

**AGENDA FOR THE MEETING  
OF THE  
TIPTON COUNTY REGIONAL BOARD OF ZONING APPEALS**

**June 22, 2009  
New Justice Complex  
5:00 PM**

- I. Establishment of a Quorum and Call to Order
- II. Approval of Minutes
- III. Old Business
  - A. Mike Jones Requesting a Nine (9) Foot Side Yard Setback Variance for Property Adjacent to a Residentially Zoned Parcel Located at 5847 Atoka-Idaville Road.
- IV. New Business - None
- V. Other Business - None
- VI. Adjournment

**MINUTES OF THE TIPTON COUNTY BOARD OF ZONING APPEALS MEETING**

**JUNE 22, 2009**

**PRESENT**

**STACEY MAX  
ROGER WARMATH  
ARZELL TEAMER  
JAMES ADKINS  
ARNOLD MCINTYRE**

**OTHERS PRESENT**

**WILLIAM VEAZEY, TC PLANNER  
PAT HIBDON, ADMIN. ASSIST. TC PLANNER  
KEITH BEASLEY, TC BUILDING INSPECTOR**

**THE TIPTON COUNTY BOARD OF ZONING APPEALS WAS CALL TO ORDER AT 5:00 P.M.**

Arnold McIntyre made the motion and Roger Warmath seconded said motion to approve the May 18, 2009 minutes.  
Vote: For-Unanimous

**MIKE JONES REQUESTING NINE (9) FOOT SIDE YARD SETBACK VARIANCE ADJACENT TO A RESIDENTIALLY ZONED PARCEL//TAX MAP 130 PARCEL 38.05/5847 ATOKA IDAVILLE RD. /ZONED C-1.**

Mike Jones and his Attorney Mr. Stewart Breakstone are requesting a variance for property located at 5847 Atoka Idaville Road. The request is for a variance of 9 feet to the side yard setback. The side yard setbacks for commercial zones are 5 feet, except where a side yard abuts a residential district, in which case the side yard shall not be less than twenty (20) feet. The building is located approximately 11 feet from the side property line. The permit that was issued states that side setbacks are 20'5'. The remarks portion of the permit states "side setback see site plan Lot 1 Crosscreek Subdivision." The footing was inspected on 5/2/08 and an engineer's letter was presented for the monolithic reinforced concrete foundation dated 5/28/08. Don Cole provided an "As Build" drawing while working on a new site plan for the property, and discovered the building being 9 feet too close to the side property line. The adjacent property owner will not sell any of his property to correct the problem. The County Attorney has been in contact with Mr. Jones' Attorney. Mr. Greg Leggett, the adjacent property owner, has agreed to a four foot brick/block wall to be located along the side property line to serve as a buffer. This being the case, the County Attorney has recommended approval of the variance due to the State's Department of Ground Water Protection requirement of the location of the septic field lines, which required the building location to be moved. Arnold McIntyre made the motion and Roger Warmath seconded said motion to approve the 9 foot variance due to the State's Department of Ground Water Protection requirement of the location of the septic field lines, which required the building location to be moved. and a brick/block wall of at least 4 feet in height is located along the west property line to serve as a buffer and a privacy fence of at least 6 feet in height along the south property line. Vote: For-Unanimous

**ADJOURNMENT: 5:16 P.M.**