

Present: Chairman Jennifer Vidler, Vice Chairman Cindy Burkett, Regular Members Dianne Mendoza, Lonnie Craine, and Alternate Member Duddly Hargrove

Absent:

Staff: Planner Garrett Langford and Planner Bee Martin

I. APPROVAL OF THE MINUTES OF JUNE 25 2009, MEETING

Ms. Mendoza moved to approve the minutes of June 25, 2009, with the noted changes. Ms. Burkett seconded and the motion passed unanimously.

II. SPECIAL EXCEPTION

A. **Case No. 3629**

**Conduct a public hearing to consider an application submitted by Jose Manuel Zapata for a special exception to allow a front yard carport to encroach 24 feet into the 30-foot front yard setback at 508 Greenleaf Lane.**

Garrett Langford, Planner, presented the staff report. The applicant is requesting a special exception to construct a front carport over a recently widened driveway. The front carport will encroach 24 feet into the 30-foot front yard setback. Staff found that the homes in the immediate vicinity of the subject property contained one-car garages which some have been converted. Additionally, the subject property does not have access to a paved alley. Staff also noted that there is record of BOA approved front carports located throughout the neighborhood showing that front carports are becoming a characteristic of the neighborhood. Staff found the request compatible with the criteria setout in the Zoning Ordinance.

Mr. Langford stated that he received two responses from the property owners notices in favor of the request.

Jose Manuel Zapata, 508 Greenleaf Lane, presented the request for the front carport. The Board discussed the case among themselves and with the applicant. The Board explained to the applicant that the approval is only for encroaching in the front setback, not the side yard setback.

Ms. Vidler opened the public hearing asking if anyone wished to speak in favor of or in opposition to the request. As no one came forward to speak, Ms. Vidler closed the public hearing.

Ms. Burkett moved to approve the request as submitted. Ms. Mendoza seconded and the motion passed unanimously.

B. **Case No. 3630**

**Conduct a public hearing to consider an application submitted by Metro Patio and Carport, Inc. on behalf Dennis Hunt for a special exception to allow a front yard carport to encroach 20 feet into the 30-foot front yard setback at 1238 Caladium Drive.**

Bee Martin, Planner, presented the staff report. The applicant is requesting a special exception to construct a front carport proposed to encroach twenty (20) feet into the required thirty- (30) foot front yard setback. The estimated total proposed size of the carport is twenty (20) feet by eighteen (18) feet, equating to a total size of 360 square feet. Most homes in the immediate vicinity of the subject property contain a variety of either one (1)- or two (2)-car garages with front access from the street or garages converted to living space. The surrounding neighborhood has a total of 29 BOA approvals for front yard carports over the years, with twelve on the same street. There are four front carports on the same block as the subject property. The neighborhood has already been "tipped" in a direction of making carports a rule as opposed to an exception. Therefore, Staff recommends approval of this request for a special exception.

Mr. Matin stated he received one response from the property owner notices in favor of the request.

Jack Gaines, Metro Patio and Carports, Inc., presented on behalf of Dennis Hunt, the request for the special exception. The Board discussed the case among themselves and with the applicant. Mr. Gaines stated that the carport will match the color of the house.

Ms. Vidler opened the public hearing asking if anyone wished to speak in favor of or in opposition to the request. As no one came forward to speak, Ms. Vidler closed the public hearing.

Mr. Craine moved to approve the request as submitted. Ms. Burkett seconded and the motion passed unanimously.

**C. Case No. 3631**

**Conduct a public hearing to consider an application submitted by Metro Patio and Carport, Inc. on behalf Joanna Byram for a special exception to allow a front yard carport to encroach 20 feet into the 30-foot front yard setback at 1402 Eastern Heights Drive.**

Garrett Langford, Planner, presented the staff report. The applicant is requesting a special exception to construct a front carport proposed to encroach twenty (20) feet into the required thirty (30)-foot front yard setback. The subject property is a corner lot (not a key-lot) with an exterior side yard setback of 15 feet. While the applicant's site plan shows the proposed carport protruding past the edge of the house towards the exterior side yard, the site plan shows that the proposed carport will not encroach into the 15-foot exterior side yard setback. Homes in the immediate vicinity of the subject property generally contain one (1)-car garage or a garage that has been converted into living space. Although the subject property has alley access, currently there is no driveway in the rear of property connecting to the alley. There are 13 BOA approvals for front carports are on record for East Park, Eastern Heights, and Caladium Drive. Given the prevalence of front carports in the neighborhood with BOA approval, the proposed carport for the subject property is not expected to create adverse impacts for adjacent properties while allowing greater use and enjoyment and will likely be compatible with the surrounding neighborhood.

Mr. Langford stated he received three responses from the property owner notices in favor of the request.

Jack Gaines, Metro Patio and Carports, Inc., presented on behalf of Joanna Byram, the request for the special exception. The Board discussed the case among themselves and with the applicant.

Ms. Vidler opened the public hearing asking if anyone wished to speak in favor of or in opposition to the request. As no one came forward to speak, Ms. Vidler closed the public hearing.

Ms. Burkett moved to approve the request as submitted. Ms. Mendoza seconded and the motion passed unanimously.

There being no further business for the Board, Chairman Vidler adjourned the meeting at 6:42 p.m.

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Chairman, Jennifer Vidler

All testimony including the staff report, applicant's presentation, public hearing, and Board discussions were considered in the Board's decision for each case.