

LARUE PLANNING COMMISSION AND ZONING BOARD MEETING
DATE August 3, 2022

The La Rue Planning Commission and Zoning Board met on August 3, 2022 in the Council Room. Present were Board Member Dustin Ford, Lance Roberts, John Howard, Tom Ford, and Clerk Mary Price. Guests: Rick Hoover, Marie Hoover, David Kokas, Austin Primavera, and David Jones

Meeting Purpose: Variance hearing for David Kokas located at 131 Chestnut Street who is requesting to turn a garage in the rear of the property into a dwelling space.

David Kokas reported that the intent for the garage building is a residential living space for David Jones daughter. Minimal lot size requirements per the zoning code is 7,500 sq ft and the property is currently sitting at 4,200 sq ft. Additionally, Tom Ford felt that due to FEMA regulations that a residential property may need to be brought up to FEMA regulations with raising the property. David Jones reported that he would have his one daughter living there and perhaps a boyfriend. The board was concerned if its reported that only one person is living there and then things change down the road and more people move in that's an issue. The issue would be more people living in the space then it would be difficult with vehicles and parking issues. The property is not being rented out it would be occupied by a family member. Tom Ford expressed concern that if the property changes hands then it could turn into two rentals.

David Jones reported that he had spoke with Tyler Howell and Bob Howell and he didn't feel he received proper information about the situation and proceeding with the construction.

John Howard questioned what exactly the violation was because the garage already existed so it's not new construction so FEMA regulations would probably not apply. Dustin Ford reported that the violation is the total square footage of the lot is too small to have a multiple family dwelling. Due to the square footage shortage a variance would have to be granted. John Howard stated that the violation is square footage shortage and the Board needs to decide if a variance can be granted and consider everyone involved like the neighbors. Both neighbors are against the variance being granted to allow the garage to become a residence. John Howard stated he would consider allowing the variance if it was based off that one particular daughter living in the space and then would be revoked once that daughter moved out. John Howard stated that he appreciates the improvements to the property and he doesn't like restricting anyone with what they can do on there property.

A letter was received from 115 Chestnut Street Holly Manley and she wrote that she doesn't approve of the garage at 131 Chestnut Street.

Rick and Marie Hoover did not approve of the garage and they also had some concerns with the property line and fencing. Marie Hoover doesn't feel there is even enough space for two families.

The concern that is when turning a property into a multiple dwelling space it needs more square footage. The board stated that the property owner did not get the permits before remodeling the garage. The structure is not tied to the sewer system at this time.

John Howard a motion he is willing to only allow Indera Jones to live in the rear dwelling structure at 131 Chestnut Street but no one else and when she moves out then the variance ends and a new variance must be applied for and the variance is not transferable with a second by Dustin Ford. All ayes, motion passed.

The Variance has been granted and the property owner needs to attend the Board of Public Affairs meeting to discuss the water and sewer hookup. The water and sewer hookup along with the meter installation would have to be addressed with the Board of Public Affairs.

Variance is written as follows:

Indera Jones is permitted to live in the garage located in the back of the property at 131 Chestnut Street but no one else. If Indera Jones moves from the garage then the variance ends and a new variance must be applied for. The variance is not transferable.

Motion to adjourn by Dustin Ford and a second by John Howard, motion passed.

Mayor

Clerk