



Meeting Minutes - Final
License and Variance Board

Wednesday, April 26, 2017

10:00 AM

Council Chambers

1. **Roll Call**

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

Also Present: 4 - Christiana Craddock, Heather Corn, Russell Martin and Joey Staubes

2. **Call to Order**

Chairperson Tammi Saddler Jones called the April 26, 2017 meeting of the License and Variance Board to order at 10:00am.

3. **Business**

A. **V17-020**

Public Hearing - Variance Request - V17-020 - Allow side setback reduction on north side from 12 feet to 7 feet and south side from 12 feet to 10.6 feet for an addition to a single family residence - Land Lot 597 - 0.75 acres - 3389 Pinetree Drive - David Dean

Attachments: [Issue Sheet V17-020.pdf](#)

[Staff Memo - V17-020](#)

[Site Plan](#)

[Application](#)

[Notification 1](#)

[Notification 2](#)

Chairperson Tammi Saddler Jones announced the public hearing and asked the applicant to come to the podium. Mr. David Dean explained his variance request for a side setback reduction on the north and south sides of his property for an addition to his home.

City Planner Joey Staubes said the home was built in the 1950s and was being remodeled to add square footage (going from 1400 Square feet to 2400 Square feet). He said that staff recommended approval with the standard condition that the addition be built in substantial compliance with the site plan submitted with the variance application. Boardmember Scott Stokes asked for verification of the setback amount.

Chairperson Tammi Saddler Jones announced the public hearing and asked if there was anyone present who wished to speak on the item, and there was no one. She asked the applicant if he accepted the condition as stated by Mr. Staubes, and he said yes.

A motion was made by Boardmember Scott Stokes to approve with conditions as listed Item V17-020, a Variance Request (V17-020) to allow a side setback reduction on north side from 12 feet to 5 feet and south side from 12 feet to 10.6 feet for an

addition to a single family residence on Land Lot 597 located on 0.75 acres at 3389 Pinetree Drive by the applicant David Dean; seconded by Boardmember Roy Acree.

1. Approval of the subject property for the requested variance shall be conditioned upon substantial compliance with the site plan submitted.

The motion carried by the following vote:

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

B. [V17-021](#)

Public Hearing - Variance Request - V17-021 - Reduction of front setback from 40 feet to 10 feet for existing canopy - Land Lot 412 - 0.52 acres - 3402 S Cobb Drive - Cascade Properties LLC

Attachments: [Issue Sheet V17-021.pdf](#)

[Staff Memo - V17-021 - V17-025](#)

[Site Plan](#)

[Letter of Intent 2.pdf](#)

[Site Plan letter.pdf](#)

[Application - V17-021 - V17-025](#)

Chairperson Tammi Saddler Jones announced the public hearing and asked the applicant to come to the podium. Mr. Tony Dawson said he had several variance requests that would be considered individually. The first was to reduce the front setback from 40 feet to 10 feet for an existing canopy. Boardmember Roy Acree asked for an overview of the project as a whole. Mr. Dawson said he was reopening an existing gas station with a car wash at the rear of the property, and he would be building a new building that is 3000 square feet, which will be located where the car wash currently is. He said he would be using the existing canopy and removing the structure underneath it.

City Planner Joey Staubes elaborated on the variance and the ones that related to this item. Boardmember Roy Acree read into the record the two conditions that will carry through each item regarding the subject property being built in compliance with the site plan submitted and the dumpster being enclosed.

Chairperson Tammi Saddler Jones asked the applicant if he agreed to the conditions as stated, and he said yes. City Planner Joey Staubes clarified a question about the address of 3402 South Cobb Drive and 3418 South Cobb Drive by explaining the City and County had a discrepancy as to the number assigned to the property. Boardmember Stokes asked the applicant what will be sold at the gas station, and Mr. Dawson said he was the Civil Engineer, not the owner, and he was unaware if the gas station would be comparable to a QT or Racetrac. He did say there would be no food prep, so it would not require a grease trap.

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

A motion was made by Boardmember Roy Acree to approve with conditions as listed Item V17-021, a Variance Request (V17-021) for the reduction of the front setback from 40 feet to 10 feet for an existing canopy on Land Lot 412 located on 0.52 acres at 3402 S Cobb Drive by the applicant Cascade Properties LLC; seconded by Boardmember Scott Stokes.

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. The dumpster will be enclosed on three sides by brick.

The motion carried by the following vote:

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

C. [V17-022](#)

Public Hearing - Variance Request - V17-022 - Reduction of front setback from 50 feet to 40 feet for existing canopy - Land Lot 412 - 0.52 acres - 3402 S Cobb Drive - Cascade Properties LLC

Attachments: [Issue Sheet V17-022.pdf](#)

Chairperson Tammi Saddler Jones announced the public hearing and asked the applicant if he had any additional comments for this item. He did not. Staff had no additional comments either.

She asked if there was anyone else who wished to speak during the public hearing and there was no one.

A motion was made by Boardmember Scott Stokes to approve with conditions as listed Item V17-022, a Variance Request (V17-022) for the reduction of the front setback from 50 feet to 40 feet for an existing canopy on Land Lot 412 located on 0.52 acres at 3402 S Cobb Drive by the applicant Cascade Properties LLC; 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.

2. The dumpster will be enclosed on three sides by brick.

The motion carried by the following vote:

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

D. [V17-023](#)

Public Hearing - Variance Request - V17-023 - Reduction of rear setback from 30 feet to 2 feet - Land Lot 412 - 0.52 acres - 3402 S Cobb Drive - Cascade Properties LLC

Attachments: [Issue Sheet V17-023.pdf](#)

Chairperson Tammi Saddler Jones announced the public hearing. Mr. Tony Dawson said they were seeking the variance because there is an existing car wash that sits in the general area and the proposed building will go in this same location, which would give the applicant the ability to add parking along the front and increase traffic flow between the building and the canopy. Boardmember Acree asked if he was going to use the existing curb cuts, and Mr. Dawson said yes.

City Planner Joey Staubes gave comments and said that because the lot is a corner lot and roughly half an acre, the building area is somewhat limited. He said the only buildable area conforming with the City's standards would put the store right up against the canopy, so in order to maintain some sense of circulation around the site and allow for access for trucks and emergency vehicles, Staff recognizes the hardship and supports the variance request with the same conditions as already read.

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

A motion was made by Boardmember Roy Acree to approve with conditions as listed Item V17-023, a Variance Request (V17-023) for the reduction of the rear setback from 30 feet to 2 feet on Land Lot 412 located on 0.52 acres at 3402 S Cobb Drive by the applicant Cascade Properties LLC; seconded by Boardmember Scott Stokes.

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. The dumpster will be enclosed on three sides by brick.

The motion carried by the following vote:

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

E. [V17-024](#)

Public Hearing - Variance Request - V17-024 - Reduction of parking requirement from 17 spaces to 10 spaces - Land Lot 412 - 0.52 acres - 3402 S Cobb Drive - Cascade Properties LLC

Attachments: [Issue Sheet V17-024.pdf](#)

Chairperson Tammi Saddler Jones announced the public hearing. Mr. Dawson said the code parking requirement was about 16 spaces for this size building of 3000 square feet but seeing as the lot was only half an acre, they were only able to have 10 parking spaces and meet the code for adding the dumpster enclosure. Boardmember Scott Stokes asked if 10 spaces was normal or adequate, and Mr. Dawson replied that 10 spaces would be adequate and people would also be using the parking underneath the canopy, so they would technically have more than 10 spaces. Boardmember Roy Acree asked the applicant if he intended to add the required ADA access space, and he said yes they were adding one that would be van accessible as well. He said it would be near the front of the store and be 1 of the 10 spaces.

City Planner Joey Staubes said that because the site is so constrained, Staff is comfortable with the number of proposed spaces and recommends approval.

Boardmember Scott Stokes asked about the maneuvering of the gas delivery via tractor trailer and how that would work since the site was small. Mr. Dawson said one option was to request a smaller delivery truck instead of the 55 foot normal tanker truck. Additionally the trucks can come off South Cobb Drive, pull in, and then back over the tank, and they also could come in via Lake Drive and go through the canopy. City Planner Joey Staubes said the applicant had met with the City Engineer to discuss those constraints and they were assured that everything was feasible with the site design.

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

A motion was made by Boardmember Scott Stokes to approve item V17-024, a Variance Request (V17-024) for the reduction of the parking requirement from 17 spaces to 10 spaces on Land Lot 412 located on 0.52 acres at 3402 S Cobb Drive by the applicant Cascade Properties LLC; seconded by Boardmember Roy Acree.

The motion carried by the following vote:

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

F. [V17-025](#)

Public Hearing - Variance Request - V17-021 - Allow accessory structure dumpster in side yard - Land Lot 412 - 0.52 acres - 3402 S Cobb Drive - Cascade Properties LLC

Attachments: [Issue Sheet V17-025.pdf](#)

Chairperson Tammi Saddler Jones announced the public hearing. Mr. Dawson said the variance request was to allow the dumpster in the side yard and that was the only place to put it. He also said he was aware that the dumpster needed an enclosure, which would be three-sided brick with a metal gate on the front that will remain closed when not in use. City Planner Joey Staubes said the dumpster would be in the side yard near the entrance on Lake Drive and it was the only place for the dumpster to go. He said given the constraints on the site, Staff was supportive of the request with the condition regarding the dumpster have an enclosure to give a visual buffer.

Chairperson Tammi Saddler Jones asked the applicant if he accepted the condition, and he said yes.

She announced the public hearing and asked if there was anyone present who wished to speak on the item, and there was no one.

A motion was made by Boardmember Roy Acree to approve with conditions as listed Item V17-025, a Variance Request (V17-021) to allow accessory structure dumpster in side yard on Land Lot 412 located on 0.52 acres at 3402 S Cobb Drive by the applicant Cascade Properties LLC; seconded by Boardmember Scott Stokes.

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. The dumpster will be enclosed on three sides by brick.

The motion carried by the following vote:

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

4. **Approval of Minutes:**

A. [2017-154](#)

Approval of the minutes from the April 12, 2017 meeting of the License and Variance Board.

Attachments: [04-12-2017 April 12, 2017 LVB Minutes - FINAL.pdf](#)

A motion was made by Boardmember Scott Stokes to approve Item 2017-154 for the approval of the minutes from the April 12, 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

5. **Adjournment**

Chairperson Tammi Saddler Jones declared the April 26, 2017 meeting of the License and Variance Board adjourned at 10:28am.