

CITY OF CLARKSVILLE

BOARD OF ZONING APPEALS

-MINUTES-

DATE: June 1, 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
Brandon Sather, Senior Building Inspector
Valerie Ogle

OTHERS PRESENT ADDRESSING THE BOARD

Representatives for BOZA applications

III. ADOPTION OF MINUTES

Bobby Powers entertained a motion to adopt the May 4, 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-23-2022:** Application of Stephanie Nickell, property located at 71 Ellington Ter., Tax Property Map No. 040-B, Parcel A-086.00, Zoned R-4. Description of the Request: "Applicant is requesting a Use Permitted on Review in an R-4 zone to allow for a Home Care business office as a customary home occupation." The staff recommendation is for approval; request will have no adverse effects on surrounding properties. Stephanie Nickell was present to speak on behalf

of the request. Ms. Nickell indicated her request is for a home care office and will be used for records only; no one else will be present at the residence. Bobby Powers entertained a motion. Cindy Greene made a motion to approve the request as presented, seconded by Micheal Long. The motion passed unanimously.

- B. Case Number BZA-24-2022:** Application of Ronnie Raikes, property located at 2540 Everwood Ct., Tax Property Map No. 081-N, Parcel F-031.00, 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 business as a customary home occupation.” The staff recommendation is for approval; request will have no adverse effects on surrounding properties. Ronnie Raikes was present to speak on behalf of the request. Mr. Raikes indicated no ammunition would be kept on site, all firearms would be kept in a safe in the basement and there would be no sales out of the home; all sales would be conducted at gun shows or private sales only. There was no opposition present. After discussing, Bobby Powers entertained a motion. Stacey Wenzler made a motion to approve the request as presented, seconded by Cindy Greene. The motion passed unanimously.
- C. Case Number BZA-25-2022:** Application of Janie Williams, property located at 3209 Tabby Dr., Tax Property Map No. 018-A, Parcel G 003.00, Zoned R-2. Description of the Request: “Applicant is requesting a Use Permitted on Review in an R-2 zone to allow for a Beauty Salon and Spa (one chair) as a customary home occupation.” The staff recommendation is for approval; request will have no adverse effects on surrounding properties. Janie Williams was present to speak on behalf of the request. Ms. Williams explained she intends her business to offer a once chair salon, eyelash extensions and full body massage. 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.
- D. Case Number BZA-26-2022:** Application of William & Elizabeth Lockwood, property located at 1786 Auburn Dr., Tax Property Map No. 056-L, Parcel E 009.00, Zoned R-1. Description of the Request: “Applicant is requesting a 5 foot variance from the required 10 foot side yard setback in order for the structure to be 5 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. William Lockwood was present to speak on behalf of the request. Mr. Crosby explained all accessory structures have a minimum 10 foot side setback requirement. Mr. Powers asked if the staff recommendation is due to being required to disapprove variance

requests without topographic need; Mr. Crosby indicated he was correct. Mr. Lockwood stated his property slopes at an angle and the requested location is the only portion of his parcel that was flat. Mr. Long asked where Mr. Lockwood intends to place the garage; Mr. Lockwood stated it would be on the South side property line and that his request is similar to neighboring properties. Mr. Powers asked if the neighboring properties were checked; Mr. Crosby stated newer subdivisions could have a five foot side setback. There was no opposition present. After discussing, Bobby Powers entertained a motion. Micheal Long made a motion to approve the request as presented, seconded by Cindy Greene. The motion passed unanimously.

E. Case Number BZA-27-2022: Application of Edgar Esquelin, property located at 1353 Bluebonnet Dr., Tax Property Map No. 018-L, Parcel E 035.00, Zoned R-2. Description of the Request: “Applicant is requesting a Use Permitted on Review in an R-2 zone to allow for a Guest House.” The staff recommendation is for approval; request will have no adverse effects on surrounding properties. Clint Bryant was present to speak on behalf of the request. Mr. Crosby explained all guesthouses are required to obtain BZA approval. Mr. Bryant stated plans changed in the middle of the project, which originally was a pool house. Michael Glorioso spoke on behalf of the request stating the project was a pool house with the intent for the homeowner to use the back room for an office; they added a washer/dryer area and a kitchen and at that point, it required approval for a guesthouse. Mary Hoefling was present to speak in opposition. Ms. Hoefling stated the owner told her their mother-in-law sold her condominium and is planning to live in the guesthouse full time. Ms. Hoefling further explained that the exterior bright blue color does not match the aesthetics of the neighborhood. She stated he called the Building & Codes Dept. and spoke with Bob who informed her that once someone lives there full time then she could move forward with her civil complaint. Bobby Powers made a motion to approve the request as presented, seconded by Cindy Greene. The motion passed unanimously.

F. Case Number BZA-28-2022: Application of Takisha Perkins, property located at 207 Burch Rd., Tax Property Map No. 006-P, Parcel C 025.00, Zoned R-4. Description of the Request: “Applicant is requesting a Use Permitted on Review in an R-4 zone to allow for a Child Care Facility.” The staff recommendation is for approval; request will have no adverse effects on surrounding properties. Takisha Perkins was present to speak on behalf of the request. Ms. Perkins explained that location has been a child care facility for nearly 15 years. There was no opposition present. After discussing, Bobby Powers entertained a motion. Micheal Long made a motion to approve the request as presented, seconded by Stacey Wenzler. The motion passed unanimously.

G. Case Number BZA-29-2022: Application of SDRA Holdings LLC, Cal Burchett, Agent, property located at 818 Bradley St., Tax Property Map No. 066-O, Parcel E 009.00, Zoned R-3. Description of the Request: “Applicant is requesting a 20 foot variance from the required 40 foot front yard setback in order for the structure to be 20 feet from the East property line.” The staff recommendation is for approval; request will have no adverse effects on surrounding properties. Cal Burchett was present to speak on behalf of the request. Mr. Crosby stated the topography creates difficulty building within the building envelope. Mr. Powers asked if there is a sinkhole on the property; Mr. Crosby responded that he did not think so. Mr. Burchett stated there is a drainage easement on the property and that the neighboring property sites at about 20 feet. Mr. Powers asked if they intend to build a triplex; Mr. Burchett responded no, the parcel is a lot of record, which allows for a single-family structure due to the size of the parcel (roughly 5,000 sq. ft.). Charles Dewise was present to speak in opposition. Mr. Dewise asked Mr. Crosby to point out where 65 Current St. is located on the PowerPoint; Mr. Crosby stated he did not know the numerical addresses but pointed out the intersection of Bradley St. and Current St. Mr. Dewise stated he only wanted to be made aware of any changes affecting his property. Mr. Crosby explained the request in detail, pointed out the current building envelope and the reason for the variance request. 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.

V. **NEW BUSINESS:** N/A

VI. **CITY COUNCIL ACTION REQUIRED:** N/A

ADJOURNMENT

Motion to adjourn made by Stacey Wenzler; seconded by Micheal Long.