



TOWN OF ASHLAND CITY
Board of Zoning and Appeals
March 06, 2023 5:30 PM
Agenda

Chairman: Michael Smith

Committee Members: Nicole Binkley, Vivian Foston, Garrett Mayberry

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

- [1.](#) August 01, 2022 BZA Meeting Minutes

PUBLIC FORUM

NEW BUSINESS

- [2.](#) Variance: 128 Plum Drive

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 01, 2022 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 Vivian Foston
Committee Member Garrett Mayberry

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

1. May 02, 2022 Board of Zoning and Appeals Meeting Minutes

A motion was made by Committee Member Foston, Seconded by Committee Member Mayberry, to approve the May 02, 2022 Board of Zoning and Appeals Meeting Minutes. All approved by voice vote.

PUBLIC FORUM

None.

OLD BUSINESS

None.

NEW BUSINESS

2. Setback Variance: West Elm Street

Ms. Patsy Smiley stated that she there for a variance at 105 W Elm Street. She stated that she received a building permit and went through all of the proper channels to build a deck and separate entrance for the upstairs apartment in the home. Ms. Smiley stated that this is for the safety of her tenants and the proposed structure was 10ft x 12ft. She stated that there is currently a 3ft x 6ft window there that overlooks the neighbors yard. Ms. Rachel Keaton stated that she is the neighbor of 105 W Elm Street and that she is against the deck being built on the side of the neighbors house because it looks into every window of her home. Mr. Rick Gregory stated that there is currently a pad poured there and the way the ordinance is written is complicated. He stated that this application for a variance does not state the amount of variance requested and that corner lots, by definition, have two front yards and two side yards (reference Sections 3.050 and 4.100 of the Ashland City Zoning Ordinance). Mr. Gregory stated that due to this specific call for setbacks on corner lots, the side yard in question in the R4 High Density Residential District is 35' (equals the front yard in the R4 district). He stated that the oldest listed sales information on the state website goes back to June 29, 1984 and appears to reference Lots 1 and 2 of the Adkinsson Addition subdivision, which could be much older and that in any event, this lot is considered a legal lot of record since it is approximately 7,500 square feet in area in a zoning district that now requires lots to have a minimum of 12,000 square feet. Mr. Gregory stated that is recommendation is that any request for encroachment into a required yard should be viewed with caution and in this particular case, the request appears to be significant. He stated while some relief may be justifiable in certain circumstances for corner lots, staff is hesitant to recommend such an extensive variance unless information can be provided that might help justify such an extensive variance. Mr. Nicholson stated that the building permit was issued out of error and that the the code, we have the right to revoke permits. He stated that Ms. Smiley has done everything she is supposed to do. Chairman Smith stated that the variance ordinance is very plain. A motion was made by Committee Member Mayberry, seconded by Committee Member Binkley, to deny the request for a variance. Vote

Yea: Chairman Smith, Committee Member Binkley, Committee Member Foston, Committee Member Mayberry.

OTHER

None.

ADJOURNMENT

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

CHAIRMAN MICHAEL SMITH

CITY RECORDER ALICIA MARTIN, CMFO



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: kody knight

Address: 128 plum dr

Owner: kody knight

Address: 128 plum dr

Location of Property: 128 plum dr

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 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: 5.051.2

Peculiar or unusual conditions which justify the variance requested: _____

****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**

kody knight

1/12/23

Appellant

Date

Email completed application to: anicholson@ashlandcitytn.gov



128 Plum

- Page 5 -

2023, 11:46 AM

ITEM #2.



428 Plum

2023, 11:47 AM