

OAK RIDGE BOARD OF ZONING APPEALS
MINUTES

Meeting Date: May 10, 2016

Call to Order: A regular meeting of the Board of Zoning Appeals (BZA) was held in the Municipal Building Courtroom, Oak Ridge, TN on May 10, 2016. The meeting convened at 6:00 p.m. with Ms. Mason presiding.

Members in Attendance: Judy Mason, Keith Craft, David Gengozian, Susan Donnelly and staff representative Sherith Colverson.

Members not in attendance: Syd Ball

Visitors/Others: See attached Visitor Attendance Record

Approval of Minutes: Ms. Mason stated that a correction needed to be made to the minutes. Mr. Gengozian made a motion to approve the minutes of the meeting held April 12, 2016 as corrected. Mr. Craft seconded the motion. Motion approved unanimously.

The following cases were reviewed:

Case No. 16-04 –Phyllis Mundy Sugg, 164 California Avenue, in an R-1-C MDO zoning district, is requesting a variance to reduce side lot (north) setback by five (5) feet from the required six (6) feet to one (1) foot, for a carport addition.

Staff provided a review of the case and case materials to the Board. Ms. Sugg spoke to the Board on behalf of her request. Mr. Craft asked whether the overhang is included in the one foot setback request, and staff stated that it is included.

Ms. Donnelly moved to grant the applicant a variance due to 1. Limited land availability for a carport on this lot, 2. The diagonal placement of the home on the lot – adds to the difficulty in its use, and 3. This variance provides further safety for the property owner, providing an off street way to park and access her home. This variance approval will still be subject to the building permit process and fire department approval. Mr. Gengozian seconded the motion, and the motion was unanimously approved.

Case No. 16-05 – Scott C. Brooks, Noble Knights Construction Services, Inc., 104 Comet Lane, in an R-1-C PUD zoning district, is requesting a variance to reduce the front setback by five (5) feet from thirty (30) feet to twenty-five (25) feet, and a reduction in the rear setback by nine (9) feet, from thirty-five (35) feet to twenty-six (26) feet.

Staff provided a review of the case and case materials to the Board. Mr. Scott Brooks from Noble Knights Construction spoke on behalf of the property owners. He stated that they have worked very hard at trying to design the home on the property. Mr. Brooks explained the driveway hardship to the Board. Ms. Mason stated she typically does not grant a variance unless there is a true hardship (you can't put a house on it), she sees this case as a request to make the proposed housing design fit on the property, and another house could likely fit on the property. Mr. Brooks stated that they tried several efforts to try and downsize the house design, and it just didn't work. Ms. Donnelly asked if any other homes in the neighborhood have variances, and staff stated they do not. Jenny Meredith, co-owner of the property, explained the reason for the 2000 square footage on the main floor –being that they plan to "age in place" in this home, along with her parents. Cyril Meredith, co-owner of the property, stated that their lot is the last buildable lot in the subdivision, and it would be difficult for any home to fit on this lot. Ms. Mason stated that she had an issue with this statement in that one could place a smaller home on the lot, but that's not what they are wanting. There was considerable discussion about whether Board members saw this case as a topographical hardship. Ms. Mason stated that the best solution would be to postpone the case and potentially work with the Community Development Department to determine the best design for the house moving forward. The

Meredith's and Mr. Scott Brooks asked for a postponement of the hearing of their case, and it was unanimously granted.

Case No. 16-06 – Robert Marlino, Allen Associates Architects, 501 Lafayette Drive, in an O-2 zoning district, is requesting three variances. The first is a reduction of the property's front setback from thirty (30) feet to three (3) feet, two (2) inches. The second is a reduction of the rear setback from thirty (30) feet to twenty-one (21) feet, four (4) inches. The third is a reduction in the number of parking spaces from one-hundred twenty (120) to seventy-eight (78) to build an unmanned drive-thru banking facility.

Staff provided a review of the case and case materials to the Board. Mr. Marlino spoke on behalf of the property owner. Steve Shaver from Y-12 FCU stated that the parking lot was added in the early 1980s as part of a renovation. He also discussed that in person transactions are declining, and electronic and ATM transactions are "soaring." He stated that the existing drive-thru will not accommodate the size of the newer ITMs (Intelligent Teller Machines) and they need more space. This new technology is driving the need for additional space and a new "drive-thru" location on the smaller property. Ms. Donnelly moved to grant the applicant their three variances due to 1. The lot being separated in an awkward way, 2. This use will increase pedestrian safety, 3. The lot's use will be increased, and 4. This use will divert teller traffic from the main property onto the smaller property, which will also increase pedestrian safety. Mr. Craft seconded the motion, and the motion was unanimously approved.

New Business: There was no new business.

Old Business: The Board had inquiries regarding training. Staff mentioned that any training opportunities that arise, the Board will be made aware. Ms. Mason stated that if there is a month we don't have cases, it would be a good idea to hold a case law training for members, and Ms. Donnelly was in agreement with this suggestion.

Adjournment: Ms. Donnelly moved to adjourn the meeting and was seconded by Mr. Craft. All were in favor. The meeting was adjourned at 7:45 p.m.



BZA Secretary

6/14/16
Date of Approval