
A G E N D A

KIMBALL BOARD OF ZONING APPEALS

APRIL 18, 2006

TOWN HALL - 5:30PM

- I. CALL TO ORDER/DETERMINATION OF A QUORUM
- II. READING AND APPROVAL OF PREVIOUS MINUTES
- III. NEW BUSINESS:
 - A. Kimball Tabernacle of Praise - Variance Request to Allow a Ground Sign within Eight Feet of Battle Creek Road Instead of the Minimum Ten Feet Road
 - B. Any Other Properly Presented New Business
- IV. ADJOURNMENT

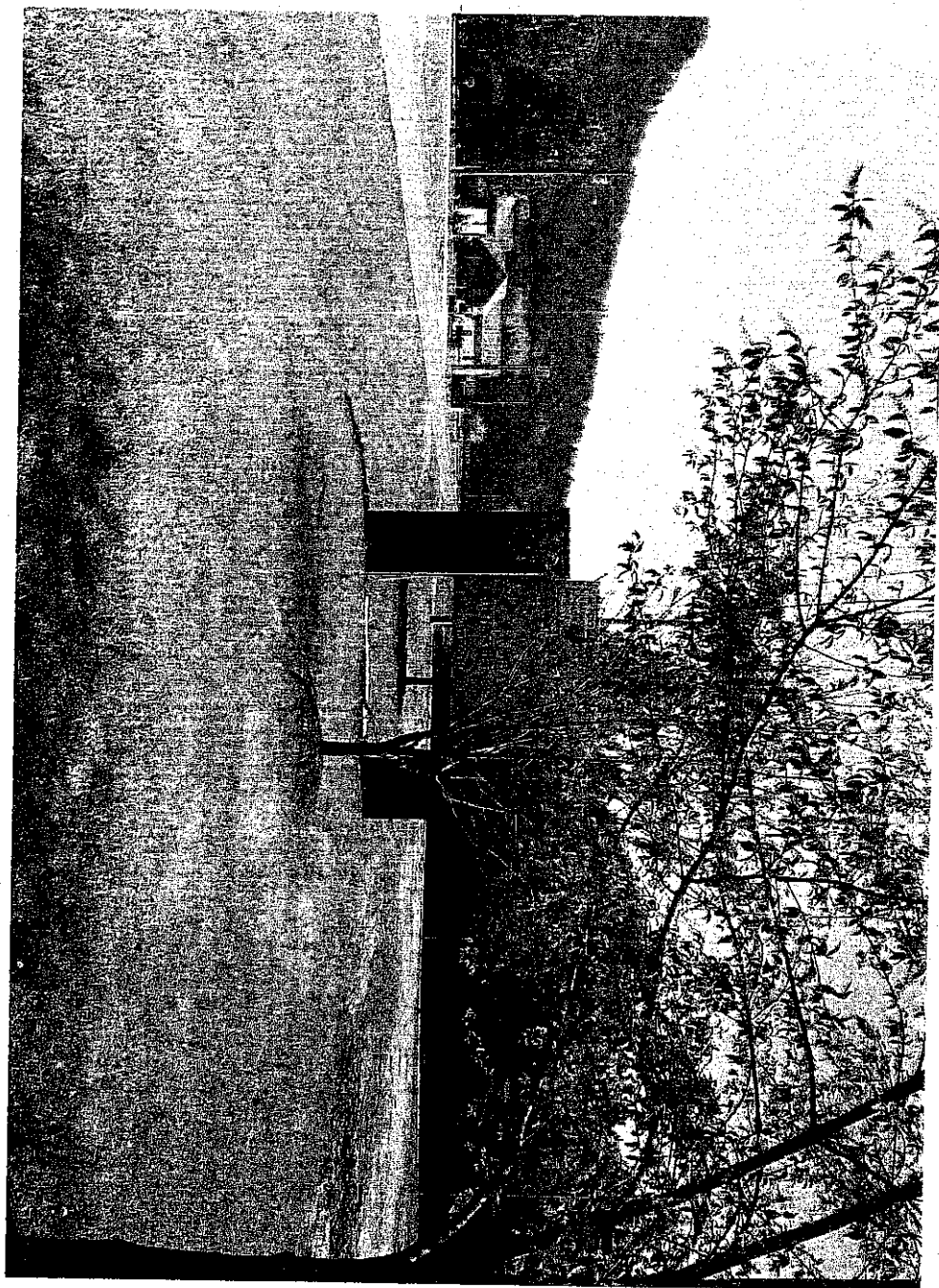
APPLICATION FOR SIGN PERMIT

Permit No. _____

Date _____ Permit Fee \$ _____

STATE TAX MAP NUMBER		Map		Group		Parcel	
PROPERTY LOCATION							
1491		Street Number					
Bethelcreek Rd. Kimball TN		Street Name					
37380		Zip Code					
		Direction					
OWNER INFORMATION							
Kimball Tabernacle							
Name							
Same							
Street Address							
423		City		837		State	
Area Code		6002		Zip Code		Phone Number	
Ownership Is:							
1. <input checked="" type="checkbox"/> PRIVATE							
2. <input type="checkbox"/> PUBLIC							
TYPE OF WORK							
1. <input type="checkbox"/> NEW CONSTRUCTION							
2. <input checked="" type="checkbox"/> ALTERATION							
3. <input checked="" type="checkbox"/> REPAIR/REPLACE							
4. <input type="checkbox"/> DEMOLITION							
5. <input type="checkbox"/> MOVE							
6. <input type="checkbox"/> ADDITION							
PROPERTY OCCUPIED/USED AS							
1. <input type="checkbox"/> INSTITUTIONAL							
2. <input type="checkbox"/> RESIDENTIAL							
3. <input type="checkbox"/> INDUSTRIAL							
4. <input type="checkbox"/> COMMERCIAL							
No. of dwelling units, if residential. _____							
No. of buildings, if multi-family residential. _____							
CONTRACTOR INFORMATION				ARCH/ENGR. INFORMATION			
Contract Value \$ approx 4 - 5000.00				State Lic. _____			
Church Installing				County Bus. Lic. _____			
Contractor Name				Phone _____			
Street Address _____							
City		State		Zip Code			
AGENT INFORMATION							
Aaron Cagle				423 903 0556			
Name of Agent				Phone No.			
1550 Patton School Rd.							
Address of Agent							
Smith		City		Pittsburg		TN	
37380		State		Zip Code			
NOTICE -- This permit is issued with the distinct understanding that the building for which this Permit is issued is to be built in strict accordance with the building laws of State of Tennessee and Marion County.							
Persons performing construction work under this permit must For _____ Chief Building Official							
observe Tenn. Law. (Pub. Chap. 289 Acts of 1955) providing							
for precautions to be taken in vicinity of high voltage wires. By _____ Date _____							
THIS DOCUMENT BECOMES THE BUILDING PERMIT WHEN SIGNED.							
<p>1. What is to be built, installed, moved, repaired, altered or demolished? <u>Replacing Existing Sign with New lighted sign</u></p> <p>2. Type of construction? <u>Sign</u></p> <p>3. Plan, specifications, drawings, and land survey must accompany application. Land survey must show location of proposed building and property lines.</p> <p>4. Is property located in a designated 100 year flood plain? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> If yes, what is the elevation? _____</p> <p>The undersigned does hereby declare that the statements contained in this document and on the attachments hereto, are true and correct to the best of his or her knowledge, information and belief.</p> <p><u>Robert A. Cagle</u> Owner or Agent</p> <p>NOTICE -- This permit must be accompanied by septic system approval from the Health Department.</p> <p>Is approval on file? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/></p> <p>NOTE: Location of residence on lot: Minimum front yard setback is 40 foot. Minimum side yard setback is 10 foot (interior lot) Minimum size yard setback is 25 foot (corner lots). Minimum rear yard is 20 foot.</p>							

BUILDING INSPECTOR, RONNIE BLEVINS, STATES THAT THE SIGN WAS ALREADY IN PLACE WHEN A PERMIT FOR A SIGN APPLICATION WAS REQUESTED...



APPLICATION FOR PROPERTY RECLASSIFICATION/ZONING APPEAL
KIMBALL, TENNESSEE

GENERAL INFORMATION:

Name of applicant * KIMBALL TABERNACLE OF PRAISE
(last) (first) (middle)

Applicant's Interest in Property: Owner () Lessor ()

Prospective Purchaser () Option Holder () Other: (State Relationship)

NATURE AND CHARACTER OF APPLICATION

Planning Commission

Requested Action: () PROPERTY RECLASSIFICATION

Board of Zoning Appeals

- Requested Action: () APPEAL ALLEGING ERROR OF BUILDING INSPECTOR
() VARIANCE
() SPECIAL EXCEPTION
() INTERPRETATION OF BUILDING INSPECTOR
() INTERPRETATION OF ORDINANCE

PROPERTY LOCATION - Address: 1491 BATTLE CREEK Rd

LOT(S) _____ OF BLOCK _____ STREET _____ of the Tax

Maps Dated: _____

Present Zoning Classification _____ Proposed Zoning Classification _____

Description of Intended Use of Property:

Reasons for Request: BRICK SIGN POST TIGHT

8' FROM RIGHT OF WAY INSTEAD OF 10'

*If more than one applicant is filing, attach each applicant's name with other pertinent information to this form.

Application Reviewed By Planning Staff

Date _____

Comments and Action RECOMMENDATION:

Staff Planner recommends that the regulations found in the Kimball Zoning Ordinance be followed and strictly applied to in any situation, and Staff Planner would like to point out to the Board of Zoning Appeals that by granting a variance it sets a precedence for future requests. Once a variance is granted, the Board of Zoning Appeals would have to grant variances that are similar to this request in the future. Staff cannot recommend that a variance be given based on the standards mentioned above. It appears that a building permit was not issued for this particular sign because it failed to meet the standards for monument signs. Staff would also like to mention that if a variance is not granted, the only remedy to this situation would be for the owner to physically move the sign to meet the required setbacks.

Application Reviewed by Planning Commission

Date _____

Comments and Action _____

DISPOSITION

Publication Date of Public Hearing _____ (Attach newspaper notice)

Public Hearing Commentary _____

ACTION BY BOARD OF MAYOR AND ALDERMEN

PROPERTY DESCRIPTION: Attach map showing dimensions and topographic characteristics**, street right-of-way and street pavement, the location of existing and proposed structures or uses including setbacks, yards and heights, the spatial relationship of the property to adjoining properties showing use, and the distance from the nearest traffic intersections at a scale of not more than one (1) inch equals fifty (50) feet.

I hereby certify that the statements made by me herein and the maps and other accompanying data submitted herewith are true and correct.


Signature of Applicant

REVIEW AND ADMINISTRATION

Recommendations from Other Agencies, Boards or Departments:

Application Reviewed By Building Inspector

Date _____

**Required only in the case of variance.



STATE OF TENNESSEE
DEPARTMENT OF ECONOMIC & COMMUNITY DEVELOPMENT

LOCAL PLANNING ASSISTANCE OFFICE
SOUTHEAST TENNESSEE REGION
540 McALLIE AVENUE, SUITE 690
CHATTANOOGA, TENNESSEE 37402
TELEPHONE: 423.634.6446 — FAX: 423.634.6351
HTTP://WWW.TNECD.GOV

MEMORANDUM

TO: KIMBALL BOARD OF ZONING APPEALS
FROM: SHANNON COPAS, PRINCIPAL PLANNER
DATE: 4/18/06
RE: KIMBALL TABERNACLE OF FAITH - SIGN VARIANCE

BACKGROUND:

The Town of Kimball has adopted zoning regulations through Tennessee Code Annotated Section 13-7-201 through 13-7-401, to provide for the establishment of districts within the corporate limits of Kimball, Tennessee; to regulate within such districts the location, height, and size of buildings and other structures; the percentage of lot which may be occupied; the sizes of yards, courts and other open spaces; the density and distribution of population, and the uses of buildings and structures for trade, industry, residence, recreation, agriculture, forestry, soil conservation, water supply conservation or other purposes. (Ord. 61, Aug. 1988).

The Kimball Tabernacle of Faith at 1491 Battle Creek Road in Kimball, Tennessee is seeking a variance from the Kimball Zoning Ordinance. The property is located in an AG Zone, and it appears that it is seeking a variance from the front yard setbacks for monument signs. The application indicates that it is requesting a variance of approximately two feet from the minimum requirements of ten feet from the right-of-way. The specific setback for a monument sign is 10 feet from the right-of-way of any street where these signs are allowed.

ANALYSIS:

Monument signs are permitted as long as they shall comply with the following dimensional regulations found under Section 14-902 of the Kimball Zoning Ordinance:

- (i) They are no closer than ten (10) feet from the right-of-way as measured from the side of the sign, including supports, to the edge of the right-of-way;
- (ii) They are no higher than six (6) feet from the ground to the top of the sign or support;

