

MINUTES

BOARD OF ADJUSTMENTS

April 14, 1987

10:00 a.m.

Members present: Robert Boone, Ben Turbeville, James Canaday, and Don Hawkins.

Members absent: Grace Bartscht, David Wright, Jerry Dietz.

Staff present: Pat Payne, Barry LeBaron and Don Blanton.

Visitors: Ernest E. Erwin, Linda Winter, Tom Robinson, and Steve Jordan.

The meeting was called to order at approximately 10:00 a.m. by Chairman Don Hawkins.

The first item of business on the agenda was presentation of the Minutes from the April 7, 1987 Board of Adjustment and Appeals meeting. Robert Boone made a motion to accept the Minutes as presented with a second made by James Canaday. Motion carried unanimously.

The second item of business on the agenda was a request from Mr. William E. Winter, Jr. for a 3.5 foot side yard variance on property located at 408 Aspen Road, being Lot 1, Block 25, Wheeler Creek Addition. Mr. Hawkins asked Mr. LeBaron to elaborate on the purpose of the request for the variance. He explained that almost from the beginning of the development of that area, many of the homes have at least one side yard that does not conform to the zoning regulations of a ten percent minimum of the lot width for the side yard. A large number of homes in the Wheeler Creek Addition have been constructed with a 6' side yard on one side to allow for a driveway to be constructed on the other side to provide access for a rear entry garage. With the lot in question, the lot width is ninety five feet, which would require a nine and one half foot side yard. However, most of the homes in that area, due to the placement of driveways on side of the homes, appear to have, at least from the aesthetic and visual prospective, a normal side yard between each of them. Mr. LeBaron further stated that the lot is a rectangular lot, being one hundred fifty feet deep and ninety five feet wide. Mr. Hawkins asked Mr. LeBaron if the variance was requested on the driveway side, but was told that the variance was for the North side of the

residence, that being opposite side of the house from the drive way. Mr. Hawkins asked if anyone was in attendance to represent the Winters, and Mr. Tom Robinson stated he was. He stated that the proposed residence did not conform to the ten per cent minimum lot width but does conform with the deed restrictions which do require six foot side yards. He indicated there would be no problems with title to the property. Mr. Ervin Erwin spoke next stating that his property is next to Mr. Winter's property and his also has a six foot side yard and he agrees that the homes are not in compliance, but should be left with the six foot side yards. After no further discussion or comments from anyone, a motion was made by James Canaday and seconded by Ben Turbeville to grant the 3.5 foot side yard variance to Mr. Winter. Motion carried unanimously.

After no further business, Mr. Hawkins adjourned the meeting at 10:20 a.m.