

MINUTES

SPRINGFIELD MUNICIPAL APPEALS BOARD

Tuesday, May 11th, 2021 Meeting

At 5:00 p.m.

SPRINGFIELD CITY HALL BOARD HALL

SPRINGFIELD, TENNESSEE

I CALL TO ORDER

Chair Buzzy Poole called the meeting to order at 5:00 P.M.

II. MEMBERS PRESENT Buzzy Poole, Larry Simmons, Carolyn Woodard, Carolyn Sherrod

III. MEMBERS ABSENT Adam Veitschegger

IV. STAFF PRESENT Gina Head, David Brewer

V. GUESTS PRESENT Brandon Russell

The roll was called and there were 4 out of 5 members present, the board did have a quorum, the pledge to the flag was said.

Mrs. Sherrod made a motion to approve the minutes of March 9<sup>th</sup> 2021 BZA meeting and Mr. Simmons seconds the motion. The January 12<sup>th</sup> was unanimously approved with a vote of 4 -0.

Chairman Poole asked for a motion to discuss the first item on the agenda Brandon Russell, on behalf of Carlos Stewart, requested a 3 ft. variance from the 25 ft. front setback to allow for a residence to be constructed at 209 17<sup>th</sup> Ave. W. Mrs. Sherrod made the motion to discuss the variance request for 209 17<sup>th</sup> Ave and Mrs. Woodard made the second.

This variance request was for a 3 ft. variance front setback from the 25 ft. front setback to allow for a residence to be constructed at 209 17<sup>th</sup> Ave. W.

The standards for variances are in the Springfield Zoning Ordinance in 11-1305 Zoning Variances C Standards for Variances;

(1) The particular physical surroundings, shape, topographic conditions of the specific property involved that would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict application of this ordinance were carried out must be stated; The particular physical surroundings, shape and topographic conditions, do result in a particular hardship as distinguished from a mere inconvenience; this is a small, non-conforming lot of approximately 4, 448 square feet as well as being a corner lot which would make it difficult to meet the front setback because of the lot having (2) two fronts. This criterion was met.

(2) The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same district; The conditions and the situation would be applicable to other property in the same district if the other property had the same situation, this criterion was met.

(3) The third criteria are that the variance will not authorize activities in a zone district other than those permitted by this Title; this is an R7 Residential zone district, and in this zone district a residence is an allowed principal permitted use, this criterion was met.

(4) Financial returns only shall not be considered as a basis for granting a variance; Financial returns only are not a basis for granting the variance, this is a request from the property owner to allow for a residence to be constructed. Putting a residence back on this lot that has been vacant would generate more of a tax base. This criterion was met.

(5) The alleged difficulty or hardship has not been created by any person having an interest in the property after the effective date of this Title; the alleged difficulty or hardship was not created by the current property owner; this is a small nonconforming corner lot and it has been platted since the 1980's and was in existence before the City of Springfield zoning was in place. The owner wished to be able to construct a residence, this criterion is met.

(6) That granting the variance requested will not confer on the applicant any special privilege that is denied by this Title to other lands, structures, or buildings in the same districts; a variance itself is a special privilege and any person or property owner could request a variance from this board; however; it is denied by this title because of the R7 zoning setback regulations that are in place in the City of Springfield Zoning Ordinance, this criterion was not met.

(7) The variance is the minimum variance that will make possible the reasonable use of the land, building, or structure; yes, a 3 ft. variance from the 25-foot front setback would be a minimum variance that would make possible the reasonable use of the land, building or structure. This criterion was met.

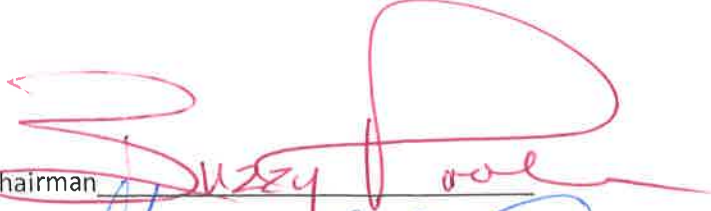
(8) The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the area in which the property is located; no, the granting of the variance would not be detrimental to the public welfare or injurious to other property or improvements, will not be detrimental to the public, this criterion was met.

(9) The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the area; no, the proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the area, this criterion was met.

There were 8 out of 9 criteria met, the motion to approve the variance was made by Mrs. Woodard and the second made by Mrs. Sherrod. The motion to approve passed with a 4 – 0 vote. The 3- foot front variance request for 209 17<sup>th</sup> Ave. W. was approved

Motion to adjourn was made by Mr. Simmons and seconded by Mrs. Woodard at 5:20 p.m.

Buzzy Poole, Chairman

A large, stylized handwritten signature in red ink, appearing to read "Buzzy Poole". The signature is written over a horizontal line.

Gina Head, Secretary

A handwritten signature in blue ink, appearing to read "Gina Head". The signature is written over a horizontal line.