

**MURRAY BOARD OF ZONING ADJUSTMENTS  
REGULAR MEETING  
WEDNESDAY, MARCH 21, 2007  
4:30 P.M.**

The Murray Board of Zoning Adjustments met in regular session on Wednesday, March 21, 2007 at 4:30 p.m. in the council chambers of City Hall located at 104 North 5<sup>th</sup> Street.

**Board Members Present:** Andy Dunn, Scott Seiber, Helen Spann, Darren Jones, and Bill Whitaker

**Board Members Absent:** Ed Davis and Michael Jordan

**Also Present:** Candace Dowdy, Peyton Mastera, Mike Pitman, Gloria Shull, Mayor Rushing, and Public Audience

Chairman Bill Whitaker called the meeting to order at 4:30 p.m., and welcomed all guests and applicants.

**Approval of minutes from the February 21, 2007 regular meeting: Scott Seiber made a motion to approve the minutes with the noted corrections. Darren Jones seconded the motion and it carried with a 5-0 voice vote.**

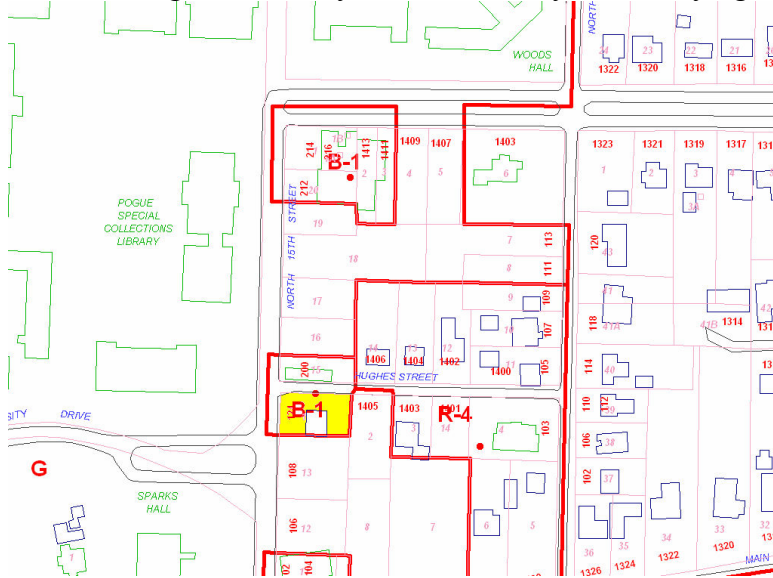
**Public hearing to review conditional use application to allow business owners to reside on the premises in a B-1 zoning district – 124 N. 15<sup>th</sup> Street – Stuart and Gloria Shull:** Mr. Mastera stated that this item was tabled from February's meeting. **Scott Seiber made a motion to remove this item from the table. Darren Jones seconded the motion and it carried with a 5-0 voice vote.**

Mr. Mastera explained that in late 2005 the owner's of Gloria's World Village, Stuart and Gloria Shull applied for a building permit and 12 space parking variance in conjunction with completing their restaurant located at 124 N. 15<sup>th</sup> Street. It was explained, at that time, that the two-floor home would be used for restaurant purposes only. The upstairs would contain a dining area as well as two rooms reserved for office use and "multi-purpose" use, respectively. Since that time, the Shulls have sold their home on Olive Street and have converted one room of their restaurant (in the upstairs portion) into a bedroom. The Shulls were unaware it required a conditional use permit to reside on the premises in a B-1 zoning district. All adjoining property owners were notified. Murray State contacted Planning Staff inquiring as to why they received notification but had no objections.

Chairman Whitaker asked if the Fire Marshal looked at this in terms of mixed occupancy. Ms. Dowdy explained that she had spoken with the city's building official, Mr. Pearly McClure, and that he had no objections, but she would contact the Fire Marshal the next day. Ms. Dowdy explained that there is a separate means of ingress and egress going from the upstairs of the restaurant/home. Ms. Dowdy stated that this business is a permitted use in a B-1 zoning district and that one dwelling unit is allowed as a conditional use.

Chairman Whitaker opened the public hearing and asked for anyone wishing to speak in favor of the application to be sworn in. Chairman Whitaker swore in Ms. Gloria Shull, owner of Gloria's World Village.

Ms. Shull explained that her business was previously located at the corner of 15<sup>th</sup> and Olive Street, but this home came available and they decided to relocate. Ms. Shull stated that she and her husband had a home on Olive Street, but from an investment standpoint they decided to reside at the restaurant and they converted one of the backrooms into a bedroom. Ms. Shull noted that in the near future she was considering adding on to her home so that her elderly parents can live with her. Both parents have a financial interest in the business. Ms. Shull has been working with Murray State University in identifying her exact property boundaries.



Chairman Whitaker asked for anyone wishing to speak in opposition. No person spoke in opposition and the public hearing was closed.

**Scott Seiber made a motion to grant a conditional use permit to the business owners of 124 N. 15<sup>th</sup> Street (Gloria's World Village) be able to reside on the premises as it is a step in the right direction for promoting diversity, contingent upon it be limited to the current owners of Gloria's World Village and that they receive approval from the Fire Marshal. Andy Dunn seconded the motion and it carried with a 5-0 vote.**

**Questions and comments:** Mr. Mastera stated there will be a special meeting on Wednesday, March 28, 2007 at 4:30 p.m.

**Darren Jones made a motion to adjourn. Andy Dunn seconded the motion and it carried with a 5-0 voice vote.** The meeting adjourned at 5:10 p.m.