

# BRISTOL TENNESSEE BOARD OF ZONING APPEALS MINUTES

Ewell L. Easley Annex Conference Room  
104 8<sup>th</sup> Street | Bristol, TN 37620  
October 25, 2022  
11:00 AM

## **Members Present:**

David Rudd, Chairman  
Dustin Goforth, Vice-Chairman  
Katy Stigers, Secretary  
Joel Staton

## **Staff Present:**

Cherith Young  
Danielle Smith  
Ross Peters  
Steve Blankenship  
Bretta Morenings

## **Representative:**

Jerry Skeens

## **CALL TO ORDER AND ROLL CALL**

Chairman David Rudd called the Bristol Tennessee Board of Zoning Appeals meeting to order at 11:00 AM on Tuesday, October 25, 2022. A roll call was performed, and a quorum was declared present.

## **APPROVAL OF MINUTES**

Joel Staton motioned to approve the September 27, 2022 meeting minutes. Dustin Goforth seconded the motion. The vote in favor was unanimous.

## **NEW BUSINESS**

### **Variance Request – 108 10<sup>th</sup> Street**

Ross Peters presented an overview of Mr. Skeens' application, the parcel, parcel history, zoning (R-E), and setback information, as well as imagery of the property and the proposed location of the new single-family home. He then discussed the Zoning Ordinance and stated the lot in question pre-dates the adoption of the Ordinance and could be considered a Lot of Record due to its size. He stated Mr. Skeens wants to construct the new home within the footprint of the demolished structure. The home formerly located on the site was demolished in 2020. The new construction would be 10 feet from the rear property line, which would encroach into the rear setback area by approximately 20 feet.

Mr. Peters reviewed the powers of the BZA and noted the Zoning Ordinance addresses lots such as the one in question (Chapter 2, Section 215(A) Lot of Record of the Zoning Ordinance).

Staff determined that the strict application of the Zoning Ordinance results in peculiar and exceptional practical difficulties or undue hardship to the owner due to the exceptional shallowness of the property. If the 30' rear setback is enforced, the property owner would be limited to a building that is approximately 12' deep and 16' wide. Without a variance, the lot is

unbuildable. This condition is created by the application of the Zoning Ordinance itself to the existing lot, rather than by the actions of the property owner. Relief may be granted without substantial detriment to the public good because the footprint of the new structure is similar to the previous home on the lot, which raised no issues that Staff is aware of. Additionally, it will not substantially impair the intent and purpose of the Zoning Ordinance to grant the variance, since the Ordinance states the BZA will have the ability to establish appropriate setbacks in cases such as this.

Public notification signage was placed on the property to announce the request and the BZA meeting time, date, and location, in addition to City contact information. Adjacent property owners were notified of the variance request by letter. As of October 25, 2022, Staff has not received any phone calls or letters regarding the request.

Staff recommends that the BZA grant a variance from the strict application of the Zoning Ordinance in order to relieve the property owner from the hardship of having an unbuildable lot, that the minimum lot size of 7,000 square feet is waived, and that the rear setback for this lot is established at 10 feet, as permitted by *Chapter 2, Section 215(A)* and *Article IV, Division 4, of the Code of Ordinances, Section 2-138(d)*.

Discussion ensued regarding single-family and duplex requirements in the district. Mr. Skeens explained the plan presented to the board and stated the rendering was originally for a duplex. Mr. Peters confirmed duplexes are permitted in this zone under certain circumstances, but this particular property would only allow single-family.

Joel Staton motioned to accept the staff recommendation. Katherine Stigers seconded the motion. The vote in favor was unanimous.

## **OLD BUSINESS**

None.

## **OTHER MATTERS**

### **A. Training Update – Current Hours Status**

Mr. Rudd discussed the training following the BZA meeting.

### **B. December Meeting**

Mr. Rudd inquired about participation in the December 15, 2022 meeting. The Board confirmed all members would be in attendance.

## **ADJOURNMENT**

With no other matters to present to the Board, Chairman David Rudd adjourned the meeting at 11:17 AM.



Vice-chairman Dustin Goforth