

**OAK RIDGE BOARD OF ZONING APPEALS**

**MINUTES**

**Meeting Date:** March 8, 2016

**Call to Order:** A regular meeting of the Board of Zoning Appeals (BZA) was held in the Municipal Building Courtroom, Oak Ridge, TN on March 8, 2016. The meeting convened at 5:30 p.m. with Ms. Mason presiding.

**Members in Attendance:** Judy Mason, Syd Ball, Keith Craft, David Gengozian, Susan Donnelly, and staff representatives Sherith Colverson and Nick Sisco.

**Members not in Attendance:** N/A

**Visitors/Others:** See attached Visitor Attendance Record

**Approval of Minutes:** Mr. Ball made a motion to approve the minutes of the meeting held December 8, 2015 as presented. Ms. Donnelly seconded the motion. Motion approved unanimously.

The following cases were reviewed:

**Case No. 16-01** – Omega Technical Services, 100 Europa Avenue, Block 15CM, Lot ED-5 East, Heritage Center, in an IND-2 zoning district is requesting a special exception to allow temporary storage containers outdoors on the property.

Staff provided a review of the case to the Board. Mr. Ball requested to know where the fence for the subject property would be erected. Russ Carven with Omega Technical Services addressed the Board and stated that the overall property is about 6.5 acres, and the facility is about 50,000 square feet. Omega does not want to erect a fence around the entire facility, only around a portion (the eastern side) of the facility – the side toward the open field. Mr. Carvin approached the Board and pointed out on their maps where Omega is intending to place the fence. Mr. Carvin also explained that the containers to be stored outside were just empty containers that will stay on pavement – nothing on grass, this area is already paved. The containers are currently being stored inside the facility.

The containers are the standard 20 foot cargo containers dedicated to low-level radioactive material. Each container will be checked for contamination. Rain water on the property will be sampled with a catch basin for state environmental/licensing requirements. Ms. Donnelly asked staff if the use of adjacent properties will be affected by Omega's request. Staff stated that the City's Industrial Development Board approves this applicant's request and doesn't seem to see any other use of the area to be anything other than industrial for the foreseeable future. Ms. Mason stated she did not have a problem granting the applicant's request as long as they comply with all the state regulation and the City's Zoning Ordinance requirements. Mr. Craft asked Mr. Carvin if there is a permit process from the state. Mr. Carvin explained that he submitted a radioactive materials license to the state, and the state in turn contacted the City – which is what spurred Omega needing a special exception to store the containers on their property.

Ms. Donnelly made a formal motion to approve the special exception on the condition that Omega meets all the conditions listed in Section 8.02 (d) 4(a) – complying with all federal regulations and state regulations, including the TN Solid Waste Management Act for design, siting, construction materials, treating and monitoring. She also stated that Omega must comply with the City's building permit process. Mr. Ball seconded the motion, and the motion was unanimously approved.

**Old Business**

Ms. Donnelly was thankful about getting set up with APA membership.

**New Business**

Staff discussed the Community Development Memorandum dated March 4<sup>th</sup> to the Oak Ridge Planning Commission about proposed zoning amendments to accommodate Electronic Moving Copy signs in Residential and Office Districts for Religious Institutions, as well as additional definitions for sign types and additional requirements/prohibition of various sign types. There was discussion about the changes in Sections 14 and 3 of the City's Zoning Ordinance.

Mr. Craft asked if the signs would be allowed to stay on all day and night. Staff stated that had not been discussed to date. Mr. Ball asked if there was a way to monitor trip counts on less traveled side streets, and staff was not prepared to answer that question, but will get back with the Board. There was discussion about whether or not the new Section 3.27 was discriminatory to smaller churches. Ms. Mason asked for the definition of a snipe sign and asked for the definition to be elaborated on in the ordinance. Ms. Donnelly asked if the Chamber of Commerce has looked at the proposed ordinance and whether or not attention getting devices will be prohibited indoors as well, particularly flashing lights.

Ms. Mason stated that the 14.15 (2) amendment for signs is not written well and needs to be readdressed. Ms. Donnelly asked about getting the definition of "decorative" fencing addressed. Ms. Mason asked for the election of new officers to be placed on the next scheduled meeting's agenda.

**Adjournment:** Ms. Mason moved to adjourn the meeting and was seconded by Mr. Craft. All were in favor. The meeting was adjourned at 6:14 p.m.

  
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BZA Secretary

4/12/16  
Date of Approval