

CITY OF MOODY

ZONING BOARD OF ADJUSTMENTS AND APPEALS MEETING

The Zoning Board of Adjustments and Appeals held a meeting on January 23, 2024. Chairman Joe Wilson called the meeting to order at 6:00 P.M.

ROLL CALL: Present: Chairman Joe Wilson, Members Robert Fraser, Jason Tuggle, Mark Wood and Attorney Joe Kemp.

Absent: Member Kyle Cherry, Matthew Dyer and David Huckabee

APPROVE MINUTES FROM NOVEMBER 21, 2023: Member Robert Fraser made a motion to approve the meeting minutes from November 21, 2023. Member Jason Tuggle second the motion. All present voted AYE: the vote to approve the meeting minutes were unanimous.

PUBLIC HEARING- MURRAY CONSTRUCTION REQUEST A VARIANCE FOR REGULATIONS & STANDARDS RELATED TO THE INSTALLATION OF SPRINKLER SYSTEMS AT A PROPERTY LOCATED OFF 145 PARK AVENUE AND FURTHER IDENTIFIED AS ST. CLAIR TAX ID# 27-03-06-0-002-028.002 CURRENTLY ZONED AS B-3.

Architect, Jared Bussey, representative for Murray Construction requesting a variance to be exempt from ordinance #M2022-06-27A, which requires the installation of an automatic fire sprinkler system. Per a certified assessment letter by Licensed Engineer Michael Kingsmore of MAK Engineering, the existing building is not physically able to support the weight of a sprinkler system.

Chairman Joe Wilson opened the meeting for public hearing. Chairman Joe Wilson asked if the new structure/addition will support an automatic fire sprinkler system as currently proposed with the additional square footage. Bussey advised it would not and then confirmed the new structure/addition is not engineered to support a sprinkler system.

Member Robert Fraser reads Fire Inspector Lt. James Mulkey's letter of 5 recommendations for the building permit approval. The 5 recommendations are as follows:

- 1) An automated fire alarm & detection system shall be installed throughout the occupancy. This system shall be monitored from a location attended 24 hours per day.
- 2) Construction documentation for this system shall be in accordance with Section 907.1 (IFC, 2021 edition) and include shop drawings and listed equipment used.
- 3) An acceptance test will be performed after completion of the alarm system installation.
- 4) The alarm system inspection testing and maintenance shall be in accordance with 907.8 (IFC, 2021 edition).
- 5) Any further expansions to this occupancy shall require the occupancy to meet the applicable standards and ordinances at the time of inspection.

Murray Construction representative and J & R Glass owner agreed to the 5 recommendations with the confirmation from the Building Inspector, David Crowe, that the sprinkler system drawings would be required prior to the building permit approval. With no one else in opposition to address the board, Chairman Joe Wilson closed the public hearing.

Member Robert Fraser made a motion to approve the request contingent subject to compliance with all 5 recommendations made by the Fire Inspector. Member Mark Wood seconded the motion. All present voted Aye; motion to approve the request was unanimous.

PUBLIC HEARING- KAREN STANLEY REQUEST A VARIANCE FOR REGULATIONS PERTAINING TO MANUFACTURED HOMES AT A PROPERTY LOCATED OFF 2093 WHITES CHAPEL PARKWAY AND FURTHER IDENTIFIED AS ST. CLAIR TAX ID# 25-08-33-0-004-003.000 CURRENTLY ZONED AS AG-1.

Taylor Stanley, daughter of homeowner Karen Stanley, addressed the board to request a variance for regulations pertaining to manufactured homes requiring all adjoining property owners' signatures in order to place a manufactured home on property zoned as agricultural. Taylor explained she had gotten 5 of the 8 signatures, however couldn't get 3 of the signatures.

Chairman Joe Wilson opened the meeting for public hearing. Member Robert Fraser asked if all adjoining property owners were notified by certified mail and if mail receipts were received in which Building Inspector David Crowe confirmed certified mail was sent out and once/if the homeowner signs, then we get a mail receipt. Attorney Joe Kemp explained the requirements of the ordinance regulations. Chairman Joe Wilson asked for a brief history in regards to the request. Building Inspector David Crowe stated the manufactured home, the variance was being requested for, was already moved onto the property during the summer of 2023 without going through proper channels and without the City's knowledge.

Member Robert Fraser asked resident in attendance, Mike Tice, if his was one of the missing signatures. Mike & Terri Tice confirmed they were a missing signature and expressed concern over the amount of abandoned/run-down manufactured homes currently in the surrounding area.

Attorney Joe Kemp stated in order for the request to be granted, it has to have something unique about the property to qualify as a hardship and cannot be self-created. He stated this request was self-created by putting in a manufactured home, not going through the proper steps and getting permission. After all present had an opportunity to address the board, Chairman Joe Wilson closed the public hearing.

Member Robert Fraser made a motion to deny the request. Member Mark Wood seconded the motion. All present voted Aye; motion to deny the request was unanimous.

There being no further business to come before this board Chairman Joe Wilson adjourned the meeting at 6:29 P.M.

X 
Candace Cherry
Building Dept. Admin. Clerk

X 
Joe Wilson
Chairman