

**MURRAY BOARD OF ZONING ADJUSTMENTS
REGULAR MEETING
WEDNESDAY, FEBRUARY 20, 2019
4:30 P.M.**

The Murray Board of Zoning Adjustments met in regular session on Wednesday, February 20, 2019 at 4:30 p.m. in the council chambers of City Hall at 500 Main Street.

Board Members Present: John Krieb, Mike Faihst, Josh Vernon and Jim Foster

Board Members Absent: Bobbie Weatherly

Also Present: Maurice Thomas, Justin Smith, Jeremy Buchanan, Attorney David Perlow, Jim Osborne and Mayor Rogers

Chairman Krieb called the meeting to order and welcomed all guests and applicants. Maurice Thomas called the roll. Chairman Krieb then asked for a motion to approve the minutes from the January 16, 2019 regular BZA meeting.

Mike Faihst made a motion to approve the minutes from the January 16, 2019 regular BZA meeting as amended. Jim Foster seconded the motion and the motion carried unanimously.

Public Hearing: A Dimensional Variance request for an accessory structure in the front yard at the property located at 311 Irvan Street – Applicant: Mattie Calvert: The current resident Mrs. Mattie Calvert is requesting approval to allow a carport to be placed in her front yard driveway at 311 Irvan Street. Mrs. Calvert is an elderly lady with medical conditions that desires to keep her vehicle out of the winter elements. Justin showed an aerial photo of the property. He explained that Mrs. Calvert’s house sits back off the road quite a bit farther than the houses to the north and south of her. Because of this, there is not enough room in the rear yard for an accessory structure. He then showed a picture of a similar carport that she is requesting with the dimensions of 20 feet x 24 feet. Our Ordinance defines a carport as an accessory structure. Jeremy Buchanan briefly described Mrs. Calvert’s medical conditions (which are the reasons for her requesting the carport). The carport will be placed in the front yard and will not stick out any further than her neighbor’s houses. Jeremy indicated that he had explained to Mrs. Calvert that if the board should approve this request, there would be a stipulation put in the Variance that the carport must come down when she is no longer a resident there. According to Mrs. Calvert, her son has a farm in Calloway County and he would be able to remove the carport at that time. This request is similar to another request that came before the board a few months earlier. That request was granted because of the gentleman’s medical condition. Staff is not opposed to allowing the Variance for the carport/accessory structure in the front yard at 311 Irvan Street if the Board of Zoning Adjustments finds that granting the Variance is reasonable and necessary.

Chairman Krieb noted that there was no one in attendance to speak either in favor or opposition to the request; therefore, the public hearing was opened and then closed. He turned the item over to the Board for discussion and a motion.

Justin said that the neighbors were notified of this meeting. The resident at 315 Irvan Street called and indicated that he was in favor of the request.

Mike Faihst made a motion to grant the Variance for an accessory structure in the front yard of 311 Irvan Street as presented. The carport is for this current resident (Mrs. Calvert) only and her son will be responsible in removing it within 60 days when she is no longer living there. The Variance is being granted because of a serious life threatening medical condition. The carport will sit back far enough that it does not come into the front line of the neighboring houses. The testimony presented in this public hearing has shown based on the findings that 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. Josh Vernon seconded the motion and the motion carried with a 4-0 roll call vote.

Election of Second Vice-Chair: Chairman Krieb stated that he will be continuing as the Chairman of the BZA for 2019 and the First Vice-Chair is Mike Faihst. He then asked for nominations for a Second Vice-Chair.

Jim Foster nominated Josh Vernon for Second Vice-Chair. Chairman Krieb asked for vote. Josh Vernon was accepted unanimously.

Questions and Comments: Josh Vernon asked if there had been any discussion about increasing the number of participants of the board members. Justin replied that there had been an Ordinance written to increase the number of board members to seven for both the BZA and the Planning Commission. This Ordinance has been through the first reading at the City Council meeting and the second reading will be at the meeting on February 28th. The Mayor has identified one potential member already and he is working on the second one. At this time, Chairman Krieb called for a motion to adjourn.

Jim Foster made a motion to adjourn at 4:44 p.m. Mike Faihst seconded the motion and the motion carried unanimously.

Chairman, John Krieb

Recording Secretary, Reta Gray