

CITY OF ENTERPRISE BOARD OF ADJUSTMENT MEETING –May 8, 2019

The Enterprise Zoning Board of Adjustment met on May 8, 2019, at 4:30 p.m., in the Council Chambers of City Hall with the following members:

Present: Anne Bridgette – Chairperson
Jacque Hawkins- Vice Chairperson
Joddy James
Gwen Gilley
Steve Nagy

Absent

Supernumerary: Sue Neuwien
Becky Hancock

Also Present: Jared Alexander –Director of Engineering
Staci Hayes – Secretary/Recorder
Rainer Cotter – City Attorney
Shannon Latona – Administrative Assistant

REVIEW OF MINUTES – MARCH 13, 2019

A copy of the minutes from the March 13, 2019, meeting was provided to each member of the Board of Adjustment. Being there were no corrections, additions, or deletions, the minutes were filed.

OLD BUSINESS: N/A

NEW BUSINESS:

A REQUEST BY JOHN REDMOND FOR A 8/12 FOOT VARIANCE TO CONSTRUCT A CARPORT LOCATED AT 710 WEST LEE STREET.

Anne Bridgette introduced a request by John Redmond for an 8 ½' side yard variance to construct a carport located at 710 West Lee Street.

John Redmond stated he has been in the process of building a three-car carport off the side of his house. He plans on attaching the carport to the house in the future. Mr. Redmond was not aware of the limitation of boundary lines or that a permit was required to build. Mr. Redmond stated he did not check into it before he started to build the carport. During the building process Staci Hayes, Assistant Director of Engineering, drove by and discovered the work being done. At which time Mr. Redmond was told to stop the work and come into the office to apply for the variance.

Ms. Bridgette opened the floor for public comment.

Karen Prescott lives at 711 West Lee Street and stated that there is no issue with the carport that Mr. John Redmond is building on his property. Ms. Prescott stated that Mr. Redmond is a good neighbor.

Steve Nagy asked if a survey had been done on the property. Mr. Redmond commented that there are several posts in the yard from years ago that show the property line. It is in the picture that were submitted with the request.

Joddy James asked about the shed length from looking at the property line in appears to be over the property line. Mr. James has concerns about it being over the property line and being no set back on the property.

Jared Alexander, Director of Engineering for the City of Enterprise, passed out a GIS print out that shows a visual survey of the property. The picture is not exact but close to it. There are discrepancies. Mr. Alexander suggested that a survey be done to the property for accuracy.

Ms. Bridgette suggested that a survey be done and the matter tabled for the next meeting. Mr. Redmond agreed to the survey of the property by the next meeting on June 12, 2019.

There being no further discussion, Steve Nagy made a motion to table this for the next Board of Adjustment Meeting scheduled for June 12, 2019., Jacques Hawkins made the second. The vote being all ayes, motion carried.

A REQUEST BY PAULA VELTHEIUM FOR A SIDE YARD VARIANCE TO CONSTRUCT A STORAGE SHED LOCATED AT 302 SPRINGDALE DRIVE.

Anne Bridgette introduced a request by Paula Veltheium for a side yard variance to construct a storage shed located at 302 Springdale Drive.

Paula Veltheium stated that her residence has no garage or storage area. She has already purchased a barn type storage shed for her property. Ms. Veltheium stated that she had a survey and aerial pictures of the property completed and attached to her application. Ms. Veltheium stated that her backyard was so steep and had a downward slope with sewage easements. Due to the condition of the property this is why she is requesting to have it placed in the side yard.

Ms. Bridgette opened the floor for public comment.

Jacque Hawkins asked how much side yard footage was needed. Staci Hayes, Assistant Director of Engineering advised there is enough footage for the side yard variance. Becky Hancock asked if the shed would be in the front of the fence and Ms. Veltheium said it would be and it would not exceed the length of the front of the house.

There being no further discussion, Joddy James made a motion to approve the side yard variance to construct the storage shed at 302 Springdale Drive. Steve Nagy made the second motion. The vote being all ayes, motion carried.

A REQUEST BY EDWIN O. ROBERTS FOR A CONDITIONAL USE TO OPERATE A SALVAGE/RECYCLING YARD CONTINGENT ON THE PROPERTY BEING REZONED TO B-1 (GENERAL BUSINESS DISTRICT) LOCATED AT 930 BELLWOOD ROAD.

Anne Bridgette introduced a request by Edwin O. Roberts for conditional use to operate a salvage/recycling yard contingent on the property being rezoned to B-1 (General Business District) located at 930 Bellwood Road.

Edwin Roberts stated he currently runs the salvage yard located at 901 Geneva Highway and has become a victim of his success. The current yard is overflowing due to the lack of space at that location.

Mr. Roberts researched and found 3 acres located at 930 Bellwood Road for sale and would like to purchase it and prepare it for his business. He would start with erecting a 12' slated chain link fence around the property.

Ms. Bridgette opened the floor for public comment.

Jerry Dell located at 820 Bellwood Road is opposed and does not want to be located near the salvage yard. Mr. Dell submitted photos about the current condition of the existing location to the board members. Mr. Dell feels that crime will increase in this area. Mr. Dell stated the current structures at 930 Bellwood Road are beyond repair.

Mr. Roberts stated he will have a more state-of-the-art building and will invest in state-of-the-art security systems and make the area better looking than its current state by increasing fence height to keep the salvage yard from public view. However, crime will not be an issue at the salvage yard.

Eugene Goolsby, City Councilman for District 2, advised the property directly across from 930 Bellwood Road is in his district. Mr. Goolsby has had numerous phone calls from the public stating they do not want the salvage yard in their area. Its moving one eye sore to another location. The public is not happy and they do not want it in their neighborhood.

Fox Fleming and his family are working with Mr. Roberts. Mr. Fleming feels the salvage yard will help with fixing up the location. Mr. Fleming feels the zoning in the City in general is a mess and gave examples of how different areas have different zonings that do not apply. Mr. Fleming is in support of the request made by Mr. Roberts.

Ms. Bridgette is understanding that Mr. Roberts is seeking to purchase the property at 930 Bellwood Rd. Ms. Bridgette asked if the rezoning has happened yet and how it would be a zoning issue.

Mr. Jared Alexander stated 930 Bellwood Road is currently zoned as PBD (Planned Business District) and is a conditional use on the zoning table in the zoning ordinance. It does fall in the zone for this particular business. A case by case application to the zoning board is a conditional use and this request falls in the zone to operate as a business.

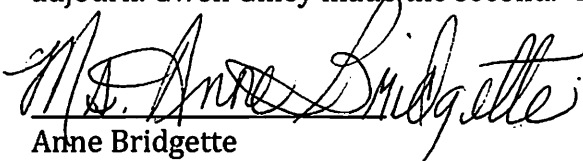
Joddy James asked if Mr. Roberts owns the property where the salvage yard is now and Mr. Roberts stated that he leases the property. Mr. James expressed his concern over the public use of the road way to discard salvage items. Mr. Roberts stated the size of the new property will allow him to make operations much better and there will be no reason for the public to use the roadway for discarding purposes. Mr. Roberts stated he would have drive-in access and there would be a 12' high slated chain link fence to avoid the public from seeing in and to prevent break-ins, he would be tearing down 2 buildings and remodeling the remaining buildings.

Jared Alexander corrected himself from his prior comment. This area is zoned for PBD and it prohibits salvage yard to operate in this zone. The request today is for a conditional use that would be contingent upon rezoning if approved tonight.

There being no further discussion, Gwen Gilley abstained from voting for a conflict of interest, Joddy James made a motion to grant the conditional use contingent on the following terms: that a 12'foot fence is erected with security cameras and lights, the business is conducted inside the fenced in area, and the planning commission approves to rezone 930 Bellwood Road to B-1 (Business District). Steve Nagy made the second motion. The vote being all ayes, motion was carried.

ADJOURNMENT:

There being no further business before the Board, Jacque Hawkins made a motion to adjourn. Gwen Gilley made the second. The vote being all ayes, motion carried.



Anne Bridgette
Chairperson

Staci Hayes
Secretary/Recorder