



repeat after me. Do you solemnly swear to tell the truth the whole truth and nothing but the truth so help you God?

**Mr. Taylor:** I do.

**Ms. Bates:** I do.

**Mr. Fulton:** The first case this evening is Case number 15-102BZA which is a request for a variance to the Development Code pertaining to the minimum front and street side setbacks in an Agricultural (AG) District. The applicant is Russell Taylor. Matt do you want to give us a quick briefing.

**Mr. Tapp:** Yes Mr. Chairman. First I would like to make the Staff Report as part of the record, Mr. Chairman?

**Mr. Fulton:** Okay.

**Mr. Tapp:** Summarized the staff report 15-102BZA dated March 17, 2015.

**Mr. Fulton:** Any questions? Mr. Taylor if you will come up.

**Mr. Taylor:** (Explains that he bought the house with the intentions of adding on to it.)

**Mr. Fulton:** Why should we approve it?

**Mr. Taylor:** The value on the house will not go up unless I can add on to it.

**Mr. Reed:** How large is the house?

**Mr. Taylor:** (responds with the square foot.)

**Mr. Reed:** How much are you adding on?

**Mr. Taylor:** (responds with the square feet)

**Mr. Reed:** Would you want to add on anymore at a later date?

**Mr. Taylor:** (responds)

**Mr. Reed:** (makes another comment)

**Mr. Fulton:** Matt can you explain the variance to the new members a non-use variance.

**Mr. Tapp:** Yes, (explains what a non-use variance compared to a ....)

**Mr. Fulton:** Anyone else to speak in favor of the request? Anyone to speak in opposition? When did the notices go out?

**Mr. Tapp:** (responds)

**Mr. Fulton:** Closes public comments.

**Mr. Reed:** Makes a motion to approve the application.

**Mr. Whitton:** Second.

**Mr. Fulton:** Open to discussion of the Board.

**Mr. Tapp:** Goes over the approval criteria and Taylor meets all four criteria.

**Mr. Fulton:** No other questions, calls for a vote.

**Mr. Tapp:** Buddy Raasch?

**Mr. Raasch:** Approve.

**Mr. Tapp:** Larry Whitton?

**Mr. Whitton:** Yes.

**Mr. Tapp:** Vernon Reed?

**Mr. Reed:** Yes.

**Mr. Tapp:** Chairman Dave Fulton?

**Mr. Fulton:** Yes.

**Final Vote 4/0/0 Approved Case 15-102BZA  
Russell Taylor**

**Mr. Fulton:** Second application tonight, a request for a variance to Section 151-4.5(C) of the 2011 Clay County Land Development Code, pertaining to the minimum rear side setback in a Residential Rural (R-1) District, where such placement is in noncompliance of the County code of requirements, the applicant is Carol Bates.

**Mr. Tapp:** Attached the staff report as part of the record.

**Mr. Fulton:** Okay.

**Mr. Tapp:** Summarized the staff report 15-103BZA dated March 27, 2015.

**Mr. Fulton:** (talks)

**Mr. Tapp:** (responds)

**Mr. Reed:** (talks)

**Mr. Tapp:** (responds)

**Mr. Raasch:** Is it grandfathered in?

**Mr. Fulton:** Can we hear from the proponent.

**Ms. Bates:** Requesting a variance by 12 foot for a new 12x7 room addition. It will increase the value of the house.

**Mr. Tapp:** Another add on was down without a variance or permit, she is bringing it into full compliance.

**Mr. Fulton:** Is there other options?

**Ms. Bates:** There are 100 year old trees and an attached garage on the other side of house.

**Mr. Tapp:** There is a map showing utilities and trees.

**Ms. Bates:** (comment)

**Mr. Fulton:** (comment)

**Mr. Reed:** I just want to commend you for keeping the trees, they are beautiful.

**Ms. Bates:** Thank you.

**Mr. Fulton:** Anyone else like to speak?

**Mr. Richardson:** Adjoining property owner, wondering how this would affect his property.

**Mr. Fulton:** (responds)

**Mr. Richardson:** Another question, if he sold his property would it be affected?

**Mr. Fulton:** (responds)

**Mr. Reed:** (comment)

**Mr. Flook:** This is just for her house and it does not change anything for you.

**Mr. Richardson:** (comment)

**Mr. Fulton:** (comment)

**Mr. Richardson:** Thank you.

**Mr. Fulton:** Closes public comments.

**Mr. Whitton:** Makes a motion to approve the application.

**Mr. Raasch:** Second

**Mr. Fulton:** Any additional discussion?

**Mr. Reed:** (comment)

**Mr. Fulton:** (responds)

**Mr. Tapp:** (comment)

**Mr. Fulton:** Roll call.

**Mr. Tapp:** Buddy Raasch?

**Mr. Raasch:** Approve.

**Mr. Tapp:** Larry Whitton?

**Mr. Whitton:** Yes.

**Mr. Tapp:** Vernon Reed?

**Mr. Reed:** Yes.

**Mr. Tapp:** Chairman Dave Fulton?

**Mr. Fulton:** Yes.

**Final Vote** 4/0/0 **Approved** **Case 15-103BZA**  
**Carol Bates**

**Mr. Fulton:** Very good, thank you. Is there any other business to come before the Board?

**Mr. Tapp:** No Mr. Chairman there's not, next meeting will be May 19<sup>th</sup>.

**Mr. Fulton:** If not do I hear a motion to adjourn?

**Mr. Raasch:** So moved.

**Mr. Fulton:** Second?

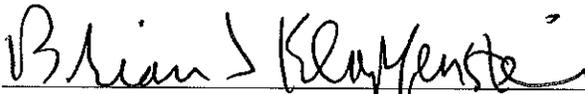
**Mr. Reed:** Second

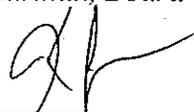
**Mr. Fulton:** All those in favor say aye.

**All:** Aye.

**Mr. Fulton:** We are adjourned.

**Meeting Adjourned**

  
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*Chairman, Board of Zoning Adjustment*

  
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*Secretary, Board of Zoning Adjustment*

  
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*Recording Secretary*