



Meeting Minutes - Final

License and Variance Board

Wednesday, February 8, 2017

10:00 AM

Council Chambers

Rollcall

Present: 3 - Roy Acree, Tammi Saddler Jones and Scott Stokes

Also Present: 3 - Joey Staubes, Christiana Craddock and Russell Martin

2. Call to Order

Chairperson Tammi Saddler Jones called the February 8, 2017 meeting of the License and Variance Board to order at 10:00am.

3. Business

A. Public Hearing - Variance Request - V17-007 - Allow reduction of side setback from 10 feet to 3 feet - 0.77 acres - Land Lot 381 - 642 Concord Road - City of Smyrna

Chairperson Tammi Saddler Jones announced the public hearing. Boardmember Roy Acree recused himself from the item and vote because the item dealt with the Fire Station No. 2 construction project.

Chairperson Jones asked for the City's representative to come forward, and Mr. Zach Strickland of Croy Engineering came to the podium on behalf of the City. He said the variance request was in regard to the new Fire Station 2 rebuild, and it was required so that the fire truck could make its turn into the bays in the station. He said the site was narrow, so they needed to go from a 10 foot side setback to a 3 foot side setback to accommodate the movement of the firetruck in and out of the station.

City Planner Joey Staubes reiterated what Mr. Strickland had stated about the need for the side setback due to the movements of the fire apparatus. He said the side of the building affected was the side next to the Crafty Hog, and there were significant grade elevations and existing vegetation on that side of the property that provide a buffer to the adjacent building. Mr. Staubes said that the adjacent properties had been notified and staff had received no comments or opposition. He stated that the City is not required to run this through the variance process, but for the sake of transparency, the City decided to bring it to the License and Variance Board and treat it like any other variance case. He said staff reviewed the request and recommended approval with one condition, that the plan be built in substantial compliance with the site plan submitted with the variance application.

Chairperson Tammi Saddler Jones asked Mr. Zach Strickland if he agreed to the stipulation as stated, and he said yes. She announced the public hearing and asked if there was anyone else present who wished to speak on this item, and there was no one.

A motion was made by Boardmember Scott Stokes to approve with conditions as listed Item V17-007, a Variance Request (V17-007) to allow reduction of side setback from 10 feet to 3 feet on 0.77 acres located at Land Lot 381 at 642 Concord Road by the applicant City of Smyrna; seconded by Boardmember Roy Acree.

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.

The motion carried by the following vote:

Aye: 2 - Tammi Saddler Jones and Scott Stokes

Recuse: 1 - Roy Acree

B. Public Hearing - Variance Request - V17-008 - Allow encroachment into City 50 ft. Undisturbed Buffer and 75 ft. Impervious setback - 0.50 acres - Land Lot 626 - 1747 Cedar Ridge Court - Miguel Cristech

Chairperson Tammi Saddler Jones announced the public hearing and asked the applicant to come to the podium. Mr. Miguel Cristech was not present.

City Planner Joey Staubes stated the applicant was aware of the hearing and he had called him this morning and left him a message.

Chairperson Jones said she would give the applicant a few more minutes to present himself, but if not, then the Board would table the item.

C. Public Hearing - Variance Request - V17-009 - Allow six foot chain link fence in front yard - 2.10 acres - Land Lot 301 - 2135 Frank Lane - Smyrna-Oakdale Moose Lodge/Billy James

Chairperson Tammi Saddler Jones announced the public hearing and asked the applicant to come to the podium. Mr. Billy James came forward and said he was the administrator for the Smyrna Oakdale Moose Lodge. He stated that Community Development had given him a letter saying they were recommending approval of the item with the conditions that they place a knoxbox on the fence for Public Safety, and that the opening on the gate was a minimum of 20 feet wide. He said they had the knoxbox already and the gate opened to 40 feet wide. Boardmember Roy Acree asked if the gate opened automatically with a motor, or if it had to be manually opened, and Mr. Billy James replied that it was on rollers, so someone had to roll it open and closed. Boardmember Acree asked when the gate was typically closed and locked, and Mr. James replied that it was locked when the lodge closes up, anywhere between 7:30pm - 11:00pm.

City Planner Joey Staubes said the lodge was located at the end of Frank Lane, and the road dead ends adjacent to the property. He said there was an existing fence on the property, and this chain link fence, which was already erected, was replacing the old fence. He said the applicant requested the fence for security purposes, as there has been some criminal activity around and on the property. He said the City had approved similar requests for industrial properties for the sake of security and safety. Mr. Staubes said staff recommended approval of this request with the conditions already referenced regarding the minimum gate opening of 20 feet and the installation of a knoxbox for public safety.

Boardmember Scott Stokes stated that the hardship here was the safety issue, and Mr. Staubes replied that was correct.

Chairperson Tammi Saddler Jones announced the public hearing and asked if there was anyone present who wished to speak on this item, and there was no one.

A motion was made by Boardmember Roy Acree to approve with conditions as listed item V17-009, a Variance Request (V17-009) to allow a six foot chain link fence in the front yard on 2.10 acres on Land Lot 301 located at 2135 Frank Lane by the applicant Smyrna-Oakdale Moose Lodge/Billy James; seconded by Boardmember Scott Stokes.

1. A gate opening of a minimum 20 feet with KNOX BOX is required to ensure Fire Dept access

The motion carried by the following vote:

Aye: 3 - Roy Acree, Tammi Saddler Jones and Scott Stokes

4. Approval of Minutes:

A. Approval of the minutes for the January 25, 2017 meeting of the License and Variance Board.

A motion was made by Boardmember Scott Stokes to approve item 2017-67 for the approval of the minutes for the January 25, 2017 meeting of the License and Variance Board; seconded by Boardmember Roy Acree.

The motion carried by the following vote:

Aye: 3 - Roy Acree, Tammi Saddler Jones and Scott Stokes

Business (Continued)

B. Public Hearing - Variance Request - V17-008 - Allow encroachment into City 50 ft. Undisturbed Buffer and 75 ft. Impervious setback - 0.50 acres - Land Lot 626 - 1747 Cedar Ridge Court - Miguel Cristech

Chairperson Tammi Saddler Jones announced that the applicant, Mr. Miguel Cristech was still not present at 10:12am, and she asked the Board to entertain a motion to table the item to the next License and Variance Board meeting on February 22, 2017.

A motion was made by Boardmember Roy Acree to table item V17-008, a Variance Request (V17-008) to allow encroachment into the City's 50 ft. Undisturbed Buffer and 75 ft. Impervious setback on 0.50 acres on Land Lot 626 located at 1747 Cedar Ridge Court by the applicant Miguel Cristech, to the February 22, 2017 meeting of the License and Variance Board; seconded by Boardmember Scott Stokes.

The motion carried by the following vote:

Aye: 3 - Roy Acree, Tammi Saddler Jones and Scott Stokes

5. Adjournment

Chairperson Tammi Saddler Jones declared the February 8, 2017 meeting of the License and Variance Board adjourned at 10:12am.