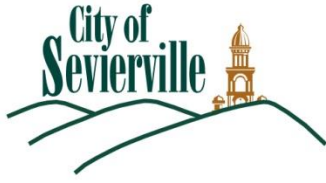


SEVIERVILLE BOARD OF ZONING APPEALS

June 1, 2017



Board of Zoning Appeals June 1, 2017 Agenda

- A. Call to Order
- B. Approval of Minutes – April 6, 2017
- C. Old Business
- D. New Business
 - 1. Case Number 17-04 – Gerald Madison requests a front and rear yard setback variance due to an irregular lot shape – 2233 Summerfield Lane (City).
 - 2. Other new business
- E. Adjournment

**BOARD OF ZONING APPEALS
MINUTES
April 6, 2017**

The Board of Zoning Appeals met at the Civic Center, 130 Gary Wade Blvd., Sevierville, Tennessee on Thursday, April 6, 2017 at 5:00 P.M.

There were present and participating:

MEMBERS PRESENT

Lyle Overbay, Chairman
Jim Arwood, Vice Chairman
Vincent Snider, Secretary
Bryan Atchley, Mayor
Wayne Helton
Daryl Roberts
Austin Williams

MEMBERS ABSENT

None

STAFF PRESENT

Pam Caskie, Development Director
Butch Stott, Director of Code Enforcement
Judi Forkner, Senior Planner
Dustin Smith, Planner/Recording Secretary
Jim Ellison, Project Manager
Bryon Fortner, Director of Public Works
Russell Treadway, City Administrator

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

APPROVAL OF MINUTES

Mr. Arwood made a motion, seconded by Mr. Roberts to approve the Minutes of the August 4, 2016 meeting. The motion passed with a unanimous vote.

CASE NUMBER 17-01 – JUTTA G. OGLE REQUESTS A VARIANCE TO PLACE A RESIDENTIAL STORAGE BUILDING IN THE SIDE YARD – 329 BEAL WOODS DRIVE (CITY).

Staff Comments

Mr. Stott noted the applicant is seeking a variance to place a garage (20' x 24'), in the side yard rather than within the rear yard, as required by the zoning ordinance, due to topographical conditions. He said if the BZA grants the variance, he recommends conditions be attached requiring the garage be set back at least 10' from the side property line, the driveway be set back at least 12' from the side property line, and that the driveway width be restricted to 16'.

Action Taken

Following discussion with the applicant, a motion was made by Mr. Roberts, and seconded by Mr. Snider to grant the variance with the conditions applied as outlined by staff, and, with the request the motion to be amended to state the variance was being granted due to topographical conditions. Mr. Roberts accepted the amendment, which then passed with a unanimous vote.

CASE NUMBER 17-02 – AMANDA P. YOUNG REQUESTS A REAR YARD SETBACK VARIANCE DUE TO A TOPOGRAPHICAL HARDSHIP – 344 SADDLEBACK WAY (CITY).

Staff comments

Mr. Stott explained this lot was created as part of a Planned Unit Development (PUD) subdivision in 1997 with setbacks established that would not meet setback requirements for a PUD in the present zoning ordinance. He provided a topographical map and said the lot falls steeply to the rear with the most buildable area being close to the street. Mr. Stott said there are several homes on the street that have been built as provided for on the plat with similar topographic conditions. Noting that Ms. Young was requesting both a front yard variance of 15' and a rear yard variance of 10' (the agenda mistakenly only stated a request for a rear yard variance), he stated it would be difficult to construct a home on this lot without the variances requested.

Action Taken

Mr. Snider moved the side and rear setbacks be granted as outlined by staff due to topographical conditions and that the location of the home on this lot in relationship to the street would be in keeping with the placement of other homes on lots along this street. Mr. Arwood seconded the motion which passed with a unanimous vote. Members asked staff to assist in ensuring that lots created are of a size and configuration able to accommodate a home without the need for variances.

ADJOURNMENT

There being no further business, the meeting was adjourned at 5:12 PM.

Lyle Overbay, Chairman

Vincent Snider, Secretary

Dustin Smith, Recording Secretary



City of Sevierville

T E N N E S S E E

Board of Zoning Appeals

Case Number 17-04 Fee Paid \$100.00

Action Requested

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

Owner GERALD MADISON

Address 2233 SUMMERFIELD LANE Lot No./Parcel No. 35/35

Tax Map: 63-P GROUP:A Lot Size _____ Zoning District R-1

Lessee _____

Address _____

The aforesaid applicant requested a building permit on the 8TH day of MAY, 2017

And was denied said permit for the following reason(s): PERMIT WAS ISSUED ON MAY 17, 2017. A SETBACK INSPECTION REVEALED A VIOLATION.

The applicant is requesting consideration (excepting special exception requests) FOR A FRONT YARD AND REAR YARD SETBACK VARIANCE AND BE ALLOWED TO USE SUBDIVISION SETBACKS. (FRONT: 25' AND REAR: 20')

(ON LINE APPLICATION) 5 / 17 / 17
Applicant's Signature Date

Granted: _____ Reasons: _____ Denied: _____ Minutes: _____

-----Notice-----

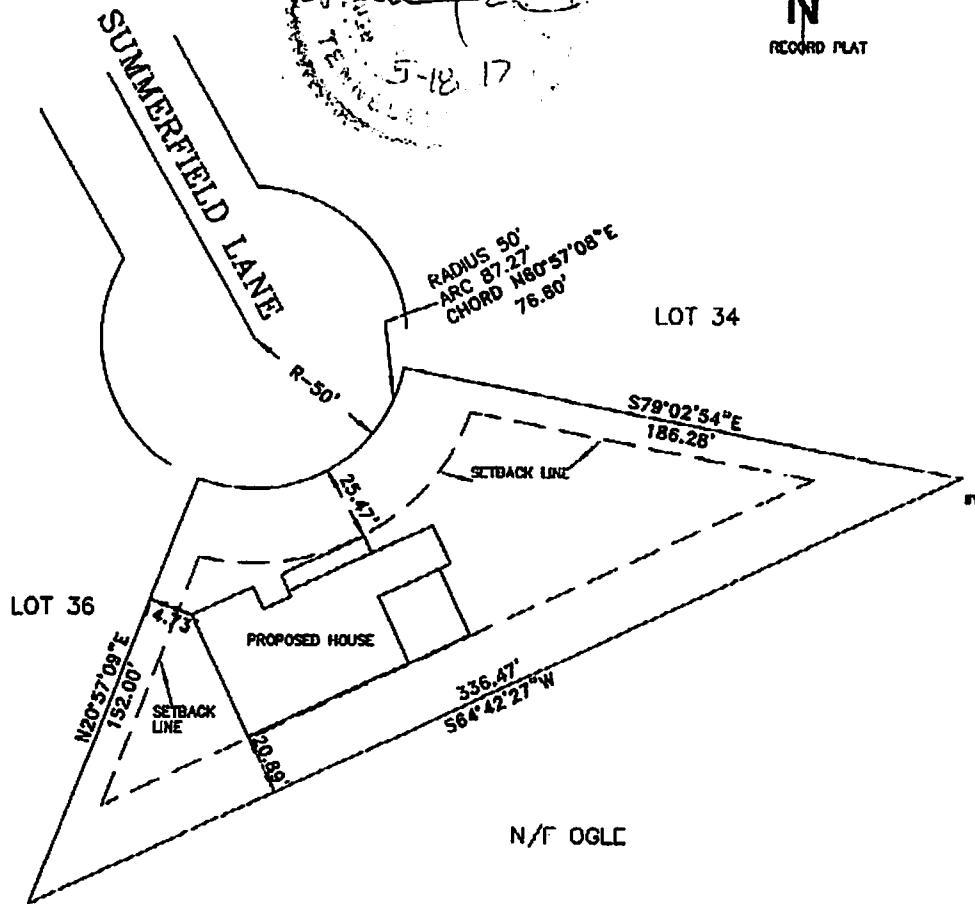
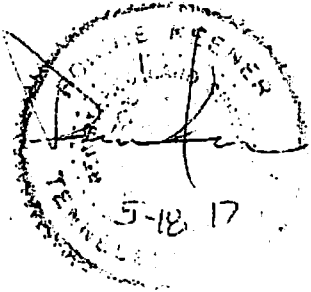
1. The Sevierville Board of Zoning Appeals requests that you or your agent be present at this meeting to be held at 5:00 p.m. on JUNE 1, 2017 in the Sevierville Civic Center, 200 Gary Wade Blvd.
2. Postponement requests for deferred action on any application will be granted one month only (or the next 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.

I HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY AND THAT THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS NOT LESS THAN 1":10000' AS SHOWN HEREON.

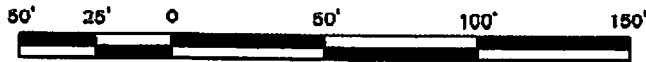
RONNIE KEENER RLS# 841

DATE

5-18-17



NOTE:
SUBDIVISION PLAT SHOWS SETBACKS AS FOLLOWS
25' FRONT
20' REAR
10' SIDE



GRAPHIC SCALE 1"=50'

RONNIE KEENER
REGISTERED LAND SURVEYOR
620 AMANDA LAKE KODAK, TN. 37784
PHONE (865) 933-6416

SERVING EAST TENNESSEE
SINCE 1973

LOT 35 SUMMERFIELD SUBDIVISION
RODNEY TARWATER
4th CIVIL DISTRICT SUMNER COUNTY TENNESSEE
TAX MAP 63-0 "A" PARCEL 35
DEED REFERENCE 4977/437
PLAT BOOK LM-1/PAGE 49
DATE 5/18/17
SCALE 1"=50'

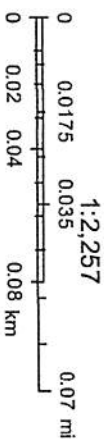
DRAWING # 14242-16

ArcGIS Web Map

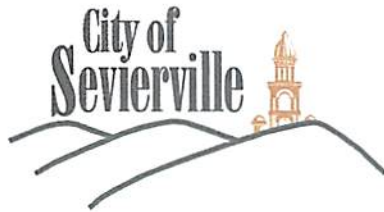


May 17, 2017

- Road Centerlines
- Parcel



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



To: Board of Zoning Appeals
From: Butch Stott, Director of Code Enforcement *BS.*
Date: May 18, 2017
Re: BZA Case No. 17-04

Gerald Madison is requesting both a front yard and a rear yard setback variance due to the irregular shape of the lot. A building permit was issued for this lot on May 17, 2017. Upon performing a footing inspection, it was determined that the house was encroaching into the setbacks.

The Summerfield subdivision was approved by the County and developed in the County. The subdivision was annexed by the City on May 18, 2005. At the time of annexation, thirty-four (34) homes were completed under the subdivision's setback regulations. The variance being requested would comply with the subdivision's setbacks.

City setbacks

Front – 30 feet
Rear – 30 feet
Side – 15 feet

Subdivision setbacks

Front – 25 feet
Rear – 20 feet
Side – 10 feet

Mr. Madison is requesting a 5 feet front setback variance and a 10 feet rear setback variance. Due to the irregular shape of the lot, staff would support the variance request.