

MINUTES

BOARD OF ADJUSTMENTS

April 7, 1987

10:00 a.m.

Members present: Robert Boone, David Wright, Jerry Dietz, Ben Turbeville, Grace Bartscht, and James Canaday, and Don Hawkins.

Staff present: Pat Payne and Barry LeBaron.

Visitors: Russell Duncan, Sharon Murphree, and Lois Bethine Stewart.

The meeting was called to order at approximately 10:00 a.m. by Acting-Chairman Robert Boone.

The first item of business on the agenda was presentation of the Minutes from the March 11, 1987 Board of Adjustment and Appeals meeting. Mr. Ben Turbeville made a motion to accept the Minutes as presented with a second made by Mr. David Wright. Motion carried unanimously.

The second item of business on the agenda was a request from Mr. Michael G. Murphree for a 4.6 foot side-yard variance on property located at 1212 Magnolia Street, being Lot 5, Block 20, Hillcrest Addition, Extension Number Five. Mr. Boone asked Mr. Duncan, attorney for the Murphrees, to explain the reasons for the the variance request. He stated that the Murphrees purchased the house in December, 1985 from Osborne Realty, the house being constructed in September, 1957. Due to mortgage companies recently requiring surveys on new or refinancing of loans, several properties have been found to be in violation of side-yard and set-back requirements of the Zoning Ordinance. A five foot set-back from the side yard had orginally been placed in the deed restrictions by the Leo Ansleys for this particular subdivision prior to the construction of the house. Mr. Duncan further explained that apparently each house in that area has the same problem with set back requirements, even though each is spaced in a regular and orderly pattern. He presented evidence of approval from the property owners within that particular area, with a majority signing, bearing from the property reservations and restrictions, with a request for variance in order. With no other discussion on the matter, a motion was made by Mr. Jerry Dietz and seconded by Mr. David Wright to grant the 4.6 foot side yard variance to Michael G. Murphree. Motion carried unanimously.

The next item of business was presented by Mr. LeBaron. He explained a few of the forthcoming Zoning Ordinance changes which are being drafted at the present time. He explained some of the proposed side yard set back requirement changes which will be improved for better efficiency for usage in determining lot coverages in residential areas. He further explained that a set figure for side yard requirements might be easier to understand rather than the percentage side yard requirement that presently exists. This item was presented for information purposes.

After no further business, Mr. Boone adjourned the meeting at 10:27 a.m.