McKenzie Board of Zoning Appeals (BZA)
Wednesday, April 24, 2013
McKenzie City Hall@8: 00 AM

I. Call to Order/Establishment of a Quorum

Public Hearing was called to order by at 8:00 AM by Chair Dean Robb and a quorum was established with all members being present.

Members of the Board of Zoning Appeals are: Dean Robb, Chair, Willie Huffman, Vice-Chair and Kevan King, Secretary.

Ex-officio members absent were Jill Holland, Mayor & Cliff Wheelock, Codes Enforcement Officer

II. Approval of Agenda

As this is a public hearing the purpose being part of the public notice of the meeting, no other agenda approval was necessary.

III. Reading and Approval of the Minutes

The previous hearing minutes from 2010 are available on the City of McKenzie website.

IV. Old Business None

V. New Business:

Steven R. Sherwood Variance Request Hearing: Case#2013.001
Property located at 84 Grandberry Street, McKenzie, TN. 38201.
Map 016-D, Group F, Parcels 002.02 and 002.03.
These properties are owned by Mr. Steven R. Sherwood ET UX Gina

Steven R. Sherwood Appellant represented himself
Overview of the distributed variance request and Codes Enforcement Officer Wheelock recommendation was reviewed and discussed. (Cliff Wheelock Memo and application forms, survey and description and structure site plan attached)

Variance conditionally granted by unanimous vote of BZA (Robb, King & Huffman/all present)
Condition: Storage shed attached to the Dance Studio is to be removed no later than July 24, 2013 (90 days, time requested by Mr. Sherwood). It was noted that as a result of this variance being granted the existing residence and dance studio become non-conforming structures (see City Ordinance for non-conforming structures details)
Any sub-division/zoning action is to be determined upon application to the McKenzie Planning Commission.

Chair Dean Robb and Secretary Kevan signed the request for variance application approving the action conditionally granting the variance.

VI. Other Business None

VII. Adjournment Hearing was adjourned at 8:25 AM

SIGN IN SHEET

DATE: 4/24/2013 **EVENT:** BZA CASE 2013-001 **OTHER:** VARIANCE REQUEST STEVE SHERWOOD

	NAME	ADDRESS	TELEPHONE NO.
1	DEAN ROBB	1740 STONEHALL ST N.	(731) 352-7266
2	WILLIE HUFFMAN	20 WINSTON AVE	(731) 352-5945
3	KEVAN KING	265 ELWOOD DR	(731) 393-0303
4	STEVEN SHERWOOD	7351 HWY 436	(731) 415-5593
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Memo

To: McKenzie Board of Zoning Appeals

From: Cliff Wheelock

Date: 4/18/2013

Re: Steve Sherwood Request for Subdivision and Consolidation

Message

Steve Sherwood has submitted an application to subdivide a parcel currently zoned R-1 into two parcels.

One of the parcels contains a private residence and he wants to keep the current R-1 zoning on that parcel.

The remaining part of the original parcel contains a dance studio and he wants to add the dance studio property to another adjacent parcel he owns that is currently zoned B-2, and to make the consolidated properties (the originally zoned B-2 parcel and the dance studio parcel) into one parcel and have that new consolidated parcel be zoned B-2.

The dance studio and residence were combined onto one parcel at a time when there were no zoning regulations or if there were they were poorly enforced. Mr. Sherwood wants to separate the properties so that he can sell the residential property.

After reviewing the proposed split of the properties I can recommend approval only if a small storage shed is removed from the side of the dance studio. The area I am referring to is highlighted in yellow on the survey provided to you with his application.

Please note Mr. Sherwood's surveyor has provided two new legal descriptions of the two proposed new lots.

I believe Mr. Sherwood should have to come before the Planning Commission to get approval to subdivide the one lot and consolidate the remaining piece of the original lot and the small triangular portion of the adjacent lot.

APPLICATION FOR PROPERTY RECLASSIFICATION OR RELIEF UNDER THE ZONING ORDINANCE OF THE CITY OF McKENZIE, TENNESSEE

PAID APR 09 2013 CITY OF McKENZIE WATER COMM.

GENERAL INFORMATION: **FEE(s) PAID:** _____ **CASE NUMBER:** _____

NAME OF APPLICANT(s) Sherwood (LAST) Steven (FIRST) Ross (MIDDLE)

SIGNATURE Steven R. Sherwood **DATE** 4-4-13

STREET ADDRESS 7351 Hwy 436 **PHONE** (731) 415-5593

CITY, STATE, ZIP CODE McKENZIE, TENNESSEE _____-38201

APPLICANT'S INTEREST IN THE PROPERTY: OWNER (X) LESSEE (__)

PURCHASE PROSPECT (__) OPTION HOLDER (__)

OTHER (STATE) _____

NATURE AND CHARACTER OF APPLICATION:

ACTION REQUESTED: RECLASSIFICATION (X) VARIANCE (__)

SPECIAL EXCEPTION OR USE PERMITTED ON APPEAL (__) APPEAL ALLEGING ERROR OF BUILDING INSPECTOR (__)

INTERPRETATION OF THE ORDINANCE (__)

PROPERTY LOCATION/ADDRESS: 84 Grandberry St.
McKenzie TN 38201

ZONING CLASSIFICATION: (IF APPLICABLE) R-1 PRESENT B-2 PROPOSED

DESCRIPTION OF INTENDED USE OF PROPERTY: Dance Studio

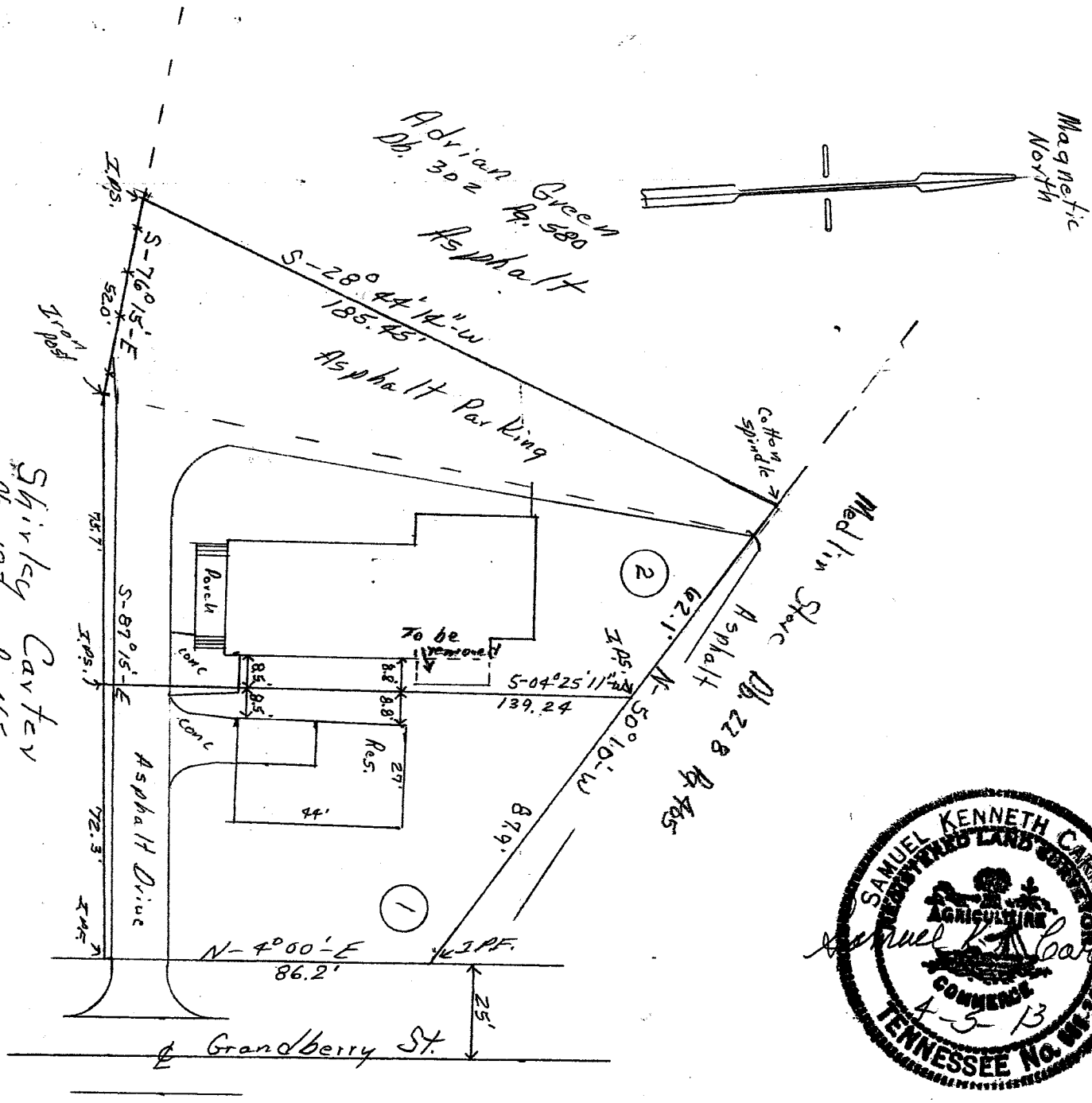
REASON FOR REQUEST: Busines on property currently zoned R-1

DATE: 4/24/2013 **ACTION TAKEN:** CONDITIONALLY APPROVED REQUEST SMALL STEPS HED TO BE REMOVED BY JULY 24, 2013. PROPERTIES BECOME NON-CONFORMING. ALL DIVISION/ZONING DECISION TO BE DETERMINED BY MEETING COMMISSION

SIGNED BY: [signature] DEAN ERCOS CHAIR 4/24/2013 AND [signature] NEVAN KING, SECRETARY 4/24/2013

BZA-1.APPLICATION FORM.2013.0402.rev02

Survey for Steven Ross Sherwood
84 Grandberry Street McKenzie Tn.
22nd Civil Dist. Carroll Co.



SAMUEL KENNETH CARRELL
REGISTERED LAND SURVEYOR
AGRICULTURE
COMMERCE
TENNESSEE No. 881-345

Samuel K. Carrell
4-5-13

I certify that this is a category II survey and the ratio of precision of the unadjusted survey is 1: 7,500' as shown hereon.

SURVEYED BY SAMUEL K. CARRELL
DATE 3-21-13
DRAWN BY S.K.C.
SCALE 1" = 40'

(1)

Description

Beginning at a found iron pin on the west margin of Grandberry St. at Shirley Carter Db. 183 Pg. 465 N-E corner, thence N-4 degrees 00'-E 86.2 feet along west margin of Grandberry St. to a found iron pin at Medlin Store Db. 228 Pg. 405 S-E corner, thence N-50 degrees 10'-W 87.9 feet along Medlin south line to a set iron pin, thence S-4 degrees 25' 11"-W 139.24 feet through Steven Sherwood Db. 225 Pg. 599 to a set iron pin on Carter north line, thence S-87 degrees 15'-E 72.3 feet along Carter north line to the point of beginning.

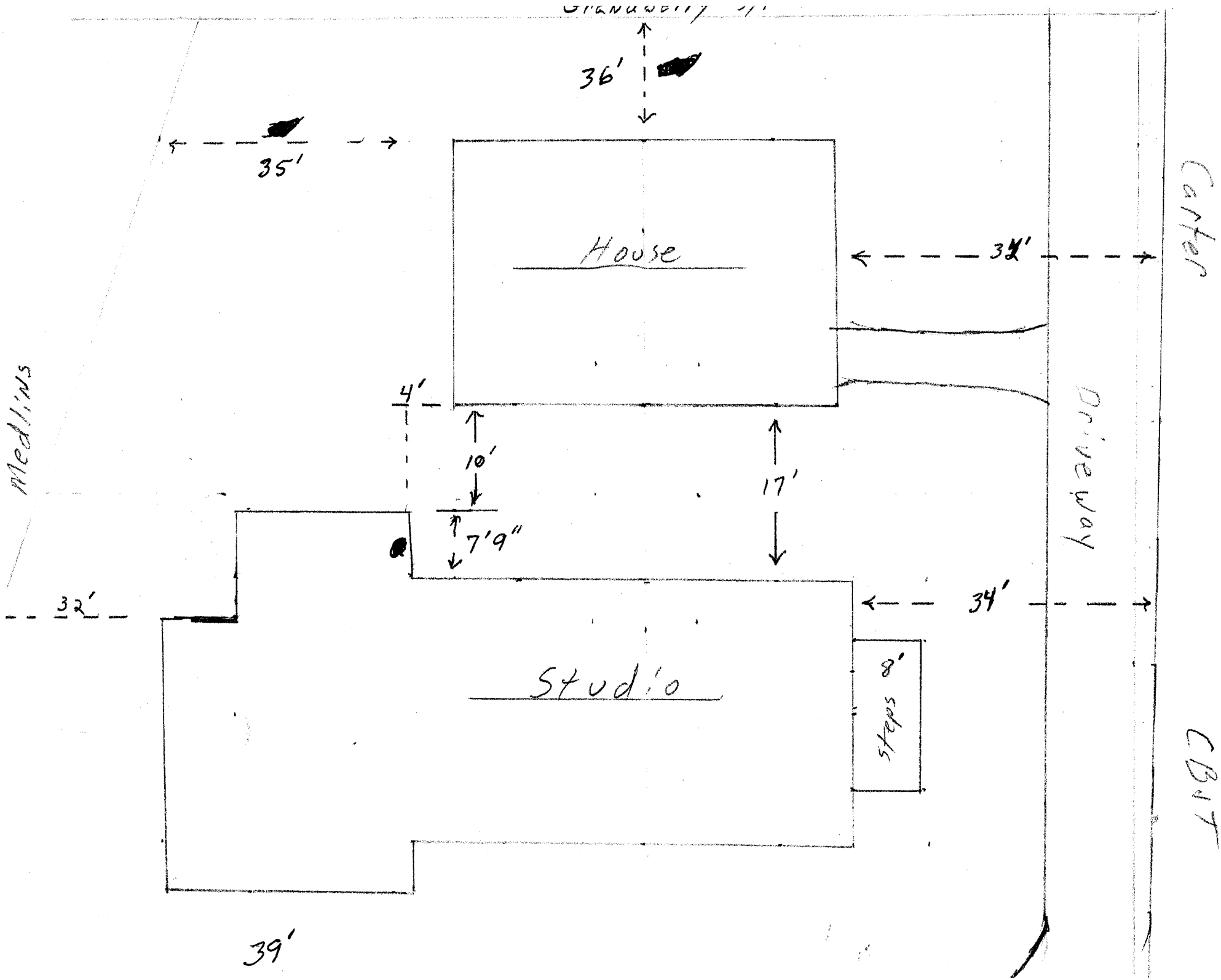
(2)

Description

Beginning at a cotton spindle on Medlin Store Db. 228 Pg. 405 south line at Adrian Green N-E corner, thence S-28 degrees 44' 14"-W 185.45 feet along Green east line to a set iron pin in fence, thence S-76 degrees 15'-E 52 feet along fence to an end post, thence S-87 degrees 15'-E 75.7 feet along Shirley Carter Db. 183 Pg. 465 north line to a set iron pin, thence N-4 degrees 25' 11"-E 139.24 feet through Steven Sherwood Db. 225 Pg.599 to a set iron pin on Medlin south line, thence N-50 degrees 10'-W 62.1 feet along Medlin south line to the point of beginning.

SAMUEL KENNETH CARRELL
REGISTERED LAND SURVEYOR
AGRICULTURE
COMMERCE
TENNESSEE No. [illegible]

Samuel K. Carrell
4-12-13



36'
35'
House
34'
Carter
Medlins
4'
10'
17'
7'9"
Driveway
32'
34'
Studio
8'
steps
CBIT
39'