

MINUTES
TOWNSEND BOARD OF ZONING APPEALS
AUGUST 30, 2012

MEMBERS PRESENT

Michael Talley, Chair.
Don Stallions

OTHERS PRESENT

Andy Morton, Bld. Inspector
Shelia Moss, C. Recorder
Pat Jenkins
Earl & Robbin Brown

The meeting of the Townsend Board of Zoning Appeals was called to order at 6:30 PM by Acting Chairman Michael Talley on August 30, 2012 at the Townsend City Hall Building and comments from the public were afforded. No one was present from the public.

REVIEW MINUTES

The minutes from meetings in June and July of 2012 were reviewed by the members. After review, a motion was made by Don Stallions and seconded by Michael Talley to approve the June 12, 2012 and July 11, 2012 Minutes as written. The motion passed unanimously.

ADMINISTRATIVE REVIEW, EARL & ROBBIN BROWN, SMOKY MOUNTAIN RESTAURANT

The board considered whether appropriate action was taken by the building inspector in denial of a permit to convert a manual menu board to a digital menu board for the Smoky Mountain Restaurant. Following discussion, a motion was made by Don Stallions and seconded by Michael Talley that the building inspector acted appropriately in denial of a building permit for the Smoky Mountain Restaurant, based on Section 8-308.3e of the zoning code. The motion passed unanimously.

VARIANCE FROM SECTION 8-308.3e, PROHIBITED SIGNS, TAX MAP 96K, GROUP A, PARCEL 30.00

A variance request was considered by the board for property at 7753 East Lamar Alexander Parkway within a B-1 District. Earl and Robbin Brown are requesting that the existing manual menu board be converted to a digital menu board. The menu board is attached to the lower part of an existing freestanding sign advertising the restaurant and is used for the daily menu. The applicants are making this request due to safety concerns over changing the existing manual menu board. Applicants cited a depression from the road to the restaurant that has the effect of creating the need for a ladder to climb up approximately 8 feet to manually change the letters of the menu board. The members discussed options with the applicants, but Section 8-308.3e prohibiting digital signs is applicable throughout the corporate limits. Staff discussed the criteria for a variance and the authority of the board. Staff stated that granting this type of variance would exceed the authority of the board and have the effect of amending the zoning ordinance. The board was sympathetic with the applicants and suggested that the issue be addressed at the next board of mayor and alderman meeting. If the board agreed, they could then direct the planning commission to study the issue of digital signs within the corporate limits. After further discussion, a motion was made by Don Stallions and seconded by Michael Talley to deny the variance request based on the prohibition of digital signs contained in Section 8-308.3e. The motion passed unanimously.

At 7:10 PM, with no further business the meeting was adjourned.

Secretary

Date