

**MURRAY BOARD OF ZONING ADJUSTMENTS MINUTES
SPECIAL MEETING
APRIL 4, 2005**

The Murray Board of Zoning Adjustments met in special session on Monday, April 4, 2005 at 4:30 p.m. in the council chambers of City Hall located at 104 N. 5th Street.

Board Members Present: Ed Davis, Scott Seiber, George Stockton and Helen Spann

Board Members Absent: Red Howe, Bill Whitaker, Andy Dunn

Also Present: Candace Dowdy, Mike Pitman and public audience

Acting Chairman, Helen Spann, called the meeting to order and stated that this was a special meeting and Chairman Whitaker was ill.

Request for 5' Variance of Rear Setback for Warehouse Expansion—Murray Industrial Warehousing—1937 Melvin Henley Drive: Candace Dowdy explained that the property of Murray Industrial Warehousing was annexed into the city in May of 1995 and was located near the intersection of Robert O. Miller Road and Melvin Henley Drive. Ms. Dowdy stated that the current buildings were constructed prior to annexation. Ms. Dowdy stated that the rear setback requirement for Industrial zones is 35 feet and the proposed expansion is within 30' from the rear property line. Ms. Dowdy presented pictures of the three existing buildings. Ms. Dowdy explained that the expansion would be on the south side of the back building. Ms. Dowdy stated that the property to the west was a cemetery. Ms. Dowdy stated that any additional buildings in the future would be required to go through the Planned Development Project process. Ms. Dowdy stated that a 35' front setback variance was granted on the building facing Melvin Henley Drive on December 27, 2000.

Chairman Spann swore in John Clark, from John Clark Construction, representing the applicant. Mr. Clark stated that the expansion to the back building would be 60' wide and would come within 30.25' to the rear property line. Mr. Clark provided pictures of the building and explained that they needed to construct the expansion so that it would be in line with the existing building. Mr. Clark stated that the rear property line was in the wooded area to the west of the building which was the cemetery and that the cemetery had its own access drive to the property. Chairman Spann asked if there were any other questions. **Ed Davis made a motion to grant the request for a 5' rear building setback variance based on the fact that it will not adversely affect the public health, safety or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or a nuisance to the public, and will not allow an unreasonable circumvention of the requirements of the zoning regulations. Scott Seiber seconded the motion and the motion carried with a 4-0 vote.**

Ed Davis made a motion to adjourn. Scott Seiber seconded the motion and the motion carried with a 4-0 voice vote. The meeting adjourned at 4:45 P.M.

Vice Chairman, Helen Spann

Recording Secretary, Sam Perry