

# TOWN OF ASHLAND CITY Board of Zoning and Appeals April 01, 2024 5:30 PM Agenda

Chairman: Mike Smith Committee Members: Nicole Binkley, Vivian Foston, Garrett Mayberry

### CALL TO ORDER ROLL CALL APPROVAL OF AGENDA APPROVAL OF MINUTES

1. March 04, 2024 BZA Meeting Minutes

## ELECT OFFICERS

### PUBLIC FORUM

### 2. **Procedure for Speaking Before the Board**

\* Speakers must complete the information form and submit it to the transcriber prior to the public forum. Be prepared to speak when your name is called.

\* Each speaker will be allowed 4 minutes.

\* Speakers may comment on issues scheduled for consideration at the meeting or other appropriate concerns pertinent to the operation of the town.

- \* Each speaker should state the following:
  - his/her name
  - whether they are an Ashland City resident and/or property owner

\* No person shall be allowed to make obscene, derogatory, or slanderous remarks while addressing the Council/Board. Persons doing so will be asked to stop speaking and will forfeit the remainder of their time.

- \* All remarks shall be directed to the Council/Board as a body only.
- \* No person shall be allowed to disrupt or interfere with the procedures.

\* Remarks shall end when the speaker's allotted time has expired. No time shall be shared with other speakers.

\* Questions from the council/board members may be asked for clarification as well as council/board members may have brief comments; however, no person shall be permitted to enter any discussion or debate either directly with or through any member of the Council/Board or anyone present at the meeting.

\* No one shall make open comments during the meeting.

### **NEW BUSINESS**

<u>3.</u> Variance Requests: Helen St OTHER ADJOURNMENT

Those with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting, should contact the ADA Coordinator at 615-792-6455, M-F 8:00 AM – 4:00 PM. The town will make reasonable accommodations for those persons.



# TOWN OF ASHLAND CITY Board of Zoning and Appeals March 04, 2024 5:30 PM Minutes

## CALL TO ORDER

Chairman Smith called the meeting to order at 5:30 p.m. **ROLL CALL** PRESENT Chairman Michael Smith Committee Member Nicole Binkley

Committee Member Nicole Binkley Committee Member Vivian Foston

Committee Member Garrett Mayberry

### APPROVAL OF AGENDA

A motion was made by Committee Member Binkley, Seconded by Committee Member Foston, to approve the agenda. All approved by voice vote.

### APPROVAL OF MINUTES

 December 04, 2023 BZA Meeting Minutes A motion was made by Committee Member Foston, Seconded by Committee Member Mayberry, to approve the minutes as written. All approved by voice vote.

### PUBLIC FORUM

2. Procedure for Speaking Before the Board None.

### NEW BUSINESS

3. Variance: 580 S Main St

Ms. Serra Erbas, property owner, requested a fence variance. Mr. Gregory could not recommend approval. A motion was made by Committee Member Binkley, Seconded by Committee Member Foston, to deny the variance. Voting Yea: Chairman Smith, Committee Member Binkley, Committee Member Foston, Committee Member Mayberry. Motion passes.

### OTHER

None.

### ADJOURNMENT

A motion was made by Committee Member Foston, Seconded by Committee Member Binkley, to adjourn the meeting. All approved by voice vote and the meeting adjourned at 5:43 p.m.

CHAIRMAN MICHAEL SMITH

SECRETARY ALICIA MARTIN



# Town of Ashland City Building & Codes Department

233 Tennessee Waltz Parkway Suite 103 Ashland City TN 37015 (615) 792-6455

# **Application for Board of Zoning Appeals**

Appellant: Troy Gardner (Ragan Smith Associates)

Address: 315 Woodland Street, Nashville, TN 37206

Owner: Paul Harvey (Habitat for Humanity)

Address: 414 Harding Place, Suite, 100, Nashville, TN 37211

Location of Property: 108 Helen Street, Ashland City, TN 37015 (Map 55F, Parcels 7.03 & 7.04)

NOTE: Fill in Section 1, 2 or 3 as appropriate. Do not fill in more than one of these sections. This application is not acceptable unless all required statements have been made. Additional information should be supplied on separate sheets if the space provided is inadequate. A Justification Statement and supporting documentation is required for Variance and Special Exception applications.

Section 1: <u>Appeal from decision of Building Inspector</u> relating to the enforcement of the **zoning ordinance or adopted code**. Decision of the building inspector to be appealed:

### Section 2: Application for a variance as provided by the zoning ordinance. The zoning

provision from which a variance is requested: Zoning Ordinance Section 5.051.3(E)(1) - Minimum Lot Size & Minimum Lot Width at Building Setback Line Zoning Ordinance Section 5.051.3(E)(2) - Minimum Yard Requirement

Peculiar or unusual conditions which justify the variance requested: These two lots were platted prior to them being zoned R3. The existing lots have a lot area of ±8,510 s.f. & ±8,687 s.f., and lot widths of ±49,91' at the building setback. Also, R3 requires a 12' side yard, which is too restrictive on an already narrow lot.

\*\*There is a \$50.00 fee for a request for a variance. Submit a Justification Statement and any supporting documentation to support the Variance.

# Section 3: Application for a use on Appeal (Special Exception) The zoning provision which

Appellant

Email completed application to: <a href="mailto:amartin@ashlandcitytn.gov">amartin@ashlandcitytn.gov</a>



March 21, 2024

### VIA ELECTRONIC MAIL: amartin@ashlandcitytn.gov

Ms. Alicia Martin **Town of Ashland City** 223 TN Waltz Pkwy, Suite 103 Ashland City, TN 37015

### RE: BZA JUSTIFICATION STATEMENT 108 HELEN STREET ASHLAND CITY, TN 37015 MAP 55F, PARCELS 7.03 & 7.04

Dear Alicia,

Please find enclosed the following:

- BZA Application
- Review Fee To be submitted separately.
- Boundary & Topographic Survey
- Layout Plan
- Floor Plans and Renderings of Proposed Homes

We are requesting the following three variances for the above referenced parcels:

Variance Requests:

- 1. Minimum Lot Size A variance is requested from Zoning Ordinance Section 5.051.3(E)(1) to allow the minimum lot size for a single detached dwelling to be reduced from 10,000 s.f. to 8,500 s.f.
- Minimum Lot Width at Building Setback Line A variance is requested from Zoning Ordinance Section 5.051.3(E)(1) to allow the minimum lot width at building setback line to be reduced from 80' to 49'.
- 3. Minimum Yard Requirement A variance is requested from Zoning Ordinance Section 5.051.3(E)(2) to allow the minimum side yard width to be reduced from 12' to 10'.

Justification Statements:

Minimum Lot Size – These parcels were platted prior to them being zoned R3. Their lot areas are ±8,510 s.f. and ±8,687 s.f. Zoning Ordinance Section 5.051.3(E)(1) requires a minimum lot size area for a single detached dwelling of 10,000 s.f. We are requesting a variance to allow a minimum lot size areas for each of these parcels of 8,500 s.f. in order for them to be buildable lots within the R3 zone.

### NASHVILLE

315 Woodland Street P.O. Box 60070 Nashville, TN 37206 (615) 244-8591

### MURFREESBORO

1500 Medical Center Parkway Suite 2 J Murfreesboro, TN 37129 (615) 546-6050

### CHATTANOOGA

1410 Cowart Street Suite 200 Chattanooga, TN 37408 (423) 490-9400



- 2. Minimum Lot Width at Building Setback Line These parcels were platted prior to them being zoned R3. Their lot width at building setback lines are both ±49.91', Zoning Ordinance Section 5.051.3(E)(1) requires a minimum lot width at building setback line of 80'. We are requesting a variance to allow a minimum lot width at building setback line of 49' in order for them to be buildable lots within the R3 zone.
- 3. Minimum Yard Requirement Since these lots are narrower than typical lots in the R3 zone, the minimum required side yard of 12' is too restrictive on the building envelope. A variance is requested from Zoning Ordinance Section 5.051.3(E)(2) to allow the minimum side yard width to be reduced from 12' to 10'. This will allow us to build the homes, including the roof overhangs, with the building envelope and not encroach the side yards.

These variance requests are being submitted for consideration at the BZA Meeting on April 1, 2024, at 5:30pm at The Senior Center at Ashland City.

Please let me know if you have any questions or need any additional information.

Sincerely,

RAGAN-SMITH-ASSOCIATES, INC.

Inoy Dardner

Troy Gardner, PLA Landscape Architecture Project Manager

TPG: kal Attachments

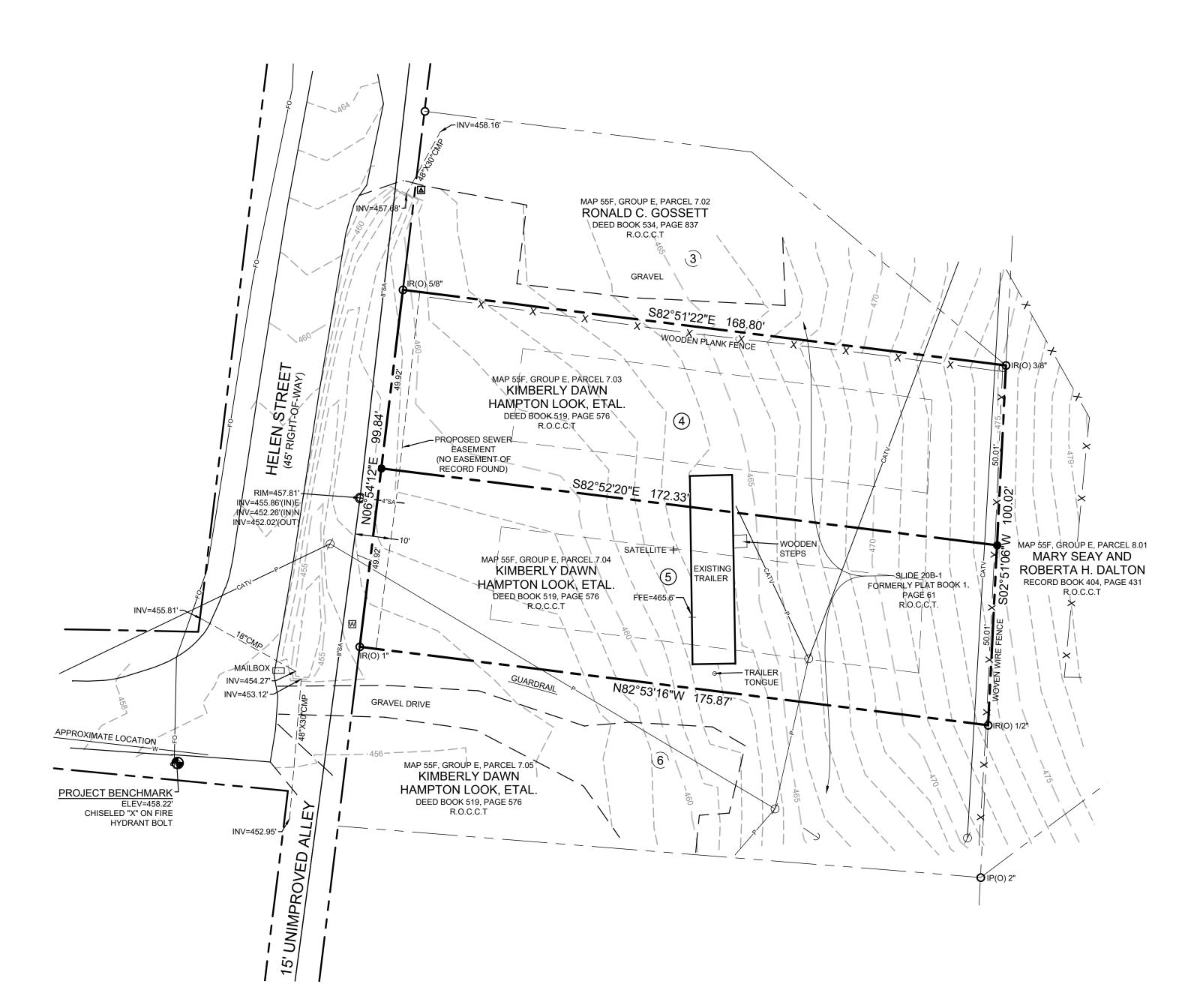
- BEARINGS SHOWN HEREON ARE BASED ON THE TENNESSEE COORDINATE SYSTEM OF 1983. GPS EQUIPMENT WAS USED TO DETERMINE THE POSITION OF TWO (2) CONTROL POINTS FOR THE SURVEYED PROPERTY TO ESTABLISH AS BASIS FOR BEARING FOR THE SURVEY.
- 2. FOR TOPOGRAPHIC ASPECTS OF THIS SURVEY, RTK GPS POSITIONAL DATA WAS OBSERVED ON <u>2-26-24</u> UTILIZING A TRIMBLE R10 DUAL FREQUENCY RECEIVER. THE GRID COORDINATES OF THE FIXED STATION(S) SHOWN WERE DERIVED USING A VRS NETWORK OF CORS STATIONS REFERENCED TO NAD 83 (2011) (EPOCH 2010), GEOID 12B. CORS STATION DESIGNATION TN31, PID = DJ9550, LATITUDE 36°10'13.05618"N, LONGITUDE
- 86°52'14.38405"W, ELLIPSOID HEIGHT: 113.164M. POSITIONAL ACCURACY OF THE GPS VECTORS DOES NOT EXCEED: H 0.02', V0.05'.
- COMBINED GRID FACTOR: 0.99994781 CENTERED ON FIXED STATION 50 AS SHOWN HEREON. 3. ELEVATIONS SHOWN HEREON ARE BASED ON NAVD 88. CONTOURS ARE AT ONE FOOT INTERVALS AND ARE BASED ON A FIELD RUN SURVEY USING RANDOM SPOT ELEVATIONS. CONTOURS WERE DERIVED USING SURFACE MODELING TECHNIQUES.
- 4. THIS PROPERTY IS CURRENTLY ZONED R3 (MEDIUM DENSITY RESIDENTIAL). MINIMUM BUILDING SETBACKS ARE AS FOLLOWS:

FRONT - 35' SIDE - 12' REAR - 20'

- 5. BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY, THIS PROPERTY LIES WITHIN FLOOD ZONE "X", AS DESIGNATED ON CURRENT FEDERAL EMERGENCY MANAGEMENT AGENCY MAP NO. 47021C0170E WITH AN EFFECTIVE DATE OF FEBRUARY 26, 2021, WHICH MAKES UP A PART OF THE NATIONAL FLOOD INSURANCE ADMINISTRATION REPORT; COMMUNITY NO. 470027, PANEL NO. 0170, SUFFIX E, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED. SAID MAP DEFINES ZONE "X" UNDER "AREAS OF MINIMAL FLOOD HAZARD".
- 6. THIS SURVEYOR HAS NOT BEEN FURNISHED WITH A COPY OF A TITLE COMMITMENT. THE SURVEYED PROPERTY IS, THEREFORE, SUBJECT TO THE FINDINGS OF A COMPLETE AND ACCURATE TITLE SEARCH.

# UTILITY NOTE

THIS SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SITE, PUBLIC RECORDS AND/OR MAPS PREPARED BY OTHERS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THEREFORE, RELIANCE UPON THE TYPE, SIZE AND LOCATION OF UTILITIES SHOWN SHOULD BE DONE SO WITH THIS CIRCUMSTANCE CONSIDERED. DETAILED VERIFICATION OF EXISTENCE. LOCATION AND DEPTH SHOULD ALSO BE MADE PRIOR TO ANY DECISION RELATIVE THERETO IS MADE. AVAILABILITY AND COST OF SERVICE SHOULD BE CONFIRMED WITH THE APPROPRIATE UTILITY COMPANY. IN TENNESSEE IT IS A REQUIREMENT, PER "THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT", THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN (3) THREE OR MORE THAN (10) TEN WORKING DAYS PRIOR TO THE DATE OF THEIR INTENT TO EXCAVATE AND ALSO TO AVOID ANY POSSIBLE HAZARD OR CONFLICT. TENNESSEE ONE CALL 811.



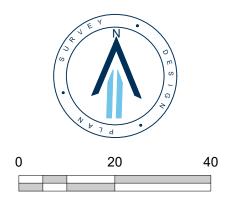
# LEGEND

O <sup>IR(O)</sup>	IRON ROD (OLD)	Ø	UTIL
•	IRON ROD (NEW) (1/2" X 18" W/CAP STAMPED	Ø→	UTIL
	"RAGAN SMITH & ASSOCIATES")	$\bigtriangleup$	SEW
O <sup>IP(O)</sup>	IRON PIPE (OLD)	—P—	OVE
ŵ	FIRE HYDRANT	-CATV-	OVE
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R.O.C.C.T.	REGISTER'S OFFICE FOR CHEATHAM COUNTY, TN	CMP	COR

ILITY POLE LITY POLE W/ ANCHOR WER VALVE ERHEAD ELECTRIC POWER LINE ERHEAD CABLE TELEVISION LINE NITARY SEWER LINE BER OPTIC LINE NCE VERT ELEVATION RRUGATED METAL PIPE

- Page 6 -



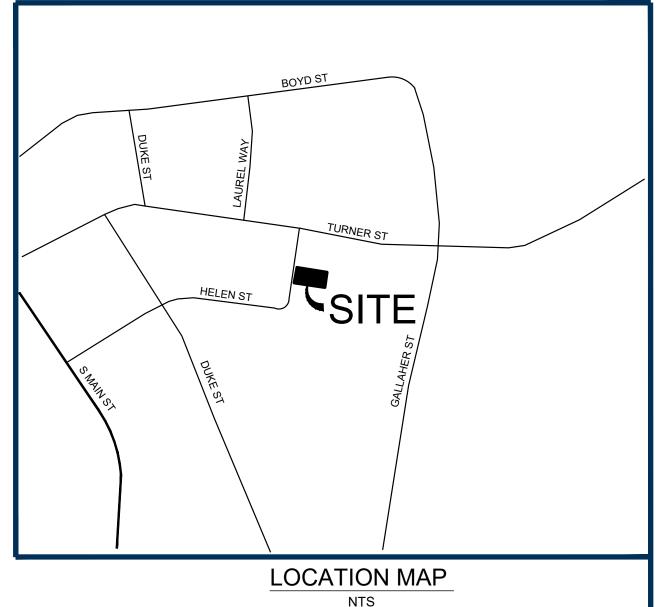


GREATER THAN 1:10,000.



TOTAL AREA = 17,197 SQUARE FEET OR 0.39 ACRES ±

DATE: MARCH 21, 2024



# RaganSmith





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# PROPERTY MAP REFERENCE

BEING PARCEL NUMBERS 7.03 AND 7.04 AS SHOWN ON CHEATHAM COUNTY PROPERTY MAP NUMBER 55F, GROUP E.

# PLAT REFERENCE

BEING LOTS 4 AND 5 AS SHOWN ON THE FINAL PLAT OF RECORD IN SLIDE 20B-1, FORMERLY PLAT BOOK 1, PAGE 61, REGISTER'S OFFICE FOR CHEATHAM COUNTY, TENNESSEE.

# DEED REFERENCE

BEING THE SAME PROPERTY CONVEYED TO KIMBERLY DAWN HAMPTON LOOK, ETAL. FROM MARK C. HAMPTON BY QUITCLAIM DEED OF RECORD IN DEED BOOK 519, PAGE 576, REGISTER'S OFFICE FOR CHEATHAM COUNTY, TENNESSEE.

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Scale:	1" = 20'

:	MARCH 21, 2024
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Approved By:	KL

# Revisions:

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Drawing Title:

# **BOUNDARY AND** TOPOGRAPHIC SURVEY

Drawing No.

of

Project No. 24-0060

# SURVEYOR'S STATEMENT

I CERTIFY THAT I AM LICENSED TO PRACTICE THE PROFESSION OF LAND SURVEYING IN THE STATE OF TENNESSEE AND TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF AND IN MY PROFESSIONAL OPINION, DO HEREBY STATE THE FOLLOWING: THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE REQUIREMENTS OF A GENERAL PROPERTY SURVEY AND CONFORMS TO THE ACCURACY OF A CATEGORY I SURVEY AS CURRENTLY DEFINED AND ADOPTED BY THE

TENNESSEE STATE BOARD OF EXAMINERS FOR LAND SURVEYORS AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS I FURTHER CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE

REQUIREMENTS OF A TOPOGRAPHIC SURVEY AND CONFORMS TO THE ACCURACY OF AS CURRENTLY DEFINED AND ADOPTED BY THE TENNESSEE STATE BOARD OF EXAMINERS FOR LAND SURVEYORS.

**RAGAN-SMITH-ASSOCIATES, INC** 

EVIN L. BIRDWELL, TN. R.L.S. NO.

DATE OF FIELD SURVEY: FEBRUARY 26, 2024

# SITE DATA: PROPERTY INFORMATION: STREET ADDRESS: TAX MAP: PARCELS:

DEVELOPER: HABITAT FOR HUMANITY PAUL HARVEY 414 HARDING PLACE, SUITE 100 NASHVILLE, TN 37211 (717) 877–1513 PHARVEY@HABITATNASHVILLE.ORG

ZONING INFORMATION: ZONING CLASSIFICATION: MINIMUM LOT SIZE (REQUIRED): MINIMUM LOT SIZE (PROPOSED): LOT WIDTH AT BUILDING SETBACK LINE (REQ'D): LOT WIDTH AT BUILDING SETBACK LINE (REQ'D):

MINIMUM YARD REQUIREMENTS FRONT: SIDE (REQUIRED): SIDE (PROPOSED):

MAXIMUM LOT COVERAGE ALLOWED: LOT COVERAGE PROPOSED:

MAXIMUM BUILDING HEIGHT ALLOWED: MAXIMUM BUILDING HEIGHT PROPOSED: PARKING SPACES REQUIRED: PARKING SPACES REQUIRED: 108 HELEN STREET 55F 7.03 & 7.04

LANDSCAPE ARCHITECT RAGAN SMITH ASSOCIATES, TROY GARDNER, PLA. 315 WOODLAND STREET NASHVILLE, TENNESSEE 37206 (615) 244–8591 TGARDNER@RAGANSMITH.COM

R—3, MEDIUM DENSITY RESIDENTIAL 10,000 S.F. 8,500 S.F. \*(SEE VARIANCE REQUEST #1) 80' 49' \*\*(SEE VARIANCE REQUEST #2)

35' 12' 10' \*\*\*(SEE VARIANCE REQUEST #3) 40% 14.1% (PARCEL 7.03)

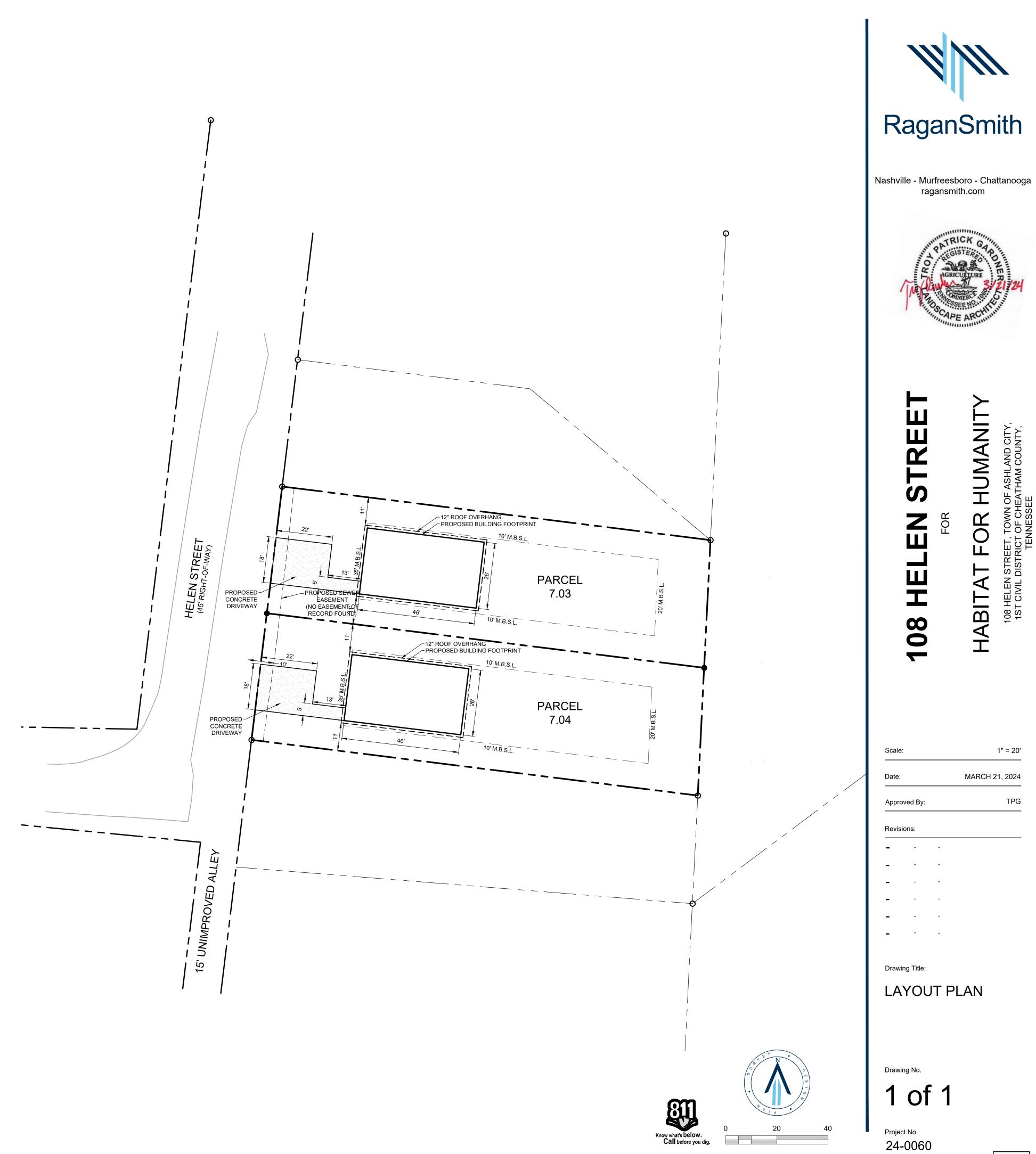
13.8% (PARCEL 7.04) 35' 35' 4 SPACES (2 SPACES PER DWELLING UNIT)

4 SPACES 2 SPACES PER DWELLING UNIT)

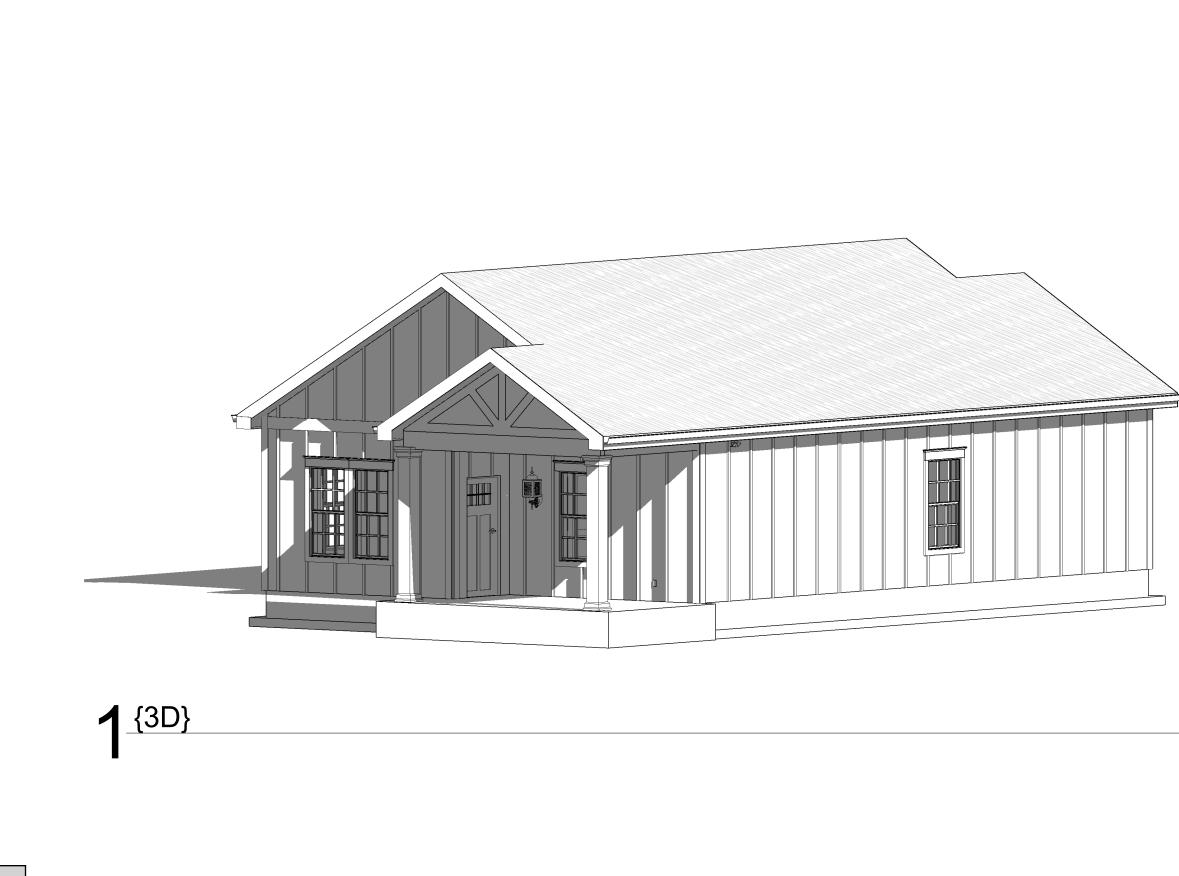
\*1. <u>MINIMUM LOT SIZE</u> - A VARIANCE IS REQUESTED FROM ZONING ORDINANCE SECTION 5.051.3(E)(1) TO ALLOW THE MINIMUM LOT SIZE FOR A SINGLE DETACHED DWELLING TO BE REDUCED FROM 10,000 S.F. TO 8,500 S.F.

 \*\*2. <u>MINIMUM LOT WIDTH AT BUILDING SETBACK LINE</u> - A VARIANCE IS REQUESTED FROM ZONING ORDINANCE SECTION 5.051.3(E)(1) TO ALLOW THE MINIMUM LOT WIDTH AT BUILDING SETBACK LINE TO BE REDUCED FROM 80' TO 49'
\*\*\*3. <u>MINIMUM YARD REQUIREMENT</u> - A VARIANCE IS REQUESTED FROM ZONING ORDINANCE SECTION 5.051.3(E)(2) TO ALLOW THE MINIMUM SIDE YARD WIDTH TO BE REDUCED FROM 12' TO 10'

- B B 3:2400601-SURVEYTOPO/24-0060 LAYOUT.DWG - PLOTTED BY TROY GARDNER ON: 3/21/2024 9/21 AM

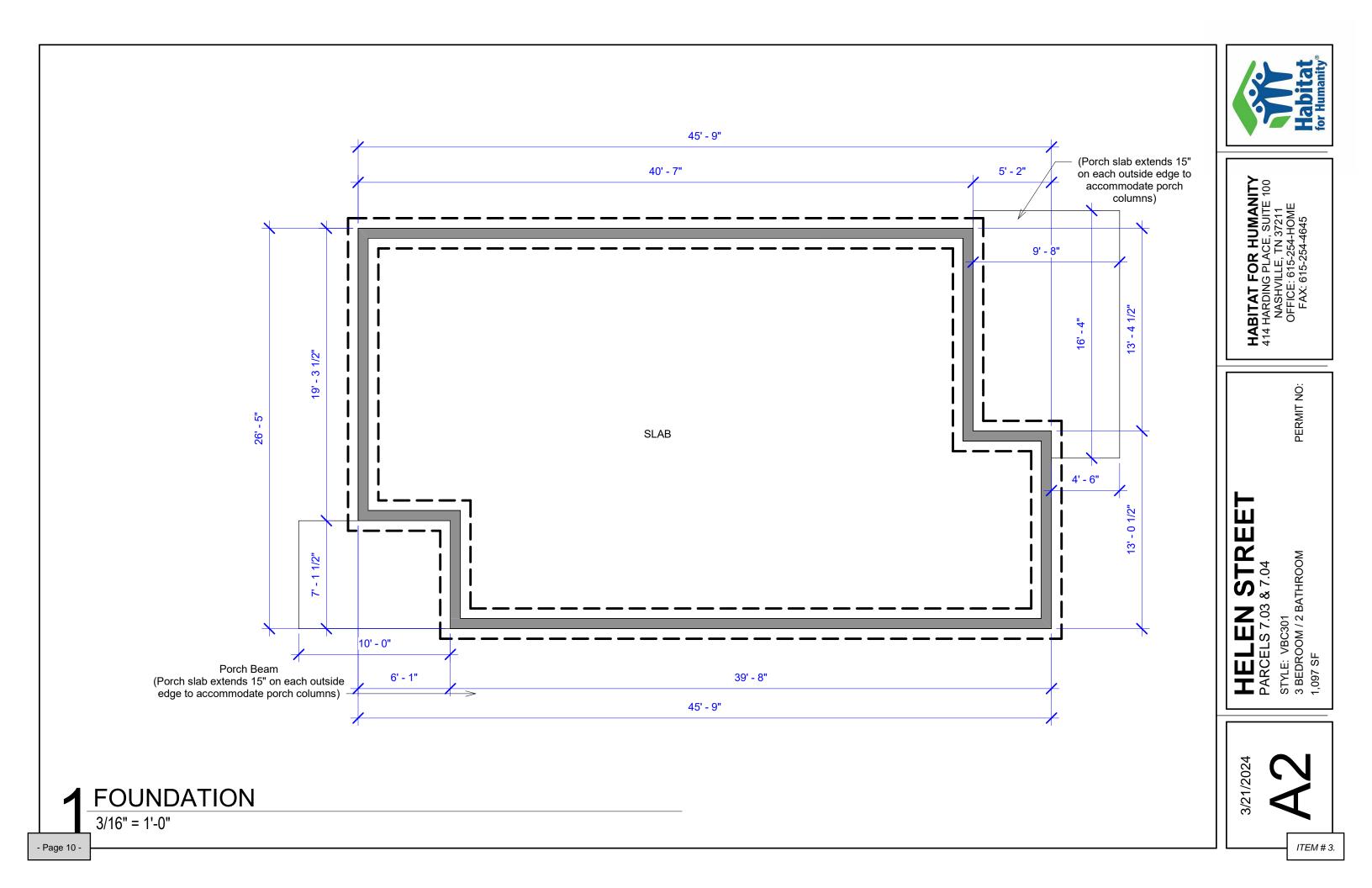






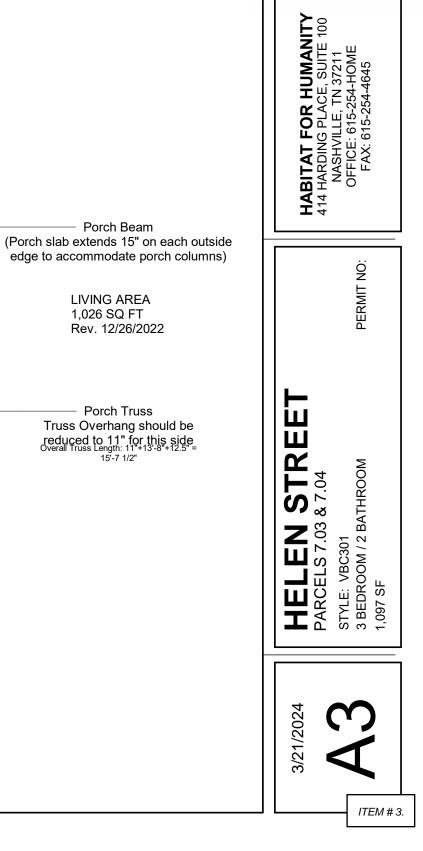


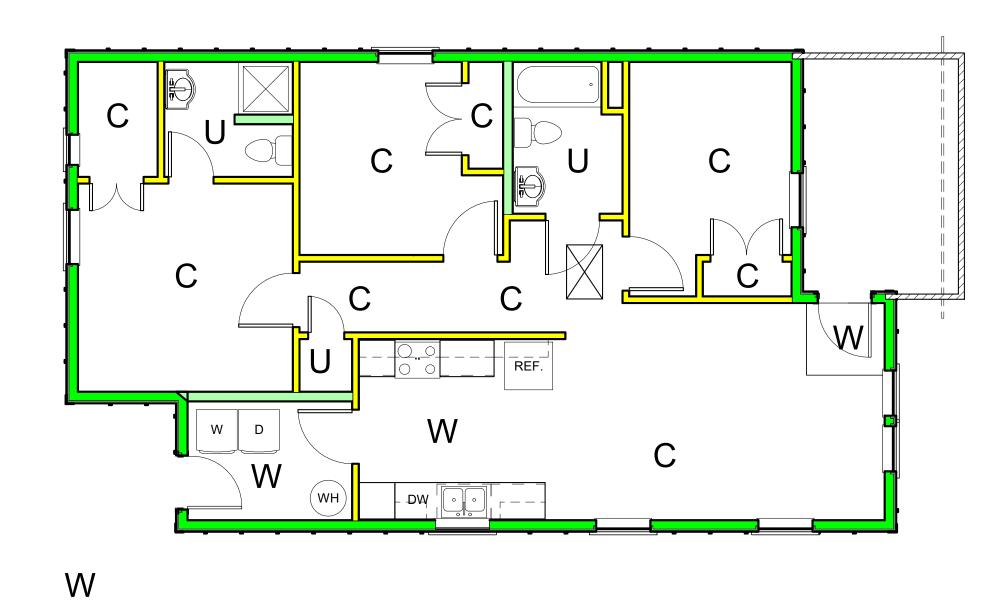
3/21/2024	HELEN STREET PARCELS 7.03 & 7.04		HABITAT FOR HUMANITY 414 HARDING PLACE, SUITE 100
<b>OO</b> <i>ITEM</i> # 3	STYLE: VBC301 3 BEDROOM / 2 BATHROOM 1,097 SF	:ON T	NASHVILLE, TN 37211 OFFICE: 615-254-HOME FAX: 615-254-4645



- WATER TAP 40' - 7" 5' - 2" 3' - 2" 5' - 11" 3050 5' - 0" 5' - 4 1/2" 4' - 6" 9' - 1" 0 2 LC õ 9 1/2" 10' - 9 1/2" ō 0 9' - 1" 13' - 4 1/2" 7 1/2" 13' - 8" õ 13' - 1" 6' - 2" 0 4' - 10" 2668 050 BEDROOM BEDROOM 15 3068 3068 () |2 0 3068 11' - 7 1/2" 2' <sup>•</sup>5' - 0" 26' - 5" MASTER 0 F BEDROOM 3068 3068 9' - 1" 4 2468 了 W2430L ()V3080 W3630 W3317 W2430L HVAC 4DB24 12' - 0" B36 REF.  $\bigcirc$ 0 ā, 6350 13' - 0 1/2" 11' - 6" 12' - 1 1/2" 4' - 6 1/2"  $\bigcirc$ 10' - 1 W D LIVING/DINING 7' - 1 1/2" ō 3' - 2" J242484 SB/36 B36 - 7 (wн ĐΨ W2130R Sw 3030 Ň 3030 3050 3050 9' - 2 1/2" LO Q B C O N D B C O D C O D 6' - 1" 5' - 9 1/2" 8' - 11" 9' - 0" 6' - 0" 45' - 9" FLOOR PLAN 3/16" = 1'-0" Λ - Page 11 -







Wood Vinyl Utility Vinyl Choice Carpet

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