OF ADJUSTMENT
March 8th, 2016
Minutes

Members Present:	Wayne Bradshaw- Chairman Bob Beermann Scott Hay Mr. Huber Col. Langholtz
Staff Present:	Zack Rainbow, Planner II Dana Schoening, Director of Planning and Development Ben Bryner, Planning Services Manager Donna Boarts, Secretary II (Recording)
Others Present:	Mr. & Mrs. Floyd Meredith

Item One: Call the Meeting to Order:
Chairman Bradshaw called the meeting to order at 8:30 A.M. and declared a quorum present.

Item Two: Approval of the Minutes
Col. Langholtz moved to approve the minutes for the February 9th, 2016 meeting. Mr. Huber seconded the motion and the motion was carried by a vote of five (5) in favor (Langholtz, Huber, Hay, Beermann & Bradshaw) and zero in opposition.

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

Item Three: Special Exception:

a. BA-2016-03
A public hearing to consider a request from Gary Evans, agent Willie Carrigan for a Special Exception to locate a carport in the front yard building setback in RS-8 (Residential Single Family) zoning. Legal description being BEL AIR ADDITION SECTION 4, BLOCK F, LOT 25. Located at 3849 Laurel Drive.

Mr. Zack Rainbow presented the staff report for this case. The applicant wishes to construct a 20' x 22' front carport extending from the garage. The carport would be at least 6' from the side property line and 17' feet from the curb on Laurel Dr. The parkway width on Laurel Dr. is 12'. 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 17' from the curb.

LAND USES:
This property and the surrounding properties are developed with single family homes.

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 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 form was returned in favor and zero (0) in opposition.

STAFF RECOMMENDATION:
Approval, the request meets the criteria necessary to grant a Special Exception.

Mr. Bradshaw opened the public hearing. No one came forward and the public hearing was closed.

Col. Langholtz moved to approve the Special Exception based on the findings in the staff report. Mr. Huber seconded the motion and the motion carried by a vote of five (5) in favor (Langholtz, Huber, Hay, Beermann & Bradshaw) and none (0) opposed.

b. BA-2016-04
A public hearing to consider a request from Floyd Meredith for a Special Exception to locate a carport in the front yard building setback in RS-6 (Residential Single Family) zoning. Legal description being WESTWOOD ADDITION CONTINUATION 1, BLOCK B, LOT 18. Located at 1533 Briarwood Street.

Mr. Zack Rainbow presented the staff report for this case. The applicant wishes to construct a 20’ x 20’ front carport extending from the garage. The carport would be at least 3’ from the side property line and 17’ feet from the curb on Briarwood St. The parkway width Briarwood St. is 12’. 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 17’ from the curb.

LAND USES:
This property and the surrounding properties are developed with single family homes.

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 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. Three (3) comment form was returned in favor and zero (0) in opposition.

STAFF RECOMMENDATION:
Approval, the request meets the criteria necessary to grant a Special Exception

Chairman Bradshaw opened the public hearing.

Mr. Floyd Meredith (property owner) spoke in favor of this Special Exception.

Mr. Bradshaw inquired the material and whom would be doing the construction.
Mr. Meredith stated he will be constructing the structure himself and metal will be the material used.

Mr. Bradshaw closed the public hearing.

Col. Langholtz moved to approve the Special Exception based on the findings in the staff report. Mr. Beermann seconded the motion and the motion carried by a vote of five (5) in favor (Langholtz, Huber, Hay, Beermann & Bradshaw) and none (0) opposed.

Item Four: Adjourn
Mr. Bradshaw moved to adjourn the meeting at 8:38 a.m.

Approved: _____, Chairman