

**MURRAY BOARD OF ZONING ADJUSTMENTS
REGULAR MEETING
WEDNESDAY JUNE 17, 2020
4:30 P.M.**

The Murray Board of Zoning Adjustments met in regular session on Wednesday, June 17, 2020 at 4:30 p.m. via Webex.

Board Members Present: John Krieb, Mike Faihst, Paula Hulick, Bobbie Weatherly and Carmen Garland (*Ms. Garland was not being heard at the beginning of the meeting.*)

Board Members Absent: Jim Foster and Josh Vernon

Also Present: Justin Smith, Zach Warren, Attorney David Perlow and Christian Barnes

Chairman Krieb called the meeting to order and welcomed all guests and applicants. Danna Clayton called the roll. At this time Chairman Krieb asked if there were any changes to the minutes from the regular BZA meeting on May 20, 2020.

Mike Faihst made a motion to approve the minutes from the regular BZA meeting on May 20, 2020 as amended. Paula Hulick seconded the motion and the motion carried unanimously.

Public Hearing: Dimensional Variance request to allow an accessory structure (carport) in the side yard located at 1502 Clayshire Drive – Applicant: Christian Barnes: Justin Smith explained that the applicant (Christian Barnes) is requesting a variance to allow an 18 x 21-foot portable carport in his side yard at 1502 Clayshire Drive (R-2 District). Justin showed aerial photographs of the property. At this residence the blacktop driveway ends at the front of the house, making the side yard the best location for the carport without having to extend the driveway into the rear yard. Justin reviewed the applicable regulations for R-1 and R-2 Zoning Districts. Accessory buildings are only permitted in the rear yard and that is why this item is being brought before the Board. Justin did hear from an adjoining property owner (Mr. Vernon) concerning this request. Mr. Vernon indicated that he did not have any problems with this request and he thought it would actually compliment the area. Justin then turned the item over to the Board for questions.

Chair Krieb asked if it was possible to set the front of the proposed carport back to be in line with the front of the house. Justin replied that they could ask Mr. Barnes during the public hearing.

Chairman Krieb then opened the public hearing and asked Mr. Barnes to speak.

Christian Barnes was sworn in. He stated that he had recently bought this property and plans to make Murray his permanent home. There is no protective covering for his vehicle; thus, the request. Mr. Barnes works for MSU and lives by himself. He reiterated that the driveway does not go all the way to the back of the house. There is one large tree in the backyard and if the carport was to be put in the backyard, the tree would have to be trimmed significantly or removed completely. To answer Mr. Krieb's question, Mr. Barnes said that he believed that the carport could go back four or five feet to line up with the front of the house if need be. Mr. Krieb

commented that he thought that would be more desirable. The wooden ramp that is shown at the property will be removed to help make room for the carport. The driveway is both gravel and blacktop. The carport would sit on the gravel next to a concrete patio. Mr. Krieb said that for appearance, he thought it would be best to put the edge of the carport where the blacktop meets the gravel. The carport will be opened and there will be no storage under it except for Mr. Barnes' car. Mr. Barnes thanked the Board for their time and consideration of this matter. He personally thanked Mr. Vernon (his new neighbor) and said that he had been very nice to him as has everyone in Murray. Bobbie Weatherly asked if there were other carports on Clayshire. Mr. Barnes replied that his neighbor had one, but it was in the backyard and if there were others on that street, he assumed they were in the backyard since he did not notice any.

Chairman Krieb said that there was no one else that was on-line that wished to speak so at that time he closed the public hearing and turned the item over to the Board for discussion and a motion.

Mike Faihst made a motion to grant the Variance for an accessory building in a side yard at 1502 Clayshire Drive as presented. The condition being that the front post would set at the edge or on the edge of the blacktop. If Mr. Barnes should move, the carport will need to be removed. The testimony presented in this public hearing has shown based on the findings, it does not adversely affect public health, safety, or welfare; will not alter the essential character of the general vicinity; will not cause a hazard or nuisance to the public; and will not allow unreasonable circumvention of the requirements of the Zoning Ordinance.


Chairman Krieb made an amendment to the motion. He said that instead of the post of the carport being on the edge of the blacktop, that it should be in the gravel right at the edge of the blacktop. Mr. Faihst agreed. Paula Hulick seconded the motion and the motion carried with a 5-0 roll call vote.

Questions and comments: Chairman Krieb said that the previous night at the PC meeting he had two questions for Justin. Justin had indicated that he was not able to answer the questions since the questions were in the purview of Mr. Osborne who was on vacation that week. One question was about the search for a new Planning Director and the second one was about the speed limit on Main Street. Those items will be tabled for a future meeting when they can get an answer. Mike Faihst stated that he thought Buck's did a good job on their building and in changing the lot's striping. He said that it looked a lot better than it did six months ago and they should be commended for that. Justin said that they have new owners and they have a gigantic plan. They want to take what Buck's started and make it more successful. Justin thinks they have a really good vision. The Board members commented that they are looking forward to the July meeting where they can see real people again instead of meeting via Webex.

Paula Hulick made a motion to adjourn at 4:50 p.m. Mike Faihst seconded the motion and the motion carried unanimously.



Chairman, John Krieb



Recording Secretary, Reta Gray