

JONESBOROUGH BOARD OF ZONING APPEALS

CALLED MEETING

MINUTES – June 4, 2024

The Jonesborough Board of Zoning Appeals and Jonesborough Planning Commission met in a Called Meeting on Tuesday, June 4, 2024, at 8:00 a.m., in the Board Room at Town Hall, 123 Boone Street, Jonesborough, Tennessee. Chairman Tom Foster opened the meetings of the Board of Zoning Appeals and Planning Commission, Terry Countermine led the group in an opening Prayer, and Jim Rhein led the Pledge to the Flag.

Members Present: Tom Foster – Chairman, Terry Countermine, Bill Graham
Robin Harpe, Jim Rhein, Bob Williams

Members Absent: Frank Collins, Josh Conger, Richie Hayward

Staff Present: Glenn Rosenoff, Donna Freeman, Shawn Jackson

Chairman Tom Foster noted a quorum was present and called the Board of Zoning Appeals to order.

1. Request for a Variance to the Sideyard Setback Requirements for property located at 198 New Hope Road
Representative: Ron and Judy Cox, 198 New Hope Road, Jonesborough, TN

The request is for a variance to add an addition to their existing single-family residence in the side yard at 198 New Hope Road, and further described on Washington County Tax Map 59-C, Group D, Parcel 7.00. Variance request is for a 3-foot side yard variance (left side of home), and as the property is zoned Planned Residential District (PRD), the established side yard setback for this planned development is 7 ½ feet. During the site plan process, the PRD developer establishes the minimum setbacks to encourage flexibility in design, and subsequently the planning commission during that site plan approval may accept or deny the developer's request for setbacks (the 7 ½ foot side yard setbacks were approved by planning commission). The 7 ½ side yard setback is the lowest standard in the town's zoning ordinance, with 8 feet being the next lowest setback for high density residential zones. The subject property is part of the Mill Creek Phase 1, Section 1 planned development. In reviewing the subject property, staff found no exceptional topographical conditions or other extra ordinary or exceptional situations or conditions at the property. If the variance is granted, the side yard setback would be reduced to 4 ½ feet. The adjoining residence to the west is estimated at 7 ½ feet to their property line. The recorded plat of the Mill Creek Phase 1, Section 1 notates an established easement area as stated "There shall be a 7.5

FT utility and drainage easement estimated along all interior lot lines and property lines.

Chairman Foster asked if there was anyone present to speak on the request. Tom Flagg, 203 New Hope Rd, owner of the property across the road from the property owners that want the variance. Tom Flagg said he feels this would be too much house for the small lot size and also feels it could be a hazard during a fire to the adjacent houses. Mr. Flagg said they have also added a deck on the house and it appears to be too close the property line. Chairman Foster thanked Tom Flagg for his comments.

Ron & Judy Cox, property owners of 198 New Hope Road. Judy Cox said they are asking for a 10 ft. x 22 ft. addition to the garage to give more room and staying within the boundaries of their property line. Ms. Cox said in regard to the deck being too close to the property line, she does not think that is correct. Ron Cox said none of their next door neighbors next to them and have not shown up at this meeting. Judy Cox said they have checked with their neighbors to see if there were any issues with them and no one seemed to have any issues with the proposed addition. Ron Cox said they are just trying to enjoy their last few years with a house they can enjoy and have the best home they can. Judy Cox said they want to keep the integrity of the neighborhood and keep their home looking good. Chairman Foster thanked Ron and Judy Cox for their comments.

Chairman Foster read the staff recommendation that stated the current 7 ½ foot side yard setback is already considered a low minimum setback for zoning and building purposes; there are no exceptional topographical conditions or other extra ordinary or exceptional situations or conditions at the property; and with the existing established utility and drainage easement of 7 ½ foot, the recommendation is to deny the variance request. Chairman Foster asked Commissioners if they had any questions or comments.

Motion: Bill Graham made the motion to deny the variance request for the Sideyard set back requirements for property at 198 New Hope Road. Bob Williams seconded the motion and it was duly passed.

With there being no further business for discussion, Chairman Tom Foster adjourned the Board of Zoning Appeals meeting.