

There being no one further to speak in support of the application, Chairman McCall asked if anyone would like to speak in opposition. There being no one, Chairman McCall asked if there had been any contact to staff's office. Ms. Tolley said there was no contact. There being no further discussion, Chairman McCall called for a motion. Mrs. Hobby made a motion to approve as presented. Mrs. Copeland seconded the motion. The motion was called and carried with a vote of 4 to 1, with Mrs. Quarterman voting against the motion.

**Agenda Item #8 APP-2019-05 — Adam Moore with Armor Investments, LLC** (2704 N Oak Street, Building B-1)

Chairman Strickland announced the case. Ms. Tolley stated that the applicant was requesting variances from Table One of LDR Section 218-1 as it relates to rear yard setbacks and impervious totals. The property is located at 2704 N. Oak Street B-1, consists of 0.2 acres, and is zoned R-P. The property currently contains a pharmacy with a drive-thru, and the applicant is requesting variances to already nonconforming property in order to add on space for compounding laboratories. Federal laws regarding compounding are triggering the addition, and therefore, the variance requests. The applicant is proposing a variance that is 7.5 feet in width and 34.5 feet long. The wall of the current facility is 4 feet from the property line. The applicant is proposing to buy additional property, and construction the addition to be 4 feet from the new property line. The impervious is proposed to increase from 6670 square feet (76.1%) to 6974 sq. ft (79.6 sq. ft.) The cap in R-P zoning is 60%. Variances are intended to give relief in situations beyond designs control. In this instance, staff found no hardship and recommends denial.

There being no questions for staff, Chairman McCall asked if anyone would like to speak on behalf of the application. Adam Moore, 952 Greggs Road, spoke in support of the application. Mr. Moore stated he was the pharmacist and owner of the pharmacy. Mr. Moore explained what compounding is—that compounding creates medicine that is not commercially available and helps meet a specific need for a specific patient. Mr. Moore explained that separate labs were now required for compounding, and for working on commercially available medication. Mr. Moore stated he understood that there was a concern from a Dr. Bergstrom regarding tree removal. Mr. Moore stated they would not have to remove canopy trees for the addition. Mrs. Hobby asked when he bought the pharmacy. He stated he bought the building two years ago, and the pharmacy in 2014. Mrs. Hobby asked if this regulation had come out when he bought the building. Mr. Moore that it had not, and the regulation would go into effect in December of this year. Chairman McCall stated that his firm had several clients that were affected by the new regulations. Mrs. Quarterman asked what non-sterile HD space was. Mr. Moore stated it was the room where they package medications for nursing homes in that room. Mrs. Quarterman asked if Mr. Moore purchases property from his neighbor, is this creating a nonconformity? Ms. Tolley stated that this office complex was built before the LDR and probably contained several nonconformities. Ms. Tolley stated that the parcel contained several non-conformities.

Chairman McCall asked if anyone else would like to speak in support of the application. No one spoke. Chairman McCall asked if anyone would like to speak in opposition to the case. No one spoke. Chairman McCall asked if anyone had contacted the office. Ms. Tolley stated that the only contact was the email from Dr. Bergstrom that had been shared with ZBOA and the applicant.

There being no further discussion, Chairman McCall called for a motion. Mr. Brantley made a motion to approve as presented. Vice-Chairman Strickland seconded the motion. The motion was called and carried with a vote of 5 to 0.

**Agenda Item #9 APP-2019-06 — Mark Gaskins** (3050 James Circle)

Chairman McCall announced the case. Ms. Tolley stated that Mark Gaskins is requesting a variance to LDR Section 214-7 as it relates to the exterior building requirements for metal buildings. The subject