

Board of Zoning Appeals
8:30 a.m., Thursday, March 10, 2022
City Service Center Conference Room · 915 Quarrier Street

Members Attending:

Bill Hairston
Mary Jo Neenan
Courtlandt Smith

Staff Attending:

Lori Brannon

Applicant/Public:

Steve & Tiffani Hastings (Applicants)
Mark Mason (5319 MacCorkle Avenue)
Larry McGinnis (5308 Venable Avenue)
Motel Owner (5311 MacCorkle Avenue)

Call to Order: Courtlandt Smith

I. Items for Review

CUP-22-0219

Application of TGX Properties LLC requesting a conditional use permit in order to establish a kennel at the property located at **5315 MacCorkle Avenue.**

Steve Hastings and Tiffani Hastings addressed the Board in regard to their request for CUP-22-0219 for the purpose of starting a dog daycare, boarding and grooming establishment.

Mark Mason, of 5319 MacCorkle Avenue, property adjoining 5315 MacCorkle Avenue, spoke in opposition to CUP-22-0219. He's been in business at this location for 31 years and is of the opinion the dog daycare would be a nuisance.

Larry McGinnis, owner of property at 5308 Venable Avenue, directly behind 5315 MacCorkle Avenue, spoke in opposition to CUP-22-0219.

Motel Owner at 5311 MacCorkle Avenue spoke in opposition to CUP-22-0219.

Bill Hairston addressed concerns over the barking and smell that would be associated with this business. Mr. Hairston also mentioned concern over the foot traffic in the alley behind this location and the type of fence the applicants intended to use. Mr. Hastings responded that the fence would be 6'-8' in height and opaque.

Mr. Hastings stated that the maximum capacity for the proposed kennel for overnight boarding will be 30 dogs.

Mary Jo Neenan questioned staff about the City's ability to respond if odor or barking becomes a nuisance. Staff reported that, because the use is conditional, the permit can be revoked by the City if a nuisance is declared.

Staff further explained that there are uses permitted in a C8 zoning district by right that are capable of producing as much or more noise than this kennel could. The benefit of a conditional use permit is that, in the event complaints are made over the noise, the applicants can be notified to bring their business into compliance or have their permit revoked.

Motion and Vote: On the motion of Mary Jo Neenan, seconded by Courtland Smith the Board voted 2-1 to approve CUP-22-0219.

II. Approval of minutes for the February 24, 2022 hearing.

Motion and Vote: On the motion of Bill Hairston, seconded by Mary Jo Neenan, the Board voted unanimously 3-0 to approve the minutes of the February 24, 2022 hearing.

Adjournment