

**MINUTES
FARRAGUT BOARD OF ZONING APPEALS**

February 25, 2015

7:00 p.m.

Present: Keith Alley, Cleve Porter, Louis LaMarche, and Ron Williams
Absent: Corky Ives
Staff: Mark Shipley, Community Development Director

Item 1. Approval of Minutes for the October 22, 2014 meeting

A motion was made by LaMarche to approve the minutes with, in the last paragraph on Page 3 and after the word “procedures”, adding the following “and ordinances in place.” The motion was seconded by Porter. Motion passed 4-0.

Ayes: Alley, LaMarche, Williams, and Porter
Nays: None
Absent: Ives
Abstaining: None

Item 2. Public hearing on a request for front yard setback variances associated with a resubdivision plat that will convert Willow Ridge Way (a private access easement) to Willow Ridge Lane (a public right of way) in the Townhomes at Wentworth Subdivision, Zoned R-4 (Benchmark Associates, Inc., Applicant).

The staff provided background on this request and why the variances were needed in association with the plat that would convert the access easement to a public right of way. The staff indicated that, given the fact that the buildings were already constructed and their location was determined when the street was an access easement and in full compliance with the Town's requirements that were in place at that time, the front yard setback variances associated with the buildings were reasonable and appropriate. The staff noted that this is a unique circumstance inherent with the land (the buildings and the street are already constructed) that the property owners have no control over. The staff asked, however, that a plat note be added which indicates that the variances granted are to the buildings as currently constructed and that the Town will not approve any expansions that will exacerbate an existing dwelling unit's condition of nonconformity.

Representatives from the Townhomes at Wentworth were present. After a relatively short discussion, a motion was made by Porter to approve the requested variances for the reasons noted by staff and subject to the staffs' requested plat note. The motion was seconded by Williams and the motion passed 4-0.

Ayes: Alley, LaMarche, Williams, and Porter
Nays: None
Absent: Ives
Abstaining: None

Item 3. Public hearing on a request as to whether a propane refill station would be considered an accessory use that would be customarily incidental and subordinate to a generally recognized retail sales establishment (Renee Rutherford – Costco c/o Teresa Caccam – Maser Consulting P.A., Applicant).

The staff provided background on this item and questioned whether the propane refill station would be considered a permitted use in the General Commercial (C-1) Zoning District. Teresa Caccam was present on behalf of the applicant and described how these propane refill stations were being provided at numerous Costco developments.

After a lengthy discussion, a motion was made by Williams to consider the propane refill stations as outdoor storage of materials that were part of generally recognized retail sales. Consequently, this use would be permitted provided it could satisfy conditions a-e associated with generally recognized retail sales. The motion was seconded by LaMarche and the motion passed 4-0.

Ayes: Alley, LaMarche, Williams, and Porter
Nays: None
Absent: Ives
Abstaining: None

Meeting adjourned at 7:54 p.m.

Louis LaMarche, Secretary

A handwritten signature in cursive script, reading "Louis LaMarche", written in black ink.