

City of Oak Hill
Board of Zoning Appeals
Minutes
February 20, 2024

The City of Oak Hill's Board of Zoning Appeals met on February 20, 2024, at 6:00 PM in the Board Room. Members present were Chairman Chris Taylor, Vice Chair Mary Catherine Bradshaw, Matthew Harris, Kat Booth, and Chris Goetz. Staff in attendance were City Attorney Marshall Albritton, Codes Officer Stephen Snow, City Manager J. Steven Collie, acting as Recorder.

1. Meeting called to order.

Chairman Taylor called the meeting to order at 6:05 p.m.

2. Introductions

Chairman Taylor asked the Board Members and City Staff to introduce themselves.

3. Pledge Of Allegiance

Chairman Taylor asked everyone in attendance to join him in the Pledge of Allegiance.

4. Approval of Minutes

Bradshaw moved, seconded by Goetz, to approve the November 21st, 2023, minutes with minor corrections. Voting AYE: Booth, Harris, Goetz, Bradshaw, and Taylor. Motion carried 5-0.

5. Case 23-62 – 1108 Overton Lea Road, Zone F

Chairman Taylor called the first case of the meeting to the floor. Owner Reid Wakefield and Architect Jennifer Bagwell proposed an addition to the house that would encroach 15' 6" into the rear Primary Structure setback. There would be no increase of impervious surface. No public comments were made. Taylor motioned to approve the setback variance and approved one 10-inch tree seconded by Goetz. Voting AYE: Goetz, Bradshaw, Booth, Harris, and Taylor. Motion Carried 5-0.

6. Cases 24-02, 24-03, 24-04 & 24-05 – 5021, 5025, 5029 Villa Crest Dr. & 1107 Ridgeview Dr., Zone C

Builder Joshua White proposed variances to the Oak Hill Woodland and Tree Protection standards to allow installation of pressurized sewer line through wooded areas of 5021, 5025, 5029 Villa Crest Dr., and 1107 Ridgeview Dr. The purpose of this work is to replace failing septic systems at 5021 and 5029 Villa Crest Dr. and tie into the sewer main in front of 1107 Ridgeview Dr. No trees are proposed to be removed, however some damage to root systems is anticipated due to trenching within the dripline. Specific variance requests respective to each case are as follows:

- **Case 24-02** – Requesting variance to allow sewer line installation at **5021** Villa Crest Dr. within driplines of trees contingent on no removal of trees.
- **Case 24-03** – Requesting variance to allow sewer line installation at **5025** Villa Crest Dr. within driplines of trees contingent on no removal of trees.
- **Case 24-04** – Requesting variance to allow sewer line installation at **5029** Villa Crest Dr. within driplines of trees contingent on no removal of trees.
- **Case 24-05** – Requesting variance to allow sewer line installation at **1107** Ridgeview Dr. within driplines of trees contingent on no removal of trees.

No public comments were made. After discussion by the board members, Taylor moved to approve the sewer lines through the drip line as requested and to allow the builder to secure a sewer path permit, seconded by Bradshaw. Voting AYE: Bradshaw, Harris, Taylor, Goetz, and Booth. Motion carried 5-0.

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7. Case 24-06 – 5527 Hillview Drive, Zone C

Mark Haverly and Robert Fletcher proposed the removal of three trees greater than 8" DBH (that have already been removed) from between the house and street. Public Comment session was opened with one person coming to speak against the project, asking why people are allowed to take down trees or start projects without a permit. No others were asking to speak, and the Comment Session was closed. After a lengthy discussion, it was determined that the trees that were removed did not take away from the required canopy and the tree plan would replace trees to meet the caliper of those removed. The BZA did not rule on variance and the matter was resolved. No further action was needed for the tree plan. The applicant would be required to pay double the permit fee for the infraction. No further action required by the BZA.

8. Case 24-07 – 1204 Saxon Drive, Zone C

Contact Amanda Stone requested the removal of approx. 10" DBH tree (that has already been removed) in advance of pool construction. The tree was damaged in a freezing event and has since been removed. No public comment was made. It was determined that the tree plan would be administered by staff. No action was taken by the BZA.

9. Case 24-09 – 4040 Outer Drive, Zone B

Project Manager Malcolm Cupples requested approval to place HVAC equipment pads outside the Primary Structure envelope. This had been approved without HVAC pads shown on the project design. Requesting one A/C pad to cross set back at 3.5' and one to cross the setback at 5'. Public Comment was opened with one person asking to speak, concerned about the code's approval. This happens to be an interpretative issue and now requires a variance to continue. Bradley Hickman with McKenzie Construction came forward to help explain and assure the Board they are now aware of the requirements. Booth moved to approve the variance as requested to include adding some vegetation and screening, seconded by Harris. Voting AYE: Bradshaw, Harris, Taylor, Goetz, and Booth. Motion carried 5-0.

10. Case 24-10 – 806 Forest Acres Drive, Zone D

Tom Boyd requested the removal of 3 trees that are at least 8" DBH. No public comment was made. After some conversations and questions, Taylor moved to approve the removal of trees #3 and #4 but not #5, seconded by Booth. Voting AYE: Bradshaw, Harris, Taylor, Goetz, and Booth. Motion Carried 5-0.

11. Case 24-11 – 1159 Gateway Lane, Zone C

Owners Walt and Melissa Burton, Architect Jaime Pepper, Landscape Architect Josh Gabbard, and Civil Engineer Rod Shields, presented the project requesting the following variances:

- 1) Requesting a variance to allow approximately 400 sf of new house corner to encroach into the 25 ft. stream buffer.
- 2) Requesting a variance to work within 75ft. stream buffer to demolish the existing pool house while leaving its masonry foundation wall and reincorporate the disturbed area into the existing hardscape to remain with new firepit.
- 3) Requesting a variance to work within the 75ft. stream buffer to plant native vegetation and remove invasive species.
- 4) Requesting a variance to remove one tree that is greater than 8" DBH from the allowed area of construction.

No public comment was made. Motion was made by Chairman Taylor to approve the following: **1)** A variance to allow approximately 400 sf of new house corner to encroach the 25' stream buffer; **2)** A variance to work within the 75' stream buffer to demolish the existing pool house while leaving its masonry foundation wall and reincorporate the disturbed area into the existing hardscape to remain with new firepit; **3)** A variance to work within the 75' stream buffer to plant native vegetation and remove invasive species; **4)** A variance to remove one tree that is greater than 8" DBH from the allowed area of construction. Booth seconded this motion. Voting AYE: Bradshaw, Harris, Taylor, Goetz, and Booth. Motion Carried 5-0.



12. Case 24-12 – 4117 Crestridge Drive, Zone C

Owner Rob Barrick proposed the following project:

- 1) Construct 12' x16' storage shed 5' from rear property line and 5' from side property line.
- 2) Construct a new 10' fence along a portion of NE property line.

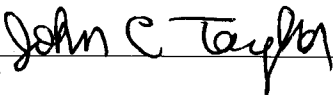
No public comments were made. After further discussion by the Board, Bradshaw motioned to approve the variance of the shed and 10' fence, seconded by Booth. Voting AYE: Bradshaw, Harris, Taylor, Goetz, and Booth. Motion carried 5-0.

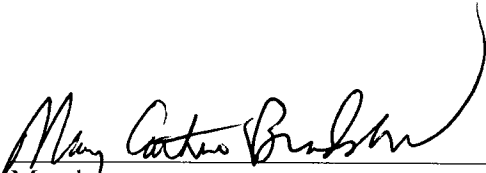
13. Case 24-13 – 4915 Lealand Drive, Zone F

Contractor Randy Morgan proposed a variance to build addition to primary structure that would encroach into the 50' side setback. The request is to encroach by 16' 2". No public comment was made. After further discussion by the Board, Taylor motioned to approve the request, seconded by Bradshaw. Voting AYE: Bradshaw, Taylor, Harris, Goetz, and Booth. Motion Carried by 5-0.

14. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 7:05 PM.


Chair


Member

