

**MINUTES  
OF A REGULAR MEETING  
OF THE CITY OF DALWORTHINGTON GARDENS  
ZONING BOARD OF ADJUSTMENTS**

**MONDAY, JANUARY 10, 2005**

A regular meeting of the Zoning Board of Adjustments was held at **7:00 P.M.** in the Council Chambers of City Hall. The following items of business will be considered, discussed and acted upon as appropriate:

**Officials Present:**

Maurice Clark- Chairman  
Randy Sibert  
Tom Dodson  
Larry Conley

**Staff Present:**

Melinda Brittain- City Administrator  
Stan Wilkes- City Attorney  
Krysten Jeter- City Assistant

**Officials Absent:**

Jim Piland  
Scott Gray

**I. ORGANIZATIONAL MATTERS**

- MOTION:**
1. Minutes of the August 2, 2004 meeting.  
Tom Dodson made a motion to approve the minutes of the August 2, 2004 meeting. Randy Sibert seconded the motion. All voted in favor. Motion carried.
  2. Administer Oath of Office  
No action.

**NEW BUSINESS WITH PUBLIC HEARING**

1. Consider granting a special exception requested by Jim McAndrew as provided in Title 17: Zoning, Chapter 17.8 Special Exceptions, C. Authorized Special Exceptions, #14 Motor vehicle sales (including boat sales & service), within a B3 District located on Pioneer Parkway (303) on the Nathan Smith Survey Abstract #1432.

The Chairman opened the public hearing and asked for comment

Dan Fernandez- Dan Fernandez & Associates- representing Jim McAndrew, Mr. Fernandez spoke on the request of the special exception and explained the plans that had been developed.

Jim McAndrew- 2807 Bay Cove Ct., Arlington- spoke as the owner of the property under recommendation, and stated his desire to keep his business in the Gardens.

Cathy Stein, 2622 Clover Ln.- not completely opposed, but on the fence, doesn't want Pioneer Pkwy. to look like Division St. in Arlington.

Guy Snodgrass, 3606 Estates Dr.- opposed, stated he didn't feel it would be in the best interest of the City.

Max Stewart, 3606 Wooded Creek- opposed, doesn't think it will be good for the City or it's citizens.

The Chairman closed the public hearing.

**MOTION:** Tom Dodson made the motion that ZBA grant a special exception for motor vehicle sales (including boat sales and service) with respect to the property described in the proposal submitted by Mr. Jim McAndrews, subject to the site plan presented in Exhibits A, B, & C, and that such exception be applicable only to the specific owner, Mr. Jim McAndrews, or entities wholly owned by him; and that no CO on any buildings be issued before all 3 buildings are built, and that auto or boat parking be limited to as specified on the site plan as presented on Exhibits A, B, & C. Maurice Clark seconded the motion. All voted in favor. Motion carried.

2. Interpretation of Title 17: Zoning, Chapter 17.6 Commercial and Industrial District Regulations, "B-3" Business District, A. Permitted uses, **#5 Cold storage plant (locker rental).**

**MOTION:** Larry Conley made the motion for the interpretation of "**Cold Storage Plant (locker rental)**" to include existing cold storage, not to include processing and that ZBA requests City Council give further definition to "**locker**". Randy Sibert seconded the motion. All voted in favor. Motion carried.

## **II. ADJOURN**

**MOTION:** Tom Dodson made the motion to adjourn. Larry Conley seconded the motion. All voted in favor. Motion carried.