



BOARD OF ZONING APPEALS

Minutes of the Meeting

January 9, 2013

ATTENDANCE

A regular meeting of the Zoning Board of Appeals was held on Wednesday, January 9, 2013, in the Planning Department Conference in the Liberty Center, 12 W. Liberty Street. Seven board members – Mr. J. Seth; Mr. James Price; Mr. Sam Lowery; Mr. Jimmy Lowery; Ms. Sonya Davis; Ms. Betty Clark; Mr. Patrick Flaherty and the secretary were present. Mr. John Acken was absent. The meeting was called to order at 3:00 p.m. by Mr. James Price.

MINUTES

A motion was made by Mr. Sam Lowery to approve the minutes of the December 12, 2012, meeting. The motion was seconded by Ms. Betty Clark and carried a unanimous vote.

NEW BUSINESS

BOA-12-46, 215 Kingsbury Road (County) was presented by Ms. Claudia Rainey. The board reviewed the applicant's request for a variance from the maximum height requirement for freestanding signs in a Residential Zoning District in order to place a new church freestanding sign 3 feet above the maximum height requirement of 5 feet totaling a height of 8 feet per Article 8, Exhibit 19 Maximum Sign Heights and Dimensions. The property is located at 215 Kingsbury Rd. and is represented by Tax Map #226-12-01-020. Mr. Melvin Sapp, Church Pastor, Ms. Patty Wilson and Mr. Wade Payne were present and spoke on behalf of the request. After some discussion, Mr. Patrick Flaherty made a motion to approve this request, subject to the findings of fact and conclusions contained in the draft order, dated January 9, 2013. The motion was seconded by Ms. Betty Clark and carried a unanimous vote. The request was approved.

BOA-12-47, 502 W. Liberty Street (City) was presented by Mr. George McGregor. The board reviewed the applicant's request for Special Exception approval for a Liquor Store as required per City Zoning Ordinance, Art. 3, Section I, 3.i.4.f General Commercial Zoning District Special Exception and Exhibit 5. Applicant is also requesting a variance from the 300 foot distance requirement for Liquor Stores from residential uses per

	<p>Art. 5, Section 5.b.3.n Special Design Criteria. The property is located at 502 W. Liberty St. and is represented by Tax Map #228-14-04-004. Mr. Warren Curtis, attorney for the applicant, Mr. Raymond Farrar, Mr. Johnny Rhode, Mr. Robert Thompson, Mr. Charles Rhodes and Mr. Bill Glassco were present and spoke in favor of the request. Ms. Allison Reeves was present and spoke in opposition of the request. After much discussion, a motion was made by Mr. Patrick Flaherty to deny this request subject to the findings of fact and conclusions contained in the draft order, dated January 9, 2013. The motion was seconded by Mr. Sam Lowery and carried a unanimous vote (Flaherty, Davis, S. Lowery, Clark, J. Lowery). Mr. J. Seth joined the meeting in the middle of this request, therefore, he did not vote. The request was denied.</p> <p>BOA-12-48, 2605 Warehouse Boulevard (County) was presented by Ms. Claudia Rainey. The board reviewed the applicant's request for a variance from the maximum height requirements for freestanding signs in the Heavy Industrial Zoning District in order to place a freestanding business sign 3 feet above the maximum height requirement of 15 feet totaling a height of 18 feet per Article 8, Exhibit 19 Maximum Sign heights and Dimensions. The property is located at 2605 Warehouse Blvd. and is represented by Tax Map #223-00-01-074. Mr. Wade Payne, representative for the applicant, was present and spoke in favor of the request. After some discussion, a motion was made by Mr. James Price to defer this request until the zoning issues presented were resolved. The motion was seconded by Mr. Patrick Flaherty and carried a unanimous vote.</p>
<p>OTHER BUSINESS</p>	<p>The election of officers for the calendar year 2013 was held.</p> <p>Mr. Patrick Flaherty made a motion for Mr. J. Seth to remain as Chairman. The motion was seconded by Ms. Betty Clark and carried a unanimous vote.</p> <p>Mr. James Price made a motion for Mr. Patrick Flaherty to become the new Vice Chairman. The motion was seconded by Sam Lowery and carried a unanimous vote.</p>

ADJOURNMENT	<p>With there being no further business, a motion to adjourn was made at approximately 4:50 by the chair, Mr. J. Seth. The motion was seconded by Mr. Sam Lowery and carried a unanimous vote.</p> <p>The next regularly scheduled meeting will be held on February 13, 2013.</p>
	<p>Respectfully submitted,</p> <p><i>Julie A. Scarborough</i></p> <p>Julie A. Scarborough, Board Secretary</p>