



City of Johnson City Tennessee

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BOARD OF ZONING APPEALS CITY OF JOHNSON CITY, TENNESSEE

Minutes of the Meeting of
October 8, 2013

The Board of Zoning Appeals held its meeting on October 8th at 9:00 a.m. in the City Commission Chambers of the Municipal and Safety Building.

Members Present

Dwight Harrell, Vice-Chair
Steve Meroney
Jamie Povlich
Tim O'Neill

Staff Present

Steve Neilson, Development Coordinator

The meeting was called to order at 9:00 a.m.

Minutes

The Minutes of the September 10th meeting were considered for approval.

MOTION: Povlich To approve the minutes of the September 10th.

SECOND: O'Neill

VOTE: Approved 4-0

Case Number 774-1

Mr. Neilson stated that this was a request for a variance to the number of freestanding signs allowed on the property. Currently, the petitioner has a 45' tall, 200 square foot sign. Under Section 7.3.4.2.B.1., a second freestanding sign is permitted if the frontage of the property is greater than 400 feet. The petitioner has only 290 feet along North Roan Street. The property does have frontage along the State of Franklin right-of-way; however, Interstate 26 and State of Franklin Road are specifically excluded from this requirement.

Staff feels there are very few reasons to support a variance to the Sign Regulations. The site is relatively level and there is nothing blocking the view of the business from the street. The existing freestanding sign is clearly visible from over 1,000 feet in each direction. The petitioner recently received a permit to update their wall signage.

In order to justify any variance, a special circumstance or condition must exist. Staff does not feel that the request meets those conditions. There are no topographical or lot constraints which would block the view of existing signage. The reason for this request is the petitioner simply wants a second sign. This is not a hardship and staff cannot support this request he then recommended denial of this request.

Randy Holland of Snyder Sign's spoke in favor of the request. The reason for the request was to allow the dealer to maximize his exposure off of the interstate.

Tim O'Neill felt that the petitioner was being penalized.

Steve Meroney expressed a concern if they approved this request they would be setting a bad precedent for future requests.

Tim O'Neill made a motion to approve the request. He stated that he felt that the petitioner was being penalized because the sidewalk extended over 400 feet. Also, the request was for only a 50 square foot sign.

MOTION: O'Neill To approve the request for a sign variance.

SECOND: Povlich

VOTE: Failed 2-2.

Steve Meroney stated that he felt that the dealer had more than adequate signage. He was also concerned that if they approved this request they would be setting a bad precedent for future requests.

Mitch Walters, the owner of the dealership spoke in favor of the request. He stated that the one large sign was to include visibility along State of Franklin Road. The smaller sign would allow them to identify the dealership along the Kingsport Highway. The total signage cost over \$175,000 and was very tasteful.

Jamie Povlich stated that he felt that this property was unique and felt that a variance was appropriate in this situation.

MOTION: Povlich To defer the request approve the request until the next meeting when they had a full Board.

SECOND: O'Neill

VOTE: Approved 4-0.

Case Number 774-4

Mr. Neilson indicated that this was a request from the, Quality Oil Company is proposing to allow a caretaker residence on the ground floor. This allows the store manager to be on the site 24 hours a day. This is identical to the request heard by the Board in November 2012 for property located on the Bristol Highway. At that meeting, the Board approved this request by a vote of 3 to 1. Staff feels this is somewhat unique because the Board as approved an identical request and has established precedence and he then recommended approval of this request.

MOTION: Harrell To approve the variance request.

SECOND: Meroney

VOTE: Approved 4-0.

There being no further business, the meeting adjourned at 9:34 a.m.

APPROVED:

Jeff Benedict, Chairman
Board of Zoning Appeals