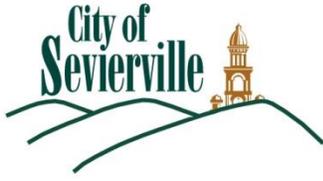


**SEVIERVILLE BOARD OF ZONING APPEALS**

**July 7, 2016**



## Board of Zoning Appeals July 7, 2016 Agenda

- A. Call to Order
- B. Approval of Minutes – April 7, 2016
- C. Staff Reports
- D. Old Business
- E. New Business
  - 1. Case Number 16-02 – Sharon Stapleton requests a variance to place an accessory building in the side yard of the property – 1713 Primrose Court (City).
  - 2. Case Number 16-03 – Michael Lacher of Harbor Freight requests a variance to Section 409.3.2 of the Zoning Ordinance pertaining to maximum wall sign area.
  - 3. Other new business
- F. Adjournment



## **BOARD OF ZONING APPEALS MINUTES April 7, 2016**

The regularly scheduled meeting of the Sevierville Board of Zoning Appeals was held at the Civic Center, 130 Gary Wade Blvd., Sevierville, Tennessee on Thursday, April 7, 2016 at 5:08 P.M.

There were present and participating:

### **MEMBERS PRESENT**

Lyle Overbay, Chairman  
Jim Arwood, Vice Chairman  
Wayne Helton  
Vincent Snider  
Bryan Atchley, Mayor

### **MEMBERS ABSENT**

Conley T. Murrell, Secretary  
Daryl Roberts

### **STAFF PRESENT**

Pam Caskie, Planning Director  
Judi Forkner, Senior Planner  
Dustin Smith, Planner/Recording Secretary  
Butch Stott, Codes Enforcement Director  
Jim Ellison, Project Manager

Chairman Overbay declared a quorum present and announced the meeting would proceed.

### **APPROVAL OF MINUTES**

A motion was made by Mayor Atchley, and seconded by Mr. Snider, to approve the minutes from the December 3, 2015 meeting. The motion passed with a unanimous vote.

### **OLD BUSINESS**

None

**NEW BUSINESS**

**Case Number 16-01 – James M. Henry requests a variance of four (4) feet, to install a twelve (12) foot fence in the rear, side, and front yard setback of two lots – 503 & 505 Ownby Drive (City).**

**Staff Comments and Discussion**

Mr. Stott explained that this is an unusual situation due to the lot being in the rear yard of the building however, the lot also has frontage on Ownby Drive. He expressed his concern that the fence height would cause site vision issues for adjoining property owners to get in and out of their driveways. Mr. Stott explained the first question that needs to be answered is whether or not we want to allow the fence to be as high as twelve feet, and the second is where he can put it. He explained, in a commercial zone, an eight foot fence is required to be in the side or rear yard. Mr. Stott, along with Mr. Henry, stated that the purpose of the request was for security reasons. Mr. Stott also stated that our regulations do allow us to grant a twelve feet high fence if it is deemed to be for security purposes. Mr. Henry stated that he is willing to stay further than one foot off of the property line, if need be.

**Action Taken**

A motion was made by Mayor Atchley, and seconded by Mr. Snider, to approve the variance request to go from eight (8) feet to twelve (12) feet in fence height for security reasons; with the understanding that the fence remains five (5) feet off of the property line that fronts Ownby Drive, allowing the lots to be considered the rear yard.

**ADJOURNMENT**

There being no further business, the meeting adjourned at 5:16 P.M.

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Lyle Overbay, Chairman

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Conley T. Murrell, Secretary

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Dustin Smith, Recording Secretary



# City of Sevierville

T E N N E S S E E

## Board of Zoning Appeals

Case Number 16-02 Fee Paid \$100.00

### Action Requested

- Interpretation/Administrative Review
- Variance Request
- Map Interpretation
- Special Exception Request

Owner SHARON STAPLETON

Address 1713 PRIMROSE COURT SEV., TN. 37862 Lot No./Parcel No. 103 / 72

Tax Map 62-E BLK:D Lot Size .356 AC Zoning District R-1

Lessee \_\_\_\_\_

Address \_\_\_\_\_

The aforesaid applicant requested a building permit on the 8TH day of JUNE, 2016

And was denied said permit for the following reason(s): VIOLATION OF ZONING ORDINANCE (SECTION 701.5.2)

The applicant is requesting consideration (excepting special exception requests) TO PLACE AN ACCESSORY BUILDING IN THE SIDE YARD OF THE PROPERTY. THE ZONING ORDINANCE REQUIRES THE BUILDING TO BE IN THE REAR YARD.

\_\_\_\_\_  
Applicant's Signature \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date

Granted: \_\_\_\_\_ Reasons: \_\_\_\_\_ Denied: \_\_\_\_\_ Minutes: \_\_\_\_\_

### -----Notice-----

1. The Sevierville Board of Zoning Appeals requests that you or your agent be present at this meeting to be held at 5:00 p.m. on JULY 7, 2016 in the Sevierville Civic Center, 200 Gary Wade Blvd.
2. Postponement requests for deferred action on any application will be granted one month only (or the next regularly scheduled board meeting, if that should occur on a different date). A completely new application must be submitted for consideration beyond that time.
3. A re-application request cannot be accepted for consideration after an application has been denied.
4. The work or use authorized under an approved Special Exception Application must be commenced or implemented within six (6) months from the date of Board of Zoning Appeals approval, and once commenced or implemented, must be completed within two (2) years from the date of the original application approval.

children (excluding the occupant's children or stepchildren) shall be considered a home occupation. Should such home occupation also meet the definition of "family child care home" as set out in 71-3-501, Tennessee Code Annotated, the occupant shall comply with all licensure requirements of the Tennessee Department of Human Services and shall make available a copy of such license upon the request of the Director of Code Enforcement. In no way shall care of children as a home occupation, as herein described, be construed to allow the operation of a "day care center", as defined in Article III, Section 319 of this ordinance, nor the operation of a "group child care home", "child care center", nor "drop-in center", as defined in 71-3-501, Tennessee Code Annotated.

701.4. Public owned buildings and uses, schools offering general education, and churches, provided that:

701.4.1. The location of these uses shall first be reviewed by the Sevierville Planning Commission;

701.4.2. The buildings are placed not less than fifty (50) feet from the side and rear property lines;

701.4.3. There are planted buffer strips along side and rear property lines.

701.5. Customary accessory buildings provided:

701.5.1. They shall not exceed one story;

701.5.2. They shall be located in the rear yard and not closer than five (5) feet from all property lines and shall also conform with a required setback from an intersecting street;

701.5.3. They shall not exceed twenty (20) percent of the rear yard.

701.6. Tennis clubs, country clubs, and other similar uses which are characteristically associated with ample open space areas and recreation or leisure activities provided that:

701.6.1. The facility is developed as a Planned Unit Development;

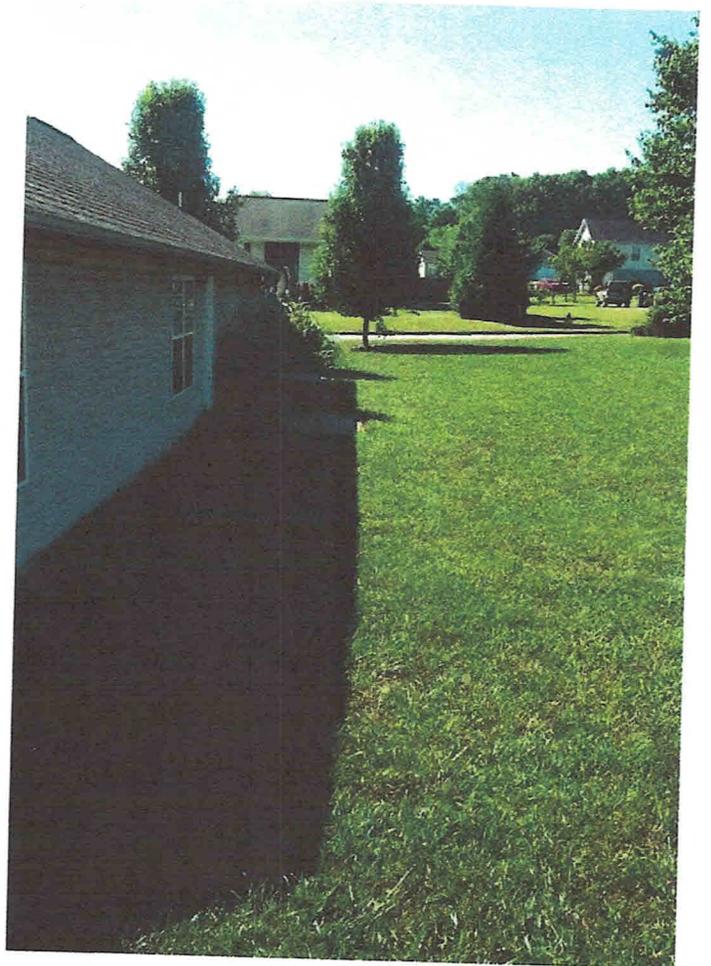
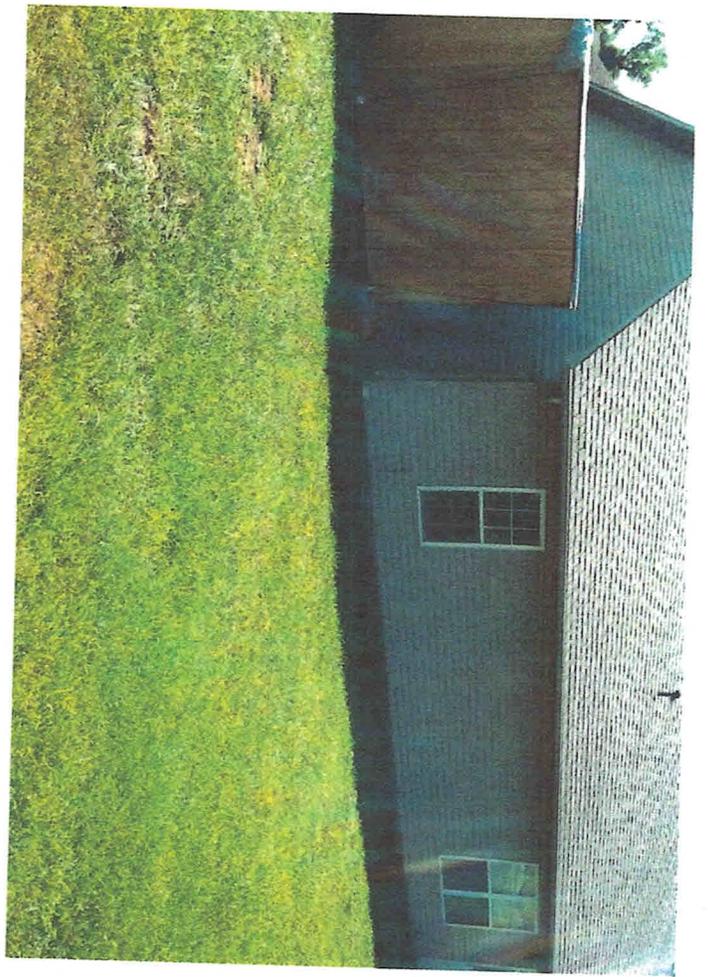
701.6.2. There are planted buffer strips along property lines;

701.6.3. The facility is located adjacent to a designated collector or arterial street;

701.6.4. Any outside lighting of courts, parking lots, or other facilities shall be designed and constructed in such a manner as to not cause inconvenience to other uses in the immediate area.

702. R-2 (Medium Density) Residential District. It is the intent of this district to provide areas for single and multi-family dwellings; to encourage development and continued use of the land for residential purposes; to prohibit business and industrial uses; and other uses which would interfere with development or continuation of single or multi-family dwellings. In order to achieve the intent of









409.3.1.1. Real estate signs.

409.3.1.2. Home occupation and professional announcement signs provided, that one sign of not more than two (2) square feet is permitted.

409.3.1.3. One sign for non-residential uses permitted in residential districts shall be permitted subject to the following:

409.3.1.3.1. The sign shall not exceed twenty-five (25) square feet.

409.3.1.3.2. The sign shall not exceed eight (8) feet in height.

409.3.1.3.3. The sign shall be located so as not to cause inconvenience to the general public or surrounding uses.

409.3.1.3.4. The sign, if lighted, shall have indirect lighting.

409.3.2. Commercial and Industrial districts: Business signs shall be permitted provided they meet the following:

409.3.2.1. Except for shopping centers and roof signs, the maximum sign size shall be determined by type of street and speed limit as follows:

#### MAXIMUM SIGN SIZE

<u>Type of Street</u>	<u>Speed Limit</u>	<u>Freestanding Pole &amp; Monument Sign</u>	<u>Projecting Sign</u>
2 travel lanes	30 mph	20 sq. ft.	20 sq.ft.
	35 mph	25 sq. ft.	25 sq.ft.
4 travel lanes	30 mph	60 sq. ft.	20 sq.ft.
	35 mph	80 sq. ft.	40 sq.ft.
	45 mph	100 sq. ft.	not permitted
4 travel lanes Median or turn lanes	30 mph	80 sq. ft.	25 sq.ft.
	35 mph	100 sq. ft.	40 sq.ft.
	45 mph	150 sq. ft.	not permitted

Wall signs- For any building with less than 25,000 square feet of floor area, the maximum wall sign area shall be based on the sign area permitted for a ground sign plus two times the setback of the principal structure from the front property line. However, the size of such a wall sign shall not exceed forty (40) percent of the front wall face of the building. For any building with 25,000 square feet of floor area or more, or any building classified as a shopping center, the maximum wall sign area shall be based on two (2) square feet of sign area for each linear foot of occupant storefront.



**To:** Board of Zoning Appeals  
**From:** Butch Stott, Director of Code Enforcement *B.S.*  
**Date:** July 1, 2016  
**Re:** Variance request for Harbor Freight

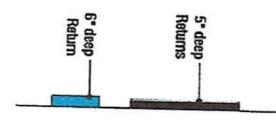
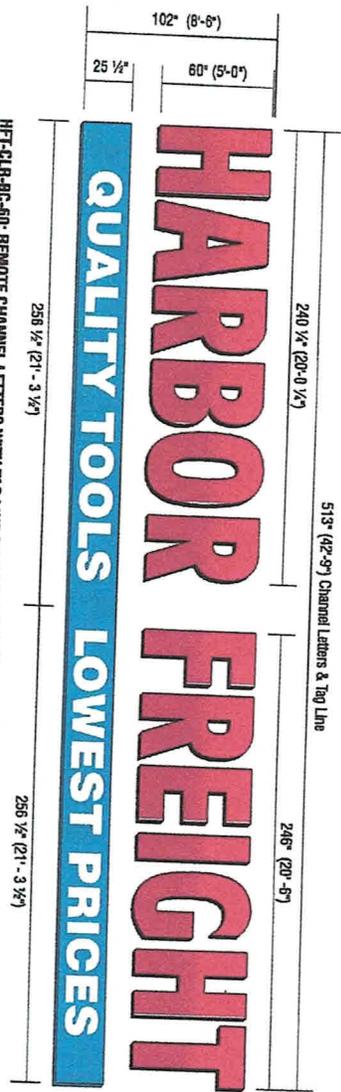
Scott Hunt, Atlas Sign Industries, has requested a sign variance for the new Harbor Freight business located at 205 Forks of the River Parkway. A sign permit was issued for the business, but a larger sign was installed. They would like to install additional wall signage by seeking a sign variance.

Wall signage allowed at this location	226 sq. ft.
Wall signage permitted at this location	171 sq. ft.
Wall signage installed at this location	214 sq. ft.
Variance requested allowed at this location	363 sq. ft.

**Options for Harbor Freight:**

1. Remove the 214 sq. ft. sign and install the 171 sq. ft. sign that was permitted. This will leave 55 sq. ft. of signage that could be added to the building at a future time.
2. Leave the 214 sq. ft. sign. This will leave 12 sq. ft. of signage that could be added to the building at a future time.
3. Grant a variance for the 137 sq. ft. of additional wall signage for the building.





HFC-LR-BC-60: REMOTE CHANNEL LETTERS WITH TAG LINE CABINET - INTERNALLY ILLUMINATED  
 Scale: 3/16" = 1'-0"

ELECTRICAL DATA	
Uses	120V Primary / 24V Secondary
Watt Usage	1.70 Watts
Output	10 120VAC / 24VAC
Output	10 120VAC / 24VAC
Panel Voltage	120VAC @ 25
Panel Amps	10 120VAC @ 25

(ELECTRICAL N-315)

- All materials and finishes meet NEMA 4
- All electrical components meet UL listed and approved
- Sign is designed to meet all applicable codes and standards
- Sign is designed to meet all applicable codes and standards
- All signs installed by professional sign installer per IBC
- UL listed (E9071) 1A - Enclosure per sq. ft. cost per sq. ft. \$12.00 (2010)
- UL listed (E9071) 1A - Enclosure per sq. ft. cost per sq. ft. \$12.00 (2010)

**SCOPE OF WORK:**  
 Manufacture and install set of internally illuminated (face lit) channel letters and SF Tagline Cabinet. Letters & Tagline Cabinet are flush mounted to fascia.

**DESCRIPTION:**  
 Individual formed letters with pre-finished aluminum returns. Internal illumination by GE LED modules and power supplies. Acrylic letter faces are secured with 1" Jewelite thru-cap. Channel Letter set to be flush mounted (with remote power supplies).  
 Tagline Cabinet is aluminum extrusion with painted finish. (2) cabinet bulbed end to end with single piece face & surface applied vinyl graphics. Face has bleed by GE LED Edgeslip modules and power supplies.

**LETTER COLOR SCHEDULE:**

- Backs & Returns = Formed aluminum satin Black (outside) / White (inside)
- 1" Faces = 2793 Optics LD red acrylic
- Trim cap = 1" Back Jewelite
- Internal Illumination = GE Red LED's

**SQUARE FOOTAGE:**

Allowable: 2 Sq Ft per 1 LF - NTE 200 Sq Ft  
 Proposed: 102' x 513' = 383.86 Sq Ft

**TAGLINE COLOR SCHEDULE:**

- Extruded Cabinet = Painted Alcoa Nobel 480-C-5 Blue (satin)
- Flux Face = 3M Paragraphics III - White with Beed Face Tension Frame
- Vinyl Graphics = 3M 3630-97 Bristol Blue - Weed copy
- Internal Illumination = GE LED Edgeslip modules - White



Harbor Freight Tools - 205 Forks of the River Pkwy, Sevierville, TN

Channel Letters

VARIANCE REQUEST

**atlas**  
 SHOW INDUSTRIES  
 THE ART OF PERFORMANCE

**CORPORATE HEADQUARTERS**  
 1877 First Lane from the West, Brentwood, TN 37024  
 Phone: (615) 333-6000 / (609) 725-3222 fax: (615) 333-4294

**NORTHEAST DIVISION**  
 787 Commerce Dr., Coventry, CT 06230  
 Phone: (949) 373-3231 / (609) 725-3222 fax: (949) 373-3440  
 www.atlasignindustrial.com

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Drawing No.	61973-1
Sheet No.	(1) OF (2)
Date	12.01.12/15
Drawn By	Tony D.
Checked By	J. Adams
Scale	As Shown
Revision 1	
Revision 2	
Revision 3	

**UL**  
 LISTED  
 LABORATORY  
 LISTED

**UL**  
 LISTED  
 LABORATORY  
 LISTED

Approved by: \_\_\_\_\_

Date: \_\_\_\_\_

APPROVED AS SHOWN  
 APPROVED AS NOTED  
 CORRECT & RESUBMIT

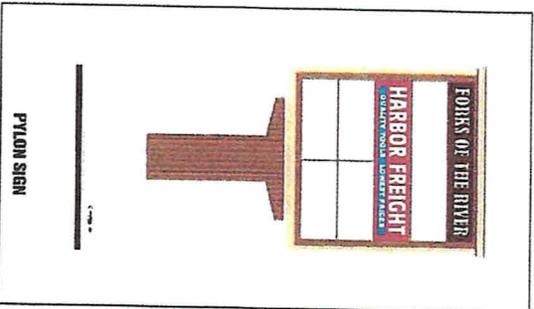
# HARBOR FREIGHT

QUALITY TOOLS. LOWEST PRICES

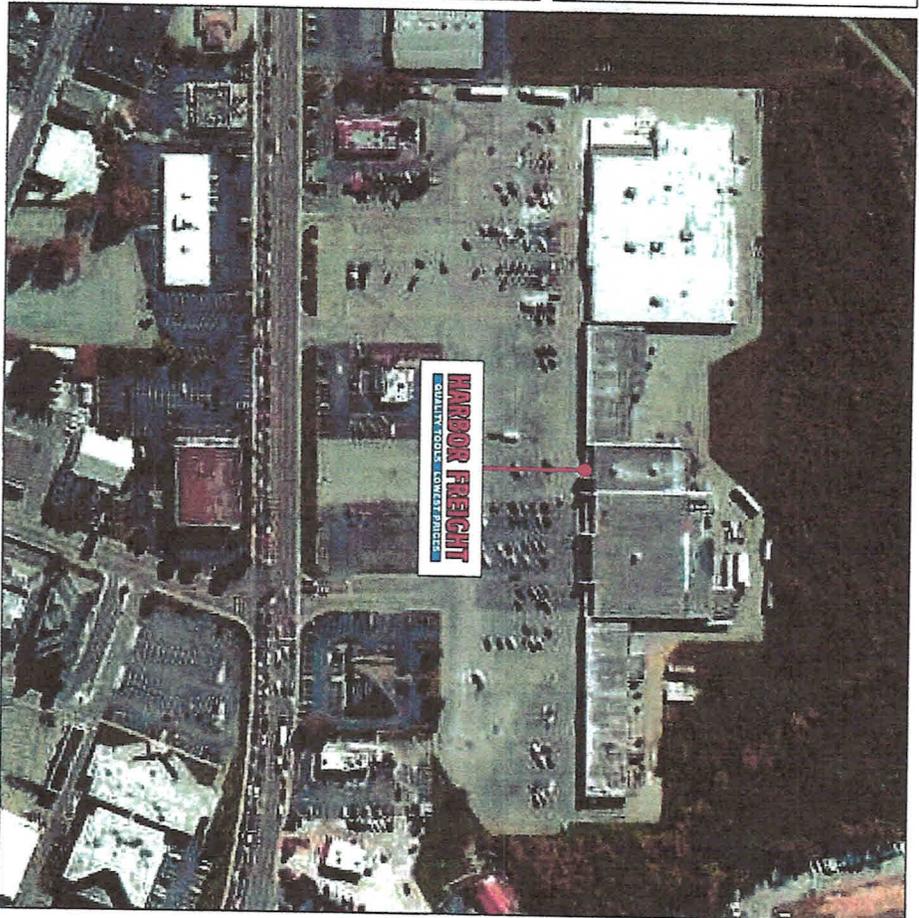
205 Forks of the River Pkwy. Sevierville, TN



ELEVATION



PYLON SIGN





# City of Sevierville

## Sign Permit

This form was printed on 5/16/2016 11:32:37 AM

Project #: 16-B-181

Issued Date: 5/9/2016

Project Name Harbor Freight Tools  
 Project Address 205 Forks of the River Pkwy Sevierville TN 37862  
 Contractor Name: Signco, Inc.  
 Keith Pankey  
 Contractor Phone (865) 388-6697  
 Applicant Signco, Inc.  
 Keith Pankey  
 Owner: Harbor Freight Tools Sign Height  
 Address 205 Forks Of The River Pkwy Sign Width  
 City Sevierville Sign Sq. Ft. 192  
 State TN Sign Total Height  
 Zip 37862  
 Phone No Number Provided  
 Designer N/A  
 Prop. Use Mercantile  
 Occp Type M Mercantile  
 Valuation 5000

### Fees

Fee Name	Fee Amount
Sign Permit	\$73.00
<b>Total Fees</b>	<b>\$73.00</b>

Notes: Reface a 2' x 10'6" tenant panel on the shopping center ground identification sign, and install a 3'9" x 32'1" illuminated channel letter wall sign and a 18.75" x 32'-8.75" illuminated wall sign on the front face of the tenant storefront as per the approved drawings on file and City sign regulations. *Paid 5-9-16*

**Notice**  
 This permit becomes null and void if work or construction authorized is not commenced within 6 months, or if construction or work is suspended or abandoned for a period of 6 months at any time after work is started.

I hereby certify that I have read and examined this document and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. Granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or performance of construction.

*Butch Stott*

5/9/2016

(Approved by)

Date

*Inspected on 6-3-16 @ 12:29 PM*