### BOARD OF ZONING APPEALS OCTOBER 3, 2024 6:00 PM 2<sup>nd</sup> FLOOR BOARD ROOM



# Agenda for the Meeting of the City of Covington Board of Zoning Appeals October 3, 2024 6:00 PM

- I. Establishment of a Quorum and Call to Order:
- II. Approval of Previous Minutes:
- **III. Period for Public Comment**
- IV. Old Business
- IV. New Business
  - A. Coretta Mason Middlebrook 712 Town Creek Road -- Map 025J Group E Parcel 51.00 Special Exception, Use Permitted on Appeal, Catering service for delivery. (R-3 District)
  - B. Brendan Wade 891 Highway 51 North Map 025K, Group A, Parcel 023.05 Special Exception, Use Permitted on Appeal, Day Care (B-2 District)
- V. Other Business
- VI. Adjournment

The Covington Board of Zoning Appeals met on August 8, 2024, at 6:00 pm with the following members present Chairwoman Sue Rose, Board Members: Maurine Cannon, Avery Jones and Tyler Wood. Also present were Building Official Lessie Fisher, Code Compliance Technician Phyllis Mayfield, and Peter Simonton.

Meeting was called to order by Sue Rose.

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

#### **New Business:**

Peter Simonton presented his request for Special Exception, variance due to lot shape of a Lot of Record at 715 South Maple St., Parcel 022.00, on Tipton County Tax Map 041F for placement of detached carport in front yard.

Motion was made by Maurine Cannon and seconded by Avery Jones to approve the detached carport to be placed in the front yard. Motion passed.

Peter Simonton presented his request for Special Exception at 421 South Tipton St., Parcel 017.00, on Tipton County Tax Map 041F requesting a variance of six (6') foot to rear yard setback for attached carport.

Motion was made by Tyler Wood and seconded by Maurine Cannon to approve the variance of six (6') foot to the rear yard setback. Motion passed.

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

Meeting was adjourned at 6:30 pm



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#### **MEMORANDUM**

TO:

The Covington Board of Zoning Appeals

FROM:

Will Radford, AICP

DATE:

October 3, 2024

SUBJECT: Staff recommendations for the October meeting of the Board

of Zoning Appeals.

Α. Coretta Mason Middlebrook - 712 Town Creek Road -- Map 025J Group E Parcel 51.00 – Special Exception, Use Permitted on Appeal, Catering. (R-3 District)

Home Occupations for the **R-3 District** are as follows:

- K. Customary incidental home occupations subject to the conditions of this Section and provided that:
  - 1. the proposed use shall be located and conducted in the principal building only;
  - 2. the principals and employees engaged in the proposed use shall be residents of the dwelling unit in which the proposed use is located:
  - 3. not more than fifteen (15) percent of the total floor area in dwelling unit shall be devoted to the proposed use;
  - 4. proposed use shall not constitute primary or incidental storage facilities for a business, industrial, or agricultural activity conducted elsewhere;

- no activity, materials, goods, or equipment indicative of the proposed use shall be visible from any public way;
- 6. the proposed use shall not be advertised by the display of goods or signs on the lot on which the proposed use is located;
- 7. the proposed use shall not generate noise, odor, fumes, smoke, vehicular or pedestrian traffic, nor nuisance of any kind which would tend to depreciate the residential character of the neighborhood in which the proposed use is located;
- 8. the provisions of this Section shall not be used under any circumstances to permit barber shops or beauty shops that contain more than one chair or serve more than one patron at a time.

## B. Brendan Wade – 891 Highway 51 North – Map 025K, Group A, Parcel 023.05 – Special Exception, Use Permitted on Appeal, Day Care (B-2 District)

Day Care Facilities are a use permitted on Appeal in the B-2 district subject to the following conditions:

- D. Family Day Care Homes, Adult Care Centers, Family Day Care Centers, Group Day Care Homes, Day Care Centers; provided, however, a permit for such use shall not be issued until a site plan is submitted to the Board of Zoning Appeals for review, and further subject to the following minimum standards:
  - 1. All dimensional regulations of the district shall apply.
  - 2. A fence play area shall be provided. The size of the play area and the height of the fence shall be in accordance with current state standards. This section is not applicable to Adult Care Centers.
  - 3. Along the site boundary of the facility, buffering, screening, and landscaping must be provided to adequately protect any abutting residential property.
  - 4. All outdoor play activities shall be conducted within the fenced play area. The fenced play area shall not be located within any required front yard. This section is not applicable to Adult Care Centers.

- 5. The facilities' operation and maintenance shall meet the requirements of the Tennessee Department of Human Services.
- 6. Off-street parking shall be provided at the rate of one (1) space for Family Day Care Homes, two (2) spaces for Group Day Care Homes, and three (3) spaces for Day Care Centers caring for up to fifteen (15) children with an extra space for every five (5) children accommodated above fifteen, plus the specific required space(s) for the district in which the facility is located. Adult Care Centers shall require parking to accommodate employees during the most active shift and fifteen percent 15% of the number of residents to accommodate visitor parking.
- 7. In order that the Board of Zoning Appeals may make an accurate determination of the character of the proposed use, the applicant shall submit an accurately and legibly drawn site plan showing existing and proposed buildings, fences, landscaping, parking and access facilities.