

**AD HOC COMMITTEE
FOR BZA**

January 25, 2024

Location-Coffee County Administration Plaza Committee Room 1

Person's present-Dennis Hunt, Joseph Hodge, Laura Nettles

Motion was made by Dennis Hunt to make Laure Nettles Chairman Second by Joseph Hodge.

Motion made by Joseph Hodge to make Dennis Hunt secretary second by Laura Nettles.

Discussion- Determine why 3 members of the BZA were coming off in the same year.

Motion made by Dennis Hunt to request the last 15 years of the BZA meetings for review
second by Joseph Hodge.

Motion made by Dennis Hunt to adjourn second by Joseph Hodge.

Respectfully Submitted,

Laura Nettles

Chairman

- b. Location of the area in which the proposed keeping of animals is to be conducted.
- c. Location of all proposed buildings, animal pens, roadways and other facilities proposed on the site.
- d. Proposed method of drainage of the animal pens.
- e. Proposed fencing of the site.
- f. Insect, rodent and odor control measures shall be provided to the satisfaction of the Board of Zoning Appeals.

10.70. County Board of Zoning Appeals.

The Coffee County Board of Zoning Appeals is hereby established in accordance with 13-7-106 through 13-7-109 of the Tennessee Code Annotated. The Board of Zoning Appeals shall consist of five (5) members appointed by the Coffee County Commission. The Board members shall be appointed to five-year terms; however, the initial appointments shall be arranged so that the term of one (1) member will expire each year. One member of this Board shall be a County Commissioner and another a member of the ~~Planning Commission~~. One member of the Board should be a full-time farmer.

A. Procedure

Meetings of the Board of Zoning Appeals shall be held at the call of the chairman, and at such other times as the Board may determine. All meetings of the Board shall be open to the public. The Board shall adopt rules of procedure and shall keep records of applications and action taken thereon which shall be public records.

B. Appeals to the Board

An appeal to the Coffee County Board of Zoning Appeals may be made by any person, firm, or corporation aggrieved by, or by any governmental office, department, board, or bureau affected by any decision of the Zoning Administrator based in whole or in part upon the provisions of this Resolution. Such appeal specifying the grounds thereof shall be made by filing a notice of appeal with the Board of Zoning Appeals. The Zoning Administrator shall transmit to the Board all papers constituting the record upon which the action appeals were taken. The Board shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any person or party may appear in person, by agent, or by attorney.

C. Stay of Proceedings

Any appeal stays all legal proceedings in furtherance of the action appealed from, unless the Zoning Administrator certifies to the Board of Zoning Appeals, after such notice of appeal shall have been filed, that by reason of facts stated in the certificate such stay would cause imminent peril to life or property. In such instance, the proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by a court of competent jurisdiction on application, on notice to the Zoning Administrator, and on due cause shown.

D. Appeal to the Court

Any person or persons or any board, taxpayer, department, or bureau of the county aggrieved by any decision of the Board may seek review by a court of competent jurisdiction of such decision in a manner provided by the laws of the State of Tennessee.

E. Powers of the Board

The Board of Zoning Appeals shall have the following powers:

1. Administrative Review

To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, permit, decision, determination or refusal made by the Zoning Administrator or other administrative official in the carrying out of enforcement of any provision of this resolution.

2. Special Exceptions

To hear and decide applications for special exceptions as specified in this Resolution, hear requests for interpretation of the zoning map, and for decision on any special questions upon which the Board of Zoning Appeals is authorized to pass. In matters of direct heirs, the Board shall refer to Tennessee Code Annotated, Section 13-3-408, to determine the proper division of property.

3. Variances

To hear and decide applications for variances from the terms of this Resolution.

10.80. Variances

The purpose of this variance is to modify the strict application of the specific requirements of this Resolution in the case of exceptionally irregular, narrow, shallow, or steep lots, or other exceptional physical conditions, whereby such strict application would result in practical difficulty or unnecessary hardship which would deprive an owner of the reasonable use of his land. Variances shall be granted from zoning restrictions such as heights, setback and lot density where such variances are reasonable and necessary to assure unobstructed access to direct sunlight. Variances shall not be granted which would cause an unreasonable obstruction of direct sunlight to adjacent property if there is a reasonable probability of utilization of passive or active solar radiation on said adjacent property. The variance shall be used only where necessary to overcome some obstacle which is preventing an owner from using his property under this Resolution.

A. Application

After written denial of a permit, a property owner may make application for a variance, using any form which might be made available by the Board of Zoning Appeals.

B. Fee

A fee, as regulated by the Fee Schedule posted in the Coffee County Zoning Administrator's Office, payable to Coffee County shall be charged to cover partial

911 DISTRICT COMMUNICATIONS (Appointed for four-year terms. Appointed by County Mayor. TCA 7-86-105 Meetings are same days as the Consolidated Communications Board)

1. Mark Yother -2024 R
2. Jason Williams -2024 T
3. Roxanne Patton - 2024 M
4. Neal Simmons -2025 M
5. Tim Stubblefield* -2025 T
6. Mark Williams -2025 R
7. Joe Hinch -2027 M
8. Phil Duncan -2027 T
9. Christine Massengale -2029 M

SERVICE OFFICERS (Appointed by the County Mayor.)

Don Purinton

***COFFEE COUNTY PLANNING COMMISSION** (Appointed by County Mayor, confirmed by the legislative body.) T.C.A. 13-3-101

1. Rodney Duncan 2027
2. Carole Willis 2024
3. Randy Harrell 2025
4. Dennis Hunt 2027
5. Paul Elam 2024
6. Steve Cunningham * 2026
7. Sammy Anderson 2027

BOARD OF ZONING APPEALS (Appointed by the Commission.) Initially staggered terms being, ~~2 for 3 years, 2 for 2 years, and 1 for 1 year term,~~ and 1 Associate Member and then, 5 year terms.)

1. Dennis Hunt 2025
2. Tim Morris 2030
3. Lowell Duke 2024⁻
4. Kevin Sipe 2024⁻
5. Sammy Morton, Jr. 2024⁻
6. Helen DeBellis 2027 (Associate Member)

(b) (1) Each board of zoning appeals member shall, within one (1) year of initial appointment and each calendar year thereafter, attend a minimum of four (4) hours of training and continuing education in one (1) or more of the subjects listed in subdivision (b)(5).

(2) Each full-time or contract building commissioner or professional planner or other administrative official whose duties include advising the board of zoning appeals shall, each calendar year, attend a minimum of eight (8) hours of training and continuing education in one (1) or more of the subjects listed in subdivision (b)(5). A professional planner who is a member of the American Institute of Certified Planners shall be exempt from this requirement.

(3) Each of the individuals listed in subdivisions (b)(1) and (2) shall certify by December 31 of each calendar year such individual's attendance by a written statement filed with the secretary of such individual's respective board of zoning appeals. Each statement shall identify the date of each program attended, its subject matter, location, sponsors, and the time spent in each program.

(4) The legislative body of the county shall be responsible for paying the training and continuing education course registration and travel expenses for each board of zoning appeals member and full-time building commissioner or other administrative official whose duties include advising the board of zoning appeals.

(5) The subjects for the training and continuing education required by subdivisions (b)(1) and (2) shall include, but not be limited to, the following: land use planning; zoning; flood plain management; transportation; community facilities; ethics; public utilities; wireless telecommunications facilities; parliamentary procedure; public hearing procedure; land use law; natural resources and agricultural land conservation; economic development; housing; public buildings; land subdivision; and powers and duties of the board of zoning appeals. Other topics reasonably related to the duties of the board of zoning appeals and the building commissioner or other administrative official whose duties include advising the board of zoning appeals may be

approved by majority vote of the board of zoning appeals prior to December 31 of the year for which credit is sought.

(6) Each local board of zoning appeals shall keep in its official public record originals of all statements and the written documentation of attendance required to comply with these provisions for three (3) years after the calendar year in which each statement and appurtenant written documentation is filed.

(7) Each board of zoning appeals member and each building commissioner or other administrative official whose duties include advising the board of zoning appeals shall be responsible for obtaining written documentation signed by a representative of the sponsor of any training and continuing education course for which credit is claimed, acknowledging the fact that the individual attended the program for which credit is claimed.

(8) If a board of zoning appeals member fails to complete the requisite number of hours of training and continuing education within the time allotted by this subsection (b) or fails to file the statement required by this subsection (b), then this shall constitute a cause for the removal of the board of zoning appeals member from the board of zoning appeals.

(9) The legislative body of the county may, at any time, opt out of the provisions of this subsection (b) by passage of a resolution. Further any such legislative body that has opted out may, at a later date, opt in by passage of a resolution.

13-7-106. Creation of county board of zoning appeals Appointment of members Terms Vacancies Training and continuing education.

(a) The legislative body of any county which enacts zoning regulations under the authority of this part shall create a county board of zoning appeals of three (3) or five (5) members. In any county which has adopted a charter form of government as provided in the Constitution of Tennessee, art. VII, § 1, and by § 5-1-201, and which has a population of less than six hundred thousand (600,000) according to the 1980 federal census or any subsequent federal census, the legislative body of any such county which enacts zoning regulations under the authority of this part shall create a county board of zoning appeals of five (5), seven (7) or nine (9) members. The county legislative body shall be the appointing power of the members of such board of appeals and may fix their compensation and their terms, which terms shall be of such length and so arranged that the term of one (1) member will expire each year. In any county which has adopted a charter form of government as provided in the Constitution of Tennessee, art. VII, § 1, and by § 5-1-201, and which has a population of less than six hundred thousand (600,000) according to the 1980 federal census or any subsequent federal census, the county legislative body shall arrange their terms in any fashion so long as no member's term exceeds five (5) years in length. The county legislative body may remove any member for cause upon written charges and after a public hearing. Vacancies shall be filled for unexpired terms in the same manner as in the case of original appointments. The county legislative body may appoint associate members of the board, and, in the event that any regular member be temporarily unable to act owing to absence from the county, illness, interest in a case before the board, or other cause, such associate member's place may be taken during such temporary disability by an associate member designated for the purpose by the county legislative body. The county legislative bodies of two (2) or more counties may, by ordinances enacted by both or all of them, arrange and provide for a joint or common board of zoning appeals.