

Chairman Tom Foster opened the meetings of the Jonesborough Board of Zoning Appeals and the Jonesborough Planning Commission, Terry Countermine led the group in an opening Prayer, and Bill Graham led the Pledge to the Flag.

## **JONESBOROUGH BOARD OF ZONING APPEALS**

### **MINUTES**

**April 16, 2024**

The Jonesborough Board of Zoning of Appeals met in regular meeting on Tuesday, April 16, 2024 at 6:00 p.m., in the Board Room at Town Hall, 123 Boone Street, Jonesborough, Tennessee.

**Members Present:** Tom Foster – Chairman, Frank Collins, Terry Countermine, Bill Graham, Robin Harpe, Richie Hayward, Bob Williams

**Members Absent:** Josh Conger, Jim Rhein

**Staff Present:** Glenn Rosenoff, Donna Freeman

Chairman Tom Foster noted a quorum was present and called the meeting to order.

**1. Public Comments** – There were no Public Comments

**2. Approval of Minutes**

The minutes of the February 20, 2024 Board of Zoning Appeals meeting was presented for approval. Chairman Tom Foster asked Commissioners if they had any questions or corrections to the minutes. There being none, Frank Collins made the motion to approve the minutes as presented, seconded by Robin Harpe and duly passed.

**3. Variance Request to the Rear Setback Requirements for Eastern Eight Development, Kirkland Place, Jonesborough, TN**  
**Presented by: Bill Freman, Project Manager, Eastern Eight Community Development, Johnson City, TN**

Request for rear setback variances for Units 1-4 of the Kirkland Place PUD development. The subject property is located on Persimmon Ridge Road and Shell Road in the 15<sup>th</sup> Civil District. The subject property contains approximately 1.45 acres, is zoned R-3 High Density Residential District, and is further described on Washington County Tax Map 59-E, Group D, Parcel 1.00. The property is located within the R-3 Zoning District with a rear setback requirement of 20 feet, the PUD development regulations require 25 feet. The building (Units 1-4 without the addition

of rear decking) meets the greater setback requirement of 25 feet, however the rear decking per unit falls within the 25 foot area. The building department considers attached decking as part of the building and therefore subject to the 25-foot requirement. The subject of the variance request from the owner/applicant based on the 25-foot requirement is as follows:

Unit 1 (130 Kirk Lane): 9'9"

Unit 2 (132 Kirk Lane): 7'6"

Unit 3 (134 Kirk Lane): 7'6"

Unit 4 (136 Kirk Lane): 6'5"

Bill Freeman said the when the property was surveyed the Surveyor did not put the decks on the plat map, that is the reason Eastern Eight is requesting variance to the setback requirements for the placement of the decks.

Chairman Foster asked if there was anyone present to speak in regard to the Variance request to come forward and state their name and address.

Taylor Heine, 201 Landon Trail, adjoining neighbor to the Eastern Eight Development, addressed the Board of Zoning Appeals, stating she feels her space is being encroached upon and her privacy is nil, things are planned out for reason and there should be a plan that follows rules. Ms. Heine said she would like for there to be either a privacy fence or landscape buffer with possibly Leland Cypress trees planted.

Kim Hayden Heaton, 310 Landon Trail, President of the Homeowner's Association, Old State of Franklin Condos, said they want a solution for everyone and would prefer that trees be planted for a landscape screening between the properties. She said that the height of trees needs to be considered because the Kirkland Place units have an upper second level.

Commissioners held a lengthy discussion in regard the variance request, and Glenn Rosenoff stated that the Board of Zoning Appeals can place conditions on a variance request. The consensus of the BZA members was that Eastern Eight and the residents of the Old State of Franklin Condos, to come up with a reasonable solution for a possible landscape screening between the two developments.

With there being no further discussion, Chairman Foster called for a motion.

**Motion:** Frank Collins made the motion to table the Variance request for two weeks until the two parties come up with a reasonable solution to bring back to the Board of Zoning Appeals

- 4. Variance Request for a sign at the Jonesborough Elementary School, 710 North Cherokee Street, Jonesborough, TN  
Presented by: Rachel Conger, Recreation Capital Project Manager**

The request is for a variance on square feet for the proposed monument sign for the Jonesborough Elementary School. Although the school site is 48.51 acres and the school building is well over 100,000 square feet in size, and contains playgrounds, Tiger Park, etc., the proposed monument sign is 110 square feet, and the current regulations for a monument sign in a residential zoning district is 32 square feet. The variance request is to permit the monument sign to be approved at 110 square feet.

The dimension of the sign is 12 feet in height and 9 feet 4 inches on top and 8 feet 8 inches at the base, which is a little over 100 square feet. The material is a brick base, the same bricks at the school building, a Tiger orange border around the electronic board, and charcoal aluminum metal siding that is in a pattern reflecting the siding design of the school. The lettering designating Jonesborough Elementary School is at the top of the sign and in a font size large enough to be seen from a substantial distance away. The sign location has been selected for the following reasons:

1. The sign can be seen from the new traffic circle as well as the end of the east end of extended Skyline Drive. The plan is to extend Skyline Drive to the Boones Creek Road, and motorists coming up to the school property from the Boones Creek Road need to be able to see and read the school sign from a distance.
2. The visitor and car rider entrance to the school is not from N. Cherokee Street but from extended Skyline Drive, so motorists from N. Cherokee will still see the sign as they come around the traffic circle.
3. The sign has an electronic message board, and the sign location allows the message on the sign to be seen from both extended Skyline Drive as motorists pass as well as the travel lanes within the parking lot as motorists head to the school building.

The size of the message board is based on the size of the font needed to make it easy for motorists driving by the sign to read it without having to take their eyes off the road. The size is also based on allowing a reasonably sized message to be read in one view without the board shifting to the second half of a sentence. Again, this is a safety factor trying to minimize the time eyes are off the road. Also, the message can be read on both sides of the sign so motorists can read it if they do come from the Boones Creek Road. The motorists coming from the traffic circle will be able to read it going both directions.

There is one neighbor at this point which is across Skyline Drive from the sign. That person is Curtis Lynn. He owns the entire length of the property on the other side of extended Skyline Drive, but he does not live on that property. No other neighbor is even close to the sign.

Chairman Foster said that due to the Jonesborough Sign Ordinance regulations, he is requesting that the sign variance request be tabled and brought back to the next Board of Zoning Appeals meeting.

**Motion:** Terry Countermine made the motion to table the Jonesborough Elementary School sign variance request to the next meeting of the Board of Zoning Appeals, seconded by Richie Hayward and duly passed

With there being no further business for discussion, Chairman Foster adjourned the meeting.