

# Department of Planning & Community Development



A public meeting of the Franklin County Board of Zoning Appeals was held June 2, 2020 at 6:00 p.m. in the Franklin County Board of Supervisors meeting room located in the Franklin County Government Center.

## **THOSE PRESENT:**

William Lee, Chairman  
Eric Ferguson, Vice-Chairman  
Pamela Washington  
Kevin Hunt  
Wayne Worley  
Billy Kingery

## **THOSE ABSENT:**

William Cooper

## **OTHERS PRESENT:**

Terry Harrington, Senior Planner  
Steven Sandy, Director of Planning & Community Development  
Hannah Powell, Clerk

The meeting was called to order by Chairman Lee at 6:00 p.m. The first order of business was the roll call. The next item on the agenda was the approval of the minutes from the March 3, 2020 meeting. The March 3, 2020 minutes were approved by unanimous consent.

Chairman Lee announced the first item on the agenda and asked for the staff report.

**APPLICATION for VARIANCE-** Application of George I. Vogel, III, Applicant, and Lee Allen Minniear, Owner, requesting a variance to Section 25-272 (b), Side Setback, of the Franklin County Code, on an approximate 0.65 acre property zoned RC-1, Residential Combined Subdivision District, and located at 3935 Bluewater Drive in the Gills Creek District of Franklin County and further identified by Franklin County Real Estate Records as Tax Map/Parcel # 0320400300. The RC-1 zoning district requires a minimum side setback of twelve (12) feet from the side lot line. A side setback variance is requested to bring an existing side setback violation into conformance with Franklin County Code (Case # VAR-02-20-16508).

Mr. Harrington began by explaining that on March 3, 2020 the Board of Zoning Appeals considered the variance request of Lee Allen Minniear. Mr. Minniear was requesting a side yard setback variance to correct a side yard setback deficiency that has existed on the property since the home was built in 1993. Mr. Minniear was a recent purchaser of the property.

Mr. Harrington went on to say that after conducting a public hearing, the BZA suggested that Mr. Minniear contact his adjacent neighbor to see if there was interest in a minor land swap that would eliminate the need for a variance. Mr. George Vogel, who represents Mr. Minniear, advised the staff that a land swap proposal was presented to Mr. Minniear's neighbor for consideration several weeks ago. As

no land swap agreement was reached, the Board should consider and act upon the requested variance as presented at your March 3<sup>rd</sup> meeting. The original recommendation of staff was to deny the variance request.

Mr. Harrington offered to answer any questions. There were none. Chairman Lee asked to hear from the applicant.

George Vogel, III, representative for Mr. and Mrs. Minniear, briefly described the need for the variance and reiterated that the criteria to grant a variance had been met by the property owners.

Chairman Lee then opened the public hearing and asked if there was anyone present that would like to speak; there was not. Therefore, Chairman Lee closed the public hearing and the members had discussion among themselves.

Chairman Lee made a motion to approve the variance request, seconded by Wayne Worley, said motion was approved by the following recorded vote:

AYES: Hunt, Washington, Kingery, Worley, Ferguson, Lee  
NAYES: None  
ABSENT: Cooper  
ABSTAIN: None

Chairman Lee announced the next item as citizen comment and asked if there was anyone present that would like to speak on any topic; there was not.

With no other business, the meeting was adjourned at 6:19 pm.

Hannah L. Powell, Clerk  
Franklin County Board of Zoning Appeals

03/30/20  
Date



