BOARD OF ZONING ADJUSTMENT
December 5, 2012 - Regular Meeting
MINUTES

The Auburn Board of Zoning Adjustment (BZA) met in a regular session on December 5, 2012 at 4:30 p.m. in the City Council Chambers at the Public Safety Building.

PRESENT	Joan Penrod, Trey Rankin, J.R. Smith, Tom Vaughan, Sean Foote, Jay Jennings
ALSO PRESENT	Forrest Cotten, Justin Steinmann, Cathy Cooper, Matt Mosley, Amber English
ABSENT	Robert Cochran

APPROVAL OF MINUTES

Mr. Vaughan made a motion to approve the minutes of the November 7, 2012 meeting.

Ms. Penrod seconded the motion. The motion passed with a vote of 5-0.

CHAIRMAN'S COMMUNICATION

Mr. Rankin read the following statement for the record:

"Any persons aggrieved by any decision of the Board may within fifteen (15) days after such decision appeal to the Circuit Court having jurisdiction, according to Section 908.02 of the Zoning Ordinance of the City of Auburn, Alabama."

"The Board consists of five regular members and two supernumeraries. The supernumeraries participate in all discussions but only vote when necessary to assure four voting members and have a board consisting of five members, when possible. All decisions are made with a roll call vote and a concurring vote of four members is required to approve an application for a variance."

All regular members in attendance and one supernumerary would vote.

OLD BUSINESS

NEW BUSINESS

Variance to Table 5-2: Lot Area, Setback, Bulk Regulations and Parking Requirements: Neighborhood Conservation District of the *City of Auburn Zoning Ordinance*

PL-2012-00961

Mr. Mosley stated the request was for a variance of 3' to the required 14' minimum side setback to allow an 11' side setback for a garage. The subject property was located at 286 Graystone Lane in the Neighborhood Conservation (NC-18) zoning district. One phone call regarding the request was received, which was from an adjoining property owner who had no objection to the request.

Michael Nix, the applicant, said the addition was needed to provide storage space. He said the construction would not affect any utilities.

Mr. Rankin opened the public hearing. After no comments were received, the public hearing was closed.

Mr. Vaughan made a motion to approve Case PL-2012-00961, 286 Graystone Lane, a request for a variance of 3' to the required 14' minimum side setback to allow an 11' side setback for a garage.

Mr. Jennings seconded the motion.

A vote was taken, and the motion passed with a vote of 5-0.

Variance to Section 507.03, Accessory Uses: Use Limitations, of the *City of Auburn Zoning Ordinance* PL-2012-00985

Ms. Cooper stated the request was for a variance of 15' to the required 25' rear setback requirement and a 5' foot variance to the required 10' foot side setback for placement of an accessory structure (storage shed built into the dumpster enclosure). The subject property was located at 1999 Opelika Road in the Commercial Conservation (CC) zoning district.

Mike Walker represented the applicant. He indicated the temporary storage structure that was located on site would be relocated.

Mr. Rankin opened the public hearing. After no comments were received, the public hearing was closed.

Mr. Smith made a motion to approve Case PL-2012-00985, 1999 Opelika Road, a request for a variance of 15' to the required 25' rear setback requirement and a 5' foot variance to the required 10' foot side setback for placement of an accessory structure (storage shed built into the dumpster enclosure. Mr. Smith conditioned the approval such that the variance shall apply only to the subject accessory structure.

Mr. Rankin seconded the motion.

A vote was taken, and the motion passed with a vote of 5-0.

OTHER BUSINESS

CHAIRMAN'S COMMUNICATION

STAFF COMMUNICATION

The meeting was adjourned at 4:44 p.m.

_____
Trey Rankin, Chairman

_____
J.R. Smith, Vice Chairman

BOARD OF ZONING ADJUSTMENT
CITY OF AUBURN

CASE NO: PL-2012-00961

APPLICANT: Michael Nix

REQUEST: Variance to Table 5-2: Lot Area, Setback, Bulk Regulations and Parking Requirements: Neighborhood Conservation District of the *City of Auburn Zoning Ordinance*, of 3' feet to the required 14' minimum side setback in order to allow an 11' side setback for a garage

LOCATION: 286 Graystone Lane

ACTION OF BOARD

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Auburn, Alabama, that the application from Michael Nix requesting a variance to Table 5-2: Lot Area, Setback, Bulk Regulations and Parking Requirements: Neighborhood Conservation District of the *City of Auburn Zoning Ordinance*, of 3' feet to the required 14' minimum side setback in order to allow an 11' side setback for a garage is **APPROVED.**

I, Forrest E. Cotten, Director of Planning, of the City of Auburn, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by the Board of Zoning Adjustment of the City of Auburn at its December 5, 2012 meeting, and as same appears on record in the Official Minutes of said Board.

GIVEN UNDER MY HAND AND OFFICIAL SEAL of the Board of Zoning Adjustment of the City of Auburn this the 28th day of January, 2013.

Forrest E. Cotten

Forrest E. Cotten, AICP, Director of Planning

BOARD OF ZONING ADJUSTMENT
CITY OF AUBURN

CASE NO: PL-2012-00985

APPLICANT: 11304 Restaurant Corporation

REQUEST: Variance to Section 507.03, Accessory Uses: Use Limitations, of the *City of Auburn Zoning Ordinance*, of 15' to the required 25' rear setback requirement and a 5' foot variance to the required 10' foot side setback for placement of an accessory structure (storage shed built into the dumpster enclosure)

LOCATION: 1999 Opelika Road

ACTION OF BOARD

BE IT RESOLVED by the Board of Zoning Adjustment of the City of Auburn, Alabama, that the application from 11304 Restaurant Corporation requesting a variance to Section 507.03, Accessory Uses: Use Limitations, of the *City of Auburn Zoning Ordinance*, of 15' to the required 25' rear setback requirement and a 5' foot variance to the required 10' foot side setback for placement of an accessory structure (storage shed built into the dumpster enclosure) is **APPROVED, such that the variance shall apply only to the subject accessory structure.**

I, Forrest E. Cotten, Director of Planning, of the City of Auburn, do hereby certify that the above is a true and correct copy of a Resolution duly adopted by the Board of Zoning Adjustment of the City of Auburn at its December 5, 2012 meeting, and as same appears on record in the Official Minutes of said Board.

GIVEN UNDER MY HAND AND OFFICIAL SEAL of the Board of Zoning Adjustment of the City of Auburn this the 28th day of January, 2013.

Forrest E. Cotten

Forrest E. Cotten, AICP, Director of Planning