

City of Oak Hill
Board of Zoning Appeals
Minutes
October 17th, 2023

The City of Oak Hill's Board of Zoning Appeals met on October 27th, 2023, at 6:00 PM in the City of Oak Hill Board Room. Members present were Chairman Chris Taylor, Vice Chair Mary Catherine Bradshaw, Matthew Harris, Chris Goetz, and Kat Booth. Staff in attendance were City Attorney Marshall Albritton, Codes Officer Stephen Snow, Codes Assistant Steve Mallory, and City Manager J. Steven Collie as Recorder.

1. Meeting Called to Order.

Chairman Taylor called the meeting to order at 6:03 P.M.

2. Introductions

Chairman Taylor asked the Members and Staff to introduce themselves.

3. Pledge Of Allegiance

Chairman Taylor led the Pledge of Allegiance.

4. Approval of Minutes

Bradshaw moved, seconded by Harris, to approve the September 19th, 2023, Minutes. Voting AYE: Taylor, Harris, Goetz, Bradshaw, and Booth. Motion carried 5-0.

5. Case 23-49: 3615 Rainbow Place

Bradley Hickman, McKensie Construction representing the owner, proposed HVAC equipment pad that would encroach 6' into the 50' setback. No public comments were made. After questions and discussion from the Board concerning the new rules imposed on pads and setbacks, Taylor called for a motion and moved to approve the 6' variance for the HVAC pad. Goetz seconded the motion. Voting AYE: Harris, Goetz, and Taylor. Voting NAY: Booth and Bradshaw. Motion carried 3-2.

6. Case 23-50: 839 Battery Lane

John Swift with Province Builders proposed the removal of three trees in front of a garage that are 8" or greater in DBH. The trees were presented with limited or no access to the garage. No public comments were made. After questions and discussion from the Board, Landscape Architect, Daniel Wood offered additional information. Booth motioned to approve the removal of three Hackberry trees as listed on page L1.0 of the plan, seconded by Bradshaw. Voting AYE: Harris and Goetz. Voting NAY: Taylor, Bradshaw, and Booth. Motion failed 2-3.

7. Case 23-52: 827 Tyne Blvd

Proposed 1) removal of two trees within the building envelope, and 2) construction that would exceed the maximum lot coverage by 12%. Prior to commencement of the hearing of this case, Taylor discussed the circumstances involved in the notification procedure for this case with the Staff. Taylor concluded that because the current variance request is greater in quantity than the quantity involved in the original request, this case must be deferred until the next scheduled BZA meeting.

8. Case 23-54: 3605 Rainbow Place

This case was presented by Daniel Wood, Landscape Architect representing the owner for the proposed removal of 4 trees with 8" or greater DBH. There were no citizens to speak during public comments and the session was closed. There were letters presented in objection to the tree removal. Adam Sizemore, the

owner, also made comments concerning the tree removal due to the utilities coming to the property. After discussion and questions by the members, Taylor motioned to allow the removal of one 36" yellow poplar hardwood only, and not the pine and to replace with two 5" hardwoods in addition to any proposed arborvitaes and any other replacement trees required by ordinance. Motion was seconded by Bradshaw. Voting AYE: Bradshaw, Harris, Goetz, Booth, and Taylor. Motion carried 5-0.

9. Case 23-55: 917 Tyne Blvd

Chris Davis with Boss Architect represented the owner. Proposed removal of 9 trees with 8" or greater DBH for a single-family dwelling. Public comments were opened. One citizen came forward to ask questions of the applicant. There were no additional comments, and the session was closed. After discussion from the Board, Taylor motioned to approve the removal of the following trees: 20" pine, 40" hackberry, 16" hackberry, 16" cedar, 32" ash, 12" holly, 12" cherry, 12" ash, and 28" holly as listed on page AO.3 of the plan. Motion seconded by Bradshaw. Voting AYE: Bradshaw, Harris, Goetz, Booth, and Taylor. Motion carried 5-0.

10. Case 23-56: 805 Melville Drive

Landscape Architect Jason Gabbard represented the owner, proposing the removal of 8 trees with an 8" or greater DBH for a single-family dwelling. No public comments were offered. After discussion by the Board, Booth moved to approve the removal of four trees numbered 380, 266, 267 and 326. Seconded by Bradshaw. Voting AYE: Harris, Bradshaw, Goetz, Booth, and Taylor. Motion carried 5-0.

11. Case 23-57 & 58: 5421 & 5429 Franklin Pike

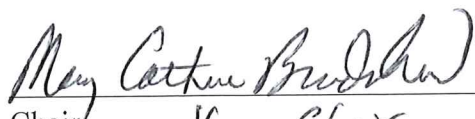
Jeremy Walker with the Urban Development Group proposed planter walls for the two new construction dwellings to substitute for finished grade where required to comply with Municipal Code definition of "basement" for the purpose of compliance with "Maximum Stories" requirement in Bulk Building Standards. The presentation was for two properties 5421 Franklin Pike and 5429 Franklin Pike. After much discussion and questions from the Board, it was noted that the properties could be approved without the planter and walkout basement. Taylor noted that each address would be voted on separately.

Bradshaw motioned to approve the structure as is with no planter and with a walkout basement for 5421 Franklin Pike, seconded by Booth. Voting AYE: Booth, Bradshaw, Goetz, Harris, and Taylor. Motion carried 5-0.

Bradshaw motioned to approve the structure as is with no planter and with a walkout basement for 5429 Franklin Pike, seconded by Booth. Voting AYE: Booth, Bradshaw, Goetz, Harris, and Taylor. Motion carried 5-0.

12. Adjournment

Taylor asked for a motion to adjourn. Bradshaw moved to adjourn, seconded by Goetz. Voting AYE: Bradshaw, Goetz, Harris, Booth, and Taylor. The meeting adjourned at 9:00 P.M.


Chair Vice Chair


Member