

MINUTES  
ANDERSON COUNTY BOARD OF ZONING APPEALS  
DECEMBER 10, 2024

Members Present

Jerry White, Chairman  
Archie Burress  
Mark Skove  
Jim Ferguson

Members Absent

Carl Wright

Others Present

Danny Phillips, Bld. Off.  
David Crowley, Plan Consultant  
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 December 10, 2024 at the Anderson County Courthouse. The minutes from the November meeting were reviewed. A motion was made by Archie Burress and seconded by Jim Ferguson to approve the November 12, 2024 minutes as written. The motion passed unanimously.

REQUEST FOR VARIANCE FROM THE A-2 DISTRICT FRONT SETBACK REQUIREMENT, TAX MAP 66, PARCEL 10.06, DOYLE FLATFORD

A variance request was considered by the board for the front setback requirement of the A-2 District for property at 405 Pumpkin Hollow Road. The variance request for the construction of a barn near the county road. The applicant is requesting a 29-foot variance from the front setback requirement. After discussing the situation, staff cited Section 13-7-114 of the *Tennessee Code Annotated* that exempted agricultural uses and buildings from being regulated by permitting and/or zoning. Additionally, Section 05-090 of the Anderson County Zoning Resolution references this state law and reiterates the exemption. Staff advised the board that the proper action would be to make an interpretation on whether this proposal is exempted by the permitting and zoning requirements.

ACTION TAKEN:

Following discussion, a motion was made by Archie Burress and seconded by Mark Skove that the agricultural exemption applies to the construction of the barn and a variance is not needed. The motion passed unanimously.

REQUEST FOR VARIANCE FROM SECTION 05-070 REQUIRING ONLY ONE PRINCIPAL BUILDING ON A LOT, TAX MAP 89, PARCEL 68.00, TERRY DAVIS

A variance request was considered by the board for the requirement of one principal building per lot. The applicant stated that a variance had been granted to him in the past by the board for a second dwelling. This request would result in three dwellings on the lot. The applicant is requesting the variance to build an additional house for his daughter. Staff stated that the lot is over 22 acres and ideally subdividing the lot would be a better option. The applicant stated that there was minimal road frontage on Herrell Lane. The applicant would still have the option of establishing a joint permanent easement to subdivide. Staff recommended denial of the variance request due to being a self-created situation and does not meet the criteria for granting a variance.

ACTION TAKEN:

Following further discussion, a motion was made by Archie Burress and seconded by Jim Ferguson to defer the matter for 30 days or until the next regular board meeting to gather more information. The motion passed unanimously.

REQUEST FOR SPECIAL EXCEPTION FOR CONCRETE FINISHING BUSINESS, TAX MAP 06, PARCEL 5.00, THOMAS & ROXANNE MOORE

The board considered a special exception for a proposed concrete finishing business that has been storing and retrieving gravel at their home for over a decade. The applicants stated that there are no operations occurring on the site and the materials are used off-site. There was a neighbor present who complained about the operation. The applicant and neighbor had two opposing views about the situation. Staff stated that there may need to be more information confirmed regarding this operation so the board can make an informed decision.

ACTION TAKEN:

Following further discussion, a motion was made by Mark Skove and seconded by Jim Ferguson to defer the matter for 30 days or until the next regular board meeting to gather more information. The motion passed unanimously.

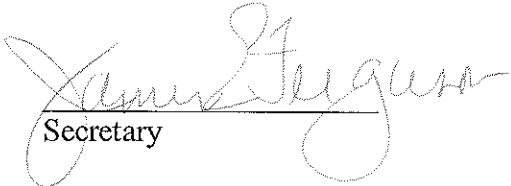
REQUEST FOR SPECIAL EXCEPTION FOR PLANNED DEVELOPMENT, TAX MAP 32, PARCELS 77.00 & 77.02, MARGIE THOMAS & OTHERS

The board considered a special exception for a planned development off Mountain Road within an A-2 District. The applicant addressed the board regarding the proposed development. The development will likely consist of ranch homes and duplexes. The properties total approximately 68 acres so the potential for a large development is likely on the lots. There were residents that were opposed to the development citing the additional traffic, school capacity, and the sewer capacity. Staff stated the only consideration by the board is to consider the use as a special exception. The use is listed as a special exception in the A-2 District, but there are no conditions listed for consideration for approval.

ACTION TAKEN:

Following further discussion, a motion was made by Archie Burress and seconded by Mark Skove to grant the special exception. The other two members voted against the request and the motion failed.

At 6:20 PM, with no further business the meeting was adjourned.

  
Secretary

1-14-25  
Date