

Board of Zoning Appeals
Minutes
August 1, 2017

I. Call to order

The regular meeting of the Board of Zoning Appeals was called to order on August 1, 2017 at 5:30 p.m. in the City Hall Conference Room, 1207 Palm Boulevard. Members present were Elizabeth Campsen, Pete Doherty, Carolyn Holscher and Arnold Karig; Glenn Thornburg was absent; also secretary Douglas Kerr was present.

Mr. Kerr acknowledged that the meeting had been advertised in compliance with State law and the properties had been posted.

II. Approval of minutes

The next item on the agenda was the review of the minutes of the July 11, 2017 meeting. Ms. Campsen stated that on page two, the minutes state that Mr. Hunt called regarding the question of whether or not he had spoken with the zoning official about renting only a portion of his house while he stayed inside the home, but he did not receive a call back. She stated that her recollection was that Mr. Hunt indicated that he never asked this question. Mr. Kerr stated that he would correct this in the minutes.

Ms. Campsen made a motion to approve the minutes with the noted amendment and Ms. Holscher seconded the motion. The vote was unanimous in favor of the motion.

III. Home Occupations

Mr. Karig explained that the Board acted as a quasi-judicial body and all comments made were treated in the same manner as court testimony; therefore, any person who would like to speak to the Board should be sworn in. He then swore in all members of the audience that would be speaking.

3303 Cameron Boulevard

Mr. Kerr explained that the applicant was requesting a special exception to allow the establishment of a fence and deck construction business at his home at 3303 Cameron Boulevard. He explained that the home would be used for office work only, that there will be no business-related traffic coming to the house, but that his pickup truck would be visible and occasionally there would be fence posts in the back of the pickup truck.

Ms. Campsen noted that it appeared that the property manager signed as the owner and the owner has not signed the application. Mr. Kerr stated that he had noticed this as well and discussed this with the applicant and there was an unusual circumstance of the owner being elderly, but he would allow the applicant explain the situation.

The applicant, Mr. Sean Chesney, explained that he rented the house through Carroll Realty and they are aware of his request. He stated that the owner is in his 90's and he believes that he is aware and supportive of his request, but that having him sign anything may be challenging. He stated that the owner's son generally handles matters for the owner and he could have him sign the application or get the owner to sign.

Mr. Karig stated that he thought it would be appropriate to have the owner sign, unless someone else has been given power of attorney to sign and then that person could sign. The applicant indicated that he could work this out.

Ms. Holscher asked if there would always be lumber in the back of the truck. Mr. Chesney answered not always, but sometimes he liked to beat the morning rush at Lowes and he would shop at night for the next day's project, so there would occasionally be lumber for the next day of work.

Mr. Karig made a motion to approve the request with the stipulation that the owner, or someone with legal rights to sign for the owner, sign the application within 30 days of being approved. Mr. Doherty seconded the motion and the vote was unanimous in favor of the motion.

239 Forest Trail

Mr. Kerr explained that the applicant was requesting a special exception to allow the establishment of a lawn care business at his home at 239 Forest Trail. He explained that the home would be used for office work only, that there will be no business-related traffic coming to the house and no employees working from the residence other than family members.

The applicant, Mr. Nicholas Perry, explained that he would also have his pickup truck and his trailer at the house.

Mr. Karig asked if there were any signs on this truck or trailer. Mr. Perry answered that he did have some magnetic signs, but they flew off. He stated that he would like to re-install signs. Mr. Kerr stated that one of the stipulation of the code for home occupations was that there be no signs visible and that any replacement signs should also be magnetic and taken off the truck while at the house.

Mr. Doherty asked if his trailer was enclosed. Mr. Perry said that it was, but that he had his old trailer, which was not enclosed, at the house for personal use. Mr. Kerr stated that another provision of the code was for there to be no exterior evidence of a business and therefore, he should not use an open trailer displaying all of his work equipment. Mr. Perry indicated that he understood.

Mr. Doherty made a motion to approve the request and Ms. Campsen seconded the motion. The vote was unanimous in favor of the request.

Mr. Karig stated that the next three applications did not have the applicant's present to answer questions. He asked if the Board would like to postpone hearing these cases until the next meeting to allow the applicants to be present. Ms. Campsen made a motion to postpone hearing the cases, Mr. Doherty seconded the motion and the vote was unanimous in favor of the motion.

IV. Miscellaneous business

Mr. Kerr explained that the order for 3305 Cameron Boulevard had been mailed on July 20th, so the applicant had 30 days from that date to appeal the Board's decision.

V. Adjournment

With no other business, the meeting was adjourned at 6:00 PM.