

City of Smyrna

*2800 King Street
Smyrna, Georgia 30080*



Meeting Minutes

Wednesday, March 28, 2018

10:00 AM

Council Chambers

License and Variance Board

1. Roll Call

Meeting went into Recess

Meeting Reconvened

Present: 3 - Roy Acree, Mary Moore and Scott Stokes

Absent: 1 - Tammi Saddler Jones

Also Present: 5 - Joey Staubes, Terri Graham, Elsa Thompson, Russell Martin and Lisa Ochoa

2. Call to Order

The meeting of the License and Variance Board was called to order by Boardmember Roy Acree at 10:00am.

3. Business

- A. Public Hearing** - Variance Request - V18-025 - Allow reduction of 50 ft. undisturbed buffer for the construction of a new single family home - 0.25 acres - Land Lot 628 - 3332 Creatwood Trail - Rachel and Greg McCullough - *The applicant has requested this item be tabled until the April 11, 2018 License and Variance Board Hearing.*

A motion was made by Boardmember Scott Stokes to table Variance Request V18-025 to allow a reduction of 50 feet undisturbed buffer for the construction of a new single family home on 0.25 acres in Land Lot 628 located at 3332 Creatwood Trail by applicants Rachel and Greg McCollough, seconded by Boardmember Mary Moore. This item will be tabled to the April 11, 2018 License and Variance Board Hearing. The motion to table carried by the following vote:

Aye: 3 - Roy Acree, Mary Moore and Scott Stokes

Absent: 1 - Tammi Saddler Jones

- B. Public Hearing** - Variance Request - V18-026 - Allow reduction of 75 ft. impervious setback for the construction of a new single family home - 0.25 acres - Land Lot 628 - 3332 Creatwood Trail - Rachel and Greg McCullough - *The applicant has requested this item be tabled until the April 11, 2018 License and Variance Board Hearing.*

A motion was made by Boardmember Scott Stokes to table Variance Request V18-026 to allow 75 feet impervious setback reduction for the construction of a new single family home on 0.25 acres in Land Lot 628 located at 3332 Creatwood Trail by applicants Rachel and Greg McCullough; seconded by Boardmember Mary Moore. This item will be tabled to the April 11, 2018 License and Variance Board Hearing. The motion to table carried by the following vote:

Aye: 3 - Roy Acree, Mary Moore and Scott Stokes

Absent: 1 - Tammi Saddler Jones

- C.** **Public Hearing** - Variance Request - V18-027 - Allow reduction of front setback from 35 feet to 16 feet for the construction of a new single family home - 0.25 acres - Land Lot 628 - 3332 Creatwood Trail - Rachel and Greg McCullough - *The applicant has requested this item be tabled until the April 11, 2018 License and Variance Board Hearing.*

A motion was made by Boardmember Scott Stokes to table a Variance Request V18-027 to allow the reduction of a front setback from 35 feet to 16 feet for the construction of a new single family home on 0.25 acres in Land Lot 628 located at 3332 Creatwood Trail by applicants Rachel and Greg McCullough; seconded by Boardmember Mary Moore. This item will be tabled to the April 11, 2018 License and Variance Board Hearing.

The motion to table carried by the following vote:

Aye: 3 - Roy Acree, Mary Moore and Scott Stokes

Absent: 1 - Tammi Saddler Jones

- D.** **Public Hearing** - Variance Request - V18-028 - Allow reduction of side setback from 10 feet to 5 feet for the construction of a new single family home - 0.25 acres - Land Lot 628 - 3332 Creatwood Trail - Rachel and Greg McCullough - *The applicant has requested this item be tabled until the April 11, 2018 License and Variance Board Hearing.*

A motion was made by Boardmember Scott Stokes to table Variance Request V18-028 to allow a reduction of the side setback from 10 feet to 5 feet for the construction of a new single family home on 0.25 acres in Land Lot 628 located at 3332 Creatwood Trail by applicants Rachel and Greg McCullough; seconded by Boardmember Mary Moore. This item will be tabled to the April 11, 2018 License and Variance Board Hearing.

The motion to table carried by the following vote:

Aye: 3 - Roy Acree, Mary Moore and Scott Stokes

Absent: 1 - Tammi Saddler Jones

- E.** **Public Hearing** - Variance Request - V18-014 - Reduction of front yard setback for fence from 50 ft. to 10 ft. along S Cobb Drive - Land Lot 347 - 0.41 acres - 2291 S Cobb Dr - Dive In, Inc - Lee Staggs - *The applicant has requested to table the item until the April 11, 2018 License and Variance Board Hearing.*

Boardmember Roy Acree called Mr. Staggs to come forward. Mr. Staggs had multiple variance requests. Mr. Acree advised Mr. Staggs that each of his variance requests must be addressed individually but requested that he describe the overall project. Mr. Staggs advised that Dive In, Inc. is a landscape contracting company and he purchased the building to operate his business. He is in need of a storage building, currently unable to park their company vehicles on the property. To meet the fire code

requirements, they must expand the parking lot in addition to adding a 20 foot turnaround to allow for fire trucks.

Mr. Acree called staff member Mr. Joey Staubes from Community Development to speak about the variance requests. Mr. Staubes stated that the applicant was requesting a reduction of a front yard setback for a fence from 50 feet to 10 feet along South Cobb Drive; reduction of a front yard setback for a fence from 35 feet to 10 feet along Ventura Drive; to allow accessory structure greater than 25 percent of primary structure; to allow setback reduction for accessory structure from 35 feet to 20 feet; and to allow an accessory structure in the front/side yard. The property was bounded by two roads with road frontage on South Cobb Drive and on Ventura Drive. To meet the requirements of the ordinance, the applicant was requesting to put an 8 foot fence approximately 10 feet from the property on South Cobb Drive for the purpose of securing parking of overnight vehicles. If the fence was placed at the setback lines there would not be enough room to park on the property. Mr. Staubes stated that the applicant operates as a landscape contractor and requested the fence on the property for security reasons. Landscape contractors are allowed within the GC zoning district provided that storage of equipment, materials or commercial vehicles is conducted entirely within an enclosed building or the rear yard of the property; outside storage of equipment, materials or commercial vehicles must be screened from the public right away by an opaque fence.

Mr. Acree asked Mr. Staubes for clarification about the uniqueness of the property in that it does not have a backyard; Mr. Staubes confirmed that it did not and noted that the property had a lot of slope, from South Cobb Drive the fence will not appear to be 8 feet, the applicant had created a notch to mitigate obstruction of the nearby business to the north.

Staff recommended approval with the following 4 conditions:

1. Approval of the requested variance shall be conditioned upon the development of the property in substantial compliance with the site plan submitted with the variance application.
2. A 20 ft. wide gate with Knox Box is required for Fire Department access.
3. A 20 ft. wide clearance shall be maintained in the parking lot for Fire Department turnaround.
4. A row of evergreens shall be planted along the fence line on S Cobb Drive.

Mr. Acree asked Mr. Staggs to come forward. Mr. Acree advised the applicant that staff's concern was mostly centered around the existing wooden fence on the Ventura Drive (back of the property), he asked Mr. Staggs if the wooden fence was still there; Mr. Staggs advised that it was. Mr. Acree asked the Board if there were any questions for the applicant; there were none.

Public hearing was announced and 3 citizens came forward.

Ms. Clarke owns the property to the south of 2291 South Cobb Drive. She presented photos of where her property line is and where the fence would be installed; she noted that her concern was visibility of her property once the fence goes up along South Cobb Drive.

Mr. James Onabanjo and Ms. Modype Onabanjo came forward and stated they own the property located at 2289 South Cobb Drive. Mr. Onabanjo spoke, and noted that he had no objection to the requests however he wanted to be sure that their property would still be visible. He suggested that they have a gate that exits in the back. Ms. Onabanjo stated that there is already a serious visibility issue when approaching the property from the Windy Hill intersection of South Cobb Drive. She noted that if the fence was created to flush with their building she believed it would help the situation. She noted that anything other than that would affect their business negatively. Mr. Onabanjo presented the Board with photos and advised that the tree in front of 2291

South Cobb Drive also obstructed the view of their business.

Ms. Clarke returned to the podium and presented photos to the Board. She advised that the pictures displayed the slope and that her property was lower than the applicant's property. She noted her concerns and reiterated her objection to the variance requests made by the applicant.

Ms. Onabanjo returned to the podium, she advised that Mr. Staubes sent her an email about indents as a possible solution however she noted that she did not agree that indents would solve the issue and stated that she believed her business would be negatively impacted.

Mr. Acree called Mr. Staggs to the podium and advised him of the Board's concerns, staff's concerns and that the Board could not approve the first two variance requests as they were currently written. He asked Mr. Staggs if he would be willing to table Items E and F in order for everyone to try to come to a resolution that would work for everyone. Mr. Staggs advised that he would be willing to table the items to the April 11, 2018 License and Variance Board meeting. Mr. Acree explained that the Board had questions/concerns primarily with the fence and the 5 part variance requests. Mr. Staggs responded and noted that the existing front posts are 12 feet further out than proposed on the drawings. Mr. Acree reiterated the Board and staff's concerns with the way the fence was currently proposed. Mr. Staggs agreed to table items E and F to the April 11, 2018 License and Variance Board meeting.

Boardmember Scott Stokes asked Mr. Staggs if he had considered installing security cameras on the property instead of the 8 foot fence or possibly shortening the height of the fence. He also advised Mr. Staggs that there had to be a hardship in order for the Board to approve the variance requests as written and the Board did not see the hardship so they could not approve the variance requests.

After no further discussion or comments, Mr. Acree called for a motion.

A motion was made by Boardmember Scott Stokes to table Variance Request V18-014 for the reduction of a front yard setback for a fence from 50 feet to 10 feet along South Cobb Drive in Land Lot 347 on 0.41 acres located at 2291 South Cobb Drive by applicant Lee Staggs of Dive In, Inc.; seconded by Boardmember Mary Moore. This item will be tabled to the April 11, 2018 License and Variance Board Hearing. The motion to table carried by the following vote:

Aye: 3 - Roy Acree, Mary Moore and Scott Stokes

F.

Public Hearing - Variance Request - V18-015 - Reduction of front yard setback for fence from 35 ft. to 10 ft. along Ventura Drive - Land Lot 347 - 0.41 acres - 2291 S Cobb Dr - Dive In, Inc - Lee Staggs - *The applicant requests the item be tabled until the April 11, 2018 License and Variance Board hearing.*

A motion was made by Boardmember Scott Stokes to table Variance Request V18-015 for the reduction of a front yard setback for a fence from 35 feet to 10 feet along Ventura Drive in Land Lot 347 on 0.41 acres located at 2291 South Cobb Drive by applicant Mr. Lee Staggs of Dive In, Inc.; seconded by Boardmember Mary Moore. This item will be tabled to the April 11, 2018 License and Variance Board Hearing. The motion to table carried by the following vote:

Aye: 3 - Roy Acree, Mary Moore and Scott Stokes

G.

Public Hearing - Variance Request - V18-016 - Allow accessory structure greater than 25 percent of primary structure - Land Lot 347 -

0.41 acres - 2291 S Cobb Dr - Dive In, Inc - Lee Staggs

Boardmember Roy Acree called Mr. Staggs to the podium and he noted that earlier in the meeting he had requested that Mr. Staggs give the overview of the multiple variance requests and asked that Mr. Staggs address the need and use of the accessory structure. He advised that the property did not have a rear yard and that all accessory structures were required to be in the rear yard. Mr. Staggs advised of the need to store their equipment and supplies on the property because currently the employees were storing the vehicles at their private residences and could not store supplies in the vehicles. He considered this a hardship because the company is spending a great amount of time daily checking out supplies and equipment that are needed for the day.

Mr. Acree asked the Board if they had any questions for the applicant. Boardmember Scott Stokes asked Mr. Staggs if the vehicles were landscape trailers in which they store mowers and equipment. Mr. Staggs advised that they used full size trucks instead of trailers. Mr. Acree asked for the height of the building. Mr. Rob Barfield from Vision Construction came forward to respond and advised that the building is 20 feet by 40 feet with a 12 foot eave. Mr. Acree questioned why they decided on the particular location they chose for the accessory structure instead of pushing it up towards South Cobb Drive which would have kept it within the front yard and rear yard setback. Mr. Barfield advised that because the lot is tight they tried to maintain the drive-thru and keep it tucked in the back corner so it would not impact the site. Mr. Acree asked if grading and vegetation would be affected. Mr. Barfield advised that a small cut would have to be made to the building and that one tree would have to be removed.

Boardmember Mary Moore confirmed with the applicant that they had experienced theft on the property and asked if this was one of the measures they hoped would mitigate that from happening again. The applicant advised that it was.

Mr. Acree asked the Boardmembers if there were any further questions for the applicant and there were none. He called Mr. Staubes to the podium. Mr. Staubes advised that the ordinance restricted accessory structures to no more than 25 percent of the primary structure and that the applicant could have a 200 foot accessory structure but due to the nature of his business the applicant wanted something larger. Mr. Staubes also noted that the ordinance required accessory structures be in the rear yard however this property did not have a back yard.

Boardmember Scott Stokes asked if there was any part of the ordinance that stated that the accessory use and structure be built with similar materials as the primary structure. Senior Planner Rusty Martin came forward and advised the requirement was that it be built with similar materials as the principal building or the same material as other accessory structures and that South Cobb Drive did not have material or façade requirements.

Boardmember Mary Moore clarified that the applicant could not use an unconventional materials. Mr. Martin advised that he could not.

After no further discussion or comments, Mr. Acree called for a motion.

A motion was made by Boardmember Scott Stokes to approve Variance Request V18-016 to allow an accessory structure greater than 25 percent of the primary structure in Land Lot 347 on 0.41 acres located at 2291 South Cobb Drive, by Dive In, Inc. by applicant Mr. Lee Staggs; seconded by Boardmember Mary Moore.
The motion to approve carried by the following vote:

Aye: 3 - Roy Acree, Mary Moore and Scott Stokes

Absent: 1 - Tammi Saddler Jones

H. Public Hearing - Variance Request - V18-017 - Allow front setback

reduction for accessory structure from 35 ft. to 20 ft. - Land Lot 347 - 0.41 acres - 2291 S Cobb Dr - Dive In, Inc - Lee Staggs

The Public Hearing was announced.

Ms. Clarke came forward for clarification that the item was referring to Ventura Drive.

Mr. Acree asked Mr. Staubes to clarify. Mr. Staubes advised that it was Ventura Drive.

Ms. Clarke stated that she had nothing further.

After no further discussion or comments, Mr. Acree called for a motion.

A motion was made by Boardmember Scott Stokes to approve Variance Request V18-017 to allow a front setback reduction for an accessory structure from 35 feet to 20 feet in Land Lot 347 on 0.41 acres located at 2291 South Cobb Drive by Dive In, Inc. by applicant Mr. Lee Staggs; seconded by Boardmember Mary Moore.

The motion to approve carried by the following vote:

Aye: 3 - Roy Acree, Mary Moore and Scott Stokes

Absent: 1 - Tammi Saddler Jones

I. Public Hearing - Variance Request - V18-018 - Allow accessory structure in front/side yard - Land Lot 347 - 0.41 acres - 2291 S Cobb Dr - Dive In, Inc - Lee Staggs

The Public Hearing was announced. There was no discussion or comments, Mr. Acree called for a motion.

Mr. Acree thanked Mr. Staggs and advised that they would have to coordinate with staff to discuss some potential solutions.

A motion was made by Boardmember Scott Stokes to approve Variance Request V18-018 to allow accessory structure in front/side yard at Land Lot 347 on 0.41 acres located at 2291 South Cobb Drive by applicant Mr. Lee Staggs, seconded by Boardmember Mary Moore.

The motion to approve carried by the following vote:

Aye: 3 - Roy Acree, Mary Moore and Scott Stokes

Absent: 1 - Tammi Saddler Jones

J. Public Hearing - Variance Request - V18-021 - Reduction of front setback from 35 feet to 27 feet for the construction of a new single family residence - 0.25 acres - Land Lot 560 - 2804 Walker Court - Jim Beveridge

Mr. Acree called the applicant, Mr. Jim Beveridge, to come forward. Mr. Acree asked Mr. Beveridge to give an overview of the project since he had multiple variance requests. Mr. Beveridge advised that they have a very unusual lot, triangular in shape and very narrow. He noted that they have built similar homes on Matthews and that there was so much demand, that someone requested the home on Walker. Their request was to keep the front setback where the existing structure was and also where the existing adjacent structures were. Doing so would be an 8 foot reduction of what the code required for new homes but it would make it possible to build the home. The second request pertained to the driveway. Code requires a 5 foot setback from the side property line. Mr. Beveridge advised there was only 12 feet between the closest

point of the structure and the side property line. Parking would be to the rear. He stated that they agree with staff that they met the hardship requirements. Mr. Acree confirmed the narrow entry to the property and clarified whether or not the existing structure would be torn down. Mr. Beveridge advised that it would be torn down and noted that an existing steel carport that was encroaching on the neighbor's yard would be torn down also. Mr. Acree confirmed that the driveway would utilize the existing curve cut and Mr. Beveridge advised that it would.

Boardmember Scott Stokes asked if the residence would have a garage. Mr. Beveridge advised that it would. Mr. Stokes asked if the concrete in the back was simply a turnaround. Mr. Beveridge advised that it was and that it would also be used for guest parking.

Boardmember Mary Moore asked for the square footage of the old home vs. the new home. Mr. Beveridge advised that the new house would be 2,614 square feet heated and that the old house was approximately 800 square feet.

Mr. Acree called staff to come forward and give an overview of the project. Mr. Staubes explained that the adjoining properties all had similar setbacks. The new residence would have the same development pattern as the existing neighborhood and the adjacent properties were also triangular shaped. He noted that the residences also have similar driveway setbacks so the project would be consistent with the surrounding properties. Mr. Staubes advised that staff is recommending approval and that they have not heard any complaints in reference to the project.

Staff recommended approval with the following condition:

1. Approval of the requested variance shall be conditioned upon the development of the property in substantial compliance with the site plan and elevations submitted with the variance application.

Mr. Acree asked Mr. Beveridge if he accepted the condition. Mr. Beveridge advised that he did.

Boardmember Mary Moore asked Mr. Staubes if the neighbors received letters about the project or if it was only posted. Mr. Staubes advised that they were only required to post a sign on the property. Mr. Beveridge came forward and advised that they sent certified letters to all of the neighbors and received the green cards back indicating that they had been received.

The Public Hearing was announced.

Ms. Sherise Cook came forward, she noted that she owned the property to the east of the project site. She stated that she had been experiencing flooding in her front yard even with the retention pond. She felt that the 1 foot variance would put a hardship on her home and cause more flooding. She also had concerns about the new home being two-stories because they would be looking down into her home. She stated that she bought her home in 2003 and felt that the developers have taken all of the charm from the neighborhood. Mr. Acree asked if her property was next door to the property, on the same side of the street or across the street. She stated that she was right next door on the same side of the street. Mr. Acree asked if the existing structure and steel carport was encroaching on her property. She advised that, that would be her neighbor, Mr. Waddle's property.

Ron Waddle came forward. He advised that Ms. Cook summarized what he would also be addressing, which was the water drainage issues affecting the properties in their neighborhood. He stated that there was a slight grade where the water was flowing down. He explained that developers had built very large homes in the back of their properties and felt that they have encroached on their privacy. He noted that the builders had removed a lot of vegetation that would have helped absorb some of the water and that bugs had become an issue as well. He noted that the aesthetics, shade and air quality would be disturbed if the builders continued to clear lots and removing the trees. He reiterated that they would eliminate privacy and that the view outside his house would only be hardy plank. Mr. Waddle made comment that he is sure that the

developers had come to the License and Variance Board before. Mr. Acree advised that he did not believe that any of the residential redevelopers came to the License and Variance Board and that they more than likely went before Council.

Mr. Acree asked that Mr. Staubes and Mr. Beveridge address the storm water runoff issues and asked what practices and staff recommendations would be implemented to not impact neighbors negatively. Senior Planner Rusty Martin addressed the Board. He advised that the applicant met the R-15 requirement that any homeowner could add on to their homes without any permits regarding stormwater and that the applicant was not doing anything that was not allowed. Mr. Acree asked how they would deal with the impervious surfaces. *Mr. Martin's response was inaudible due to technical difficulties with the microphones*.

Mr. Waddle returned to the podium and stated that there were only 2 people asking for rear driveways and that neither of those style homes encroached on other property owners and their privacy. The 1 foot variance will allow someone to drive 2 feet from his home. He stated that if the City believed there was not a water flow issue, he implored the Board to come out and see the water in the retention pond. He felt that they are trying to put too much in a small place and that all of Old Smyrna would be gone. Mr. Acree advised Mr. Waddle to share his comments with his elected officials. Mr. Acree asked Mr. Beveridge if he would like to make any further comments. Mr. Beveridge approached the podium and stated that he agreed with staff that he met the hardship. He noted that they would develop in the way they had been developing for the future development of Smyrna – responsibly and abide by the codes of R-15.

Boardmember Scott Stokes asked Mr. Beveridge if he had considered putting the garage on the side as opposed to the back. Mr. Beveridge stated that it was not a good way to turn around. Mr. Stokes asked if the applicant would consider using pervious pavers or pervious concrete to allow water to absorb into the ground through the pavers. Mr. Martin advised that it was up to the Board to stipulate.

Boardmember Mary Moore asked if the project required the removal of trees. Mr. Beveridge answered yes. Ms. Moore then asked if this was because of the placement of the driveway or the size of the new house. Mr. Beveridge advised that it was due to the size of the house.

Mr. Stokes asked Mr. Beveridge again if he was amendable to pervious pavement. Mr. Beveridge advised that he would only do so in the back of the home at the turnaround. Mr. Waddle returned to the podium and advised that he was not opposed to the garage being in the front of the house.

Ms. Cook came forward and stated that she believed this project required more study, that the 1 foot variance was not enough room and that it would affect her quality of life. Mr. Acree advised that if this was approved that no one would be able to come back and build something different that encroached into the setback into her home. She noted that she believed that having the garage in the front of the home would be a good resolution.

Mr. Acree called Mr. Beveridge back up and asked if the house plan could be changed to move the garage to the front. Mr. Beveridge advised that it could not and noted that the structure was 20 feet away and would be 14 feet away.

Mr. Stokes advised that a stipulation should be added to the motion to add pervious pavement.

Ms. Moore advised that she was concerned about the tree removal and questioned if the ordinance addressed replacing the tree. Mr. Staubes advised that the ordinance stated that if there was land disturbance more than 50 percent of the lot then a tree plan must be in place but if the land disturbance was less than 50 percent it was not required.

Ms. Moore asked if they knew how much vegetation would be affected with this project. Mr. Staubes advised that they would have to do the calculations. Mr. Acree asked if the calculations were done later in the permitting process. Mr. Staubes responded,

yes.

With no further discussions or comments, Mr. Acree asked for a motion.

A motion was made by Boardmember Scott Stokes to approve Variance Request V18-021 for a reduction of front setback from 35 feet to 27 feet for the construction of a new single family residence on 0.25 acres in Land Lot 560 located at 2804 Walker Court by applicant Mr. Jim Beveridge; seconded by Boardmember Mary Moore. The motion to approve carried by the following vote:

Aye: 3 - Roy Acree, Mary Moore and Scott Stokes

Absent: 1 - Tammi Saddler Jones

K. Public Hearing - Variance Request - V18-022 - Reduction of driveway setback from 5 ft. to 1 ft. for the construction of a new single family residence - 0.25 acres - Land Lot 560 - 2804 Walker Court - Jim Beveridge

The Public Hearing was announced.

There was no discussion or comments, Mr. Acree called for a motion.

A motion was made by Boardmember Scott Stokes to approve Variance Request V18-022 for the reduction of a driveway setback from 5 feet to 1 foot for the construction of a new single family residence on 0.25 acres in Land Lot 560 located at 2804 Walker Court by applicant Mr. Jim Beveridge; seconded by Boardmember Mary Moore.

The motion to approve carried by the following vote:

Aye: 2 - Mary Moore and Scott Stokes

Nay: 1 - Roy Acree

Absent: 1 - Tammi Saddler Jones

L. Public Hearing - Variance Request - V18-023 - Reinstatement for reduction of front setback from 35 feet to 23 feet for the construction of an addition to a single family residence - 0.37 acres - Land Lot 488 - 2761 Guthrie Street - Thomas Regeski

Mr. Acree asked the applicant, Mr. Tom Regeski to come forward and give an overview of the project. Mr. Regeski was asking for a reinstatement. He noted that the property seemed large however the property had a sharp drop off. He advised that the current living area in their home was small so they were adding a new living room for the front setback and that this request had been approved in the past. The new setback was for a 2 car garage – requesting a reduction from 10 feet to 5 feet. He noted that the neighbors were ok with the changes since it would be an upgrade to the way it looks now.

Mr. Stokes asked questions about storm water issues. The applicant noted that the area where the water would drain is overgrown and was not used by neither him nor his neighbors. Mr. Regeski suggested he have a gutter or a ditch built. Mr. Stokes advised that they would include that stipulation in the motion. Mr. Stokes asked if they would be adding concrete. The applicant advised that they would utilize pervious concrete and pavers, that the concrete driveway would be increased and that they would angle the grate for water to go toward their house.

Mr. Stokes made the applicant aware that there is a stream buffer of 75 feet and that they want to make sure there is no encroachment. Mr. Regeski advised that he would look into it.

Mr. Staubes approached the podium and advised that the house was currently 1,400 square feet but with the additions it would be brought up to 2,000 square feet. There was a previous permit issued, it expired which is why the applicants are back before the Board with the same request and that staff was not opposed to the down spouts and gutter additions.

Mr. Acree asked the applicant if he was agreeable to the conditions. The applicant advised that he was.

The Public Hearing was announced.

After no further discussions or comments, Mr. Acree called for a motion.

A motion was made by Boardmember Scott Stokes to approve a Variance Request V18-023 for a reinstatement for reduction of front setback from 35 feet to 23 feet for the construction of an addition to a single family residence on 0.37 acres in Land Lot 488 located at 2761 Guthrie Street by applicant Thomas Regeski; seconded by Boardmember Mary Moore.

The motion to approve carried by the following vote:

Aye: 3 - Roy Acree, Mary Moore and Scott Stokes

Absent: 1 - Tammi Saddler Jones

M. Public Hearing - Variance Request - V18-024 - Reduction of side setback from 10 feet to 5 feet for the construction of a garage - 0.37 acres - Land Lot 488 - 2761 Guthrie Street - Thomas Regeski

Mr. Acree asked Mr. Regeski if he had any further information. Mr. Regeski advised that he did not.

The Public Hearing was announced.

There was no discussion or comments and Mr. Acree called for a motion.

A motion was made by Boardmember Mary Moore to approve a Variance Request V18-024 for a reduction of side setback from 10 feet to 5 feet for the construction of a garage on 0.37 acres in Land Lot 488 located at 2761 Guthrie Street by applicant Thomas Regeski; seconded by Boardmember Scott Stokes.

The motion to approve carried by the following votes:

Aye: 3 - Roy Acree, Mary Moore and Scott Stokes

Absent: 1 - Tammi Saddler Jones

4. Approval of Minutes:

A. Approval of the minutes from the February 28, 2018 meeting of the License and Variance Board.

A motion was made by Boardmember Mary Moore for the 2018-148 Approval of the minutes from the February 28, 2018 License and Variance Board Meeting; seconded by Boardmember Scott Stokes.

The motion to approve carried by the following vote:

Aye: 3 - Roy Acree, Mary Moore and Scott Stokes

Absent: 1 - Tammi Saddler Jones

5. Adjournment

Boardmember Roy Acre adjourned the meeting at 11:38 AM.