

**MURRAY BOARD OF ZONING ADJUSTMENTS MINUTES  
SPECIAL MEETING  
MAY 2, 2005**

The Murray Board of Zoning Adjustments met in special session on Monday, May 2, 2005 at 4:30 p.m. in the council chambers of city hall at 104 North 5<sup>th</sup> Street.

**Board Members Present:** Andy Dunn, George Stockton, Scott Seiber, Helen Spann and Bill Whitaker

**Board Members Absent:** Ed Davis

**Also Present:** Candace Dowdy, Sam Perry, Mike Pitman, David Roberts and Larry Crouch

Chairman Whitaker called the special called meeting to order at 4:30 p.m.

**Dimensional Variance Request on 6 Parking Spaces—Automated Direct Mail & Exercise Room—1410 North 12<sup>th</sup> Street—Larry Crouch:** Sam Perry stated that this was the old Heilig-Myers building and is owned by Jeff Sparks. Mr. Perry presented a site plan from Crouch Building Associates for the renovation project. Mr. Perry explained that the site plan showed that 58 spaces would be provided. Mr. Perry stated that the parking requirements were calculated based upon the two uses: places of public assembly for the Exercise Room and institutional/manufacturing for Automated Direct Mail (ADM). Mr. Perry explained that 53 spaces were required for Exercise Room and 11 spaces were required for Automated Direct Mail. Mr. Perry stated that the Exercise Room currently operates on Chestnut Street, where the YMCA used to be located. Scott Seiber asked if Automated Direct Mail had any walk-in business. Mr. Perry stated that they did not; that their business was done over the phone, email and fax. Mr. Perry stated that there were two (2) trucks for ADM, which is factored into the parking requirement. Mr. Seiber asked if there was any future expansion possible to the building. Mr. Perry stated that the rear setback was already met and that there was not any other expansions planned, simply an interior renovation. Mr. Seiber asked how the parking requirement compares to retail and consumer types businesses, if Exercise Room ever moves in the future. Mr. Perry stated that the requirement would be 50 spaces. Mr. Seiber stated that, with that knowledge the requirements are comparable. Mr. Perry stated that a 120 parking space variance was granted for Heilig-Myers in 1996 and that 60 spaces were provided at that time. Mr. Perry stated that the entrance for ADM would be located on the north side of the building, and that one parking space was being eliminated, still maintaining the 58 spaces. Mr. Seiber asked if ingress/egress for fire, police and sanitation was reviewed. Candace Dowdy stated that there were two entrances to the property off frontage road and that one of the entrances is at least 50 feet wide. Andy Dunn asked if there was room for more parking on the south side. Mr. Perry stated that the property line was too close.

Chairman Whitaker asked the staff if there was a concept of how much parking these types of facilities need, based upon the customer flow from other Murray health-club-type facilities. Mr. Perry stated that the owners discussed off-site parking and that they would like to do more than just meet the minimum requirement, but that they had not, as

of yet pursued off-site parking provisions. Mr. Perry stated that ADM closes at 5:00 p.m., and that is when Exercise Room apparently sees an increase of clients. Ms. Dowdy stated that Exercise Room would be open from 5:00 a.m. to 10:00 p.m. George Stockton asked if parking was allowed on the frontage road. David Roberts stated that if there were not "No Parking" signs than it would be difficult to enforce no parking. Mr. Roberts stated that the Public Safety Committee of City Council, within the past year, has had discussions on prohibiting parking on the frontage road. Mr. Roberts stated that the motion made by the Public Safety Committee simply needs to be taken to the City Council for consideration. Mr. Seiber stated that this type of thing is a problem in places similar to the front of Applebees. Mr. Roberts stated that another major concern is for emergency vehicle access in these frontage road situations. Mr. Roberts stated, in summary, that it could be considered open parking, until it is addressed by City Council.

Chairman Whitaker stated that the 48' wide loading area is wide enough to fit six (6) parking spaces in a parallel fashion and it is a very convenient location. Mr. Perry stated that parking in front of the loading area on the south side was discussed, but the contractor decided that it may present an unsafe situation and wished to go ahead and pursue the variance request. Mr. Seiber stated that the loading area should be striped to prevent parking and blocking of trucks. Ms. Dowdy stated if there is an overflow of customers that there will probably be some unofficial parking occurring at The Village, nearby. Chairman Whitaker stated that if the business does well, the need for parking could greatly increase and that would be a problem.

Chairman Whitaker swore in Larry Crouch. Mr. Crouch stated that Jeff Sparks, the owner, has spoken with Pat Miller, the adjacent property owner. Mr. Crouch stated that they have discussed turning the existing grassy area between them into a shared parking lot. Mr. Crouch used the site plan to explain the flow of truck and vehicle traffic. Mr. Crouch stated that Mr. Sparks would like to keep the south property line open, in the event that the grassy space could be turned into a parking area. Mr. Crouch stated that there will be occasional tractor-trailer deliveries of paper, which is Mr. Spark's reason for not using the south side for parking. Chairman Whitaker called for a motion. **Scott Seiber made a motion to approve the six (6) parking space variance based on the facts that Automated Direct Mail does not require a large number of parking spaces and frees up spaces after working hours, 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. Andy Dunn seconded the motion and the motion carried with a 5-0 vote.**

Chairman Whitaker announced that Red Howe had turned in his letter of resignation to Mayor Rushing. Sam Perry stated that the new appointee would need to complete the remaining term to January 1, 2009.

Being of no further business, the meeting adjourned at 4:52 p.m.