

**AGENDA
CITY BOARD OF ZONING APPEALS
JACKSON CITY HALL—101 EAST MAIN STREET—FIRST FLOOR
GEORGE A. SMITH MEETING ROOM
OCTOBER 24, 2022 – 3:30 P.M.**

- I. CALL TO ORDER/DETERMINATION OF QUORUM
- II. APPROVAL OF MINUTES OF THE SEPTEMBER 26, 2022 MEETING
- III. PUBLIC HEARINGS:
 - 1. Consideration of a special exception request by Gary Taylor for approval to establish a home for the aged on the property located at 447 Cheyenne Drive within the RG-2 (General Residential) District.
- IV. OTHER BUSINESS
- V. ADJOURNMENT

**MINUTES
CITY BOARD OF ZONING APPEALS
JACKSON CITY HALL—101 EAST MAIN STREET—FIRST FLOOR
GEORGE A. SMITH MEETING ROOM
SEPTEMBER 26, 2022--3:30 P.M.**

Members Present: Vice Chair Pat Ross
Janna Hellums
Mike Singleton

Staff Present: Elvis Hollis, Senior Planner

The meeting was called to order upon Vice Chair Pat Ross making a determination of a quorum.

The minutes of August 22, 2022 were unanimously approved on motion of Mike Singleton and seconded by Janna Hellums.

Consideration of a variance request by John Allen for approval to establish an accessory dwelling unit (ADU) that exceeds the 25% maximum gross floor area of the house and the 30% maximum lot coverage of the property located at 33 Baker Drive within the RS-1 (Single Family Residential) District.

- Mr. Hollis presented the request to the board. Mr. Hollis stated that the property, referenced as Carroll Station Section IX Lot 16, is situated in the RS-1 (Single Family Residential) District which allows an accessory dwelling unit as a use permitted outright. According to the Real Estate Assessment Data, the existing two story single-family home contains approximately 2,808 square feet of gross floor area.

Mr. Allen would like to build a sunroom addition containing 480 square feet and an ADU containing 730 square feet. As a result, the ADU would represent 26% of the 2,810 gross floor area of the remodeled home, excluding garage/carports and utility space. According to the City of Jackson Zoning Ordinance Article VI. Section 27, a maximum of twenty-five (25%) percent of the gross floor area, excluding garage/carports and utility space may be used for the ADU, not to exceed eight hundred (800) square feet in area, unless in the opinion of the Board of Zoning Appeals, a greater amount of floor area is warranted by the circumstances of a particular building. The applicants are requesting a variance from this requirement. According to Mr. Allen, the base of the remodeled house would cover 3,108 square feet of the 9,807 square foot lot, representing 31.7% of lot coverage. According to the City of Jackson Zoning Ordinance Article V. Section 3, the dwelling and buildings accessory thereto shall cover not more than thirty (30%) percent of the lot area. The applicants are requesting a variance from this requirement.

According to the City of Jackson Zoning Ordinance Article VIII Section 1, C, 3, the City of Jackson Board of Zoning Appeals is given the following power:

c. Where, by reason of exceptional narrowness, shallowness or shape of specific piece of property at the time of the enactment of the zoning regulations, or by reason of exceptional situation or condition of such piece of property, the strict application of any regulation enacted under this Ordinance would result in peculiar and exceptional practical difficulties to or exception or undue hardship upon the owner of such property, to authorize, upon an appeal relating to said property, a variance from such strict application so as to relieve such difficulties or hardships, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this Ordinance.

According to Mr. Allen, the extra space is needed in order to make the ADU handicap accessible for the homeowners' mother. Due to this exceptional situation, the planning staff supports the variance request for the ADU to exceed the 25% maximum gross floor area by 1% and for the remodeled home to exceed the 30% maximum lot coverage area by 1.7 %. The planning staff has reviewed the appeal and would recommend approval of the request as submitted by the applicant.

Mr. John Allen was present to represent this appeal. He stated that in order to eliminate waste of building materials, he requested the setback variance be changed from 10ft to 9ft in the rear of the property.

Afterwards, the motion was made by Mike Singleton and seconded by Janna Hellums to approve this request as recommended by the staff. Motion passed unanimously.

In addition, a motion was made by Mike Singleton and seconded by Janna Hellums to approve the request to allow the setback variance change from 10ft to 9ft in the rear of the property. Motion passed unanimously.

There being no further business, the meeting was adjourned.

PLANNING STAFF REPORT

The following is the staff report for the appeal under review by the Board of Zoning Appeals at the October 24, 2022 meeting:

The Willows of Jackson

Consideration of a special exception request by Gary Taylor for approval to establish a home for the aged on the property located at 447 Cheyenne Drive within the RG-2 (General Residential) District. Attached is a copy of the letter of justification submitted by the applicant.

The Board of Zoning Appeals may permit as special exceptions nursing homes, homes for the aged, and assisted living facilities within the RG-2 District. The applicant has submitted a site plan that shows one building containing approximately 8,860 square feet on 1.77 acres. It also has 14 rooms with 33 parking spaces. We need an approval letter from TVA granting permission for a parking lot and a driveway to be constructed under their powerline. We also need an approval letter from JEA granting permission for a dumpster to be placed on top of their 30' Easement. It appears that all zoning requirements can be met. All preliminary design aspects of the driveways are acceptable to the staff. Therefore, the planning staff recommends approval of this request with the following conditions:

1. The applicants need to receive approval from TVA & JEA concerning the parking lot and dumpster site.
2. There must be a zero net increase in storm water runoff from the post-development of this site.
3. The proposed development must go through the site review process.
4. The site shall be provided with a 20% minimum of green space.



City of Jackson, TN

09/21/2022

JBZA-22-5

Board of Zoning Appeals Application

Status: Active**Date Created:** Sep 21, 2022**Applicant**

Mickey Evans
mevans@cwandassociates.com
2796 N. Highland Ave, B
Jackson, TN 38305
731-664-6335

Applicant Information**Applicant Name**

Gary Taylor

Applicant Address

2574 Christmasville Cove, Suite H

Applicant City

Jackson

Applicant State

TN

Applicant Zip

38305

Applicant Phone

731-668-1893

Applicant Email

gtaylor@gatinvest.com

Property Information**Type of Request**

Special Exception Request

Planning Region

City

Describe and Justify Request

Special request for use, home for the aged in RG-2 zone

Address of Subject Property

447 Cheyenne Drive

Note

A PRE-APPLICATION CONFERENCE WITH ELVIS HOLLIS IS REQUIRED BEFORE SUBMITTAL OF THIS APPLICATION. TO MAKE AN APPOINTMENT PLEASE CALL 731-425-8283 OR EMAIL AT EHOLLIS@JACKSONTN.GOV.

Planning Department Information



**CLAY WILLIAMS &
ASSOCIATES, INC.**
Consulting Engineers

October 5, 2022

City of Jackson, Board of Zoning Appeals
111 E. Main St., Suite 201
Jackson, TN 38301

**Re: *The Willows of Jackson*
 Appeal on Use
 *Statement of Justification***

Dear sir or madam:

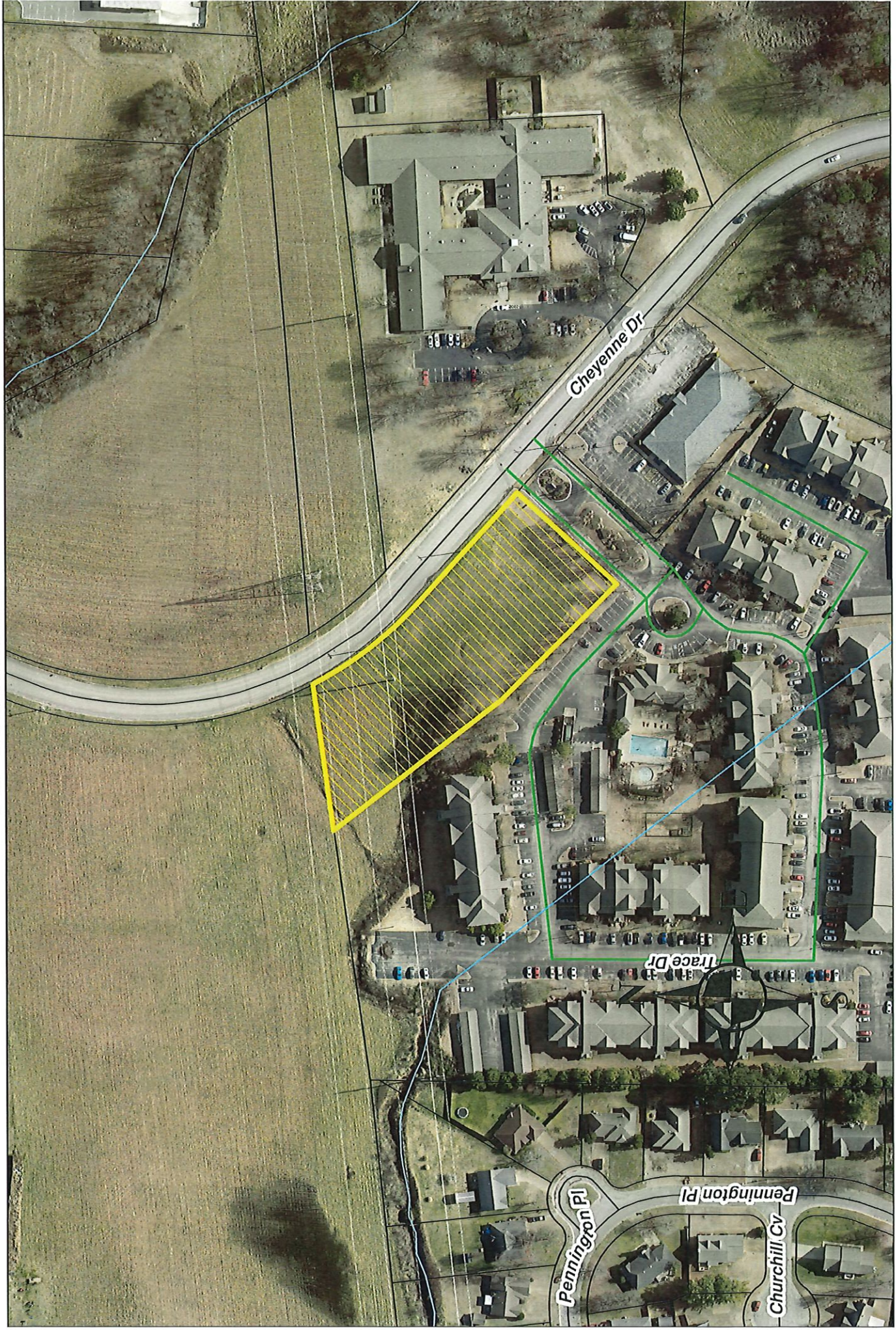
On behalf of Gary A. Taylor Investments, Inc., owner of the properties, located at 447 Cheyenne Drive, we request an appeal for the use of the property to provide a home for the aged on the property listed as Lot 1 in the attached drawings.

Sincerely,

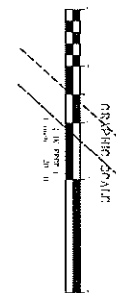
Clay Williams & Associates, Inc.
Consulting Engineers

Mickey Evans, P.E.
Civil Engineering Manager

**CITY B.Z.A. SITE LOCATION MAP
SPECIAL EXCEPTION REQUEST - ELDERLY CARE GOUP FACILITY
447 CHEYENNE DRIVE**



- CONSTRUCTION NOTES:**
- 1. PROPOSED BUILDING (SEE ARCHITECTURAL).
 - 2. SURROUNDING CONCRETE FOUNDATION
 - 3. FINISHED LOT TOPGRAPH
 - 4. CONNECT TO EXISTING CONCRETE SLAB ON GRADE
 - 5. FINISHED PARKING DECK
 - 6. MEDIAN DRIVE PAVEMENT
 - 7. LIGHT DUTY PAVEMENT
 - 8. LANDSCAPE ISLAND
 - 9. DRIVEWAY CURB
 - 10. CONCRETE SIDEWALK
 - 11. MANHOLE RAMP
 - 12. DRIVEWAY AND DRIVECUT
 - 13. CITY OF JACKSON TYPE 2 DRIVEWAY

[illegible][illegible]

