

BOARD OF ZONING APPEALS MEETING AGENDA

JANUARY 3, 2023

PUBLIC COMMENTS

1. APPROVAL OF THE NOVEMBER MEETING MINUTES

2. CUSTOMARY HOME OCCUPATION

A.) YANDY DREW COTHERN-6425 PANTHER CREEK ROAD TALBOTT 37877 (02-0390-H-016.00 A-1)
Y.M TRUCKING COMPANY

3. ADMINISTRATIVE INTERPRETATION

A.) RAMOS MATEO SILVA- APOSTLE ROAD MORRISTOWN, 37814 (02-032-091.11 R-1 ZONE) UGB
ZONING INTERPRETATION FOR A UPHOLSTERY BUSINESS

4. OTHER BUSINESS

5. ADJOURNMENT

Minutes
Hamblen County Board of Zoning Appeals
November 7, 2022

Members Present

John Hofer, Chairman
Charles Anderson, Vice Chairman
Kyle Hale, Secretary
Bill Hicks
Edgar Gray

Staff

Josh Cole, City Planner
Tina Whitaker, Office Manager
Donna Massey, Administrative Assistant
Lindsey Horn, Clerical Assistant
Tommy McKinney, Codes Enforcement Officer
Darrell Chase, Building Inspector
Other guests (see attached record)

Call to and Approval of the Minutes

Mr. John Hofer called the meeting to order.

Mr. Kyle Hale made a motion to approve the October minutes. Mr. Edgar Gray seconded the motion. All in favor; motion carried.

Mr. Hofer then opened the floor for public comments. There were none.

Admin Interpretation

- **Don Johnson – Old Kentucky Rd. Morristown, TN 37814 (03-017K-A-011.00 R-1)**

Mr. Don Johnson was present but was also represented by his lawyer, Mr. Matthew Evans.

Mr. Johnson requests the board grant approval to change the use of an existing garage/accessory building into a residential home.

Mr. Evans was sworn in.

Mr. Evans explained to the board that Mr. Johnson's residence, 3253 Old Kentucky Rd. has been involved in litigation. Chancellor Jenkins enjoined the use of renting/selling this property until it was properly permitted. The county's request to demolish the site was denied. Mr. Johnson told Mr. Evans that he has come to the Planning Office to request an application but was "turned away."

The building in question is an approx. 700 square foot building. Mr. Evans said he is trying to help Mr. Johnson get the right permits to turn this building into a residence so he can rent it.

There was some debate between Mr. Evans and the Board about the application that Mr. Johnson filled out. The application shows Mr. Johnson filled out the form for an accessory building and signed for it. More discussion was had between the board and Mr. Evans about the details of the application. In a previous site visit Mr. Johnson assured the board he was building an accessory building, though in the meeting there was some debate as to what was said to whom.

At this point Mr. Johnson requested to address the board directly and was sworn in.

There was more discussion about Mr. Johnson's intention to build a residence versus what he filled out and signed on the application. After extensive discussion Mr. Johnson was asked if he has a contractor's license. He replied that he had a business license but not a contractor's license. Mr. Gray informed Mr. Johnson that without a contractor's license you cannot build to rent. In addition the property does not allow a house to be built due to the lot size being too small and therefore cannot meet the required setbacks.

The board asked if there was a septic system. While there is one, it was not inspected by TDEC and is not a legal system.

After further discussion between the board, Mr. Evans, and Mr. Johnson, Mr. Gray made a motion to deny the request based upon the fact that the lot size is too small to meet the setbacks, Mr. Johnson does not have a contractor's license that allows him to rent the property, and there is no legal septic system. Mr. Hale seconded the motion. All in favor; motion carried.

Adjournment

With no further business, Mr. Gray voted to adjourn the meeting. Mr. Hale seconded. All in favor; motion carried. Meeting adjourned.

ADMINISTRATIVE INTERPRETATION AND/OR VARIANCE REQUEST

Meeting Location: Main Courthouse-3rd Floor-Large Courtroom Small Courtroom

Date of Review: Jan 3, 2023 @ 4:30 p.m.

Date: 12-06-2022

Applicant: Yancy Drew Cothern

Mailing Address: 6425 Panther Creek Road Talbott, TN 37877

Telephone: (Home) 423-748-6393 (Other) _____

PROPERTY IDENTIFICATION

Property Address 6425 Panther Creek Rd, Talbott, TN 37877

District 02 Tax Map 0390 Group H Parcel 016.00

Subdivision Cornerstone Place lot # 16

Zone A-1 Required Setbacks: Front 30 Sides/Rear 10

REGULATIONS REFERENCE

ZONING: ARTICLE: C40

SUB. REGS _____ ARTICLE: _____

ADDITIONAL INFORMATION FOR REVIEW

See attachment

DEED RESTRICTIONS

I understand that any approval granted by the Hamblen County Planning Commission does not release the referenced property from the requirements of private deed and/or subdivision restrictions.

Yancy Cothern
Applicant Signature

Received By: <u>DONNA MASSEY</u>	Amount Paid: <u>50.00</u>
Date of Public Notice on Website/ Bulletin Board:	
Date sign was placed on the property:	
Date letters were sent to adjoining property owners:	
Action of the board:	

CUSTOMARY HOME OCCUPATION
HAMBLÉN COUNTY, TENNESSEE

Application # 108-22

Applicant Information: (please print)

Name: Yancy D. Cothern

Name of Business: Y.M. Company

Address: 6425 Panther Creek Rd Talbott TN 37877

Phone Number: 423-748-6393 (City) (State) (Zip)
Fax Number: N/A

Date of Birth 02-18-1980

Office Use

District: 02 Tax Map: 0390 Group: H Parcel: 0110.00

Zoning: A-1 Subdivision: Cornerstone Place Lot# 14

Please provide a description of proposed type of Customary Home Occupation being requested. Please be as specific as possible. You may attach a letter of explanation, if necessary.

Office for a trucking company. No company vehicle will ever frequent the address. Personal vehicles will be present. I have currently two employees which will be 10-99 contractors. No employees will frequent the address, only myself.

The following conditions apply to all Customary Home Occupation Permits. Please read the items listed below carefully and place a check mark next to each entry signifying your acknowledgment and verification that the proposed home occupation will meet all conditions listed.

1. At least one (1) worker must permanently reside in the dwelling and the maximum number of workers, including volunteers, shall not exceed three (3) including the resident.

2. Hamblen County Zoning Regulations, 7.2 Signs and Billboards Regulations, Section B. General Provisions: There shall be no obvious changes or alternations made to the outside appearance of the residence or premises, except that one (1) non-illuminated sign no larger than two (2) square feet may be attached to the residence. No signs (permanent or temporary) shall be permitted in the right-of-ways on State, City, or County property. All signs MUST be set back at least five (5) feet from any street right-of-way or within ten (10) feet from any public or private utility easement (unless otherwise noted on a site plan or subdivision plat). If non-exempt signs are found to be in violation, the Hamblen County Planning Department will remove and destroy the signs.

HAMBLLEN COUNTY BOARD OF ZONING APPEALS
ADMINISTRATIVE INTERPRETATION AND/OR VARIANCE REQUEST

Meeting Location: Main Courthouse-3rd Floor-Large Courtroom Small Courtroom

Date of Review: January 3, 2023 @ 4:30 p.m.

Date: 11-14-22

Applicant: Ramos Mateo Silva

Mailing Address: 1548 Stetzer Circle Mt.ain, TN. 37814

Telephone: (Home) _____ (Other) _____

PROPERTY IDENTIFICATION

Property Address Apostle Rd. Mt.ain 37814

District 02 Tax Map 032 Group - Parcel 091.11

Subdivision A W Depard Est lot # 1+2

Zone R-1 Required Setbacks: Front _____ Sides/Rear _____

Urban Growth Boundary

REGULATIONS REFERENCE

ZONING: ARTICLE: Zoning Classification
SUB. REGS _____ ARTICLE: _____

ADDITIONAL INFORMATION FOR REVIEW

Zoning Classification for a upholstery business, would like to construct a 50x100 garage for the business on one of the vacant lots.

DEED RESTRICTIONS

I understand that any approval granted by the Hamblen County Planning Commission does not release the referenced property from the requirements of private deed and/or subdivision restrictions.


Applicant Signature

Received By: <u>DONDA MASSEY</u> <u>11-14-22</u> Amount Paid: <u>50.00</u>
Date of Public Notice on Website/ Bulletin Board:
Date sign was placed on the property:
Date letters were sent to adjoining property owners:
Action of the board: