

BOARD OF ZONING APPEALS

MINUTES

September 20, 2018

The City of Knoxville **Board of Zoning Appeals** considered the following petitions for variance of requirements of the Knoxville City Code, Appendix B, Zoning Regulations at their September 20, 2018, meeting at 4:00 pm in the Small Assembly Room, City County Building, 400 Main St, Knoxville, TN.

This meeting and all communications between the Board members is subject to the provisions of the Tennessee Open Meetings Act, Tenn. Code. Ann. § 9-44-101, et seq.

CALL TO ORDER

Board Chairman Kristin Grove called the meeting to order at 4:02p.m.

ROLL CALL

Board members present were David Dupree, Kristin Grove, Daniel Odle and Charlie Van Beke.

Others in attendance were Peter Ahrens, Building Official; Scott Elder, Zoning Chief; Christina Magrans, Staff Attorney; Amy Brooks MPC Planning Services Manager; Joshua Frerichs, Stormwater Engineering; David McGinley, Storm Water Engineering Manager and Juliana LeClair, Board Secretary.

MINUTES

Member Charlie Van Beke made a motion to approve the August 16, 2018 minutes. It was seconded by member Daniel Odle. The Board voted 4-0 to **APPROVE**.

OLD BUSINESS

File: 7-F-18-VA
Applicant: Creative Structures
Address: 2012 N. Broadway
Zoning: C-3 (General Commercial) District

Parcel ID: 082HA021
4th Council District

Variance Request:

- 1) Reduce the minimum drive aisle width from 26 ft. to 24 ft. (Article V Section 7.E.1.d.Table 3)
- 2) Reduce the minimum parking space depth for 90 degree parking spaces from 17.5 ft. to 15 ft. (Article V section 7.E.1.d.Table 3)
- 3) Reduce the required number of parking spaces from 35 to 17 (Prior Ordinance – Article V Section 7.A.3.a Table)

As per plan submitted proposing construction of a new multi-tenant building in the C-3 (General Commercial) District, 4th Council District.

Postponement was requested prior to the September meeting. Member David Dupree made a motion to postpone to the October 18th, 2018 meeting. It was seconded by member Charlie Van Beke. The Board voted 4-0 to **POSTPONE**.

File: 7-I-18-VA
Applicant: Arthur Seymour
Address: 619 Women's Basketball Hall of Fame Drive
Zoning: O-1 (Office, Medical and Related Services) District

Parcel ID: 095IH00101
6th Council District

Variance Request:

- 1) Decrease the front yard setback off Women's Basketball Hall of Fame Dr. from 25' to 10' (Article 4, Section 2.2.1.D.1)
- 2) Decrease the front yard setback off James White Parkway from 25' to 11'-2" (Article 4, Section 2.2.1.D.1)
- 3) Decrease the east side yard setback from 15' to 5' (Article 4, Section 2.2.1.D.2)
- 4) Increase maximum lot coverage from 35% to 52% (Article 4, Section 2.2.1.D.5.b)
- 5) Decrease the minimum required parking from 17 to 8 (Article 5, Section 7.D.1.Table 1)

As per plan submitted proposing construction of a new indoor storage facility in the O-1 (Office, Medical and Related Services) District.

Postponement was requested prior to the September meeting. Member Daniel Odle made a motion to postpone to the October 18, 2018 meeting. It was seconded by member David Dupree. The Board voted 4-0 to **POSTPONE**.

File: 7-M-18-VA
Applicant: Elizabeth Eason Architecture
Address: 7621 Kingston Pike
Zoning: C-3 (General Commercial) District

Parcel ID: 120GB010
2nd Council District

Variance Request:

- 1) Appeal of the Building Official's determination that 7216 Kingston Pike is not considered adjacent to the interstate (Article 8, Section 11.6.e.1) and (Article 7, Section 1.C.a.)
- 2) Decrease the setback of a detached sign from 10' to 0' (Article 8, Section 7.1.a)

As per plan submitted proposing the remodeling of the existing pole and foundation of hotel sign in the C-3 (General Commercial) District.

Peter Ahrens advised the application was an appeal of his determination that a service access road between a property and the interstate system prohibited the benefit of being adjacent to an interstate system for the purposes of sign height. The service road between the property and

the interstate would prevent them from being adjacent therefore they wouldn't get the benefit of added height. The determination was consistent with other applicants in the past and the city legal department agreed with the determination.

Applicant Arthur Seymour was present and submitted supplemental documents to be included in the application file. Mr. Seymour stated the property was adjacent to the interstate because it was adjacent to the onramp and adjacent to the right of way with a right of way marker on the corner of the property. Mr. Seymour asserted that the city was wrong in their interpretation of what would be considered adjacent and that the applicant's position was correct based on Tennessee case law.

John Shirley the developer of the project was present. He advised the surrounding property was controlled by TDOT. Developers had been working with TDOT for three years to create a turning circle in the middle of Leonard Rogers and to gain access to the surrounding properties which have control access from TDOT. The surrounding area is a federal TDOT right of way and the City of Knoxville did not have a say as to what the applicant did with the road. Applicant had an agreement with the state of Tennessee to break the control accesses to get to the two properties in question. Applicant advised West Town Way and the two parcels were always part of the interstate interchange.

Member Charlie Van Beke clarified that at one point, before the interchange was rebuilt, the applicant properties were adjacent. Member David Dupree asked city staff if there was anything written regarding the decision of the city legal department. Christina Magrans advised that before the former staff attorney left the city she sent an email to Arthur Seymour as well as other staff employees, summarizing the city's position. Member David Dupree asked if a copy of the email had been submitted. A copy of the email was not submitted because the city wanted to confirm with Arthur Seymour that it was alright to forward to the Board and had not heard back. Member Charlie Van Beke asked if the question of adjacency had any impact on the second variance requesting a setback. Scott Elder advised if the first variance were approved the setback would just be to legalize to where it was. Member Charlie Van Beke asked Peter Ahrens if in making his determination he had considered that this property was adjacent to the interstate until the interchange was rebuilt. Peter Ahrens advised that prior to West Town Way he would've determined it to be adjacent. Member Charlie Van Beke confirmed that as far as Peter Ahrens was concerned the change in the roads changed it from adjacent to not adjacent. Peter Ahrens confirmed that the second variance could be voted upon separately from the determination of adjacency.

John Shirley advised the side street known as Ramada Circle was a private road prior to the modification of the interchange. When they re-did the interchange they created Ramada Circle as a public street and bought the right-of-way to create West Town Way behind the Howard Johnsons. The reason for the setback was the sign, as it sits today, was always on a private road. John Shirley advised they want to bring the sign into conformance with the current code.

Member Kristin Grove asked if there was any other written information from TDOT. Arthur Seymour advised of past conversations with Amanda Snowden regarding right-of-way details and that further written documentation could most likely be provided. Member Kristin Grove asked Christina Magrans for her interpretation of the term adjacent vs Arthur Seymour's written statement and Christina Magrans read the interpretation provided by the former staff attorney.

Member David Dupree asked if the non-conforming sign was sought to be re-used or changed. John Shirley advised the sign was non-conforming, too high and the cabinet was too large. If the Board ruled in favor of the staff then the property would not have any interstate signage at all. The applicant's opinion was that Leonard Rogers was part of the interstate and the property was continuously abutting the interstate by property line and right of way and they would therefore be allowed to have the interstate sign and would bring that sign into conformance with the code. If the Board didn't allow variance #2, the applicant would take the sign down and move it and bring it into conformance if the Board agreed with variance #1. Member Kristin Grove confirmed the single sign, if allowed, would only advertise the development as a whole.

Member Charlie Van Beke made a motion to approve the application for variance #1. It was seconded by Member Daniel Odle. Members Charlie Van Beke and Daniel Odle voted in favor, Members David Dupree and Kristin Grove voted in opposition which created a split vote. Peter Ahrens advised that the staff attorney requested a new motion to deny variance #1. Member Kristin Grove made a motion to deny variance #1. It was seconded by member David Dupree. Members Kristin Grove and David Dupree voted in favor, Members Charlie Van Beke and Daniel Odle voted in opposition. Per Peter Ahrens, variance #1 failed due to lack of votes. Member David Dupree made a motion to deny variance #2. It was seconded by Member Charlie Van Beke. Members Kristin Grove, David Dupree and Daniel Odle voted in favor, Member Charlie Van Beke abstained. Member Kristin Grove advised that the total application was a failure.

NEW BUSINESS

File: 9-A-18-VA
Applicant: Perry Childress
Address: 212 Hialeah Dr.
Zoning: R-1A (Low Density Residential) District

Parcel ID: 123BF016
1st Council District

Variance Request:

- 1) Reduce rear yard setback from 25' to 18.4' (Article 4, Section 2.1.2.D.3.a)

As per plan submitted proposing legalization of previously installed addition in the R-1A (Low Density Residential) District.

Scott Elder advised the scope of permit that was issued had been exceeded and increased the footprint of the building. Property had changed ownership since then and in order to move forward with the building permit, applicant needed to bring the lot to a legal standard.

Larry Smith was present representing applicant/property owner Perry Childress who purchased the property without knowledge of a stop work order that had been placed on the property. The framework was completed including a roof and the applicant requested the variance for the addition of three feet to avoid having to tear the back of the house off. Member David Dupree clarified that the 3ft addition was done by the previous owner. Member Charlie Van Beke made a motion to approve. It was seconded by member Daniel Odle. The Board voted 4-0 to **APPROVE**.

File: 9-B-18-VA
Applicant: Paul Williams
Address: 9101 Executive Park Dr.
Zoning: C-3 (General Commercial) District

Parcel ID: 11903307
2nd Council District

Variance Request:

- 1) Decrease front yard setback from 25' to 17' (Article 4, Section 2.2.6.E.1)
- 2) Increase height from 45' to 81'-3" (Article 4, Section 2.2.6.F)

As per plan submitted proposing construction of a new hotel in the C-3 (General Commercial) District.

Scott Elder advised the application was for a newly proposed hotel at the exit ramp of Cedar Bluff.

Paul Williams the applicant was present. Regarding variance #1, the applicant advised there was a large amount of water that went across the property. The applicant's sizing came out to be 42" pipe and upon review the city requested the applicant put in piping that would carry the ultimate water flow. The pipe became a 60" to accommodate that request and when it became a 60" pipe the applicant had to have 20 ft. of clear easement. The hotel would have to be moved 8 to 9ft in order to obtain the 20 ft. easement.

Regarding variance #2, the applicant advised of a prior BZA variance that was approved to go from 45 ft. to 72 ft. for a hotel that they designed in 2008. The applicant designed the hotel in the current project based on the understanding that the 72 ft. was still applicable, city staff advised it was not.

Member Daniel Odle confirmed with city staff that they did approve the 72 ft. on the previous variance. Peter Ahrens confirmed that information was accurate and that historically and today, variances are given for the design, site specific. Applicant submitted supporting documents to the Board which were included in the application package. Member Daniel Odle asked city staff where they measure from when dealing with a hotel on a hill. Peter Ahrens advised the city measures from the front elevation grade and when the city calculates roof height they're looking at the height of the structure and how that addresses everything in the adjacent environment.

With a property that has 20 ft. parapets around the building with the center of the building sunk 20 ft. below, the calculation would be measured from the top of the parapet edge. The applicant advised the definition in the ordinance says to the roof, not to the parapet, the definition of a parapet says it is not considered part of the roof and that the site slopes from the south to the north and the 81ft is on the north end. Member Daniel Odle referenced the pre-agenda meeting review of the future Recode Knoxville that would have a higher allowance for the height in adjoining properties. Peter Ahrens confirmed that was true and advised on a mix of current and proposed zones in the area. Member Charlie Van Beke asked if the applicant had considered asking for re-zoning for the property, the applicant advised they did not. Member David Dupree asked if the prior referenced variance included the parapet. The applicant advised it did not since the old plan was created under the Southern Building Code which did not have that requirement. Now everyone is operating under the International Building Code which does have that requirement.

Member Kristin Grove expressed her opinion that the scale of the project was concerning based on its surroundings. Member Kristin Grove made a motion to approve variance #1. It was seconded by Member David Dupree. The Board voted 4-0 to **APPROVE variance #1**. Member Kristin Grove made a motion to deny variance #2. It was seconded by Member Charlie Van Beke. Member Daniel Odle commented that slope in this case was a legitimate hardship to consider for the height, and other hotels in the area would appear to be in the same elevation. Member Charlie Van Beke expressed concern about the other existing properties that are not close to that height. The applicant advised they had to obtain a written ok to build from neighboring properties (Goodwill Industries and White Realty) before their loan would be authorized. Member David Dupree advised the Board's duty was not to find and create a hardship but that the applicant was to present the hardship for the Board to determine the validity and that a hardship was not stated for the height. The Board voted 3-1 to **DENY variance #2**.

File:	9-C-18-VA	Parcel ID: 121BD001
Applicant:	Barber McMurry Architects	2 nd Council District
Address:	5331 Lyons View Pike	
Zoning:	R-1 (Low Density Residential), the R-2 (General Residential), the O-1 (Office, Medical and Related Services) and the OS-1 (Open Space Preservation) Districts	

Variance Request:

1) Reduce the minimum required setback distance from Lyons View Pike property line from 50 ft. to 36.92 ft. (Article 5, Section 16.C.2)

As per plan submitted proposing the construction of a new swimming pool and pool house in the R-1 (Low Density Residential), the R-2 (General Residential), the O-1 (Office, Medical and Related Services) and the OS-1 (Open Space Preservation) Districts.

Scott Elder advised this was Cherokee Country Club proposing replacement of the existing pool house and pool area. The bathing area encroaches into the required 50 ft. setback.

The applicant Kelly Headden was present and advised of meetings with city staff which led the applicant to understand that the 50ft setback requirement was to separate a pool from vehicle paths and the likelihood of an automobile coming into contact with the pool and people in the pool. The applicant had created a vertical separation of the pool from the adjacent road in excess of 20 ft. above the road. The pool was separated with a minimum 8 ft. retaining wall as well as a significant amount of landscaping. Member Charlie Van Beke made a motion to approve. It was seconded by Daniel Odle. Member Kristin Grove asked city staff to confirm the applicant's statement regarding the reason behind the 50 ft. setback. Scott Elder advised the code doesn't specifically state that the reason for the 50 ft. setback is to protect the pool and pool goes from contact with vehicles. Member Kristin Grove asked the applicant to explain the hardship and the applicant advised that the pool was 50 ft. from the road, the deck was not and it was the applicant's misunderstanding of the interpretation of the additional 50 ft. The Board voted 4-0 to **APPROVE**.

File: 9-D-18-VA
Applicant: Aaron Wise
Address: 6632 Colonial Forest Ln.
Zoning: R-1 (Low Density Residential) District

Parcel ID: 121OC1006
2nd Council District

Variance Request:

1) Reduce the required front yard setback in an R-1 zone from 25' to 12' (Article 4, Section 2.1.1.E.1.a)

As per plan submitted proposing the addition of an attached garage to an existing house in the R-1 (Low Density Residential) District.

Scott Elder advised this was an existing house and the applicant was requesting an attached garage addition on a corner lot.

Applicant representative Bailey Sharp was present as the designer of the house and submitted documentation from the home owner's association advising they supported the project. Owner of the house Aaron Wise was also present. Member Charlie Van Beke asked if there was an existing garage and Aaron Wise confirmed there was an existing garage in the front. Member David Dupree confirmed that the addition would be another garage with another driveway off of Craig. Peter Ahrens advised the proposed driveways and curb cuts were in compliance with the ordinance. Member Daniel Odle received confirmation that the side yard setback was 25ft. The applicant confirmed that the hardship was two front yard setbacks. Member Daniel Odle made a motion to approve. It was seconded by Charlie Van Beke. The Board voted 4-0 to **APPROVE**.

File: 9-E-18-VA
Applicant: Dollar & Ewers Architecture
Address: 4683 Old Broadway
Zoning: C-3 (General Commercial) District

Parcel ID: 069DA006
5th Council District

Variance Request:

1) Reduce the minimum required elevation for electrical outlets and switches from 964.0' to 960.0' (Chapter 12. Article III, Section 12-52.2)

As per plan submitted to remodel an existing building in the C-3 (General Commercial) District.

Peter Ahrens advised this was a unique situation with the property being in the floodplain and the flood elevation to comply with the City's 500 year flood ordinance was approximately 8 ft. above the finished floor elevation. In order to allow for electrical receptacles to be installed on the wall in a traditional fashion, the request was to reduce the flood elevation from 964' to 960'. City staff requested that if the variance request were to proceed, instead of reducing the flood elevation, allowing transition from lowering the flood elevation to allowing 29 receptacles in one meter base to be installed lower than the flood elevation. The net result of that change would be to limit what is allowed in those areas to what would be requested as opposed to lowering the flood elevation and allowing anything in the future to be installed.

Applicant Chris Woodcock was present and advised a lot of work had gone into bringing the 1950's property up to where FEMA recognizes the ability to protect the property from flood and mitigate issues. Flood vents would be installed, a platform in the back was raised 8 ft. off the ground so that all of the mechanical units and duct work would be above the 8ft requirement. A second platform was created so that all electrical junction boxes were lifted 8 ft. above the ground. The applicant designed for a protected junction box at a safe elevation which would then run down to any necessary switches, electrical outlets etc. When this was initially discussed with City staff it was met with resistance. The applicant produced sections out of the FEMA handbook to support the design choice. The applicant advised it would be a separate system that could be shut off or removed without damaging the main power supply to the building and that they did not want to change the flood elevation. They wanted to create an allowance just for the simplest systems in the building (outlets and switches) and the hardship was that if they didn't do this there would no practical way to use the building.

Member David Dupree asked if the applicant would be willing to come into compliance with the City's suggestion for approval and the applicant said yes.

David McGinley advised the buildings were designed for parking access and storage only which are the only things that are allowed to be floodable by FEMA guidelines in the ordinance of Chapter 12. The FEMA documentation provided by the applicant stated "The only electrical points permitted below the DFE are the minimum necessary for life and safety." The Building Inspections Department determined that none were required for the building so none would be allowed under the Flood Damage Protection and Control ordinance for the City. David McGinley advised if the City were to hand out variances for things like this without due hardships and that are necessary for things that couldn't be completed appropriately then the City would be at risk of losing their flood insurance program. In addition, the 100 year flood plain is 2.8 ft. lower than the 500 year elevation and the 100 year floodplain would be 5.2 ft. into the building.

Member Daniel Odle ask to clarify that the FEMA regs were a 100 years. David McGinley confirmed that FEMA's minimum participation in the program would be 100 years and advised in the late 70's the City elected to use the 500 year as the base flood elevation to create a more resilient city to flooding as well as lower insurance rates. Member Daniel Odle asked if the City were to accept something in the 500 plain would they really be running the same risk of losing their insurance program as a city, versus the 100 year because the baseline is 100 year and the City volunteers into the 500 year. David McGinley confirmed that he believed the City would be at risk of losing their insurance program because the City had accepted the 500 year as their base flood which was their program. If the City didn't want to use the 500 year and wanted to regulate to the 100 year then they would need to change their ordinance to only regulate to the 100 year and then they would be tied to the same minimum requirement but they would lose all the benefits of regulating to the 500. David McGinley recommended denial of the variance.

Member Daniel Odle asked why plugs would be needed in the building if it was just for storage. The applicant advised that the owner of the property was a car collector who would not use the building as a garage but would need basic access to small tools and small equipment that would be necessary to maintain the items that would be stored within the facility. The applicant pointed out there is no required electrical supply for the space and that regardless of the use of the space there is still no requirement other than what was being requested by the owner of the building or the inhabitants of the building. Member Daniel Odle asked City staff to confirm that electrical supply requirements were not spelled out specifically in the code for commercial buildings. Peter Ahrens advised that there was not a mandate for specific electrical access and that he was unsure if FEMA would look at an office space differently versus storage. David McGinley advised that in an office, it couldn't be floodable. The office would have to be flood proofed in order to make it a useable office. Parking, access and storage are the only spaces that could be made floodable and those three things are limited in the needed electrical outlets.

Member Kristin Grove asked the applicant if they would have any interest in postponing to October to try to work the situation out or come to a different resolution.

The owner Doug White was present and advised they were not building a new building, they were trying to restore an old building to be presentable for the local community. Member Kristin Grove confirmed with Mr. White that he would put in a request to postpone to the October meeting. Mr. White advised that he would request postponement for a better answer than he was anticipating that day. Member Kristin Grove made a motion to postpone to the October meeting. It was seconded by Member David Dupree. The Board voted 4-0 to **POSTPONE**.

File: 9-F-18-VA
Applicant: Logan Higgins
Address: 605 Yarnell Ave.
Zoning: R-1 (Low Density Residential) District

Parcel ID: 109AE029
1st Council District

Variance Request:

1) Reduce the minimum required front yard setback on Yarnell Ave. from 25 ft. to 8 ft. 11 in (Article 4, Section 2.1.1.E.1.a)

- 2) Reduce the minimum required east side yard setback from 12 ft. to 3 ft. 2 in (Article 4, Section 2.1.1.E.2.a)
- 3) Reduce the minimum required north rear yard setback from 25 ft. to 8 ft. 8 in. (Article 4, Section 2.1.1.E.3.a)

As per plan submitted proposing to construct a new single-family house in the R-1 (Low Density Residential) District.

Scott Elder advised this was a recorded small lot of record and the applicant was seeking to build a new home on a corner lot.

The applicant Logan Higgins was present and advised he wanted to build a house on the small, narrow corner lot with the front setback on the side and that he wanted to put the new house where the previous house used to be.

Member David Dupree asked if would be possible to design a smaller footprint for the house. The applicant advised it wouldn't be possible since it was such a narrow lot with a 25 ft. setback in all directions. Member Daniel Odle made a motion to approve. It was seconded by Member Charlie Van Beek. The Board voted 4-0 to **APPROVE**.

File:	9-G-18-VA	Parcel ID: 069ML051/069ML053
Applicant:	Sanders Pace Architecture	5 th Council District
Address:	3415 N. Broadway	
Zoning:	C-3 (General Commercial), C-4 (Highway and Arterial Commercial), O-1 (Office, Medical and Related Services), IH-1 (Infill Housing Overlay) and F-1 (Floodway) Districts, 5 th Council District	

Variance Request:

- 1) Reduce the minimum depth for a parking setback from 15 ft. to 3 ft. (Article V, Section 7.C.4)

As per plan submitted proposing the development of a parking lot to the rear of a proposed renovated residential building in the C-3 (General Commercial), C-4 (Highway and Arterial Commercial), O-1 (Office, Medical and Related Services), IH-1 (Infill Housing Overlay) and F-1 (Floodway) Districts.

Scott Elder advised this was a residential proposed in a commercial. Applicant had been through MPC and Infill Housing and received some level of approval from both.

Applicant Aaron Pennington was present and advised they had been through a Use on Review and IH1 process. They met the parking requirements through the Use on Review with the eleven spots adjacent to the building and the variance request was for the additional four spots along the west property line. Member Charlie Van Beke made a motion to approve. It was seconded by Member Daniel Odle. The Board voted 4-0 to **APPROVE**.

File: 9-H-18-VA
Applicant: Knoxville Utilities Board
Address: 2912 Scottish Pike
Zoning: SW-1 (Old Sevier and Scottish Pike) District

Parcel ID: 108LD006
1st Council District

Variance Request:

1) Reduce the minimum floor elevation from 827.1 to 821.4 (Chapter 12, Article III, Section 12.52.2)

As per plan submitted to replace the current Scottish Pike Pump Station in the SW-1 (Old Sevier and Scottish Pike) District.

Scott Elder advised this was another FEMA issue.

Applicant Arthur Seymour was present on behalf of KUB and advised the request involved a variance for a pump station and the chosen site had two hardships. It was surrounded on two sides by an easement in favor of Legacy Parks which prevented expansion of the site to get it out of the 500 year floodplain. The second hardship was topography, almost going up a cliff if it were to be relocated.

KUB representative Billie Jo McArley was present. KUB evaluated all of their pump stations and determined upgrades were necessary for anything that was undersized or in need of end of service life attention and that a 40x40 site was needed. This would provide the opportunity for all of the equipment necessary for a lift station and maintenance. Everything would be drained by gravity through pipes to a holding tank and then pumped over higher ground for transportation to a treatment plant. As a result, this station would need to be in the lowest spot available; and it would be difficult for them to comply with the 500 year flood plain due to the circumstances.

Member David Dupree asked if there were any safety concerns. Billie Jo McArley advised the facility would have the holding tank, pumps, electrical equipment and an emergency back-up generator. Those items would be out of the 100 year floodplain but they would be within the 500 year floodplain which would put all of the equipment 6-7' up off the ground.

Member Daniel Odle asked if the City staff were in support of the variance request. David McGinley confirmed the applicant's statements to be true and advised the City did support the variance request. In order for KUB to provide services they have to rely on gravity to drain the sewers and have the system function properly and because of that they're limited in where they can put the pump station.

Member Kristin Grove asked if the surrounding neighbors were aware of the plans for the site. The applicant confirmed that KUB met with most of the customers in the area during the purchase of the land and that letters were sent out to most of the customers advising the project would be starting.

Member Kristin Grove made a motion to approve. It was seconded by Member Charlie Van Beke. The Board voted 4-0 to **APPROVE**.

ADJOURNMENT

The meeting adjourned at 5:50p.m.

OTHER BUSINESS

The next BZA meeting is on October 18, 2018.