



**TOWN OF ASHLAND CITY
Board of Zoning and Appeals
September 13, 2021 5:30 PM
Agenda**

Chairwoman: Melody Sleeper

Committee Members: Vivian Foston, Drew Johnson, Dwyot Thornton, Garrett Mayberry, Mike Smith

CALL TO ORDER

CHAIR NOMINATIONS

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

- [1.](#) July 12, 2021 Board of Zoning and Appeals Meeting Minutes

PUBLIC FORUM

OLD BUSINESS

2. Arbor Row Application

NEW BUSINESS

- [3.](#) Special Exception Request: 208 N Main St
- [4.](#) Appeal Request: 279 Frey St
- [5.](#) Appeal Request: Parcel 062 077 02

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
July 12, 2021 5:30 PM
Minutes

CALL TO ORDER

Interim City Recorder Alicia Martin called the meeting to order at 5:36 p.m.

ROLL CALL

PRESENT

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

ABSENT

Committee Member Drew Johnson
Committee Member Dwyot Thornton

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

December 07, 2021 Board of Zoning and Appeals Meeting Minutes

1. December 7, 2020 Board of Zoning and Appeals Meeting Minutes

A motion was made by Committee Member Foston, seconded by Committee Member Mayberry, to approve the December 07, 2021, Board of Zoning and Appeals Meeting Minutes. All approved by voice vote.

CHAIR NOMINATIONS

Ms. Martin opened the floor for chair nominations. Mr. McClain asked that this be deferred to the next meeting due to two (2) Committee Members being absent. A motion was made by Committee Member Smith, seconded by Committee Member Mayberry, to defer the chair nomination to the next meeting. All approved by voice vote.

PUBLIC FORUM

None.

OLD BUSINESS

None.

NEW BUSINESS

2. Arbor Row Application

Mr. Jason McClain asked if this could be deferred to the next meeting. A motion was made by Committee Member Foston, seconded by Committee Member Smith, to defer to the next meeting. All approved by voice vote.

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 was adjourned at 5:41 p.m.

CHAIRWOMAN MELODY SLEEPER

INTERIM 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: Five String Furniture LLC dba/Mesa Address: 1500 2nd Ave S. Nashville, TN:

Owner: Kyle Miller Address: 193 37th Ave N. Nashville, TN 17

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: _____

Section 2: Application for a variance as provided by the zoning ordinance. The zoning provision from which a variance is requested: _____

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: C-1, Limited Trade Manufacturing
The type, description and size of the use to be considered: Furniture and Millwork

*** There is a \$50.00 fee for a Special Exception variance* 9,000 - 12,000 sq ft

Appellant Signature: [Signature]

STATUS

Building Permit _____ Date _____
Date this application filed _____
Notice of Hearing _____
Notice mailed to _____

Date of Hearing 9/13/2021

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

Building Inspector Signature: [Signature] Date: 8/9/2021



August 16, 2021

Memo: Regarding 208 N. Main Street

Dear Ashland City Zoning Committee,

I would like to formally request a special exception for the property at 208 N. Main Street in Ashland City. It is currently zoned for C-1 commercial use. My company, Mesa, is under contract on the property and would like the committee to consider allowing us to use the property under the exception of limited indoor commercial manufacturing.

Mesa builds unique, commercial furniture for companies primarily based in Middle Tennessee. Although we purchased the company only three years ago, it has nearly tripled its staff and our clients are beginning to expand into the southeastern states. Instead of mass production, we specialize in small-scale, highly-customized projects.

The old Vick Hardware building would allow us to expand our capacity and bring more energy to the city. We are exploring many ideas for community engagement, including opening a showroom, renting out studio spaces to local artists, and maybe even offering workshops.

The owners and staff at Mesa are ready to bring our business and are excited to be a part of the growth we see in Ashland City. It would be an honor to be a small part of the process. Please check out our website and Instagram page if you would like to see some of our work.

Thank you for your consideration and we will be looking forward to attending the voting committee on September 13. We are happy to answer any questions you may have at that time.

Sincerely,

Small Business Owners Kyle Miller and Jon Dalman



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: KEVIN & ANDREA THOMPSON Address: 279 FREY ST ASHLAND CITY
Owner: KEVIN & ANDREA THOMPSON Address: 279 FREY ST ASHLAND CITY
Location of Property: HWY 49 ASHLAND CITY

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: ORDINANCE # 179-USE OR ACTIVITY PROHIBITED IN A RESIDENTIAL ZONE, ALSO INTERNATIONAL PROPERTY MAINTENANCE CODE. DUE TO THE REASON THAT WE DO NOT RESIDE IN A RESIDENTIAL NEIGHBORHOOD & LIVE ON COMMERCIAL C2 PROPERTY - WE ARE ASKING FOR A REWRITE OR RECEIVE A PERMIT TO CONDUCT SELLING OF VEGETABLES & PLANTS -

Section 2: Application for a variance as provided by the zoning ordinance. The zoning provision from which a variance is requested: _____

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: _____

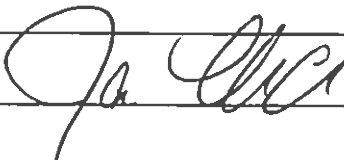
****There is a \$50.00 fee for a Special Exception variance**

Appellant Signature 

STATUS
Building Permit _____ Date _____
Date this application filed _____
Notice of Hearing _____
Notice mailed to _____

Date of Hearing 9-13-2021

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

Building Inspector Signature:  Date: 9-16-2021

Tennessee Department of Agriculture

Consumer and Industry Services

Plant Certification

www.tn.gov/agriculture/businesses/plants.html

Cross My Heart

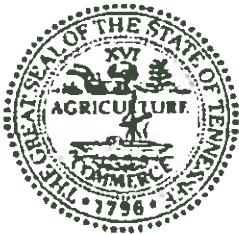
Kevin L. Thompson

279 Frey St

Ashland City TN 37015

Certificate # CBIY-C53MTP

PLANT DEALER CERTIFICATE (101 to 4,000 sq ft)



STATE OF TENNESSEE

DEPARTMENT OF AGRICULTURE

CONSUMER & INDUSTRY SERVICES - NASHVILLE, TENNESSEE 37204

The UNDERSIGNED HEREBY CERTIFY upon inspection of the below-named firm that, its facilities, premises, and stock having been found to be apparently free of pests, pest plants, and disease, and valid inspection certificates for its plant stock having been observed, the firm is authorized to sell or move plant stock from the named facility.

Certification #: CBIY-C53MTP

This license expires on **June 30, 2022**

As Required by: TCA 43-6-101

Cross My Heart

Kevin L. Thompson

279 Frey St

Ashland City TN 37015

Date Issued: Monday, July 19, 2021

Fee Paid: \$250.00

Late Fee Paid: \$0.00

Issued to: Cross My Heart

Kevin L. Thompson

279 Frey St

Ashland City TN 37015

Dr. Charlie Hatcher, D.V.M.
Commissioner of Agriculture

Post in a conspicuous place. Copies of this license must accompany any plants transported in commerce in Tennessee.

TERESA GUPTON, CHEATHAM COUNTY CLERK

LICENSE
0048424

MINIMAL ACTIVITY BUSINESS TAX LICENSE

Total Due: 15.59
Cash: Check: Check No.: Credit Card: 15.59 Auth# 025054 Change:
RKNOX wk06 Drawer: 12 Site: 1
Work Date: 03/31/2021

DETACH THIS PORTION FOR CONFIDENTIAL FILE

TERESA GUPTON CHEATHAM COUNTY CLERK

354 FREY ST
SUITE F
ASHLAND CITY, TN 37015

LICENSE
0048424

MINIMAL ACTIVITY BUSINESS TAX LICENSE

Mailing

Location

24156 CROSS MY HEART

279 FREY ST
ASHLAND CITY, TN 37015

CROSS MY HEART

279 FREY ST
ASHLAND CITY, TN 37015

ANDREA J THOMPSON

LOCAL ACCOUNT NUMBER 24156
STATE ACCOUNT NUMBER 1001383636
TRANSACTION NUMBER _____
CLASS 03
SALES TAX NUMBER _____

ISSUE DATE 03/31/21
TAX PERIOD STARTED - 03/31/2021
EXPIRATION DATE 5/15/2022

DEPUTY CLERK SIGNATURE



RKNOX wk06 Drawer:12 Site:1



**City of Ashland City
Business Tax Minimal Activity License**

March 31, 2021

CROSS MY HEART
279 FREY ST
ASHLAND CITY TN 37015-1722

Letter ID: L0159702144
Expiration Date: 18-May-2022
Return Due By: 18-Apr-2022

The business tax license printed below certifies the receipt and approval of your business tax license application or the renewal of a license for your existing business. The license is valid until the expiration date noted above. Your license number is 1001383636 and your classification is 3. The certificate must be displayed publicly at the location for which it is issued.

Note: This license does not permit operation unless properly zoned and/or in compliance with all other applicable state, county, or city laws, rules and regulations. Also, as required by Tenn. Code Ann. § 39-17-1801 et seq., businesses must comply with all provisions of the Tennessee Non-Smoker Protection Act.

DETACH LICENSE BELOW AND DISPLAY IN PUBLIC AREA



**City of Ashland City
Business Tax Minimal Activity License**

This certificate must be publicly displayed.

CROSS MY HEART
279 FREY ST
ASHLAND CITY TN 37015-1722



Date Issued: 31-Mar-2021
Classification: 3
Letter ID: L0159702144
License Number: 1001383636
Expiration Date: 18-May-2022



279 Frey St.

Ashland City, Tn. 37015



Google Earth

© 2021 Google

Let

ITEM # 4.

100 ft

Cabbage
 Pepper 5 - Green
 Banana Pepper 5
 Jalapenos 5
 Cherry Tomatoes
 Peppers \$2.00
 Eggplant 2 for \$1.00
 Corn 50¢ doz. 6 for \$3.00
 Cantelope \$3.00
 Water Melon \$5.00

Spices
 Tomatoe Juice
 All for \$4.00
 Honey

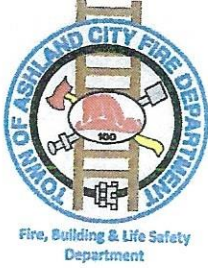
2 for \$1.00

\$3.00 cup

\$7.00

Cherokes \$2.50 lb

\$2.00 Garlic



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: Anthony Daryl Hooten Address: 2305 SEIFRIED ST
Owner: Anthony Daryl Hooten Address: Nashville, TN 37208
Location of Property: Ashland City (062 07702 000)

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:

Could not get permit for accessory structure without primary structure in place per Codes Director

Section 2: Application for a variance as provided by the zoning ordinance. The zoning provision from which a variance is requested:

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*

Appellant Signature: Anthony Daryl Hooten

STATUS

Building Permit _____ Date _____
Date this application filed _____
Notice of Hearing _____
Notice mailed to _____

Date of Hearing 9/13/2021

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

Building Inspector Signature: [Signature]

Date: 8/23/2021



Owner/Address/Map



(1 of 3)

USECOND	0
V_APRLNU	7,883
V_PRICE_LNU	0
V_UNITVAL	Apr: 7,883
PI	
SI	
MAILADDR	2305 SEIFRIED
MAILCITY	NASHVILLE
STATE	TN
ZIP	37208
OSAP_NAME	
OSAP_TYPE	
OSAP_CODE	
OSAP_PARID	
LIPDSORT	20201109
Zoom to	

300ft

BZA September 13, 2021

RE:Supporting narrative to the BZA regarding Anthony Hooten's appeal in our decision not to issue an accessory structure permit without a primary structure in place.

Anthony owns two pieces of property off of Riverview Ln. in Ashland City and the one in question is parcel 062 077.02. The property is situated at the top of the bluff overlooking the river bottoms beside the Cumberland river. Mr. Hooten wishes to build his future home here and has inquired about building an accessory structure or a detached garage on the property prior to applying for a building permit for the home he wishes to eventually build. He and I have met out here before to discuss setbacks and construction methods and during these consultations he has shown intent on doing the project per the city's rules. Initially, I did not see a problem with doing this (permitting the structure) since he has a residentially zoned property (with his specifically being zoned R-1) and under uses permitted Accessory Structures are permitted as well as private garages, and non-commercial workshops provided they are located in the rear yard.

It is my interpretation that this could be allowed if a dwelling were already present and for a property owner who currently resides in Nashville, I would assume that it wouldn't make any sense to have a garage/ accessory building on your residential property in another county if you weren't planning on building a permanent dwelling there which is what he has said he is going to do from the start and why I didn't see a problem with it when we first discussed. Since he and I met last to discuss this project we in the codes department have had other situations regarding accessory structures come up and have done some research and concluded that it is the intent or spirit of the Zoning ordinance to allow these accessory buildings provided there is a primary structure in place first. Recently and more specifically we had a situation where a property owner on Hwy 12 S who has R-4 PUD zoning in place has started storing trailers, equipment, and even erected or placed a carport type structure on his lot and it was determined by Codes Director, Chuck Walker that this wouldn't be allowed without a primary structure and then further discussed and confirmed through the City Planner that this shouldn't be allowed in a PUD unless the master site plan shows it in conformity with the requirements for PUD plans in the ordinance and the proper permits have been issued. The ordinance itself as well as the residential code doesn't flat out say in any place that I can find that without a primary structure in place first you shall not issue accessory structure permits however, it is agreed on that this is the intent and has been agreed on by City planner, Codes Director and myself after researching the definition of accessory structure in both the IRC as well as the City Zoning Ordinance itself even though it does not specifically spell this out.

I personally feel that if the property owner provides plans for the residential dwelling to the county and pays his adequate facilities and development taxes based off of those plans, that he would be showing his intent to build a home there and that it could be considered ok for him to build the accessory structure first prior to securing the building permit for the house and if he could provide a site plan showing placement locations for both I personally would consider this as a unique situation and would think that it SHOULD be allowed.

Jason McClain