



The Town of Coopertown
2525 Burgess Gower Road
Springfield, TN 37172
615 382-4470 FAX 615 382-4439

Meeting Minutes

COOPERTOWN BOARD OF ZONING APPEALS

August 19, 2013

I. Call to Order

The meeting was called to order by Chairman, Jim Bice at 5:05 p.m.

II. Pledge of Allegiance

III. Roll Call

Members Present:

Jim Bice, Chairman
Sam Childs, Mayor
Peggy Ruth
Martha Wall, Secretary

Absent:

Thomas King, Vice Chairman

Other Attendees:

Bryan Collins, City Planner
Vicky Bumgardner, Building Commissioner

IV. Approve Meeting Minutes from July 15, 2013

Chairman Bice asked for a motion to approve the meeting minutes from July 15, 2013.

Peggy Ruth made the motion to accept the minutes as presented.

Secretary Wall seconded the motion.

All those in favor signified so by saying "Aye."

The motion passed unanimously.

V. Old Business

1. Life of Leisure Limousines, LLC of 2733 Joe Mac Lipscomb Rd. – Major Home Occupation – Change in Originally Approved Use

Discussion included the property doesn't list Mr. Chambers as the owner. He disputed that statement saying the papers are being drawn up now to clarify his ownership of the property. Further discussion included that application for JSC Construction is needed before approval can be given. Mr. Chambers felt his letter of intent was sufficient. Bryan Collins explained that the letter stated that he wishes to keep both businesses on site and intends only to remove the limousine service after his father passes away. Mr.

Collins explained again that Mr. Chambers intent does not meet the guidelines to grant a Special Exception for a Major Home Occupation to occur at the property. The Board explained to the applicant that he should formally submit application to operate a Major Home Occupation and formally relinquish his formerly approved Major Home Occupation – Life of Leisure Limousines. Bryan Collins stated that the Board has spent three months on this issue and that no more should be spent discussing the matter. The applicant must follow the regulations as outlined again tonight or the situation may go to litigation. Mr. Chambers was advised to include a site-plan, proof of ownership of the property and given a list of items to help with completion of the application for a Major Home Occupation for the construction business.

Mr. Chambers concluded by hand writing a letter of revocation for Life of Leisure Limousines during the meeting. That letter was notarized by Vicky Bumgardner and submitted to the Board. Mr. Chambers was advised to remove the limousines within 30 days and to submit a formal application requesting a Major Home Occupation for the construction company currently doing business on the lot – JSC, LLC/Krause Construction. The application will be heard at the September meeting.

Chairman Bice asked for a motion to revoke the Life of Leisure Limousine business as a Major Home Occupation.

Mayor Childs made the motion to accept the owner’s revocation letter for Life of Leisure Limousines.

Secretary Wall seconded the motion.

All those in favor signified so by saying “Aye.”

The motion passed with 3 Ayes and 1 Abstention by Peggy Ruth who was absent at the last meeting.

VI. New Business

1. John Grosvenor of 2023 Old Hwy 431 S., Greenbrier – Application for an Accessory Apartment for In-Laws

Mr. Grosvenor stated that R.D. Huffines, Vicky Bumgardner and Pleasant View Fire Chief P.J. Duncan did a site visit to determine how an inadequate setback from the shed to the proposed accessory apartment could be resolved. Fire Chief Duncan suggested that the way they handle such a case in the town of Pleasant View is by requiring the home owner install a sprinkler system with inter-connected smoke alarms in such a manner that the activation of one alarm will activate all of the alarms. He has received bids for the work and is prepared to move forward. To meet the minimum size requirement, Mr. Grosvenor’s blueprints reflected an 8’ x 10’ addition to be added to the existing structure. The original septic letter was presented. The Board advised the applicant that he must see the County with regard to the Adequate Facilities Tax and obtain a building permit from the Building Commissioner.

Chairman Bice asked for a motion to accept the application to construct an Accessory Apartment.

Mayor Childs made the motion to approve the Accessory Apartment.

Secretary Wall seconded the motion.

All in favor signified by saying "Aye."

The motion passed unanimously.

2. Fleming Fence Company of 4314 Mt. Zion Rd., Springfield, Mark Fleming owner – Special Exception Application for Major Home Occupation

Mr. Fleming advised his company owns three company vehicles currently. He has two sub-contractors who come in. One is going to lineman school and the other doesn't have a driver license so he has to be picked up. He keeps equipment and a few supplies on the property and explained he primarily works for Lowes. He advised he does not have any out of family employees. His hours are from 6:30 a.m. until whenever done. His business is operated out of the living room and a wireless fax machine in the kitchen. Discussion included the need to remove the sign on the shed as well as the signage at the corner of Woods Road and Mt. Zion Road (Hwy. 257) because it gives the appearance of a business taking place on this residential lot. The Board also advised the applicant to remove magnetic truck signs each night then re-attach each morning; all company related supplied should be stored inside the shed and out-of-sight.

Chairman Bice asked for a motion to accept the Special Exception application for a Major Home Occupation for Fleming Fence Company and Lawn Service contingent upon compliance as discussed.

Peggy Ruth made a motion to approve the application for a Special Exception to operate a Major Home Occupation.
Mayor Childs seconded the motion.

All those in favor signified so by saying "Aye."

The motion passed unanimously.

3. Drew Rawls of 3780 W.S. Rawls Rd., Springfield – Special Exception to reside in trailer while constructing a new home

Mr. Rawls advised he wants to reside in an existing trailer while constructing a new home. He has lived in the trailer for a number of years. His grandfather passed away and left property for him and his uncle. That property was subdivided which resulted in one half of Mr. Rawls trailer on his property and the other half on his uncle's property. He plans to remove the trailer once the house is constructed. City Planner, Bryan Collins, advised the BZA that they needn't take any action in this particular case. Building Commissioner Bumgardner stated the Board had set a precedent in the past by hearing such cases. Mr. Collins stated future cases need not come before the BZA and can be handled by the Building Commissioner. Mr. Rawls stated the County was asking that the Board provide to him a letter stating the trailer could remain in its current location until the house is completed; at which time the trailer shall be removed from the property within 30 days of receipt of the Certificate of Occupancy.

Chairman Bice asked for a motion to defer to the town for administration of this request and that no action is required by the Board of Zoning Appeals in such cases.

Mayor Childs made the motion, as stated.
Secretary Wall seconded the motion.

All those in favor signified so by saying "Aye."

The motion passed unanimously.

Discussion ensued as to whether or not a motion and voting was applicable. It was determined that they were not necessary in this case.

Chairman Bice asked for a motion to withdraw the previous motion to defer to the city for administration of this request.

Mayor Childs withdrew the motion.
Secretary Wall withdrew her second.

All those in favor signified so by saying "Aye."

The motion was withdrawn.

Chairman Bice asked for a new motion to accept the special exception to reside in the trailer while constructing a new home. Trailer shall be removed from the property within a reasonable time after completion of construction per the letter signed by the Secretary of the Board of Zoning Appeals, Martha Wall.

Mayor Childs made the motion.
Secretary Wall seconded the motion.

All those in favor signified so by saying "Aye."

The motion passed unanimously.

VIII. Comments from Members/Citizens
None

IX. Adjournment

Mayor Childs made a motion to adjourn the meeting.
Secretary Walls seconded the motion.

All those in favor signified so by saying "Aye."

The motion passed unanimously.

The meeting adjourned at 7:00 p.m.

Original notes generated by Sharon Allen, City Clerk.

These minutes are respectfully submitted by: Martha Wall 9/16/13
Secretary Date