

**MURRAY BOARD OF ZONING ADJUSTMENTS  
REGULAR MEETING  
WEDNESDAY, DECEMBER 21, 2022  
4:30 P.M.**

The Murray Board of Zoning Adjustments met in a regular meeting on Wednesday, December 21, 2022 at 4:30 p.m. in City Hall at 500 Main Street.

**Board Members Present:** Mike Faihst, Jim Foster, Carmen Garland, Paula Hulick, John Krieb, Josh Vernon, and Bobbie Weatherly

**Board Members Absent:** None

**Also Present:** Rakov Aetherus, Lindsay Aycock Dannetta Clayton, Carol Downey, Attorney David Perlow, Mike James, and public audience.

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

Chairman Faihst called for a motion to approve the minutes from the regular BZA meeting on November 16, 2022.

**Josh Vernon made a motion to approve the minutes from the regular BZA meeting on November 16, 2022. John Krieb seconded the motion and the motion carried unanimously.**

**Public Hearing: Dimensional Variance: 201 Poplar Street – Janson James: Request to allow an artistic rendering of a sign painted directly on the building.** Carol Downey reviewed the ordinance regulations and presented the Staff Report including the zoning map, renderings of the proposed sign, pictures of the property and the surrounding properties.

Mike Daniel came forward and was sworn in. Mr. Daniel explained that the painted-on sign they are proposing was designed to pay homage to the historic nature of the building and the area in the same way that their building remodel has done so far. Per the board's request, he explained the business as a warehouse for sporting goods currently being sold on Amazon with the new addition of an office space.

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 or a motion.

**John Krieb made a motion to approve the artistic rendering of a sign to be painted directly on the façade of the building located at 201 Poplar Street as presented with the findings of fact that the owner has already made significant improvements to the inside and outside of the building to fit into the historic district. 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 it carried by a 7-0 roll call vote.**

**Public Hearing: Dimensional Variance: 504 N 5<sup>th</sup> Street – Juliet Robinson: Request a five-foot variance for placement of an accessory structure (carport) on the south side of the front yard of 504 North 5th Street as well as a nine (9) foot variance on the west side of the property.** Carol Downey reviewed ordinance regulations and presented the Staff Report which included the zoning map, pictures of the property and the surrounding properties. The board asked for clarification regarding the property lines, if there was room elsewhere on the property for the carport and who would pay for removing the structure if needed. Carol replied that property lines are not clearly identified and the owner would be responsible for the costs to have the structure removed if in the right of way.

Juliet Robinson came forward and was sworn in. The board asked Ms. Robinson about the property lines and she stated that she has the title to her house but could hire someone to check again. Ms. Robinson stated that her backyard is too small for the structure and that her neighbor's tree drops apples onto her car. The board recommended she hire a professional surveyor and speak with her neighbor to the south regarding an Access Easement.

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 or a motion.

The board decided they needed more information from Ms. Robinson regarding the property lines and the possibility of an Access Easement before they could make an informed decision, so Chairman Faihst stopped the public hearing.

**Discussion: Proposed Ordinance 156.058 - Corridor Design Standards:** Carol Downey explained the intent and areas covered, building articulation, masonry requirements, secondary materials, mechanical unit screening, trash and recycling collection areas and gas pumps. Carol reviewed the notes from the Planning Commission in the previous night's meeting including 1) if there's not a physical expansion but some other kind of renovations, when would these design standards kick in, 2) for subleased properties of a larger property, how do these standards apply, and 3) what verbiage should be used to differentiate between stand-alone buildings and strip centers as well as allowing split-faced masonry as a secondary material. Carol asked Josh Vernon for his verbiage suggestions and he recommended defining a standard that would need to be met and then reviewed by a board for subjective input versus having a checklist and dictating what the designs should look like. John Krieb suggested increasing the size of the BZA board and allowing it to take on reviewing and approving corridor projects rather than using the Architectural Review Board or creating a new board. Josh Vernon also recommended setting design standards for developers and looking at increasing BZA fees for Commercial/Industrial.

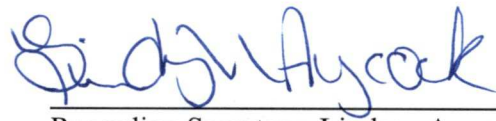
**Questions and Comments:** Chairman Faihst wanted to relay a thank you to George Bell, Code Enforcement Officer, for cleaning up Coldwater Road.

Chairman Faihst called for a motion to adjourn.

**Jim Foster made a motion to adjourn. Paula Hulick seconded the motion. The meeting adjourned at approximately 5:43 p.m.**

A handwritten signature in black ink, appearing to read "Mike Faihst", written over a horizontal line.

Chairman, Mike Faihst

A handwritten signature in blue ink, appearing to read "Lindsay Aycock", written over a horizontal line.

Recording Secretary, Lindsay Aycock