



**TOWN OF ASHLAND CITY
Board of Zoning and Appeals
October 05, 2020 5:30 PM
Agenda**

Chairwoman: Melody Sleeper

Committee Members: Justin Bell, Drew Johnson, Dwyot Thornton, Vivian Foston

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

1. August 3, 2020 Board of Zoning and Appeals Meeting Minutes

PUBLIC FORUM

OLD BUSINESS

NEW BUSINESS

2. Variance: Setback requirements Corner lot Vine Street and Washington Street

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
August 03, 2020 5:30 PM
Minutes

CALL TO ORDER

Chairwoman Sleeper called the meeting to order at 5:30 p.m.

ROLL CALL

PRESENT

Chairwoman Melody Sleeper
Committee Member Justin Bell
Committee Member Vivian Foston
Committee Member Dwyot Thornton

ABSENT

Committee Member Drew Johnson

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

1. Board of Zoning and Appeals Meeting Minutes January 6, 2020

A motion was made by Committee Member Bell, seconded by Committee Member Thornton, to approve the January 6, 2020 meeting minutes. All approved by voice vote.

PUBLIC FORUM

None.

NEW BUSINESS

2. Regal Homes Appeal Request: 180 Day Rule of Permit Expiration From Zoning Ordinance and Adopted 2012 IRC

Mr. Steven Riegle stated he purchased in December 2017 at the same time they purchased the Turner Street development. Further, they have now finished the Turner Street development and would like to start on Bell Street; however, it would be a significant cost to repermit this project and he would like to ask the committee to reinstate the prior permit without having to pay the fee again. City Planner Mr. Rick Gregory stated the zoning ordinance stated financial returns should not be grounds for a variance and reviewed some verbiage from the code. Chairwoman Sleeper questioned if there is verbiage for requesting an extension. Mr. Jason McClain commented stating the code states you can request an extension and he further reviewed the verbiage in the code. Mr. Riegle stated they still do not have taps that he has paid for and contacted both Clint (Biggers) and Kevin (Lee) in regard to getting them installed. City Attorney Jennifer Noe stated the variance has to state the reason and financial is not a basis for a variance. Committee Member Thornton questioned when timeframe to start and finish. Mr. Riegle responded he would like to get started within thirty (30) days, but he can't start until the taps are installed. Further, it will take a year to complete. Ms. Noe reviewed the code verbiage and stated the board has never waived fees. After much discussion regarding the timeframe the committee has to make a decision, deferring this until next month, and following the code a motion was made by Committee Member Bell, seconded by Committee Member Thornton, to deny the appeal for expiration of the permit. Voting Yea: Chairwoman Sleeper, Committee

Member Bell, Committee Member Foston. Voting Nay: Committee Member Thornton.

OTHER

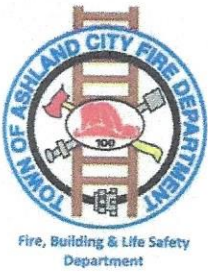
None.

ADJOURNMENT

A motion was made by Committee Member Bell, seconded by Committee Member Thornton, to adjourn. All approved by voice vote and the meeting adjourned at 6:05 p.m.

CHAIRWOMAN MELODY SLEEPER

CITY RECORDER KELLIE REED, CMFO, CMC



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: United Mechanical Systems

Address: po box 306 Ashland City Tn 37015

Owner: Kacy & Janet Knight

Address: 2055 Hwy 12 s Ashland City, Tn 37015

Location of Property: Corner of Vine street & Washington st

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: Two front facing set backs.

Peculiar or unusual conditions which justify the variance requested: To Keep existing properties in line with new construction and to keep 4 existing 100 plus year old trees in place. We are asking for a 35' setback variance to be 20'.

****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: Janet Knight

STATUS

Building Permit _____ Date _____

Date this application filed 8/17/2020

Notice of Hearing _____

Notice mailed to _____

Date of Hearing 10/5/2020

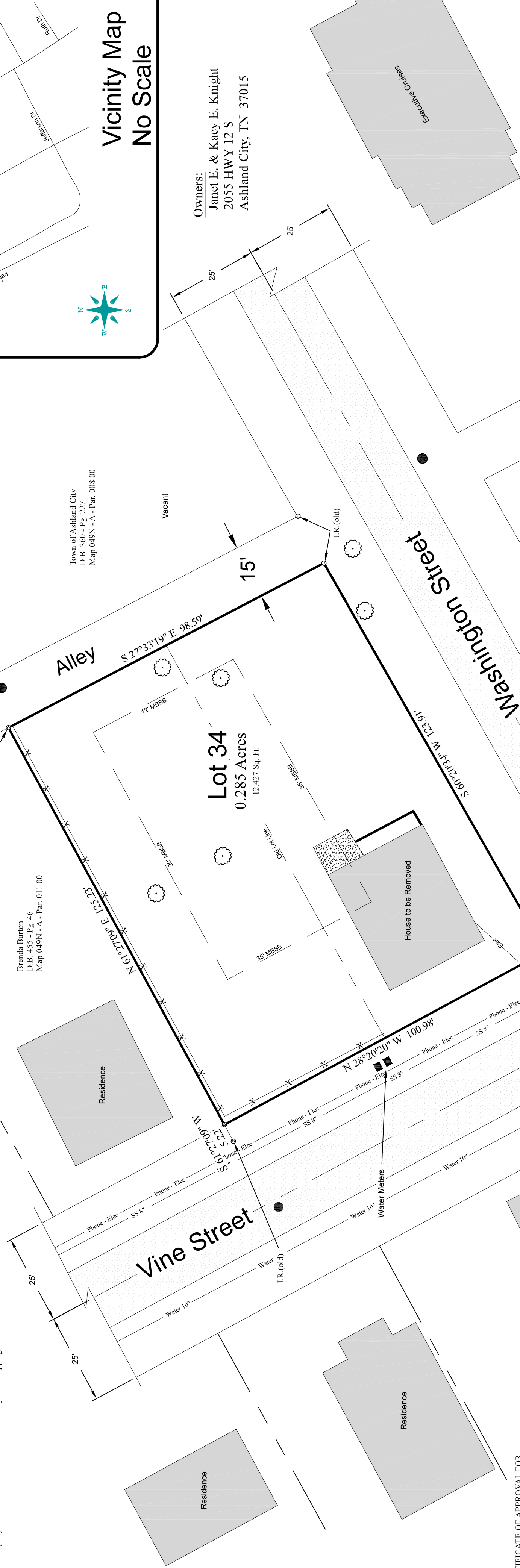
Application or appeal Granted / Denied in accordance with the terms of the following resolution: _____

Building Inspector Signature: _____ Date: _____

Admended Plat of "Plan J.J. Lennox Addition to Ashland City" Lots 33 & 34

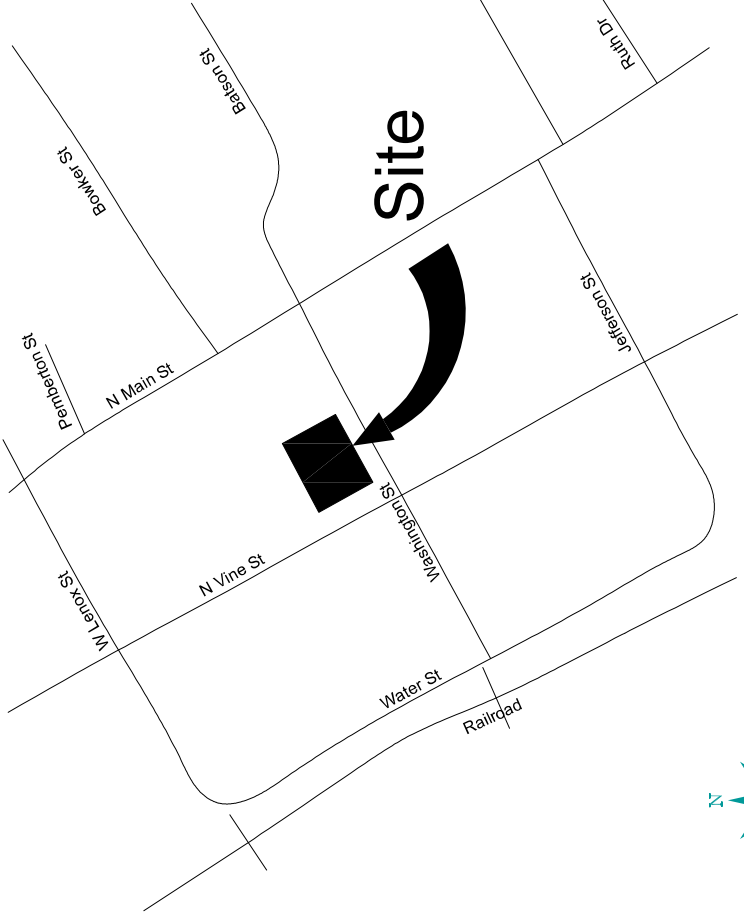


Town of Ashland City
D.B. 360 - Pg. 227
Map 049N - A - Par. 008.00



Owners:
Janet E. & Kacy E. Knight
2055 HWY 12 S
Ashland City, TN 37015

Vicinity Map
No Scale



Preliminary

The recording of this plat Voids, Vacates and
Supersedes the recording of Lots 33 and Lot 34 as
shown on the plat entitled "Plan J.J. Lennox
Addition to Ashland City" Deed Book M - Pg. 414.

Property Title Reference
Being the property conveyed to Janet & Kacy
Knight as shown in Record Book 521 Page 782,
Plat in Deed Book M - Pg. 414 - 415 R.O.C.C., Tn.

LEGEND

- Property Corner/Iron Rod
I.R. - Iron Rod / I.P. - Iron Pipe
- ⊕ Utility Pole
- ⊕ Fire Hydrant
- Subject Property Lines
- - - Non Surveyed Property Lines
- Overhead Electric Lines
- Center Line
- Existing Fence
- 10" Water Line
- 8" Sewer Line
- Miscellaneous Layout Lines

- GENERAL NOTES:**
- 1) Bearings are based on Tennessee Property Data GIS Mapping.
 - 2) 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. 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 nor 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 1-615-366-1987 or 1-800-551-1111.
 - 3) Subject property is shown as Parcels 009.00 & 010.00 on Cleatham Co. Tax Map no. 049N A
 - 4) Lot 33 - Parcel 010.00 is being deleted.
 - 5) Subject Property is Zoned R3.
 - 6) Non Surveyed Property Lines shown were taken from County GIS Mapping.

CERTIFICATE OF APPROVAL FOR RECORDING

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE CHEATHAM COUNTY SUBDIVISION REGULATIONS, WITH THE EXCEPTION OF SUCH VARIANCES, IF ANY, AS ARE NOTED IN THE MINUTES OF THE PLANNING COMMISSION, AND THAT IT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE COUNTY REGISTER.

DATE _____ SECRETARY, PLANNING COMMISSION

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (WE) HEREBY CERTIFY THAT I (AM (WE ARE)) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON AS EVIDENCED IN D.B. 521 - Pg. 782 and Plat in Deed Book M - Pg. 414 COUNTY REGISTER'S OFFICE AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT ESTABLISH THE MINIMUM BUILDING RESTRICTION LINES AND THAT OFFERS OF IRREVOCABLE DEDICATION FOR ALL PUBLIC WAYS, UTILITIES AND OTHER FACILITIES HAVE BEEN FILED.

DATE _____ OWNER _____

CERTIFICATE OF SURVEY ACCURACY

I (WE) HEREBY CERTIFY THAT TO THE BEST OF MY (OUR) KNOWLEDGE AND BELIEF THIS IS A TRUE AND ACCURATE SURVEY OF THE PROPERTY SHOWN HEREON; THAT THIS IS A CATEGORY "1" LAND SURVEY AS DEFINED IN TITLE 62, CHAPTER 18, TENNESSEE CODE ANNOTATED AND THAT THE RATIO OF PRECISION IS GREATER THAN OR EQUAL TO 1:10,000 PLUS OR MINUS.

DATE _____ REGISTERED LAND SURVEYOR NUMBER 2094

AREA
SQUARE FEET = 12,427
ACREAGE = 0.285

REVISIONS

NO.	DATE	BY	CHANGE

According to Rule 0820-03-.06 of the Standards of Practice of the Tennessee Land Surveyors Laws and Regulations,

(3) Preliminary documents must be clearly marked as such prominently on the face of the document.
(5) Electronic survey documents such as CAD files, PDF copies, and word processor documents or other emailed or digitally copied and/or other electronically forwarded information and documents are considered "Preliminary" or "Draft" documents.

Boundary Survey For
Janet Knight Resub
121 Vine Street
Ashland City, Tennessee

SCALE 1" = 20'
20 10 0 20 40

WRIGHT & ASSOCIATES
LAND SURVEYING
1329 HWY. 12 N., ASHLAND CITY, TENNESSEE
WK-615-238-4123-HM-615-792-4291

DRAWN BY: MTW DATE: Aug. 15, 2020 APPROVED BY:

JOB NO. 49NA10.00

SHEET NO. 1 OF 1

BUILDING COMMISSIONER: The building inspector for the Town of Ashland City, Tennessee.

BUILDING AREA OF A LOT: That portion of a lot bounded by the required rear yard, side yards, and the building setback line.

BUILDING, ELEVATED: A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls, or breakaway walls.

BUILDING, MAIN OR PRINCIPAL: A building in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be a main building on the lot on which it is situated.

BUILDING SETBACK LINE(S), SIDE: A line delineating the minimum distance between the side property line and a building on a lot. The side setback line extends from the front building setback line to the rear building setback line. In the case of corner lots in residential districts, side building setback lines extend from the front building setback line of the servicing street to the other front building setback line adjoining the secondary street which abutts said corner lot.

BUILDING SETBACK LINE, FRONT: A line delineating the minimum allowable distance between the street right-of-way, or if an official future street right-of-way has been established, as shown on the current, adopted Major Thoroughfare Plan Map, from that future street right-of-way line, and the front of a building on a lot. The front building setback line extends the full width of the lot and is parallel to or concentric with the street right-of-way. No structure shall be placed in front of this building setback line.

BUILDING SETBACK LINE, REAR: A line delineating the minimum allowable distance between the rear property line and a building on a lot (other than for permitted accessory structures). The rear setback line extends the full width of the lot.

BUILDING SETBACK LINE, SIDE: A line delineating the minimum distance between the side property line and a building on a lot. The side setback line extends from the front building setback line to the rear building setback line. Within this area no structure shall be placed.

BULK: Describes the size of buildings or other structures, and their relationship to each other, and to open areas and lot lines.

BUSINESS AND COMMUNICATION SERVICES: The provision of clerical services, goods brokerage, communications of a minor processing nature, including multi-copy and blueprinting services, custom printing, but excluding the printing of books, other than pamphlets and small reports.

CAMPING GROUND: A parcel of land used or intended to be used, let, or rented for occupancy by campers or for occupancy by camping trailers, tents, or movable or temporary dwellings, rooms, or sleeping quarters of any kind. For the purposes of this ordinance, motor home parks shall be considered as constituting a type of camping ground.

TEMPORARY SIGN: Temporary signs shall include any sign, banner, pennant, valance, or advertising display constructed of wood, metal cloth, canvas, light fabric, cardboard, wallboard, or other light material, with or without frames, where either by reason of construction or purpose of sign is intended to be displayed for a short period of time only. (See Sign Ordinance of Ashland City for specific requirements).

TOWN: The Town of Ashland City. Whenever the term city is utilized herein, it also designates the Town of Ashland City.

TOXIC MATERIALS: Materials (gaseous, liquid, solid, or particulate) which are capable of causing injury to living organisms by chemical reaction even when present in relatively small amounts.

TRANSIENT HABITATION: Separate lodging or living accommodations for rent or lease of a commercial nature. Such uses as hotels, motels, tourist homes and courts, as well as commercial camp grounds (sporting and recreational vehicle camps) fall under this classification. Multi-family dwelling complexes of all types in which more than thirty (30) percent of their units are occupied on a biweekly basis or less shall be considered as being transient habitation.

TRAVEL TRAILER (MOTOR HOME): A vehicular, portable structure designed as a temporary dwelling for travel, recreation, and vacation uses.

TRAVEL TRAILER (MOTOR HOME) PARK: A plot of land designed and equipped to accommodate travel trailers or recreational vehicles for short periods of time.

USE: The purpose for which land or a building or other structure is designed, arranged or intended to be used, or for which it is, or may be occupied or maintained.

USE, PRINCIPAL: The specific primary purpose for which land is used.

VARIANCE: Is a grant of relief from the requirements of this Ordinance which permits use or construction in a manner otherwise prohibited by this Ordinance, where specific enforcement would result in unnecessary hardship.

YARD: An open space on the same lot with a principal building or structure, open, unoccupied, and unobstructed by buildings from the ground to the sky, except as otherwise provided in this ordinance, provided that accessory buildings may be located in a rear yard.

YARD, FRONT: The yard extending across the entire width of the lot between the nearest part of the principal building or structure, including porches, and the front lot line. On corner lots two front yards shall be designated, as required by this ordinance. (See lot illustrations in the Appendix Section of this Ordinance).

YARD, REAR: The yard extending across the entire width of the lot between the nearest part of the principal building or structure, including porches, and the rear lot line. (See lot illustrations in the Appendix Section of this Ordinance).

YARD(S), SIDE: The required space unoccupied measured between the side lot line and the nearest point of the principal building or structure, situated between the front yard and rear yard on both sides of the principal structure.

ZERO LOT LINE DWELLING: (See definition of dwelling types).

A minimum of a ten (10) foot landscaping strip shall be required between the easement and the arterial roadway. This shall be improved according to the Ashland City landscaping regulations.

All shared access easements shall be constructed with appropriate road base and surfaced with asphalt or concrete and capable of withstanding the traffic load as deemed acceptable by the planning commission, upon advice of the Town Engineer.

In the event the owners fail to maintain any shared access easement in a safe and stable driving condition for the motorists, the Town Manager or designee, after appropriate notice, may remedy the condition and bill the owners for all reasonable costs. Should the owners fail to pay the Town the amount of such charge within thirty (30) days from receipt of a certified invoice, the amount of said invoice shall be certified to the Town Attorney who shall process a lien on the properties upon which the expenditure was made.

The above standards shall not be construed to prohibit the development of buildings on lots or tracts with permanent access provided by private ways when such development is in the form of condominium ownership of such private improvements which have been approved by the planning commission and will be in private ownership and control in perpetuity.

3.040. Rear yard abutting a public street. When the rear yard of a lot abuts a public street, all structures built in the rear yard shall observe the same setback from the street right-of-way line, center line of the street, or property line, as required for adjacent properties which front on that street. In addition, any structure located within twenty-five (25) feet of that setback line shall be no closer to any side property line than the distance required for side yards on adjoining properties fronting on that street.

3.050. Corner lots. The side yard setback requirements for corner lots shall be the same as the front setback requirements for the next adjacent lot fronting on the street that the side yard of the corner lot faces.

3.060. Future street lines. For the purpose of providing adequate space for the future widening of streets, required setbacks, or front yards shall be determined by the rights-of-way as shown in the most current official Ashland City, Tennessee Major Thoroughfare Plan Map.

3.070. Reduction in lot area prohibited. No lot, even though it may consist of one or more adjacent lots of record, shall be reduced in area so that yards, lot area per family, lot width, building area, or other requirements of the zoning ordinance are not maintained. This section shall not apply when a portion of a lot is acquired for a public purpose. Whenever there are several coterminous substandard lots in the same ownership, such lots shall be required to be combined in order to meet the minimum lot and area requirements of the applicable zoning district.

3.080. Obstruction to vision at street intersections and railroad intersections prohibited. On a corner lot in any district except the Central Business District, within the area formed by the center lines of the intersecting or intercepting streets and/or railroads and a line joining points on such center lines at a distance of seventy-five (75) feet from their intersection, there shall be no obstruction to vision between the height of three and one-half (3 1/2) feet and a height of ten (10) feet above the average grade of each street and/or railroad at the center line thereof. The requirements of this section shall not be construed to prohibit any necessary retaining wall.

H. Application for Automobile Wrecking Junk or Salvage Yard Permit: No person shall own or maintain an automobile wrecking, junk, or salvage yard within Ashland City until he has secured a permit from the Ashland City Board of Zoning Appeals. An application for said permit shall be filed in accordance with Article VII, Section 7.060, of this ordinance and shall be accompanied by a detailed site plan, a schedule for construction, and any other information herein required. Said application shall be submitted along with any plans and schedules. The Board shall vote to approve or disapprove the application in accordance with the time schedule in Section 7.060.

4.100. Yard requirements on corner lots in residential districts. On all corner lots in residential districts there shall be two (2) required front yards, and two (2) required side yards (See definition of side yard in Section 2.020, of Article II, herein). According to the siting of the principal structure on said lot, one of these required side yards will in effect become the rear yard for this lot. **(Renumbered 4.120 through 4.270 to 4.100 through 4.250, by Ordinance 329, January 9, 2007).**

4.110. Minimum residential front yard requirements on turn-arounds of cul-de-sac streets. On all lots directly fronting turn-arounds in residential zoning districts, the minimum required lot widths at the front building setback lines as stipulated in Article V, may be reduced by seventy (70) percent of said residential district requirement. This supplemental exemption is designed to foster improved siting of principal structures on such turn-arounds.

4.120. Special provisions for residential occupancy in connection with mini-warehouse facilities (self-service storage facilities). In all C-2, Zoning Districts, as well as in all industrial zoning districts wherein mini-warehouse facilities are allowed, the following standards shall APPLY:

- A. Residential occupancy may be permitted in conjunction with the office facility situated within the mini-warehouse complex or facility on the same zone lot, as an accessory use thereof, in order to facilitate adequate security of the premises according to the following provisions:
1. No more than one (1) dwelling or rooming unit may be permitted in conjunction with the office facility situated within the complex, located on the same zone lot, limited to two (2) bedrooms of no more than nine hundred (900) square feet.
 2. Any office-dwelling unit or office-rooming unit permitted under the provisions of this section shall be strictly limited to occupancy by two (2) persons employed to manage the office facility on the same zone lot while providing security services to the entire mini-warehouse facility thereon.
 3. Prior to issuing a permit for a special exception for this section, detailed plans must be submitted to the Board clearly demonstrating the location of the office-dwelling unit internal to the site, the specific parking spaces and parking aisles servicing this office-dwelling unit complex, as well as all other required information as cited in Sections 7.060 and 7.061, Subsections A, B, and C, of Article VII, of this ordinance.
 4. It must be demonstrated that all other fire code and applicable building codes are being met prior to the approval of a special exception by the Board of Appeals, in this regard.

6.060. Exceptions to setback requirements. The front setback requirement of this ordinance for dwellings shall not apply to any lot where the average depth of existing setbacks on the developed lots located within one hundred (100) feet on each side of such lot is less than the minimum required front yard depth. In such cases, the front yard setback may be less than required but not less than the average of the existing depth for front yards on developed lots within one hundred (100) feet on each side of the lot. In residential districts, however, the setback shall in no case be less than fifteen (15) feet from the street right-of-way line.

6.070. Absolute minimum lot size. In no case shall the Building Inspector or the Board of Zoning Appeals permit any zone lot in a residential district to be used as building site which is less than six thousand (6,000) square feet in total area and thirty (30) feet in width at its narrowest point, or has a front setback of less than fifteen (15) feet and a side setback of less than five (5) feet, with the exception of officially approved planned developments which are constructed in compliance with the provisions cited herein in Section 4.070.

6.080. Exception to lot width requirements. On any lot which directly adjoins any cul-de-sac or turn around area of any dead end street, the minimum lot width requirement as measured at the front building setback line may be reduced to two-third ($2/3$) of this minimum lot width requirement, as specified in the applicable zoning district.