

**Council Members**

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ZONING BOARD OF ADJUSTMENT MEETING**City Clerk/Treasurer**

Tom Seale, MMC, CMRO

January 23, 2020

Meeting called to order by Chairman Joe O'Brien at 7:30 A.M.

Members present were: Joe O'Brien, Danny Hayes, Mike Harris, Mike Kelley and Joe Schifano.

Building Official Angie Brown was also present.

The following request was presented:

Variance request: 8ft variance on Indian Creek Dr. & on Cedar Cove Dr., corner lot

Location: Lot 20 Cedar Cove

Applicant: Robert and Tiffany Bell

Property owner, Robert Bell, presented the request stating him and his family purchased the last buildable lot in Cedar Cove a year ago. Robert explained that the rear of the yard on the Indian Creek side is higher than the Cedar Cove side. He explained there is a natural drainage as well that runs through the back of the property on the Indian Creek side. Joe O'Brien said he spoke to the adjacent property owner, Lenny Glynn and he was okay with the variance request. Mike Kelley asked how do the existing houses line up if this one is granted and built. Mr. Schifano acknowledged that there is a 75ft setback with the homes on the side of the street the Bell's want to build on and it changes across the street to 35ft. As far as the third car detached garage, Robert and Tiffany Bell have decided to do away with it and only keep the two car garage. Mr. Schifano said we assume the house will move 8ft towards Indian Creek. Robert answered yes, however they were hesitant because there would be a short driveway off of Indian Creek and an 8ft variance would be the max he would ask for. Building Official, Angie Brown, expressed that the city doesn't have any issues with giving an 8ft variance on the Indian Creek side of the property. In a memo Angie wrote to the board member stated the following; "According to the original plat, the setbacks have been established at 75' for Cedar Cove Drive and 35' for Indian Creek Drive. Per our zoning ordinance, for an R-1 district, the front yard setback would be 35' for both Cedar Cove Drive and Indian Creek Drive. With this being said, I am of the case, the city would not be able to enforce the 75' off the Indian Creek Drive. Therefore, if the board would grant the variance of 8', it would only be applicable to the Indian Creek Drive side. The findings would also need to specify that a building permit would not be approved until the building department receives verification that the Homeowner's Association has approved both 8' setbacks."

Mike Kelley made the motion to approve the 8ft variance on the Indian Creek side of the property. Joe Schifano seconded the motion and all approved. Variance was granted.

With no other business to come before the board Joe O'Brien asked for a motion to adjourn. Danny Hayes made the motion to adjourn. Mike Harris seconded the motion.

The meeting was adjourned at 7:43 AM.

A handwritten signature in cursive script, appearing to read "Angie L. Brown", written over a horizontal line.

READ AND APPROVED / Angie Brown, Building Official

Respectfully submitted,

Kelsey Cunningham

Secretary