

**MINUTES
ROCKY TOP BOARD OF ZONING APPEALS
SEPTEMBER 16, 2024**

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

Members Absent
Jim Shetterly, Chair

Others Present
Mike Ellis, City Manager
Tony Braden
Lisa Crumpley
Jason Deal
Amanda Daugherty
Stephanie Gilliam
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 APRIL 16, 2024 MEETING

The minutes of the June 18, 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

There was no report from the building official

PUBLIC COMMENTS:

There were no comments for the public.

NEW BUSINESS:

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

Jason Deal appeared before the BZA and requested that the proposed structure be permitted as a modular home in accordance with Section 412.1.2 of the Rocky Top Zoning Ordinance. Lisa Crumpley, city building official stated that the structure did not meet code and could not be issued a permit. 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. He further noted that the responsibility of the BZA was to determine if the tiny home fell under the definition of a mobile home in Section 322 of the zoning ordinance and not permitted or if it is a modular home by definition of Section 412.1.2 of the zoning ordinance and is permitted. A motion to define the structure to be defined as a mobile home and not permitted on a single lot. The motion was seconded by Commissioner Gilliam. On a roll call vote, the motion was deadlocked on a two-to-two vote with Commissioner Robert Seiber and Commissioner Jeff Gilliam voting yes and Mayor Templin and Commissioner Dewayne Seiber voting no. The item will be reconsidered at the October meeting.

ADJOURNMENT

There being no further business the meeting was adjourned at 6:34 p.m.

Secretary

Date