

MINUTES
ANDERSON COUNTY BOARD OF ZONING APPEALS
MAY 12, 2026

Members Present

Jerry White, Chairman
Archie Burress
Mark Skove
Carl Wright
Jim Ferguson

Members Absent

Others Present

Marjorie Tinker, Bld. Comm.
Danny Phillips, Bld. Insp.
Lisa Crowley
Other interested parties

ETDD Staff Representative: Joe Barrett

CALL TO ORDER AND APPROVAL OF AGENDA AND MINUTES

Chairman White swore-in interested parties that would be addressing the board. Chairman White then called the meeting to order at 5:30 P.M. on May 12, 2026 at the Anderson County Courthouse. The minutes of the April meeting were reviewed. A motion was made by Archie Burress and seconded by Mark Skove to approve the April 14, 2026 Minutes as written. The motion passed unanimously.

GENERAL PUBLIC COMMENTS

None.

REQUEST FOR SPECIAL EXCEPTION FOR CUSTOMARY HOME OCCUPATION, TAX MAP 54, PARCEL 49.00

A special exception was considered by the board for a customary home occupation at 718 Offutt Road within an A-2 District. The applicant has been working on residential home mortgage loans out of her house for some time. The request is to legitimize the operation under the zoning regulations. Staff stated that this type of work is consistent with acceptable customary home occupations.

ACTION TAKEN:

Following further discussion, a motion was made by Mark Skove and seconded by Archie Burress to approve the special exception request. The motion passed unanimously. The applicant will need to obtain a special use permit.

REQUEST FOR VARIANCES FROM R-1 SETBACKS, TAX MAP 96J, GROUP B, PARCELS 6.00 & 7.00, MANN & WILSON

Variance requests were considered by the board from the front, rear, and one side setback requirement of the R-1 District for property at 140 Duke Street within an R-1 District. The lots in question were subdivided prior to the adoption of zoning in 1977 (Pine Meadows Subdivision) and do not meet the minimum lot size requirements. Consequently, the applicant is proposing to combine the lots into one larger lot and place a mobile home on the lot. The applicant is requesting a 5-foot front and right-side setback variance. The applicant presented a plan depicting the house placement to be diagonally on the lot.

ACTION TAKEN:

A motion by Carl Wright and seconded by Archie Burress to grant the variance requests, based on the request being reasonable, the request affords the lots to be developable lots, does not undermine the intent

of the zoning, and establishes a conforming developable lot that meets the minimum lot size requirements. The motion passed unanimously.

REQUEST FOR SPECIAL EXCEPTION FOR THREE ACCESORY BUILDINGS ON A LOT, TAX MAP 88C, GROUP D, PARCEL 19.00, TERRANCE CARPENTER

A special exception was considered by the board for two sheds and a gazebo on a lot without a principal building on it within an A-2 District. The applicant is planning on building a house on the lot at a later date. The request was originally for a variance, but a special exception is the correct request. Staff stated that the Special Use Permit provides some oversight to ensure that a house is built at a future date.

ACTION TAKEN:

Following further discussion, a motion was made by Mark Skove and seconded by Archie Burress to approve the special exception request contingent upon the permit be evaluated in the first six months by the planning staff and evaluated by the board if another six-month extension is granted. The motion passed unanimously. The applicant will need to obtain a special use permit.

REQUEST FOR SPECIAL EXCEPTION FOR SEASONAL PLANT SALES, TAX MAP 81N, GROUP A, PARCEL 37.00, CARMICHAEL

A special exception was considered by the board for seasonal plant sales at 1538 Oak Ridge Highway within an R-1 District. The applicant stated that he has been making seasonal plant sales for some time. There were some neighbors that have complained about the sales that were also present at the meeting. The main complaints from the neighbors were vehicles leaving mud on the road and the traffic. The members of the board asked the applicant questions regarding the plant sales. The applicant stated that the sales typically are temporary during the spring.

ACTION TAKEN:

Following further discussion, a motion was made by Archie Burress and seconded by Jim Ferguson to approve the special exception request contingent upon imposing a thirty-day maximum timeline for the plant sales. The motion passed unanimously. The applicant will need to obtain a special use permit.

REQUEST FOR VARIANCE FROM R-1-S FRONT SETBACK REQUIREMENTS, TAX MAP 96B, GROUP A, PARCEL 11.00, SERGE MANIKOVSKI

A variance request was considered by the board from the front setback requirement of the R-1-S District for property at 264 Sherwood Road (Chestnut Ridge Subdivision). The applicant is proposing to build a garage in the front yard. The applicant has poured the concrete pad for the garage, but a stop work order was issued due to not meeting the front setback. There was some discussion regarding the accuracy of the survey that had been presented due to the date of the original survey. It was not clear what the exact variance request was that was being applied before the board.

ACTION TAKEN:

A motion was made by Archie Burress and seconded by Carl Wright to deny the variance request, based on the request is self-created and there was not a specific distance for the variance from the setback requirement that can be established. The consensus of the board was to only consider the variance request in the future if a survey has been completed that depicts the specific dimensions of the property. The motion passed unanimously.

ADMINISTRATIVE REVIEW OF SPECIAL USE PERMIT, TAX MAP 56.00, PARCEL 15.02, DANIEL MOODY

An administrative review was conducted by the board for a Special Use Permit for the storage of dumpsters at 1798 Brushy Valley Road within an A-1 District. The original action by the board was in 2023 (9/12/23) when it was reported the applicant was storing dumpsters on the property. At that time, the applicant stated that these dumpsters are rotated to job sites around the area. The board was concerned about the visibility issue at the time and assumed this involved the storage of empty dumpsters that would then be rented to job sites. The latest complaint is that the dumpsters contain garbage in them. The board had determined that the violation letter issued in 2023 was the proper action by staff and then granted a special exception for the storage with a maximum of twenty dumpsters visible at one time. There was discussion regarding whether any conditions were imposed to prohibit the storage of garbage in the dumpsters. The special use permit was issued based on the information the applicant provided to the board in 2023. The intent was to store the dumpsters on the property to be rented out to job sites elsewhere. This would include an operation that did not involve garbage being stored in the dumpsters. Consequently, although the prohibition of garbage storage was not expressly noted as a condition on the permit, the board based the assumption that the dumpsters would not contain garbage but be rented as empty useable dumpsters to various job sites.

ACTION TAKEN:

Following further discussion, a motion was made by Jim Ferguson and seconded by Archie Burress to approve a revised Special Exception Permit that specifically prohibits storage of garbage in the dumpsters. The board also requested that some of the junk on the property be cleaned up to the county staff's satisfaction. The motion passed unanimously.

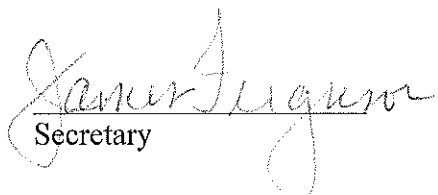
REQUEST FOR SPECIAL EXCEPTION FOR FARMING/AGRICULTURAL USES, TAX MAP 19, PARCEL 129.00, ARCHIE BURRIS

A special exception was considered by the board for permitting farming/agricultural uses for property at 812 New Clear Branch Road within an R-1-S District. Staff stated that state law exempts agricultural uses from zoning and the county zoning resolution reiterates that provision. The applicable section is in Section 05-090. Agricultural Uses. This section states "*Agricultural uses and structures are not restricted pursuant to TCA §13-7-114. Any agricultural use including accessory buildings such as barns, silos, feed troughs, irrigation systems and similar structures also are not restricted. Furthermore, building permits shall not be required as long as the structure and use is associated with an identifiable farm as delineated in the tax system.*" The applicant is requesting documentation that will protect these uses on the property.

ACTION TAKEN:

Following further discussion, a motion was made by Jim Ferguson and seconded by Carl Wright to approve the special exception request. The motion passed by majority vote with Archie Burress abstaining. The applicant will need to obtain a special use permit.

At 6:45 PM, with no further business the meeting was adjourned.


Secretary

6-9-26
Date