

Mayor Grimmer stated that prior to the public hearing held by the Planning and Zoning Commission, fourteen letters were sent to property owners within 200 feet of this property. There were two letters returned opposing the request and no letters were returned approving the request.

Mayor Grimmer asked if there was anyone present to speak in favor of the request. No one spoke.

Mayor Grimmer asked if there was anyone present to speak opposing the request. The following spoke.

Mr. Paul Boland, 2742 Rollindale, who lives at the third house down from the property of the request on the south side of the street, opposed the request. He spoke in concern of the trash problem that now exists from the shopping area and of the additional trash that would be created by the car wash. He opposed the traffic which would increase on Rollindale. He stated that if the car wash is permitted his property and the other nearby residential are would be devalued.

There being no other comments from the audience, Councilman Linn moved to close the public hearing. Councilman Quevreaux seconded the motion and all voted "aye".

After some consideration, a motion by Councilman Linn, a second by Councilman Flaherty, all voting "aye", denied the request of Kwik Kar Wash as recommended by the Planning and Zoning Commission.

AGENDA ITEM NO. 7. - PUBLIC HEARING - CONSIDER REQUEST FOR
A SPECIFIC USE PERMIT TO PERMIT AN IN BAY CAR WASH TO BE
INSTALLED IN AN LR-2 ZONING. PROPERTY LOCATED AT
12004 WEBB CHAPEL ROAD. REQUESTED BY EXXON COMPANY,
U. S. A.

12004 WEBB CHAPEL
 Mayor Grimmer opened the public hearing to consider a request by Exxon Company, U. S. A., for a Specific Use Permit to permit an in bay car wash in an LR-2 zoning, located at 12004 Webb Chapel Road.

Mr. E. W. Berry, representing Exxon Company, U. S. A., presented a request for an in bay car wash to the existing building at 12004 Webb Chapel Road. He stated that the only change of the existing building would be a rear door or rear entry to exit out the front. He stated that there would be no blowers or vacuum cleaners that would create noise.

Mayor Grimmer stated the public hearing of the Planning and Zoning Commission was held on April 23, 1973, and the Commission recommended that this request be approved. He stated that four letters were sent to the property owners within 200 feet of the Exxon station. There were two letters returned approving the request and no letters were returned opposing the request.

Mayor Grimmer asked if there was anyone present to speak in favor of the request. No one spoke.

Mayor Grimmer asked if there was anyone present to speak opposing the request. No one spoke.

There being no other comments, Councilman Linn moved to close the public hearing. Councilman Flaherty seconded the motion and all voted "aye".

After some discussion of the services of the proposed car wash, a motion by Councilman Flaherty, a second by Councilman Linn, all voting "aye", approved the request of Exxon Company, U. S. A., for an in bay car wash at 12004 Webb Chapel Road, as recommended by the Planning and Zoning commission.

AGENDA ITEM NO. 8 - CONSIDER REQUEST FOR FENCE VARIANCE
TO PERMIT FENCE IN FRONT YARD AT 2849 MILLWOOD. REQUESTED
BY MR. LOUIS L. YOUNG.

Information given to the Council by memo from the City Administration: Mr. Young owns the property at 2849 Millwood Circle. The lot is located on the northwest corner of Millwood Circle and Millwood Drive. There is a 30 foot building line along both Millwood Circle and Millwood Drive. The area between the 30 foot building line and the property lines is considered by the Zoning Ordinance as a required front yard. Mr. Young would like to construct a pool on his property. The pool would extend into the required front yard, which is in violation of the City's Zoning Ordinance. Mr. Young is scheduled to appear before the Zoning Board of Adjustment on May 22, 1973, to request a variance from the Zoning Ordinance in order to construct the swimming pool in the required front yard. The City's Code of Ordinances require that all swimming pools be fenced. The fence around Mr. Young's swimming pool would extend approximately 10 feet into the required front yard area. Section 8-39 of the City's Code of Ordinances states that no fence shall be constructed or maintained within a front yard, from the front building line to the front lot line, or in the required front yard area of an unimproved lot within the city.

Mr. Louis L. Young presented his request for a variance from the fence ordinance to allow him to build a fence within his side yard to enclose a proposed swimming pool. He stated his side yard from his house is approximately 42 feet to the curb line. He stated the request is for a variance of approximately 10 feet.

There was a discussion of appearing before the Zoning Board of Adjustment before the Council takes action on the request.

There was a brief discussion held concerning the deed restriction on the property in this area.

City Manager Paul West pointed out that there should be approximately 11 1/2 feet of right of way between the curb and street right of way line and the property line.