

MEMORANDUM

TO: Livingston Board of Zoning Appeals (BZA) Members
FROM: Tommy Lee, Staff Planner
DATE: October 16, 2023
SUBJECT: October 23, 2023 BZA Meeting

The Livingston Board of Zoning Appeals (BZA) will hold a special meeting on Monday October 23, 2023 at 5:30 PM at Livingston City Hall. The agenda for the BZA meeting is as follows:

1. Call to order.
2. Approval of September 25, 2023 minutes.
3. Close meeting for public hearing to consider the following request:

Special exception request to establish a residence in the rear of a commercial building located in the C-2 (Central Business District) on 211 North Church Street. (Jowers Request)

4. Reopen BZA meeting.
5. Consideration of special exception request to establish a residence in the rear of a commercial building located in the C-2 (Central Business District) on 211 North Church Street. (Jowers Request)
6. Adjourn.

Tommy Rooker___ Shirley Myers___ Cynthia Julian Simmons___ David Langford___ Daniel Elder___
Others: _____

**REPORT OF MEETING
LIVINGSTON BOARD OF ZONING APPEALS
SEPTEMBER 25, 2023**

MEMBERS PRESENT

Tommy Rooker
Cynthia Julian-Simmons
Shirley Myers
Daniel Elder

MEMBERS ABSENT

David Langford

STAFF PRESENT

Tommy Lee, Staff Planner

OTHERS PRESENT

Phyllis Looper, City Recorder
Ron Lane
Kristian Mansell, Building Inspector
Kaylee Brown
Shena Hargis
Mackie Johnson

ITEM 1: CALL TO ORDER

Upon determining a quorum was present, a meeting of the Livingston Board of Zoning Appeals was called to order by Chairman Daniel Elder at 5:30 p.m. on Monday, September 25, 2023 at the Livingston City Hall Conference Room.

ITEM 2: APPROVAL OF THE JULY 31, 2023 MINUTES

After the meeting was called to order, Chairman Elder asked for approval of the minutes for the meeting held on July 31, 2023. Shirley Myers made a motion to approve the minutes as presented. Tommy Rooker seconded and the motion passed with a vote of all ayes.

Chairman Elder closed the BZA meeting in order to open a public hearing on the following BZA requests:

Request for a five (5) foot setback variance for an existing accessory structure for property located on 305 Windle Street. (Arnold Request)

With no public comments regarding the aforementioned request, Chairman Elder reopened the BZA meeting to take-action on the following BZA request:

ITEM 3: CONSIDERATION OF REQUEST FOR A FIVE (5) FOOT SETBACK VARIANCE FOR AN EXISTING ACCESSORY STRUCTURE FOR PROPERTY LOCATED ON 305 WINDLE STREET. (ARNOLD REQUEST)

Staff Planner presented a request on behalf of Sandra Arnold for a five (5) foot setback variance for an existing accessory structure for property located on 305 Windle Street. Staff Planner stated that Kaylee Brown submitted a final lot line adjustment plat for the purpose of adjusting the common boundary line of two (2) existing properties located on Windle Street and East Cedar Street. After the adjustment, Lot 1 would consist of 0.222 acres, an existing structure and an existing accessory structure. Lot 2 would consist of 0.136 acres and an existing commercial structure. The proposed new lots are zoned R-2 (High Density Residential) and are served by as existing six (6) inch water line, an existing sewer line and would comply with all other requirements of the subdivision regulations and the zoning ordinance. Staff Planner stated that both property owners agree regarding the lot line adjustment. After discussion, Shirley Myers made a motion to approve the aforementioned variance request. Cynthia Julian Simmons seconded and the motion passed with a vote of all ayes.

With no other business to discuss, Cynthia Julian Simmons made a motion to adjourn. Tommy Rooker seconded and the motion passed with a vote of all ayes.

APPLICATION FOR VARIANCE REQUEST

1. Owner's name and address: Danny Jowers & Rebecca Gunnels & Diane Copeland
502 East University Street Livingston 38570 Phone 931-510-8074 931-704-0559 931-445-4426

2. Location of property under consideration 211 North Church Street
(Attach a sketch on letter size paper and show adjacent land uses.)

3. Legal description of property under consideration Retail Store front

4. Size of area (in acres or square feet) 1,100 Square feet

5. Application is for:
Variance

A request for a Variance will go before the Board of Zoning Appeals. Variances are considered only in cases of exceptional conditions of a piece of property, where strict application of the provisions of the Livingston Zoning Ordinance would result in undue hardship upon the owner.

6. Existing Zone C-2

7. Existing Use Business Proposed Use Business - Residential

8. Date Received _____ Date Rejected _____

Date of Public Hearing _____ Date Approved _____

9. Remarks: List any special features which will help the Board of Zoning Appeals in its decision. (Use back if necessary). The main portion of building will be storefront-facing Church St. - The back of build which does have an exit would be a small apartment unit with bathroom and small kitchen AREA - I am asking for variance to maximize potential revenue for this location.

10. Fee for advertising and examination: \$50.00 -

Signed: Rebecca Gunnels

