

AUBURN BOARD OF ZONING ADJUSTMENT
February 2, 2022
MINUTES

The Auburn Board of Zoning Adjustment (BZA) met in a regular session on February 2, 2022 at 4:30 p.m. in the City Council Chambers of the Public Safety Building located at 141 North Ross Street.

MEMBERS PRESENT Emmy Sorrells, Kim White, Drew Goodner, Frost Rollins, Marty Heffren;
Supernumeraries: Laticia Khalif, Mary Boyd

MEMBERS ABSENT N/A

STAFF PRESENT Scott Cummings, Executive Director of Development Services; Steve Foote, Planning Services Director; Katie Robison, Principal Planner; Logan Kipp, Principal Planner; Jay Howell, Planner; Amber English, Planner; Morgan Shepard, Planner; Jessica Harmon, Administrative Assistant

APPROVAL OF MINUTES

Ms. White made a motion to approve the minutes of the January 5, 2022 meeting.

Ms. Khalif seconded the motion. The motion passed with a vote of 5-0.

CHAIRMAN'S COMMUNICATION

"Any persons aggrieved by any decision of the Board may within fifteen (15) days after such decision appeal to the Circuit Court having jurisdiction, according to Section 908.02 of the Zoning Ordinance of the City of Auburn, Alabama."

"The Board consists of five regular members and two supernumeraries. The supernumeraries participate in all discussions but only vote when necessary to assure four voting members and have a board consisting of five members, when possible. All decisions are made with a roll call vote and a concurring vote of four members is required to approve an application for a variance."

OLD BUSINESS

1. Variance to Section 604, Prohibited Signs, of the *City of Auburn Zoning Ordinance* **PL-2021-00776**

Ms. White recused herself from case PL-2021-00776.

Ms. Robison presented the request for a variance to allow a mural. The subject property is located at 1415 Opelika Road in the Corridor Redevelopment – Suburban (CRD-S) zoning district. Ms. Robison provided a review of the minimum standards required to approve a variance. Staff recommended denial based on the mural not satisfying the standards required for approving a variance.

Mr. Goodner opened the public hearing.

The applicant, Sleep Tight, Inc., provided details of this variance request.

After no further comments were received, the public hearing was closed.

Mr. Goodner made a motion to deny case PL-2021-00776, Variance to Section 604, Prohibited Signs, of the *City of Auburn Zoning Ordinance*.

Ms. Sorrells seconded the motion.

A vote was taken, and the motion failed by a vote of 2-3.

Members Drew Goodner and Laticia Khalif voted for denial of case PL-2021-00776.

Members Frost Rollins, Emmy Sorrells, and Marty Heffren voted against denial of case PL-2021-00776.

The application fails.

NEW BUSINESS

2. Variance to Section 501.04, Limitations on Animals, of The City of Auburn Zoning Ordinance BZ-2022-002

Ms. Shepard presented a variance request to allow a horse outside of the stock district on a lot less than the minimum required 2 acres. The subject property is located at 321 Saint James Drive in the Neighborhood Conservation (NC-20) zoning district. Ms. Shepard provided a review of the minimum standards required to approve a variance. Staff recommended denial based on the circumstances.

Mr. Goodner opened the public hearing. After no comments were received, the public hearing was closed.

Attorney representative Williams and Lauren Smyth offered comments in support of the variance.

Mr. Goodner made a motion to approve Case BZ-2022-002, Variance to section 501.04, Limitations on Animals, of The City of Auburn Zoning, with the following conditions:

1. The residence being occupied by Lauren Smyth.
2. The variance shall apply to the miniature horse named Sven and not any other miniature horse or livestock.
3. The applicant/tenant shall remedy any and all nuisance and/or property maintenance complaints related to the residency of the miniature horse named Sven at the subject property.

Ms. Khalif seconded the motion.

A vote was taken, and the motion passed by a vote of 5-0.

Members Goodner, Rollins, White, Sorrells, and Heffren voted for the motion.

OTHER BUSINESS

1. Election of Officers

Ms. Sorrells made a motion to nominate Drew Goodner for Chair.

Ms. Khalif seconded the motion.

A vote was taken, and the motion passed 5-0.

Ms. Sorrells made a motion to nominate Kim White for Vice Chair.

Mr. Goodner seconded the motion.

A vote was taken, and the motion passed 5-0.

CHAIRMAN'S COMMUNICATION – None

STAFF COMMUNICATION - None

The meeting was adjourned at 5:30 p.m.

Drew Goodner, Chair

Kim White, Vice Chair