

**MURRAY BOARD OF ZONING ADJUSTMENTS
REGULAR MEETING
Wednesday, November 15, 2023
4:30 P.M.**

The Murray Board of Zoning Adjustments met in a regular meeting on Wednesday, November 15, 2023 at 4:30 p.m. in City Hall at 500 Main Street.

Board Members Present: Althia Caldwell, Mike Faihst, Carmen Garland, Paula Hulick, and Dr. Dan Miller

Board Members Absent: Jim Foster, Josh Vernon

Also Present: Lindsay Aycock, Dannetta Clayton, Carol Downey, Attorney David Perlow, David Hudspeth and public audience.

Chairman Faihst called the meeting to order and welcomed all guests. Lindsay Aycock called the roll.

Chairman Faihst called for a motion to approve the minutes from the regular BZA meeting on October 18, 2023.

Paula Hulick made a motion to approve the minutes from the regular BZA meeting on October 18, 2023 as presented. Althia Caldwell seconded the motion and the motion carried unanimously.

Chairman Faihst called for a motion to approve the minutes from the special called BZA meeting on November 1, 2023.

Carmen Garland made a motion to approve the minutes from the special called BZA meeting on November 1, 2023 as presented. Paula Hulick seconded the motion and the motion carried unanimously.

Oath of Office: Carol Downey administered the Oath of Office to Dr. Dan Miller.

Public Hearing: Conditional Use Permit: Request to allow a recreational facility for Main Street Youth Center, a non-profit organization, in an R-5 (Multi-Family Residential District)/B-2 (Highway Business District) to be located at 513 South 4th Street.

Public Hearing: Dimensional Variance: Request to allow a two-foot variance on the north side yard and a fifteen- and one-half foot variance for the secondary front street (South Cherry Street) for the purpose of constructing a gymnasium addition located at 513 South 4th Street, which is in an R-5 (Multi-Family Residential District)/B-2 (Highway Business District).

Carol Downey reviewed the applicable ordinances and gave the Staff Analysis.

David Hudspeth came forward and was sworn in. The board asked Mr. Hudspeth if the breezeway will be open or enclosed and if the property will have to be raised or lowered due to the dirt work needed and Mr. Hudspeth responded that the breezeway will be enclosed and the property will have to be raised. He mentioned that a lot of ground work and excavation will need to be done. The board asked if the building will be a full-sized basketball gym and Mr. Hudspeth replied that it will be 50' by 100' and look similar to the Education Building.

Chairman Faihst opened the public hearing and asked if anyone wished to speak in favor or opposition of this request. No one came forward, so Chairman Faihst closed the public hearing and brought it back to the board for discussion and a motion.

Chairman Faihst made a motion to approve the Conditional Use Permit application for Main Street Youth Center to have a recreational facility located at 513 South 4th Street, which is in an R-5 (Multi-Family Residential District) and a B-2 (Highway Business District). The findings of fact being that per the stated testimony, the Building Official came up with the 10' clearance between the two buildings; it's connected, so it's an addition; the applicant has to stay 10' away from the utilities and the backside of the lot being leveled off will improve the property. The testimony presented in this public hearing has shown based on the findings, it does not adversely affect public health, safety, or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or nuisance to the public, and will not allow unreasonable circumvention of the requirements of the zoning ordinance. Paula Hulick seconded the motion and the motion carried with a 5-0 roll call vote.

Paula Hulick made a motion to approve the Dimensional Variance request to allow a two-foot variance on the north side yard and a fifteen- and one-half foot variance for the secondary front street (South Cherry Street) for the purpose of constructing a gymnasium addition at 513 South 4th Street, which is in an R-5 (Multi-Family Residential District) and a B-2 (Highway Business District) as presented. The findings of fact being that the presentation indicated the applicant plans to comply with the regulations and to be sensitive to the neighbors. The testimony presented in this public hearing has shown based on the findings, it does not adversely affect public health, safety, or welfare, will not alter the essential character of the general vicinity, will not cause a hazard or nuisance to the public, and will not allow unreasonable circumvention of the requirements of the zoning ordinance. Chairman Faihst seconded the motion and the motion carried with a 5-0 roll call vote.

Discussion Items: Dannetta Clayton gave an update on the Base Study Element of the Comprehensive Plan. Ms. Clayton shared that Tad Long is hoping to get the first draft to us by the end of the year and she hopes to have a subcommittee meeting in January.

Questions and Comments: None

Chairman Faihst called for a motion to adjourn.

Dr. Dan Miller made a motion to adjourn. Paula Hulick seconded the motion and the motion carried unanimously. The meeting adjourned at approximately 4:39 p.m.



Chairman, Mike Faihst



Recording Secretary, Lindsay Aycok