

Forest Acres Zoning Board of Appeals
Monday, January 13, 2025
5205 N. Trenholm Road
6:00 PM

Minutes

I. Call to order

1. Determination of a Quorum

A quorum was determined by the presence of Pete Balthazor, Kate Usry, Shirley Fawley, Will Owens, Jesse Smith and Derek Pace. Robin O'Neil was absent. Keith Lindler, City Building Official, was also present.

II. Approval of Minutes

1. December 9, 2024

Mr. Smith made a motion to approve the December 9, 2024 minutes; Mr. Owen's seconded. The minutes were approved unanimously.

III. New Business

1. Select Chairman and Vice Chairman of Zoning Board of Appeals

Ms. Fawley made a motion to nominate Mr. Balthazor for Chairman. The motion passed unanimously.

Ms. Fawley made a motion to nominate Ms. Usry for Vice Chairman. The motion passed unanimously.

2. Approval of Order of December 9, 2024, Meeting

202 Academy Way; TMS 14014-03-01; RTS Development. 3'9" variance request to reduce right side setback from 10 ft to 6'3" for new home construction.

Ms. Fawley made a motion to approve the order; Mr. Smith seconded. The motion passed unanimously.

3. Approval of Order of December 9, 2024, Meeting

3706 Greenleaf Rd; TMS 16811-08-12; Wedding. 6'7" variance request to reduce front setback from 35 ft to 28'5" to accommodate an attached carport/Porte Cochere addition.

Ms. Fawley made a motion to approve the order; Mr. Smith seconded. The motion passed unanimously.

4. Approval of Order of December 9, 2024, Meeting

100 Barton Bend Ln; TMS 14086-02-14; Cribbs. 10-ft variance request to reduce rear setback from 20 ft to 10 ft, for rear screened porch extension.

Ms. Fawley made a motion to approve the order; Mr. Smith seconded. The motion passed unanimously.

5. Variance Request

4505 Crape Myrtle Ln; TMS 14015-08-24; Jackson. 14-ft variance request to reduce front setback from 35 ft to 21 ft for addition.

Mr. Balthazor introduced the topic and asked if the applicant was present. Kevin Jackson, the applicant, of 4505 Crape Myrtle Ln. was present, introduced himself and gave his reasonings for his variance request. Mr. Jackson is asking for the variance to build a suite for his mother-in-law. The shape of the lot is unusual and the only place he sees as a feasible location would require a variance due to the closeness to the front setback line. It would also not require him to cut down trees for the construction. Ms. Fawley asked if the building met the zoning for an accessory structure. Mr. Lindler explained that as long as the building was attached to the house in some manner, it wouldn't be considered an accessory structure by definition. Mr. Jackson also explained that with the way his lot is sloped, the location requested would be the flattest possible place to build. Mr. Lindler mentioned that building codes do require any drainage to be draining away from the foundation of the building.

Mr. Balthazor then asked if anyone was present who wanted to speak for or against this variance request. Ms. Janet Smolka, of 4411 Willingham Dr, stood to speak about her concerns. Ms. Smolka lives diagonally behind Mr. Jackson and also owns the vacant property to the left of Mr. Jackson on Crape Myrtle Ln. She expressed concerns about the location of the building and the issues it may cause regarding water runoff onto her property. Ms. Smolka, stated that after the 2015 flood, she spent a lot of money to construct a better drainage system on her property at 4411 Willingham Dr. If this new building causes the flow of water runoff to change, it could impact the drainage system she had installed. Ms. Smolka also noted that the building setbacks were put in place for a reason and should be followed. The unusual placement of the proposed building would look out of place on Crape Myrtle Ln. Mr. Lindler pulled up the 4505 Crape Myrtle Ln. property on the Richland County GIS map and turned on the contour overlay. He stated that while the property does have some variations in topography, the location of the new building and where Ms. Smolka lives, there should not be issues, based on existing topography, regarding water runoff from this project onto her property.

Mr. Owens made a motion to approve the variance; Mr. Smith seconded. The motion passed 4-2, with Mr. Balthazor and Ms. Fawley opposed.

IV. Adjourn

Ms. Fawley made a motion to adjourn the meeting; Mr. Smith seconded. The motion passed unanimously, and the meeting was adjourned at 6:33 pm.