

# Department of Planning & Community Development



A public hearing of the Franklin County Board of Zoning Appeals was held on June 7, 2016, at 6:00 pm in the Board of Supervisors meeting room located in the Franklin County Government Center.

The meeting was called to order by Mr. Bill Chase, Chairman, at 6:00 p.m. Lori Crouch, Clerk to the BZA called roll.

## **THOSE PRESENT:**

William Chase, Chairman  
Alvin Peters  
Billy Kingery  
William D. S. Lee  
Eric Ferguson  
Wayne Worley  
William Cooper

## **THOSE ABSENT:**

None

## **OTHER'S PRESENT:**

B. James Jefferson, County Attorney  
Terry Harrington, Senior Planner/Current  
Lori A. Crouch, Clerk

A motion was made to approve the March 1, 2016, minutes as written by Mr. William Cooper and seconded by Mr. Eric Ferguson. The March 1, 2016 minutes of the BZA were approved by unanimous consent.

Case #VAR-5-16-15341, Petition of Atelier 11, Applicant and Wyatt Smith, Owner, to apply for a variance to Section 25-266 (b), side setback to allow an expansion to the existing non-conforming structure. The property is currently zoned Residential (R-1) District and is located at 3306 Kemp Ford Road, in the Union Hall District. The property is further identified on Franklin County Real Estate Tax Records as Tax Map # 0470801500.

Chairman Chase announced the public hearing, and requested Mr. Harrington present the staff report. Mr. Harrington summarized the staff report stating that the existing house was non-conforming due to a deficient side yard setback and that because of its non-conforming status could not be expanded; the house was constructed by a previous owner prior to adoption of zoning in the County. The proposed additions of the house conform to all current setback requirements, and that the approval of the variance to the side yard setback requirement would alleviate the non-conforming status of the house and allow the expansion to take place.

Mr. Harrington further stated that it was the staff's opinion that the variance request generally conformed to state code requirements to grant a variance as presented in the staff report. Mr. Harrington concluded his report by stating that the staff

recommends approval of the variance request, and stated he would try to answer any questions. There were no questions for Mr. Harrington.

Chairman Chase asked if anyone was present who would like to speak at the public hearing. Lauren Dianich, representing the property owner ,Wyatt Smith, stated that the addition was relatively small and would conform to all setbacks. She stated that an earlier design, prepared by a different architectural firm, would have violated setbacks, but the owner rejected that design.

Chairman Chase asked if there were any questions for Ms. Dianich. There were none. The Chairman closed the public hearing

Chairman Chase asked why the original property owner would not have known/ learned at closing that the house was less than two (2) feet from a side property line. County Attorney Jim Jefferson, and BZA Member Eric Ferguson stated that many older surveys would generally not show the location of a structure on a property, and that unless a structure spanned a property line, a financing company would not be concerned.

Chairman Chase asked if there was a motion. Mr. Bill Cooper moved to approve the variance request per the staffs' recommendation. Mr. Billy Kingery seconded.

Voting on the motion was as follows:

Ayes: Ferguson, Peters, Lee, Worley, Kingery, Cooper, Chase

Nays:

Absent:

Abstain:

With no other business for the Board, the meeting was adjourned at approximately 6:11pm.

\*\*\*\*\*

Respectfully,

Lori A.Crouch  
Clerk

June 17, 2016  
Date