



City of Johnson City Tennessee

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BOARD OF ZONING APPEALS CITY OF JOHNSON CITY, TENNESSEE

Minutes of the Meeting of
November, 2013

The Board of Zoning Appeals held its meeting on November 12th at 9:00 a.m. in the City Commission Chambers of the Municipal and Safety Building.

Members Present

Jeff Benedict, Chairman
Dwight Harrell, Vice-Chair
Steve Meroney
Jamie Povlich

Staff Present

Steve Neilson, Development Coordinator

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

Minutes

The Minutes of the October 8th meeting were considered for approval.

MOTION: Meroney To approve the minutes of the October 8th.

SECOND: O'Neill

VOTE: Approved 4-0

Case Number 774-1

Mr. Neilson stated that this item was deferred from last month. He stated that this was a request for a variance to the number of freestanding signs allowed on the property at 3408 North Roan Street. 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 only has 290 feet of frontage along North Roan Street. The existing freestanding sign is visible from 1,000 feet in either direction. There are no unique conditions to warrant a variance and he recommended denial of the request.

Mr. Dustin Walters spoke in favor of the request. He stated that Hyundai would not allow the name of the dealership on their corporate sign and that the sign was necessary for identification along the Kingsport Highway. Also, it was needed to help direct car haulers onto the property.

Some Board members expressed a concern that this was too great of a variance. If the property owner had more frontage, they may have considered it differently.

MOTION: Povlich To deny the request for a sign variance.

SECOND: Meroney

VOTE: Approved 4-0.

Case Number 775-2

Mr. Neilson indicated that this was a request for a variance to the frontage yard setback off of Lamons Lane from 25 feet to 10 feet. He stated that the property fronted on West Market Street, Lamons Lane, and an unimproved Love Street. Under the B-4, all sides abutting a public right-of-way are required to meet the front yard setback. Mr. Neilson stated that there is a vacant carwash on the property which received a variance in October, 2000. Due to the constraints of having three front yard setbacks, the Board agreed the variance was appropriate and granted the variance request.

Mr. Neilson stated that the circumstance still exists and recommended approval of the request.

The petitioner, Dr. Patel spoke in favor of the request.

MOTION: Meroney To approve the variance request.

SECOND: Harrell

VOTE: Approved 4-0.

Case Number 775-3

Mr. Neilson stated that is request a variance to the side yard setback from 7.5 feet to 1.5 feet in order to construct an accessory building at 1901 Club Drive. The petitioner states the reason for the request is to allow him to take advantage of an existing 12' x 14' concrete slab. Mr. Neilson stated that the lot was relatively flat and that there was plenty of room on the property to meet setbacks. He indicated that using the existing slab was not justification for a variance and recommended the request be denied.

The petitioner, Tony Schill spoke in favor of the request. He stated that he wanted to take advantage of the existing slab. He stated that the proposed shed would be similar in architecture with the house.

Mr. Benedict indicated that he could not support the request. He did not feel the use of the existing slab was justification for a variance.

MOTION: Harrell To approve the variance request.

SECOND: Meroney

VOTE: Failed 2-2.

Case Number 775-4

Mr. Benedict stated that the petitioner had requested that this item be deferred until the December meeting

MOTION: Meroney To defer this item until the December meeting.

SECOND: Povlich

VOTE: Approved 4-0.

Case Number 775-5

Mr. Neilson stated that this is request a variance to the front yard setback from 45 feet to 1 foot in order to enclose an existing overhang on a building located at 4517 Bristol Highway. He indicated that there were a number of buildings along this section of the corridor that didn't meet setbacks and that the building is well out of the travelway. Mr. Neilson stated that because the petitioner was only enclosing an existing overhang, there would be no further encroachment towards the Bristol Highway and recommended approval of the request.

The petitioner, Sherrill Zimmerman spoke in favor of the request.

MOTION: Povlich To approve the variance request.

SECOND: Benedict

VOTE: Approved 4-0.

Case Number 775-6

Because the petitioner was preset to answer questions, the Board deferred this item

MOTION: Harrell To defer this item until the December meeting.

SECOND: Meroney

VOTE: Approved 4-0.

There being no further business, the meeting adjourned at 9:48 a.m.

APPROVED:

Jeff Benedict, Chairman
Board of Zoning Appeals