BOARD OF ZONING APPEALS June 6, 2024 6:00 PM 2nd FLOOR BOARD ROOM



Agenda for the Meeting of the City of Covington Board of Zoning Appeals June 6, 2024 5:59 PM

- I. Establishment of a Quorum and Call to Order
- II. Approval of Previous Minutes
- III. Public Comments (Maximum 15 minutes)
- IV. Unfinished Business
- V. New Business
 - A. Stephanie Byrd 502 W Liberty Ave. -- Map 041B Parcel 013.00 Special Exceptions, Lot of Record. (R-2 District)
 - B. Darron Robinson 1318 Hwy 51 North Map 018 Parcel 045.06 Special Exceptions, Manufacturing, Woodworking business. (B-2 District)
 - C. Veronica Layne 2657 Mt Carmel Road Map 050 Parcel 063.01 Special Exception, Camping Grounds.
- VI. Other Business
- VII. Adjournment

The Covington Board of Zoning Appeals met on May 9, 2024, at 6:00 pm with the following members present Chairwoman Sue Rose, Board Members: Maurine Cannon and Avery Jones. Also present were Building Official Lessie Fisher, Code Compliance Technician Phyllis Mayfield, and Yolonda Newkirk.

Meeting was called to order by Sue Rose.

Motion was made by Avery Jones, seconded by Maurine Cannon that the Minutes of the preceding meeting be approved. Motion passed.

New Business:

Yolonda Newkirk presented her request for Special Exception – Use Permitted on Appeal, at 823 S. Tipton St., Parcel 005.00, Group D on Tipton County Tax Map 041K.

Motion was made by Maurine Cannon and seconded by Avery Jones to approve the Use Permitted on Appeal, Home Occupation, home office for art studio. Motion passed.

There being no further business Avery Jones made a motion to adjourn, Maurine Cannon seconded. Motion passed.

Meeting was adjourned at 6:10 pm



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MEMORANDUM

TO: The Covington Board of Zoning Appeals

FROM: Will Radford, AICP

DATE: May 27, 2024

SUBJECT: Staff recommendations for the June meeting of the Board of

Zoning Appeals.

A. Stephanie Byrd – 502 W Liberty Ave. -- Map 041B Parcel 013.00 – Special Exceptions, Lot of Record. (R-2 District)

Criteria for approving a variance request for a "Lot of Record" is listed below:

<u>Lot of Record:</u> A lot which is part of a subdivision recorded in the office of the county register of deeds, or a lot described by metes and bounds, the description of which has been recorded in the office of the county register of deeds prior to the effective date of this Zoning Ordinance.

11-1001. Lot of Record. Where the owner of a lot of official record at the time of the adoption of this Ordinance does not own sufficient land to enable him to conform to the yard or other requirements of this Ordinance, an application may be submitted to the Board of Zoning Appeals for a Special Exception from the terms of this Ordinance, in accordance with Section 11-1304. Permission to use such lot as a building site may be granted, however, providing that the yard and other requirements of the district are complied with as closely as is possible in the opinion of the Board of Zoning Appeals.

Tennessee Code Annotated 13-7-207 allows for a variance to be granted within the following criteria:

(3) Where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the enactment of the zoning regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, the strict application

of any regulation enacted under this part and part 3 of this chapter would result in peculiar and exceptional practical difficulties to or exception or undue hardship upon the owner of such property, authorize, upon an appeal relating to the property, a variance from such strict application so as to relieve such difficulties or hardship; provided, that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinance.

Recommendation

Staff recommends approval of the variance request as the lot appears to be a Lot of Record. In order for a variance to be granted in this instance, the applicants shall demonstrate how the lack of the variance would render the property otherwise unusable. A variance should be granted when there is unique hardship to the property and not for just establishing the most desired use of the property.

B. Darron Robinson – 1318 Hwy 51 North – Map 018 Parcel 045.06 – Special Exceptions, Manufacturing, Woodworking business. (B-2 District)

Manufacturing and Woodworking is a Use Permitted on Appeal in the B-2 District:

2. <u>Uses Permitted on Appeal</u>

A. Manufacturing Uses

Following review and approval of the site plan by the Planning Commission, the Board of Zoning Appeals may approve the following uses after a public hearing is held:

- 1. Apparel and other finished products made from fabrics and similar materials manufacturing (except leather tanning and finishing).
- Office, computing, and accounting machines manufacturing.
- 3. Service industry machines manufacturing.
- 4. Other machinery manufacturing (except electrical), NEC. *
- 5. Household appliances manufacturing.
- 6. Electric lighting and wiring equipment manufacturing.
- 7. Radio and television receiving sets (except communication types) manufacturing.
- 8. Communication equipment manufacturing.

- 9. Electronic components and accessories manufacturing.
- 10. Other electrical machinery, equipment, and supplies manufacturing, NEC*.
- 11. Coating, engraving, and allied services.
- 12. Professional scientific and controlling instruments; photographic and optical goods; watches and clocks manufacturing.
- 13. Miscellaneous manufacturing, NEC* (except tobacco manufacturing).
- 14. Brooms and brushes manufacturing.
- 15. Lamp shades manufacturing.
- 16. Signs and advertising displays manufacturing.
- 17. Umbrellas, parasols, and canes manufacturing.
- 18. Other miscellaneous manufacturing, NEC*.

(*NEC = Not Elsewhere Coded)

Recommendation

Staff recommends approval of the Use Permitted on Appeal.

C. Veronica Layne – 2657 Mt Carmel Road – Map 050 Parcel 063.01 – Special Exception, Camping Grounds.

4.260 Development Standards for Camping Grounds

The following land development standards shall apply for all camping grounds:

- A. The property shall be located on a well-drained site, properly graded to ensure rapid drainage and to avoid the possibility of stagnant pools of water. Each site shall be located outside identified special flood hazard areas on the current Tipton County Flood Insurance Rate Maps. Drainage plans shall be required and approved by the City of Covington or designated staff.
- B. <u>Dimensional Requirements for Camping Grounds</u>
 - 1. Each camping ground shall have front, side, and rear yard setbacks of fifty (50) feet exclusive of any required yards for each campsite.

- 2. Each camping ground shall be permitted to display, on each road frontage, one (1) identifying sign of a maximum size of twenty (20) square feet.
- 3. The site for a camping ground shall comprise of an area of not less than five (5) acres.
- 4. Direct vehicular access to the site shall be provided by an abutting improved public road and not along an ingress/egress easement.
- 5. A buffer strip, as defined in Section 2.020, shall be present on all sides that abut any county road and any residentially zoned district.

C. General Requirements

- 1. Each campsite shall be clearly defined by permanent markers.
- 2. No camping ground shall be permitted unless such camping ground is served by a public water supply with access to potable water. Sanitary facilities, including flush toilets and showers shall be located within three hundred (300) feet walking distance of each primitive tent campsite.
- 3. Access roads within the camping ground shall be paved to a width of not less than twenty-two (22) feet (bi-directional) or not less than twelve (12) feet (for single directional) in accordance with the procedures and standards for minor residential roads as specified in the Covington Regional Subdivision Regulations, and the right-of-way shall only be of sufficient width to include the road surface itself and necessary drainage facilities. All roads within the camping ground shall be private roads and shall not be accepted as public roads.
- 4. Camping Grounds that provide fifty (50) or more sites shall be required to provide more than one ingress/egress point to the camping grounds.
- 5. All campsites within the camping grounds shall abut an access road. There shall be at least two (2), off-road parking space for each campsite, or a general parking lot where individual campsites do not have their own parking space.
- 6. Each camping ground shall be provided with a dumping station. Each camping ground site shall provide a connection to electricity and a private wastewater treatment system approved by the Tennessee Department of Environment and Conservation, Division of Water Resources. Primitive tent campsites do not require connections to electric nor a private wastewater treatment system.
- 7. Commercial, industrial, or other nonresidential uses including customary home occupations within the camping ground are prohibited, except to house a rental office, maintenance, and amenity structures such as laundry, bathroom facilities and

- convenience commercial such as small incidental retail. (Ex. Drink Machines and small item retail)
- 8. Each space shall be identified by either numbers or letters or a combination of both numbers and letters and shall be visible from the access road.
- 9. At least ten (10%) percent of the land area being used for the camping grounds shall be designated for open space and recreation in a centralized location. This area shall not be used for the placement of campsites nor for parking.
- 10. The storage, collection, and disposal of refuse in the camping grounds shall be so managed as to create no health hazards. All refuse shall be stored in flyproof, watertight and rodent proof containers. Garbage shall be collected and disposed of in a legal manner daily. There shall be one (1) trash receptacle for each campsite.
- 11. There shall be one (1) picnic table and one (1) fireplace/grill per campsite.

Plans and Schedules Required

The following information shall be shown on the required site plan drawn to a scale of no smaller than one hundred (100) feet to one (1) inch:

- 1. The location and legal description of the proposed camping ground, including the total acreage involved.
- 2. The location, size and use of all buildings, improvements, and facilities constructed or to be constructed within the camping ground.
- 3. The location and size of all campsites, off-road parking facilities and open space.
- 4. The location of all points of entry and exit for motor vehicles and internal circulation pattern.
- 5. Such other architectural, engineering, and topographic data as may be required to permit the Tennessee Department of Environment and Conservation, Division of Water Resources, Covington Public Works or designated staff, and the Board of Zoning Appeals (if applicable) to determine if the provisions of these regulations are being complied with, shall be submitted with the site plan.
- 6. A time schedule for development shall be prepared, which shall demonstrate the applicant's readiness and ability to provide the proposed services.
- 7. All approved camping grounds existing at the date of the passage of this Ordinance that do not conform to the provisions of the

zoning Ordinance shall be governed in accordance with the provision of Section 6.020, of this Ordinance.

E. Application for Camping Ground Development

An application for a permit to develop and construct a camping ground shall be filed in accordance with this Ordinance, and shall be accompanied by all site plans, schedules, and other information herein required. Said application shall be processed in the following manner.

- 1. The written application, plans, and schedules, herein required, and a statement of approval of the proposed private sewage disposal system from the Tennessee Department of Environment and Conservation, Division of Water Resources will be submitted to the Covington Municipal-Regional Planning Commission for site plan approval. The Municipal-Regional Planning Commission shall duly review these materials and shall co-ordinate the review with the appropriate entities.
- 2. An annual fee to operate a camping ground shall be based on the number of campsites approved. A permit will be issued upon receipt of the annual fee and shall be posted on the property. Any addition of campsites shall require approval in the same fashion as did the original plan. The annual fee shall be paid to the City of Covington Building Inspectors Office per campsite approved whether occupied or not.
- Under no circumstance shall any portion of the camping ground be subdivided into individual lots, and when any ownership of the camping ground changes, notification shall be presented to the Codes Department.
- 4. Any newly placed structure in the camping ground shall be permitted as required in Section 8.030 of this Ordinance.

Recommendation

Staff recommends approval of the Use Permitted on Appeal.