

**CITY OF CLARKSVILLE**

**BOARD OF ZONING APPEALS**

**-MINUTES-**

DATE: September 7, 2022

LOCATION: 100 South Spring Street

**I. CALL TO ORDER/ QUORUM CHECK**

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. PLEDGE OF ALLEGIANCE**

**III. MEMBERS PRESENT**

Bobby Powers  
Cindy Greene  
Stacey Wenzler  
Micheal Long  
Don Trotter

**STAFF PRESENT**

David Smith, Director  
Brandon Sather, Senior Building Inspector  
Mat Smiley, Building Inspector  
Valerie Ogle  
Stephanie Rodriguez

**OTHERS PRESENT ADDRESSING THE BOARD**

Representatives for BOZA applications

**IV. ADOPTION OF MINUTES**

Bobby Powers entertained a motion to adopt the August 22, 2022 special called minutes. Micheal Long made a motion to adopt the minutes as written; Stacey Wenzler seconded the motion. The minutes were adopted.

**V. COMMITTEE ACTION REQUIRED**

- A. Case Number BZA-48-2022:** Application of Emma Gibson, property located at 801 Banister Dr., Tax Property Map No. 030E, Parcel A 064.00, Zoned R-2. Description of the Request: "Applicant is requesting a Use Permitted on Review in an R-2 zone to allow for a Business Home Office as a customary home occupation." Staff recommendation is for approval;

request will have no adverse effects on surrounding properties. Emma Gibson was present to speak on behalf of the request. There was no opposition present. Emma Gibson explained the business would be crafts and jewelry making. Micheal Long asked if there would be any foot traffic at the residence; Mrs. Gibson responded there would not be. After discussing, Bobby Powers entertained a motion. Don Trotter made a motion to approve the request as presented, seconded by Cindy Greene. The motion passed unanimously.

- B. Case Number BZA-49-2022:** Application of Thomas Terry, property located at 682 Sturdivant Dr., Tax Property Map No. 006O, Parcel E 018.00, Zoned R-2A. Description of the Request: “Applicant is requesting a Use Permitted on Review in an R-2A zone to allow for a Federal Firearms License / Gunsmith Business as a customary home occupation.” Staff recommendation is for approval; request will have no adverse effects on surrounding properties. Thomas Terry was present to speak on behalf of the request. There was no opposition present. Thomas Terry indicated his intent to serve citizens of Montgomery County. Bobby Powers asked if the business would be retail or repair; Mr. Terry replied it would be mostly repair but will accept online sale orders from known friends. Don Trotter asked if he would conduct target practice on site; Mr. Terry responded no, not within the city limits. 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.
- C. Case Number BZA-50-2022:** Application of Tom & Kay Drew, property located at 1224 Madison St., Tax Property Map No. 066L, Parcel K 005.01, Zoned R-4. Description of the Request: “Applicant is requesting a Use Permitted on Review in an R-4 zone to allow for a Guest House.” Staff recommendation is for approval; request will have no adverse effects on surrounding properties. Kay Drew was present to speak on behalf of the request. There was no opposition present. Kay Drew explained the living space shown over the detached garage would be for friends and family to stay in while visiting only. 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.
- D. Case Number BZA-51-2022:** Application of Mark Holleman, property located at 1280 Madison St., Tax Property Map No. 066L, Parcel K 008.00, Zoned R-4. Description of the Request: “Applicant is requesting a Use Permitted on Review in an R-4 zone to allow for a Guest House.” Staff recommendation is for approval; request will have no adverse effects on surrounding properties. Mark Holleman was present to speak on behalf of the request. There was no opposition present. Bobby Powers entertained a motion. Micheal Long made a motion to approve the request as presented, seconded by Don Trotter. The motion passed unanimously.

- E. Case Number BZA-52-2022:** Application of Cheryl Uglow, property located at 426 Parker Dr., Tax Property Map No. 054H, Parcel C 021.00, 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 East property line.” Staff recommendation is for disapproval; request does not meet the requirements of the current zoning ordinance and hardship is considered self-imposed. Cheryl Uglow was present to speak on behalf of the request. There was no opposition present. Cheryl Uglow indicated the 20 foot setback prevents the shed from being placed elsewhere on her property due to the drainage easement to the rear of the property. Bobby Powers asked how wide the lot is; Mrs. Uglow responded the lot is 90 feet wide with the dimensions of the shed are 16 x 42. Mrs. Uglow added the shed will not be on a permanent foundation. David Smith stated that placing the accessory structure elsewhere on the property might diminish navigating to enter the rear loading garage on the primary structure. 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.
- F. Case Number BZA-53-2022:** Application of Makayla Gregg, property located at 5 Strassbourg Rd., Tax Property Map No. 043N, Parcel K 012.00, Zoned R-1. Description of the Request: “Applicant is requesting a Use Permitted on Review in an R-1 zone to allow for a Family Day Care Home as a customary home occupation. Six (6) children allowed.” Staff recommendation is for approval; request will have no adverse effects on surrounding properties. Makayla Gregg was present to speak on behalf of the request. There was no opposition present. Don Trotter asked applicant if she had already obtained her state license, etc.; Ms. Gregg stated she is currently working towards her state license and that approval from the Board is a required step towards that. After discussing, Bobby Powers entertained a motion. Stacey Wenzler made a motion to approve the request as presented, seconded by Micheal Long. The motion passed unanimously.
- G. Case Number BZA-54-2022:** Application of Allen Moser, property located at 200 Trahern Ln. (previously 175 Porters Bluff Rd.), Tax Property Map No. 066L, Parcel F 003.00, Zoned R-1. Description of the Request: “Applicant is requesting a Use Permitted on Review in an R-1 zone to allow for a Guest House.” Staff recommendation is for approval; request will have no adverse effects on surrounding properties. Adam Blick was present to speak on behalf of the request. There was no opposition present. Adam Blick explained the primary residence is currently under construction on the property and that the other residence has been in existence for many years but will become an accessory structure following finalization of the new construction. Don Trotter asked if this was a spec house; Mr. Blick replied no, this project is intended to be Mr. Moser’s primary residence and the address has been

changed from 175 Porters Bluff to 200 Trahern Lane. 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.

**H. Case Number BZA-32-2022:** Application of Bill Mace, property located at 1104 Cardinal Creek Dr., Tax Property Map No. 018N, Parcel G 012.00, Zoned R-1. Description of the Request: “Applicant is requesting a 14.8 foot variance from the required 20 foot rear yard setback in order for the structure to be 5.2 feet from the South property line.” Staff recommendation is for disapproval; request does not meet the requirements of the current zoning ordinance and hardship is considered self-imposed. There was no one present to speak on behalf of the request. Bobby Powers entertained a motion. Cindy Greene made a motion to defer the request for 30 days, seconded by Stacey Wenzler. The motion to defer passed unanimously.

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

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

**ADJOURNMENT**

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