

BOZA Meeting Minutes

January 3, 2024

The duly advertised meeting of the Board of Zoning Appeals was held on January 3rd 2024, at 10:00 A.M. in conference room 1A of the Development Resource Center. Chair Scott McColpin called the meeting to order. Scott McColpin explained the rules of procedures and announced that the meeting is being recorded.

Members Present: Scott McColpin, Susan Gilmore, Paul Betbeze, Alan Richelson, Ray Adkins, Lee Brock, Rudolph Foster, JT McDaniel

Members Absent: Joe Manuel

Staff Members Present: Presenter Kenneth Martin, Administrative Support Assistant II Andrew Pinion, Attorney Andrew Trundle, Karna Levitt, Elsy Interiano

Applicant(s) Present: Jarvis Copeland, Josh Barr, Henry Jacobs, Daniel Anderson, Jay Caughman, Dave Fidati, Walter Stone, John West

MINUTES:

The December Minutes were ready to be approved. Alan Richelson made a motion to approve the December Minutes. Ray Adkins seconded the motion. All in favor, the December Minutes were approved.

SWEARING IN:

All the applicants, as well as staff were sworn in by Court Reporter Lori Roberson.

INTRODUCTION (RULES AND REGULATIONS):

Chairman Scott McColpin explained the rules and procedures to the applicants for addressing the Board. He said if it looks like your request is going to be denied, you have two (2) options: (1) before a vote on a motion is made on your case, you may request that the Board defer your case to a future meeting in order to modify your request; or (2) you may request that your case be withdrawn w/o prejudice. If your case is denied, you must wait one (1) year before you can reapply to this Board for the same request. If you want to appeal you must appeal to Chancery Court, not the City Council. Finally, it takes the majority of the Board present to approve a motion. This is a 9-member Board and the majority or a quorum of the Board would be 5 members. In the event of missing Board members, decisions are made by the majority of those present.

Old Business:

BOZA-23-59: 2375 Camden St to 1601 Wheeler Rd. - Applicant Jarvis Copeland of 1603 Wheeler Rd spoke about the project, answered questions, and explained in further detail to the Commission. The commission commended him for taking care of every concern they had at the previous meeting.

No comments or concerns from the community.

JT McDaniel made a motion to approve case BOZA-23-59. Alan Richelson seconded the motion. All in favor. The motion passes 8-0.

BOZA-23-69: 1018 E 13th St – Owner/Applicant Josh Barr of 2120 Dayton Blvd and on behalf of Maurice A. Thedford, Jr, spoke about the project, answered questions, and explained in further detail to the Commission. Applicant is asking for a special permit for a duplex on a lot of record. The parking will be off of the alley and on the property. Each unit will have 2 spaces.

Elsy Interiano, with CDOT spoke up with the concerns she had with the project. She wanted to know if Mr. Barr was aware that he may need to do improvements in the alleyway for back parking. She was also concerned about the depth of the parking stalls.

Lee Brock made a motion to approve case BOZA-23-69. Paul Betbeze seconded the motion. All in favor. The motion passes 8-0.

New Business:

Case #BOZA-23-71 – 26 Hemlock Circle – Applicant Henry Jacobs of 3356 Elder Mt. Rd. spoke about the project, answered questions, and explained in further detail to the Commission. Chairman had City Attorney read the conditions that must be met in order to grant a variance. After consideration by the board, the applicant was given an opportunity to have his case deferred for one month to redesign the plans as written.

No comments or concerns from the community.

Ray Adkins made a motion to defer case BOZA-23-71. Paul Betbeze seconded the motion. All in favor. The motion to defer passes 8-0.

Case #BOZA-23-72 – 32 Hemlock Circle – Applicant Henry Jacobs of 3356 Elder Mt. Rd. spoke about the project, answered questions, and explained in further detail to the Commission. Chairman had City Attorney read the conditions that must be met in order to grant a variance. After consideration by the board, the applicant was given an opportunity to have his case deferred for one month to redesign the plans as written.

No comments or concerns from the community.

Ray Adkins made a motion to defer case BOZA-23-72. Rudolph Foster seconded the motion. All in favor. The motion to defer passes 8-0.

Case #BOZA-23-73 – 3733 Kings Rd – Applicant Jay Caughman 1148 James Blvd spoke about the project, answered questions, and explained in further detail to the Commission. This specific property has come before the board in the past.

Daniel Anderson 3724 Kings Rd, a neighbor representing the Harbor Heights neighborhood, spoke regarding some concerns others in the neighborhood have voiced.

Paul Betbeze made a motion to approve case BOZA-23-73. Ray Adkins seconded the motion. All in favor. The motion passes 8-0.

Case #BOZA-23-74 – 6011 Lee Hwy – Dave Fidati 2301 Vance Ave, Project Manager for Wise Construction spoke about the project, answered questions, and explained in further detail to the Commission. The Chairman let the applicant know that the board does not have the authority to grant any variances in the Brainerd overlay. The Chairman let the applicant know that the City Counsel is the only body that can rule on this.

Karna Levitt Landscape Architect for the City of Chattanooga wanted to confirm that there is no variance needed from the UGC requirements which the applicant confirmed.

Elsy Interiano, with CDOT had questions for the applicant as well.

Rudolph Foster made a motion to defer case BOZA-23-74 for 2 months to the March meeting. Lee Brock seconded the motion. All in favor. The motion to defer passes 8-0.

Case #BOZA-23-75 - 504 Tremont St – Applicant Walter Stone 1150 Tazewell Pike in Lutrell, TN spoke about the project, answered questions, and explained in further detail to the Commission. The applicant is

wanting to sub-divide his property so that he can build on the back side, but cannot sub-divide without getting a variance for road frontage and minimal lot size. The Chairman advised that the minimum lot area is 7500 sq. ft. and that the board does not have the authority to change that. The City Attorney confirmed this.

Paul Betzeze made a motion to defer case BOZA-23-75 for one month to allow the City Attorney to further research. Rudolph Foster seconded the motion. All in favor. The motion to defer passes 8-0.

Case #BOZA-23-77 – 3415 Broad St – Applicant John West with AD Engineering 4037 Daylily Tr spoke about the project, answered questions, and explained in further detail to the Commission. The applicant wants to build a new addition where the current basketball court is. This will allow them to take the court inside and create room for youth recreation.

Elsy Interiano, with CDOT had questions for the applicant regarding line of sight and safety of pedestrians.

Taylor Bowers 1212 Pointed Rock Lane who is architect on project, spoke about and answered questions from commission.

Susan Gilmore made a motion to approve case BOZA-23-77. Paul Betzeze seconded the motion. All in favor. The motion passes 8-0.

The meeting was adjourned at 12:02 p.m.



Scott McColpin, Chairman

3-6-2024

Date



Levi Witt, Secretary

3-6-2024

Date

