



TOWN OF ASHLAND CITY
Board of Zoning and Appeals
May 02, 2022 5:30 PM
Agenda

Chairwoman: Melody Sleeper

Committee Members: Nicole Binkley, Vivian Foston, Garrett Mayberry, Michael Smith

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

- [1.](#) February 07, 2022 Board of Zoning and Appeals Meeting Minutes

PUBLIC FORUM

OLD BUSINESS

NEW BUSINESS

2. Introduction of New Board Member
- [3.](#) Variance: Waffle House
- [4.](#) Variance: 208 N Main

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 615-792-7553, 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
February 07, 2022 5:30 PM
Minutes

CALL TO ORDER

Committee Member Smith called the meeting to order at 5:33 p.m.

ROLL CALL

PRESENT

Committee Member Vivian Foston
Committee Member Garrett Mayberry
Committee Member Michael Smith

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

1. December 06, 2021 Board of Zoning and Appeals Meeting Minutes

A motion was made by Committee Member Foston, seconded by Committee Member Mayberry, to approve the December 6, 2021 Board of Zoning and Appeals meeting minutes. All approved by voice vote.

PUBLIC FORUM

Billy Ray Suiter - Mr. Suiter stated that he was with Suiter Surveying and was here to speak about the Socayr site on the agenda tonight. He stated that they are looking at an 8.8-acre site for an apartment complex. Mr. Suiter stated that they have applied for a few variances because the site was 10 acres at one time and the State came in and took a part of it. He stated that it has made the site quite challenging to work with and that is why they are asking for this variance tonight. Mr. Suiter stated that they would like to request for the parking requirements to be changed from 2 spaces per unit to 1.6 spaces per unit. He stated that the units will be split between 1 and 2 bedrooms and limited to occupants 55 and older.

OLD BUSINESS

None.

NEW BUSINESS

2. Variance: Beacon Properties

Mr. Shannon Tutor stated that he was there on behalf of Socayr. He stated that they are looking at 63 units with 106 parking spaces and they would be for seniors 55+. Mr. Tutor stated that they are submitting an application through THDA. Committee Member Smith asked if this was contingent on getting approved with THDA. Mr. Tutor stated that it is. Committee Member Smith asked when they would know if they will receive the funding. Mr. Tutor said it would be late July or early August. He stated that it would be a mix of 1 and 2 bedroom apartments and affordable for seniors. Mr. Tutor said that the tenants would pay their own electricity but all other utilities would be included. Committee Member Smith asked if it was strictly for seniors. Mr. Tutor stated that it would be for seniors 55+ with an income up to \$35,460.00 for a one-bedroom and \$40,500.00 for a two-bedroom. Committee Member Mayberry asked where the green space and pergola would be. Mr. Tutor stated that the decks would be on the upper floor and patios on the back with pergolas. Committee Member Mayberry stated it looks like it is right on the drop-off. Mr. Tutor stated that right now there is a significant concern with the retaining walls. Committee Member Foston stated that her main concern was people parking on the backside and how narrow the road is. She stated that cars would not be able to pass. Mr. Tutor stated that it would be quite a hike if they did. Committee Member Smith stated that he is concerned with the rent

and asked what would determine a rent increase. Mr. Tutor stated that the typical raise is 3% annually. He stated they do not raise more than the cost of living and the maximum they could charge for a one-bedroom is \$949.00 a month. A motion was made by Committee Member Mayberry, seconded by Committee Member Foston, to deny the request for a variance. Voting Yea: Committee Member Foston, Committee Member Mayberry, Committee Member Smith. Mr. Tutor asked why they denied the request. Committee Member Mayberry stated that it is all fill dirt. Ms. Driver stated that it is not. Committee Member Foston stated that she was concerned with the backside. Ms. Driver stated that no one would be entering from the back. Committee Member Smith stated that we weren't clear on some of the issues and asked for a motion to reconsider. A motion was made by Committee Member Foston, seconded by Committee Member Mayberry, to reconsider. All approved by voice vote. Committee Member Mayberry asked if there was any fill dirt. Ms. Driver stated there is not. Committee Member Smith stated that we need to be concerned with is if it is okay to build on 8.8 acres and if 1.6 parking spaces is okay instead of 2 spaces. A motion was made by Committee Member Mayberry, seconded by Committee Member Foston, to approve the variance. Voting Yea: Committee Member Foston, Committee Member Mayberry, Committee Member Smith.

3. Appeal Request: Indigo Tile 1219 Hwy 12S

Ms. Kristine Tilley stated that they are potentially looking at buying this property. She stated that last year's revenue was \$3.6 million so they are really looking forward to coming to this area. Ms. Tilley stated that her concern was with the C2 zoning for uses permitted. She stated that they are considered light industrial and in another section of C2 zoning it states that uses prohibited are industrial. Ms. Tilley asked for some clarity on that and if they can do business here. Mr. Rick Gregory stated that the request is specific to countertops and the fabrication of stone. Ms. Tilley stated that this is all done indoors. Mr. Gregory stated that one of the permitted uses listed under #21 in the zoning Ordinance is limited manufacturing conducted completely in enclosed buildings so as long as that activity is done inside, limited manufacturing includes those operations which include compounding, processing, assembling, manufacturing, or fabrication of materials necessary to create the products listed. He stated that they are not actually creating the materials, they are finishing the product. Committee Member Smith asked if there would be anything stacked outside. Ms. Tilley stated there would not be. A motion was made by Committee Member Foston, seconded by Committee Member Mayberry, to approve the request. Voting Yea: Committee Member Foston, Committee Member Mayberry, Committee Member Smith.

OTHER

None.

ADJOURNMENT

A motion was made by Committee Member Foston, seconded by Committee Member Mayberry, to adjourn the meeting. All approved by voice vote and the meeting adjourned at 6:12 p.m.

CHAIRWOMAN MELODY SLEEPER

CITY RECORDER ALICIA MARTIN, CMFO



Ashland City Fire, Building & Life Safety Department

101 Court Street
Ashland City TN 37015

Fire & Life Safety: (615) 792-4531 – Building Codes (615) 792-6455

Application for Board of Zoning Appeals

Appellant: WAFFLE HOUSE, INC.

Address: 5986 FINANCIAL DR NORCROSS GA 30071

Owner: WAFFLE HOUSE INC.

Address: 5986 FINANCIAL DR NORCROSS GA 30071

Location of Property: [Address TBD] SOUTH OF 133 HUTTON PLACE ASHLAND CITY, TN 37015

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: Appeal from decision of Building Inspector relating to the enforcement of the zoning ordinance. 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: (20-105.1.B.2) ONLY XI WALL SIGN ALLOWED PER CODE.

Peculiar or unusual conditions which justify the variance requested: SEE JUSTIFICATION LETTER.

****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 allows a use on appeal to be considered: _____

The type, description and size of the use to be considered: _____

****There is a \$50.00 fee for a Special Exception variance**

Appellant Signature: _____

STATUS

Building Permit _____ Date _____

Date this application filed _____

Notice of Hearing _____

Notice mailed to _____

Date of Hearing _____

Application or appeal Granted / Denied in accordance with the terms of the following resolution:

Building Inspector Signature: _____ Date: _____



"GOOD FOOD FAST"

P.O. BOX 6450 - NORCROSS, GEORGIA 30091-6450
5986 FINANCIAL DRIVE, NORCROSS, GEORGIA 30071
(770) 729-5700

April 14th, 2022

Board of Zoning Appeals
Ashland City Fire, Building, and Life Safety
101 Court St.
Ashland City, TN 37015

Variance for 20-105 Commercial Sign Municipal Code:: Hutton Place, Ashland City, TN

Dear Board of Zoning Appeals,

Waffle House, Inc. would like to request a variance for **Commercial Sign Municipal Code 20-105.5.1.B.2** relating to our proposed new build located South of 133 Hutton Place, Ashland City, Tn 37015. We are seeking an exception provided to our neighboring businesses that include The Hampton Inn, Popeyes, Burger King and Taco Bell to prevent an undue hardship for brand recognition.

The sign code 20-105.5.1.B.2 states: *"Such Sign shall be located on the front wall of the building which is oriented to the street from which access is derived. For uses with two street frontages, wall signs may be located on a wall considered to be the front of the use shall be used for location of such signage."*

The terms of the code imply that we may only have one single sign on our building facing Highway 12. However, this creates an undue hardship due to the orientation of a typical Waffle House being such that the main visually iconic facade of the building would not have a wall sign to represent what our customers expect from over 2,000 Waffle House's all over the country. The results of this code would be a dissonant visual of our buildings iconic long glass wall and lack of customer engagement with our restaurant due to an unrecognizable generic facade.

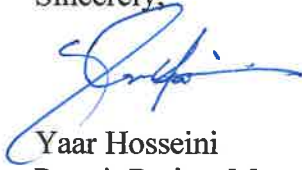
There is a need to present at least 3 signs at this location. Please notice that State Highway 12 would be the main frontage requiring a sign however we would need to show customers our sign from both access streets as well.

Furthermore, I want to point out that the neighboring businesses Hampton Inn, Popeyes, Taco Bell, and Burger King, all have up to 3 signs on their property, shown in the exhibits attached.

We appreciate your consideration and the Board of Appeals effort in reviewing our request for a variance. If you have any questions at all please reach me by phone (770) 729-5929, by cell (404) 754-4480, by email at Yaarhusseini@wafflehouse.com, or by mail at 5986 Financial Dr Norcross Ga 30071 Attn. Yaar Hosseini. Thank you for taking the time to review and approve

our permit. You may also contact Walter Barineau at 678-427-0567
(walterbarineau@wafflehouse.com).

Sincerely,



Yaar Hosseini
Permit Project Manager
Waffle House, Inc.
(770) 729-5929

Yaarhosseini@wafflehouse.com











Ashland City Fire, Building & Life Safety Department

101 Court Street
Ashland City TN 37015
Fire & Life Safety: (615) 792-4531 – Building Codes (615) 792-6455

Application for Board of Zoning Appeals

Appellant: Mesa Address: 208 N. Main Street, Ashland City, TN 37015
Owner: Jon Dalman and Kyle Miller Address: 208 N. Main Street, Ashland City, TN 37015
Location of Property: 208 N. Main Street, Ashland City, TN 37015

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: Appeal from decision of Building Inspector relating to the enforcement of the zoning ordinance. Decision of the building inspector to be appealed: Front door color and trim accents on garage doors. Door is street facing. Trim accents on garage door are facing south east.

Section 2: Application for a variance as provided by the zoning ordinance. The zoning provision from which a variance is requested: "Exterior Colors will be earth tones and be compatible with adjacent properties. Subdued, muted colors are permitted."


Peculiar or unusual conditions which justify the variance requested: (Same provision) "Bright colors are acceptable on a limited basis as accent or contrast."

**** 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 allows a use on appeal to be considered: _____

The type, description and size of the use to be considered: _____

**** There is a \$50.00 fee for a Special Exception variance**

Appellant Signature: 

STATUS

Building Permit _____ Date _____

Date this application filed _____

Notice of Hearing _____

Notice mailed to _____

Date of Hearing _____

Application or appeal Granted / Denied in accordance with the terms of the following resolution: _____

Building Inspector Signature: _____ Date: _____



April 21, 2022

To the Ashland City Board:

Mesa is requesting to use a bright accent color on our building. A variance per the Ashland City code that "Bright colors are acceptable on a limited basis as accent or contrast." Please see the drawings for reference. Out of the 11,800 square feet of exterior walls, our accent color will be painted on 170 square feet total. We hope this satisfies the "accent" color terminology in the city guidelines.

Sincerely,

Jon and Kyle, Owners



Mesa LLC
 1500 7th Ave S.
 Nashville, TN 37210
 www.madebymesa.com

ETERIOR PAINT
 CASA MESA

4/20/22
 Bryan
 1 of 1
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THIS DRAWING IS PROPERTY OF MESA LLC AND CANNOT BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT WRITTEN PERMISSION FROM MESA LLC. USE OF THIS DRAWING FOR RECORD IS STRICTLY PROHIBITED. VERIFY ALL DIMENSIONS, SPECIFICATIONS AND CONDITIONS BEFORE

