

**MINUTES  
ROCKY TOP BOARD OF ZONING APPEALS  
OCTOBER 15, 2024**

Members Present

Kerry Templin, Mayor  
Jeff Gilliam, V. Chair  
Robert Seiber, Secretary  
Dewayne Seiber

Members Absent

Jim Shetterly, Chair

Others Prese

Mike Ellis, City Manager  
Tony Braden  
Delbert Smith  
Mrs. Delbert Smith  
Carolyn Templin

ETDD Staff Representative: Harold Edwards

**CALL TO ORDER AND APPROVAL OF MINUTES**

The called meeting was called to order at 5:32 P.M. at City Hall with Vice Chairman Jeff Gilliam presiding.

**APPROVAL OF MINUTES OF THE SEPTEMBER 16, 2024 MEETING**

The minutes of the September 16, 2024 meeting were approved on a motion by Robert Seiber and a second by Mayor Templin. All members voted aye

**REPORT FROM BUILDING OFFICIAL/CODES ENFORCEMENT**

Building Official Tony Braden reported that the hearing on the zoning violation with John Faris was held on October 5 and that the court's ruling will be on October 18.

**PUBLIC COMMENTS**

There were no comments for the public.

**OLD BUSINESS**

**Appeal of Building Official's Decision Regarding a Tiny Home Requested By Jason Deal**

The board resumed its deliberation of the appeal of the placement of a tiny hom on an individual lot. The vote on the issue at the September meeting resulted in a 2 yea and 2 nay deadlock. Since the zoning ordinance does not have a definition of "tiny home,"the board needed to determine if the tiny home in question was a mobile home or a modular home. Staff Planner Edwards stated that since the zoning ordinance did not address tiny homes by definition or permitted use, that it was more closely aligned to a mobile home and mobile homes were restricted to mobile home parks in accordance with the zoning ordinance. A motion was made by Robert Seiber that the structure be defined as a mobile home and thus, not permitted on a single lot. The motion was seconded by Mayor Templin. All members voted aye.

**NEW BUSINESS**

**Consideration of Hardship Request For a Guest Cottage For Mother-In-Law at 634 Fourth St.**

Delbert Smith requested the board's approval to construct an 800 square foot cottage on his property for a residence for his mother-in-law. Staff Planner Edwards noted that the zoning ordinance permitted only one principal structure per lot. After discussion, the planning

commission suggested that Mr. Smith subdivide his property and construct the cottage on a separate lot. Mr. Smith withdrew his request and will pursue the subdivision of his property in order to comply with the zoning requirement of one principal structure per lot.

**ADJOURNMENT**

There being no further business the meeting was adjourned at 6:03 p.m.

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Secretary

\_\_\_\_\_  
Date