

Ashland City Fire, Building & Life Safety Department

101 Court Street
Ashland City TN 37015

Fire & Life Safety: (615) 792-4531 – Building Codes (615) 792-6455

Application for Board of Zoning Appeals

Appellant: Anthony Darryl Hooten Address: 2305 SEIFRIED ST
Owner: Anthony Darryl Hooten Address: Nashville, TN 37208
Location of Property: ASHLAND CITY (062 07702 000)

NOTE: Fill in Section 1, 2 or 3 as appropriate. Do not fill in more than one of these sections. This application is not acceptable unless all required statements have been made. Additional information should be supplied on separate sheets if the space provided is inadequate. A Justification Statement and supporting documentation is required for Variance and Special Exception applications.

Section 1: Appeal from decision of Building Inspector relating to the enforcement of the zoning ordinance. Decision of the building inspector to be appealed:

Could not get permit for accessory structure without primary structure in place per Codes Director

Section 2: Application for a variance as provided by the zoning ordinance. The zoning provision from which a variance is requested:

Peculiar or unusual conditions which justify the variance requested:

***There is a \$50.00 fee for a request for a variance. Submit a Justification Statement and any supporting documentation to support the Variance.*

Section 3: Application for a use on Appeal (Special Exception) The zoning provision which allows a use on appeal to be considered:

The type, description and size of the use to be considered:

***There is a \$50.00 fee for a Special Exception variance*

Appellant Signature: Anthony Darryl Hooten

STATUS

Building Permit _____ Date _____
Date this application filed _____
Notice of Hearing _____
Notice mailed to _____

Date of Hearing 9/13/2021

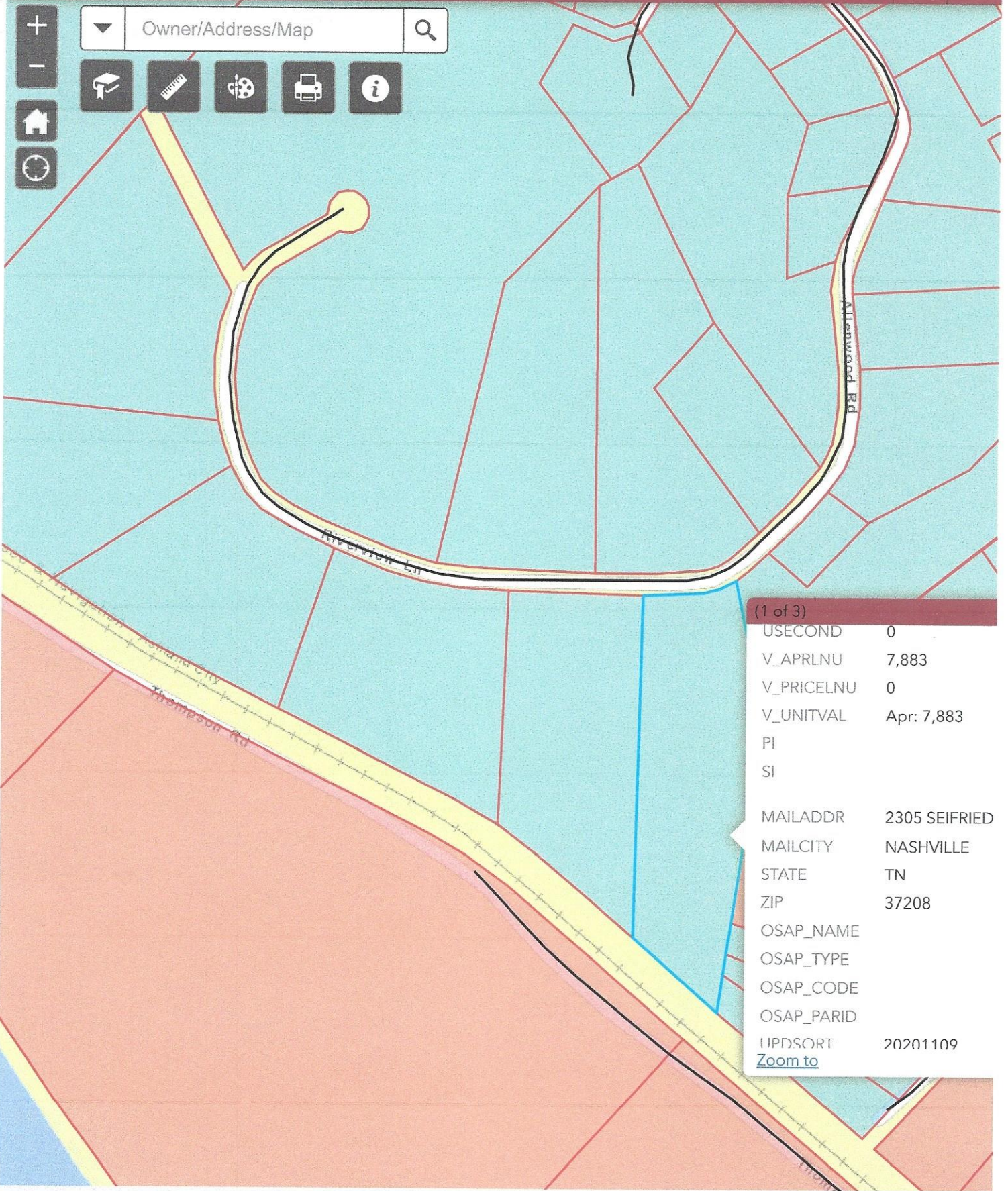
Application or appeal Granted / Denied in accordance with the terms of the following resolution:

Building Inspector Signature: [Signature]

Date: 8/23/2021



Owner/Address/Map



(1 of 3)

USECOND	0
V_APRLNU	7,883
V_PRICE_LNU	0
V_UNITVAL	Apr: 7,883
PI	
SI	
MAILADDR	2305 SEIFRIED
MAILCITY	NASHVILLE
STATE	TN
ZIP	37208
OSAP_NAME	
OSAP_TYPE	
OSAP_CODE	
OSAP_PARID	
LIPDSORT	20201109
Zoom to	

300ft
-87.028 36.232 Degrees



BZA September 13, 2021

RE:Supporting narrative to the BZA regarding Anthony Hooten's appeal in our decision not to issue an accessory structure permit without a primary structure in place.

Anthony owns two pieces of property off of Riverview Ln. in Ashland City and the one in question is parcel 062 077.02. The property is situated at the top of the bluff overlooking the river bottoms beside the Cumberland river. Mr. Hooten wishes to build his future home here and has inquired about building an accessory structure or a detached garage on the property prior to applying for a building permit for the home he wishes to eventually build. He and I have met out here before to discuss setbacks and construction methods and during these consultations he has shown intent on doing the project per the city's rules. Initially, I did not see a problem with doing this (permitting the structure) since he has a residentially zoned property (with his specifically being zoned R-1) and under uses permitted Accessory Structures are permitted as well as private garages, and non-commercial workshops provided they are located in the rear yard.

It is my interpretation that this could be allowed if a dwelling were already present and for a property owner who currently resides in Nashville, I would assume that it wouldn't make any sense to have a garage/ accessory building on your residential property in another county if you weren't planning on building a permanent dwelling there which is what he has said he is going to do from the start and why I didn't see a problem with it when we first discussed. Since he and I met last to discuss this project we in the codes department have had other situations regarding accessory structures come up and have done some research and concluded that it is the intent or spirit of the Zoning ordinance to allow these accessory buildings provided there is a primary structure in place first. Recently and more specifically we had a situation where a property owner on Hwy 12 S who has R-4 PUD zoning in place has started storing trailers, equipment, and even erected or placed a carport type structure on his lot and it was determined by Codes Director, Chuck Walker that this wouldn't be allowed without a primary structure and then further discussed and confirmed through the City Planner that this shouldn't be allowed in a PUD unless the master site plan shows it in conformity with the requirements for PUD plans in the ordinance and the proper permits have been issued. The ordinance itself as well as the residential code doesn't flat out say in any place that I can find that without a primary structure in place first you shall not issue accessory structure permits however, it is agreed on that this is the intent and has been agreed on by City planner, Codes Director and myself after researching the definition of accessory structure in both the IRC as well as the City Zoning Ordinance itself even though it does not specifically spell this out.

I personally feel that if the property owner provides plans for the residential dwelling to the county and pays his adequate facilities and development taxes based off of those plans, that he would be showing his intent to build a home there and that it could be considered ok for him to build the accessory structure first prior to securing the building permit for the house and if he could provide a site plan showing placement locations for both I personally would consider this as a unique situation and would think that it SHOULD be allowed.

Jason McClain