

**MINUTES OF A BOARD OF ZONING ADJUSTMENTS MEETING HELD ON  
THE 6<sup>th</sup> DAY OF JANUARY, 2009, AT 4 P.M.**

The Board of Zoning Adjustments met on January 6, 2009, at 4 o'clock P.M. Upon call of the roll the following members were present: Frank Barefield, Chairman, Louise Howard, Reverend Richard Hunter, and Willie James Walton. Absent: Ann Blondheim.

Also present: Tim Milner, City Planner, and Kenny Hayes, Building Inspector.

Chairman Barefield stated a quorum was present and called the meeting to order.

Mr. Walton moved to approve the minutes of December 2, 2008. Reverend Hunter seconded the motion. After a voice vote Chairman Barefield announced the motion had carried.

Chairman Barefield called for the hearing of applications.

The first applicant was Mark Miller requesting a Special Exception for Home Occupation to operate a lawn care service from his home at 18 Mancuso Drive. Mr. Miller stated he had a 12 x 14 storage building to store his equipment and there would be no sign. He further stated this is a part-time venture, as he is employed full time with American Buildings. He further stated there would be no chemicals used or stored. Chairman Barefield noted that all legal requirements of notifying adjoining property owners and a sign being placed on the site had been met. He then called for audience input. There was no response from the audience. Chairman Barefield read aloud the Staff Review which recommended approval subject to the applicant meeting all requirements of Section 6.24 of the Zoning Ordinance. Chairman Barefield asked that the Staff Review be made a part of the minutes.

After discussion Mrs. Howard moved to grant the request by Mark Miller for a Special Exception for Home Occupation to operate a lawn care service from his home at 18 Manuso Drive, subject to the applicant meeting all requirements of Section 6.24 of the Zoning Ordinance. Mr. Walton seconded the motion. The following roll call vote was recorded: Yeas: Mr. Walton, Reverend Hunter, Mrs. Howard and Chairman Barefield. Nays: none. Chairman Barefield announced the motion had carried and informed the applicant of the 15-day waiting period allowed for the appeal process.

The next applicant was Jimmy L. Smith requesting a Special Exception for Home Occupation to operate a lawn service and maintenance business from his home at 441 Gammage Road. He stated the lawn service would be a part-time venture because he is employed full time. He stated he has a

storage building were he will keep his equipment and there will be no chemicals used. Mr. Smith stated he would have one employee. Chairman Barefield noted that all legal requirements of notification of adjoining property owners had been met and a sign placed on the site. He called for audience input. There was no response from the audience. Chairman Barefield read aloud the Staff Review which recommended approval subject to the applicant meeting all requirements of Section 6.24 of the Zoning Ordinance and asked that the review be made a part of the minutes.

After discussion Mr. Walton moved to approve the request by Jimmy L. Smith for a Special Exception for Home Occupation (lawn care service) from his home at 441 Gammage Road, subject to the applicant meeting all requirements of Section 6.24 of the Zoning Ordinance. Reverend Hunter seconded the motion. The following roll call vote was recorded: Yeas: Mr. Walton, Reverend Hunter, Mrs. Howard, and Chairman Barefield. Nays: none. Chairman Barefield announced the motion had carried and informed the applicant of the 15-day waiting period allowed for the appeal process.

Mrs. Howard stated there should be guidelines for the second-hand retail stores that display their goods outside the building.

Tim Milner, City Planner, stated the zoning ordinance if too vague concerning second-hand retail stores.

Chairman Barefield asked if the NAPA electric sign on East Washington Street meet the sign requirements. Tim Milner, City Planner, stated he would check on it.

Chairman Barefield stated that Compass Bank also has a sign that "runs".

There being no further business to come before the Board, the same was on motion duly made and seconded, adjourned this 6<sup>th</sup> day of January, 2009.

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Frank Barefield, Chairman

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Gloria C. Bailey, Secretary