

Richlands Board of Zoning Appeals Public Hearing

October 19, 2021

Board Members Present:

Gene Hurst Jr., Chairman

George Brown

Bill Patton

Town Staff Present:

John O'Daniel

Nathan Keen

Brad Pruitt

Gene-The meeting was called to order by Gene Hurst. The purpose of the meeting was a variance requests from Bobby & Kristen Whitt for property located at 1006 East Second Street (Tax Map Number 105A910030012A). The variance request is for Land Use Ordinance 154.053 setback regulations shall be 30 feet or more for both main and accessory building. I will let you all speak on this matter.

Kristen-We told Sherry for years that we were interested in this property if it ever came up for sale to place a garage. It was abandoned for years and filled with black mold. It was delapidated and beyond repair so when she sold it to us, she did so for the cost of just the land. We felt we had a good deal, so we accepted the price she gave us. We put a lot of money in this property to clean it up thinking we could build a garage back where the previous structure was. When the plat for the town was originally laid out, I do not think they ever thought about needing 30 feet off of the roadways because the lot is only 57 feet wide. We are looking at a single-story garage. We want to put our side by side in it. Be able to keep our vehicles in it and have some workspace. We have pictures in the packets to show you what we are wanting to put there. This is a basic garage with siding and shingle roof. The only variance we need is the setback from the road. We also have it staked off now. I don't know if you had a chance to look at it. We just want permission to use the lot.

Bill-Going to have water and electric both?

Kristen-Yes.

Gene-I see you have a neighbor here.

Kristen-Yes, they are here to show support for me. We had looked at that house forever. It had clothes hanging in the windows for so long they had changed colors. We were very happy to see it go. We would like to put something back that would be nicer and easier to maintain.

John-You also have the house on the corner at 1002 East Second Street?

Kristen-Yes, we do.

Bobby-We plan on lining the garage up with that house. Not the porch but the house structure. We thought that would look better to keep a line for the neighborhood. It is 17 feet from the edge of the road to the stakes I have there now.

George-Are you going to asphalt pave this?

Bobby-Eventually it will be concrete or asphalt. The slab will be concrete under the garage. I am not sure if the driveway will be concrete or asphalt yet. Depends on what will be cheapest.

Brad-I have a couple of questions if I could. When did you actually buy this property that you live in now?

Kristen-I moved back here in 1997. It has been owned by my grandfather since it was built.

Brad-You acquired this home from your parents. This lot in question when did you acquire it?

Kristen-It was about 2 years ago or maybe 3.

Brad-Do you know when this was subdivided?

Gene-This Dalton addition has been here for years. I would say about 100 years back.

Kristen-If my mother was here, she could give you the date. Her name is still on the main house that we live in.

Brad-Are there any other properties on the street that do not meet setbacks?

Nathan-The entire street would not meet the setback requirement that we currently have.

Brad-What I am wondering if you look down the street is this home in line with the others on down the street?

Nathan-Yes, it is pretty much in line with the other homes.

Kristen explains where she wants to place the new garage from the map on the television in more detail.

Brad-Reason I ask if the adjacent properties are in line that gives us the basis to do that. What is the actual size of the lot?

John-It is 3100 square feet. When Nathan and I looked at it if this parcel is combined with 1002 East Second Street then it meets the area requirements. We recommend doing that, so you don't have a random garage on a separate parcel by itself.

Brad-The commissioner of revenue will always show it as 2 tickets, but they can join them to be sold together. Once they are split, they are forever split to them. That is how they assess it, so they continue to see them a split.

Gene-Ok we will let you all leave so we can make our decision. Thank you all for coming. Nathan will call you tomorrow with the details from our meeting.

Nathan-Yes, I will call you.

Kristen-Ok. Thankyou!

All-Talked about what we could and could not allow in the town to follow state law and safety issues with the town roadways. Also talked about if the property was acquired in good faith and that they purchased in 2019.

After the question and answer with Kristen, Gene made the following motion:

The Board of Zoning Appeals should approve the variance requests from Bobby & Kristen Whitt for property located at 1006 East Second Street (Tax Map Number 105A910030012A). The variance request is for Land Use Ordinance 154.053 setback regulations shall be 30 feet or more for both main and accessory building. Let us take a vote.

All other members voted "aye".

Gene-Motion passed unanimously on votes.

Brad-You can use this for future variance requests and make a condition to combine the parcels together. You can for one say the garage will have a consistent line for the other homes on the street. Additional you can make them take the steps to combine the two properties. It is not difficult to do. They will need to have a deed to show conveyance of that parcel to be together so it could never be sold off separately. I would recommend doing that to you. It is your decision, but I recommend that. That way they realize it cannot be separated in the future.

Gene-Ok let us vote for the conditions that they build the garage in line with the home and that they join the two parcels. I make the motion.

Bill-I second that motion.

Gene-All in favor say aye.

All members "Aye".

Gene-Motion passed unanimously.

Gene made the motion to adjourn, seconded by Bill Patton; all members voted "aye" and the meeting was adjourned.

Submitted by: Nathan Keen