

CITY OF CLARKSVILLE

BOARD OF ZONING APPEALS

-MINUTES-

DATE: May 4, 2022

LOCATION: 100 South Spring Street

I. CALL TO ORDER/ QUORUM CHECK/ PLEDGE OF ALLEGIANCE

Bobby Powers called the Board of Zoning Appeals meeting to order at 2:30 P.M. Mr. Powers stated for the record that a quorum was present.

II. MEMBERS PRESENT

Bobby Powers
Cindy Greene
Stacey Wenzler
Micheal Long

STAFF PRESENT

Justin Crosby, Building Official
Valerie Ogle

OTHERS PRESENT ADDRESSING THE BOARD

Representatives for BOZA applications

III. ADOPTION OF MINUTES

Bobby Powers entertained a motion to adopt the April 6, 2022 minutes. Micheal Long made a motion to adopt the minutes as written; Stacey Wenzler seconded the motion. The minutes were adopted.

IV. BOARD OF ZONING APPEALS CASES

- A. Case Number BZA-15-2022:** Application of Bill Mace, property located at 1104 Cardinal Creek, Tax Property Map No. 018, Parcel 041.00 P/O and Tax Property Map No. 031, Parcel 008.00 P/O, Zoned R-1. Description of the Request: “Applicant is requesting a 0.9 foot variance from the required 30 foot front yard setback in order for the structure to be 29.1 feet from the North property line. Applicant is requesting a 2.8 foot variance from the required 20 foot rear yard setback in order for the structure to be 17.2 feet from the South property line.” The staff

recommendation is for disapproval; request does not meet the requirements of the current zoning ordinance and hardship is considered self-imposed. No one was present to speak on behalf of the request. Bobby Powers entertained a motion. Stacey Wenzler made a motion to defer the request for 30 days, seconded by Cindy Greene. The motion passed unanimously.

B. Case Number BZA-20-2022: Application of Joseph Trovato, property located at 2774 Union Hall Rd., Tax Property Map No. 032-N, Parcel B-002.00, Zoned R-2. Description of the Request: “Applicant is requesting a 15 foot variance from the required 40 foot front yard setback in order for the structure to be 25 feet from the East property line.” The staff recommendation is for disapproval; request does not meet the requirements of the current zoning ordinance and hardship is considered self-imposed. Joseph Trovato was present to speak on behalf of the request. Mr. Trovato indicated the request for a variance is for a residential house. There was no opposition present. After discussing, Bobby Powers entertained a motion. Cindy Greene made a motion to approve the request as presented, seconded by Stacey Wenzler. The motion passed unanimously.

C. Case Number BZA-21-2022: Application of Titan Realty GP, property located at Tiny Town Rd., Tax Property Map No. 006, Parcel 001.03, Zoned M-2. Description of the Request: “Applicant is requesting a Use Permitted on Review in an M-2 zone to allow for a Storage Facility.” The staff recommendation is for approval; request will have no adverse effects on surrounding properties. Mr. Crosby explained the designated flight path is shown on the survey and in the zoning ordinance, it asks if you are underneath the flight area you have to go before the BZA for approval. The BZA approval is not the beginning or the end of their required approval, it allows them to submit for next approvals to the Regional Planning Commission, airport approval and Fort Campbell approval. Cal Burchett was present to speak on behalf of the request. Mr. Long asked if there was enough room for two vehicles to pass each other; Mr. Crosby indicated there are two entrances and the width is possibly 35 feet. Additionally, an access and traffic study will be required during site plan review. Mr. Burchett stated the zoning ordinance states any development in the Airport overlay is required to obtain BZA approval and that they are proposed the access to be 24 feet wide. After discussing, Bobby Powers entertained a motion. Micheal Long made a motion to approve the request as presented, seconded by Stacey Wenler. The motion passed unanimously.

D. Case Number BZA-22-2022: Application of Nathan Hay, property located at 507 Hay Market Rd., Tax Property Map No. 056-K, Parcel C-002.00, Zoned R-1. Description of the Request: “Applicant is requesting a Use Permitted on Review in an R-1 zone to allow for a Federal Firearms License/Gunsmith business as a customary home occupation.” The staff recommendation is for approval; request will have no adverse effects on surrounding properties. Daniel Yang was present to speak on behalf of the request. Mr. Yang indicated Mr. Hay was currently away to training. Mr. Long asked if the intended sales were online only and if there would be additional traffic to the residence; Mr. Yang replied the Mr. Hay expressed his intent to do business with the guys at group or online only. There was no opposition present. After discussing, Bobby Powers entertained a motion. Cindy Greene made a motion to approve the request as presented, seconded by Micheal Long. The motion passed unanimously.

*** Micheal Long made a motion to reconsider case number BZA-15-2022, seconded by Stacey Wenzler. The motion passed unanimously.

E. Case Number BZA-15-2022: Application of Bill Mace, property located at 1104 Cardinal Creek, Tax Property Map No. 018, Parcel 041.00 P/O and Tax Property Map No. 031, Parcel 008.00 P/O, Zoned R-1. Description of the Request: “Applicant is requesting a 0.9 foot variance from the required 30 foot front yard setback in order for the structure to be 29.1 feet from the North property line. Applicant is requesting a 2.8 foot variance from the required 20 foot rear yard setback in order for the structure to be 17.2 feet from the South property line.” The staff recommendation is for disapproval; request does not meet the requirements of the current zoning ordinance and hardship is considered self-imposed. Bill Mace was present to speak on behalf of the request. Mr. Powers asked if Suiter surveying had not messed up the original survey, would the house have sat on the property correctly; Mr. Crosby responded no, it would still have been over the minimum setback line. Mr. Mace stated there is a landscape buffer to the rear and it gives the feel that you do not need the variance because of the open space. Mr. Powers asked if the front of the house looked out of line; Mr. Crosby replied no, that it is very close to neighboring houses to begin with and the house sits in a curve. Bobby Powers entertained a motion. Cindy Greene made a motion to approve the request as presented, seconded by Micheal Long. The motion passed unanimously.

V. NEW BUSINESS: N/A

VI. CITY COUNCIL ACTION REQUIRED: N/A

ADJOURNMENT

Motion to adjourn made by Cindy Greene; seconded by Stacey Wenzler.