

**JOHNSON CITY BOARD OF ZONING APPEALS
MINUTES
September 4, 2018**

Members Present: Dr. Stacey Wild, Chairman
Robert Thomas
Jenny Lockmiller
Marcy Walker

Members Absent: Dr. Mike Marchioni, Vice-Chairman

Staff Present: Venard Asongayi - Development Coordinator, City of Johnson City
Will Righter - Planner, City of Johnson City
Nicole Lawrence - Administrative Coordinator, Development Services, Recording Secretary.

Chairman Wild called the meeting to order at 6:00 p.m. A quorum was present.

Approval of the Agenda for the September 4, 2018 meeting was put forth with a motion to approve by Commissioner Thomas with a second by Commissioner Walker. The agenda was approved 4-0.

Approval of the minutes from the August 7, 2018 meeting was put forth with a motion to approve by Chairman Thomas with a second by Commissioner Lockmiller. Commissioner Walker abstained The minutes were approved 3-0-1 (Walker)

New Business:

The first and only item on the agenda was to **consider a Special Exception request to allow the construction of a carport (Accessory Structure) at 2942 Plymouth Rd. Johnson City, TN 37601.** The property is zoned R-2 (Low Density Residential).

The applicant has asked for consideration to allow the establishment of a 1,196 sq. ft. carport in the rear yard of the property. The applicant currently has four accessory structures on the property. The current proposal calls for the removal of two of these structures. A carport would be added to one of the remaining buildings for a total of two accessory structures on the property. The enlarged accessory building will be 1,196 sq. ft. In order for a Special Exception permit to be granted, the applicant must meet all requirements or conditions associated with the permit. The applicant does not meet the less than 30% principal structure rule as provided in Section 4.13.4 B (1) of the Zoning Ordinance.

Staff recommended denial.

Public hearing was opened;

Chairman Wild read a letter, for the record, from a neighbor Evelyn Davis- 2944 Plymouth Rd. who was in favor of the applicant's request to place a carport on his property. This letter has been placed in the record.

Danny Tipton – 2942 Plymouth Rd., the applicant, spoke in favor of his application stating his desire to place a carport on the property in order to cover his camper. He stated that the carport is not a permanent structure and could be moved. He also stated that he owned the vacant adjoining lot to his property. However, he is not permitted to construct the camper with the carport on a vacant lot.

Danny Modern - #3 Goings Cir., a neighbor of the applicant spoke against the applicant's proposal. He stated that there were already several dilapidated buildings on the applicant's land that were unattractive and to add another structure would be too much.

Seeing no one else wished to speak, public hearing was closed.

The commissioners ensued in a lengthy discussion with Mr. Tipton, advising him of alternatives for placement of the carport such as attaching it to the primary structure. The commissioners also recommended he create a driveway from his vacant, adjoining lot, to his primary lot and pull the camper in from that side of the property.

Staff interjected that they had recommended this to Mr. Tipton prior to him applying for a Special Exception and Mr. Tipton insisted on going before the BZA.

The commissioners agreed that adding the carport, away from the primary structure, would create too many accessory structures and Mr. Tipton did not meet the requirements for a Special Exception.

A motion to deny the request for a Special Exception as presented was put forth by Commissioner Thomas with a second from Commissioner Walker.

Motion to deny as presented was approved.

Vote 4-0

There being no further business the meeting was adjourned at 6:45 pm.



Dr. Stacey Wild - Chairman