

BZA MINUTES

MARCH 18, 2025

Members present: Jason Allen, Bill Davis, Jim Hufford, Jason Hawley, Jon Peacock, and Don Calhoun

Members absent: Drew Cleveland

Legal Representation: Jason Welch

Staff present: Debra Johnting, Area Planning Director and Kristi Halloran, Recording Secretary

Others present: Greg Saulmon

Chairman Hawley: All right, ladies and gentlemen, I now see that its seven o'clock, I would like to call this order of the March 18th, 2025 Board of Zoning Appeals to order. For the record, I'd like everyone to state their name. My name is Jason Hawley, Bill Davis, Jim Hufford, Don Calhoun, Jason Allen, and Jon Peacock. Thank you very much. First order of business is the approval of minutes from our last meeting on February 18, 2025. Has everyone had a chance to look over the minutes?

J. Hufford: I make a motion we accept the minutes as presented.

Vice Chairman Davis: Second.

Chairman Hawley: All those in favor of accepting the minutes as presented say Aye.

All: Aye.

Chairman Hawley: All those opposed? Motion is carried. Tonight I would like to remind all petitioners will have fifteen minutes to present their petition during this time, there will be no interruptions or questions. After the presentation the board may ask questions. Anyone wanting to speak for or against will have three minutes each and then a petitioner will have an additional five minutes to respond to comments. First up tonight we have BZA2025-10-V, Mr. Greg Saulmon. Looks like a request for a variance to build a new home closer to the right of way than the twenty-five required for zone R-1, residential family.

J. Welch: Mr. President, I need to disclose that Mr. Solomon is a client of mine on another matter, so I have a conflict of interest. So, I can only answer procedural questions only.

Chairman Hawley: Thank you very much for clearing that up Mr. Welch. Sir would you please state your name and address for the record.

G. Saulmon: My name is Greg Saulmon and my address is 2 Crestwood Drive here in Winchester. That's the new address at the site of the, where the tornado took my home. Would you like to have my displaced apartment address as well?

Chairman Hawley: For the record, just in case.

G. Saulmon: Okay, 215 South Main, Apartment A and it's the attorney building. What is that attorney building called?

J. Welch: Tanner Building.

G. Saulmon: Tanner Building.

Chairman Hawley: Thank you, sir. Have you sent out notices of certified mail and receipts and returned receipts to Area Planning Office?

G. Saulmon: Yes, I have, sir.

Chairman Hawley: Have you received Article V Conduct of Hearing?

G. Saulmon: Yes, I have, sir.

Chairman Hawley: Why don't you tell us what you're looking for tonight sir and what we can do to help you.

G. Saulmon: Well, again, I want to thank the board for allowing me to present here this evening. I really don't have a lot. I know that I will not need fifteen minutes to present any information, but the bottom line is this. I was in the process of preparing to break ground and we had noticed that with the building permit that some of the setback location or setbacks were in the house footprint, were in some of the setback areas. So I was sent up here and I spoke with Debra, spoke with other people, to try to help me with this situation and this is where I landed. Basically, what we have is the house that was taken by the tornado was built, I believe, at 1958. I don't even know if there were setback guidelines at that time. So because of that, where the house sat in relation to the setback rules of today, it may be in violation. Not really sure. That footprint of that particular house, the house that was taken by the tornado is still there currently. That's what's there, it's just a hole in the ground with the footer still there.

Chairman Hawley: Are you planning to build on the same footprint?

G. Saulmon: Exactly.

Chairman Hawley: Okay.

G. Saulmon: Well, not. I'm sorry. I'm going to build on top of that footprint, but not that footprint but on top of that area. The house that fits on top of that footprint actually is smaller. Or it's inside the may not be smaller, but it's inside the footprint of the home that was taken. The issue then is when you're looking at guidelines from back in the fifties and then you are trying to establish proper procedures in 2025. There's a situation where you need to apply for a variance and that's why I'm here is to apply for that variance to see if I can continue with the construction of this new home. It's

going to be a beautiful home and I have a picture of it. This is what it will look like when it's finalized.

Chairman Hawley: I thought the old home was absolutely gorgeous, so I don't imagine it being any worse.

G. Saulmon: Yeah. The other home again. We enjoyed it and it's just unfortunate that so many people had to lose their homes to such a tragic event, but that's a sense of nature and nothing you can do about it except live through it and try not to let it bother you too much, but it does bother people. I mean I've been through a lot of darkness.

Chairman Hawley: No, I agree. I walk my dog by that property quite frequently and that house is sorely missed. So I'm glad to see that there's a plan to move forward.

G. Saulmon: Yes, I'm looking to see a beautiful home to build right in that space. I'm hoping that that's what you guys will allow me to do. So basically that's really all I have initially.

Chairman Hawley: Are there any questions that the board may have tonight?

D. Johnting: I just have a comment. There is a resolution that if you put your house back on the exact same footprint you don't have, the only hoops you have to jump through are if there's any fire code issues. And I specifically asked the commissioners, does that mean if it's smaller, if it's bigger and doesn't have those issues? They said no, that is to give people who wanted exactly the same thing. The house that was there before sat closer to the right of way than this one. That sounds crazy. This one is six foot into the right of way. Which is a wide right away anyway. They had to have a hearing because of six feet. And I've had to do that on others. So I had to do it and I didn't really have any choice. And it seems crazy. He could have gone further in, if he had done the exact same. But they didn't want to do that and it's going in the right direction, further away from the road, but that's why we're here and I think that no one called. I don't have a problem with it at all. It's going to be a beautiful house.

Chairman Hawley: Almost sorry you have to go through the procedure to do this.

D. Johnting: We all are.

G. Saulmon: But I'm willing to do whatever it takes.

Chairman Hawley: Does anyone on the board have any questions tonight? I see none and obviously with no one here present to speak for or against the proposal, I motion that we move for a roll call vote.

Vice Chairman Davis: So moved.

K. Halloran: Jim Hufford, Yes. Jason Hawley, Yes. Bill Davis, Yes. Jason Allen, Yes. Jon Peacock, Yes. Don Calhoun, Yes. And Drew Cleveland is absent.

Chairman Hawley: Motion is approved. Thank you very much sir. I wish you the best of luck moving forward.

G. Saulmon: Thank you council, I appreciate that.

Vice Chairman Davis: Enjoy your house.

G. Saulmon: I'm looking forward to it.

Chairman Hawley: Next on our agenda, we have old business. I see none. Moving on to new business. I see none. Do we have any reports on officers, committee and staff? Seeing none, I motion to adjourn.

J. Hufford: Second.

Chairman Hawley: Meeting adjourned.

Chairman, Jason Hawley

Kristi Halloran, Recording Secretary

Vice Chairman, Bill Davis