

**Blount County Board of Zoning Appeals**  
**Regular Session**  
**Thursday June 3, 2004**  
**6:00 P.M.**

The Blount County Board of Zoning Appeals met in regular session on Thursday June 3, 2004, at 6:00 pm at the Courthouse. Staff was represented by: Roger Fields, Building Commissioner.

Members of the Board of Zoning Appeals present: William Marrison, Stanley Headrick, Kathy Lovingood, Harold Brown, and Jim Melton.

Mr. Brown made a motion to approve the minutes of the May 6, 2004 meeting. Second was made by Mr. Headrick. The motion received unanimous approval.

**Cases Being Heard**

1. **APPEALS:** NONE
2. **VARIANCES:**

**Stanley Headrick-Hwy 321 and Melrose:**

This request is for a variance from the front and rear property lines. This is a very narrow piece of property that runs along HWY 321. The property is 38' wide at one end and 19.9' wide at the other. It is 502' long. The current setback requirements are 60' from the front property line and 40' from the back. These are the setbacks for a commercial use, which is what the applicant would eventually like to use the property for. The requested variance is for a 15' front setback and a 5' rear setback. This would still only leave room for a building of around 10' in width. The narrowness of this property is a physical hardship that will make it unusable if there is not a variance granted. There is justification for a variance on this property. The property owner wanted to see if a variance could be obtained prior to submitting a site plan for a special exception. Mr. Fields recommended for approval of this variance. Mr. Headrick was present to speak for the variance. Mr. Larry Campbell spoke against it. Mr. Brown made a motion to approve the variance. Mr. Melton seconded.

A roll call vote was taken:

- William Marrison – Yes
- Stanley Headrick - Pass
- Kathy Lovingood– No
- Harold Brown – Yes
- Jim Melton-Yes

The motion to approve the setback variance passed.

### **Southern Impact LLC- 2203 Stock Creek Blvd.:**

This request is for a variance from the side setback requirements at 2203 Stock Creek Blvd. The request is for a 22' side setback instead of the required 40' setback in an industrial zone. The industrial board has granted a variance from their 100' front setback requirements. The building is an 80' by 60' structure. If the building were to be moved forward 18' it would only leave approximately 5 parking areas for the building. At this time Mr. Fields is not sure what the parking requirement is for this industrial use. The property directly behind this structure is a common area for the park with a pond at the center of it. The next property is over 140' from the applicant's property line. Mr. Fields interpretation is that there are not physical characteristics that would make this an unusable lot; however parking is an issue that would come into play at the site plan approval stage and could stop the project. Mr. Fields still has questions as to whether or not the footprint of the building could be altered to fit this lot and meet all building setback requirements. Mr. Fields recommended for denial of this variance. Mr. Terry Romans, a C2RL Engineer, was present to represent Southern Impact, LLC. Mr. Melton made a motion to deny the variance. Mr. Headrick seconded the motion.

A roll call vote was taken:

- William Marrison – No
- Stanley Headrick - Yes
- Kathy Lovingood– No
- Harold Brown – No
- Jim Melton-Yes

The motion to deny the setback variance failed.

Ms. Lovingood made a motion to approve the request for variance with a condition that the common area property remains in Industrial Board ownership. Mr. Marrison seconded the motion.

A roll call vote was taken:

- William Marrison – Yes
- Stanley Headrick - No
- Kathy Lovingood– Yes
- Harold Brown – No
- Jim Melton-No

The motion to approve the setback variance failed.

Mr. Brown made a motion to approve the variance. Ms. Lovingood seconded the motion.

A roll call vote was taken:

- William Marrison – Yes
- Stanley Headrick - Yes
- Kathy Lovingood– Yes
- Harold Brown – Yes

- Jim Melton-No

The motion to approve the setback variance passed.

### **3. SPECIAL EXCEPTIONS:**

#### **John Cook- 4925 U.S. Hwy 411 South:**

This is a special exception request that was originally made two months ago. It is for a small metal fabrication shop to be in an existing accessory building located at 4925 U.S. Hwy 411 South. Action was deferred for a period of sixty days. That sixty day period has now ended. Mr. Fields recommendation was to approve the use as a family commercial enterprise if a variance of 3' is granted from the side setback. The existing structure is 17' from the sideline and our zoning requires 20' for special exceptions. Mr. Cook was present to speak in favor of the special exception. Mr. Larry Campbell spoke against it. Mr. Fields recommendation did not change. Mr. Headrick made a motion to approve the special exception. Mr. Melton seconded the motion.

A roll call vote was taken:

- William Marrison – Yes
- Stanley Headrick - Yes
- Kathy Lovingood– Yes
- Harold Brown – Yes
- Jim Melton-Yes

The motion to approve the special exception passed.

#### **David Graham- 1543 Clendenon Road:**

This is a special exception request for a multifamily development. This request is for one structure that will house three dwelling units. The site plan indicates that all building setback requirements will be met. Parking will be on a paved surface coming off Clendenon Road. Each unit will have two spaces for parking. Buffering will be required where the existing vegetation does not screen from the adjacent properties. Mr. Fields recommended for approval of the special exception. Mr. Melton made a motion to approve the special exception. Mr. Brown seconded the motion.

A roll call vote was taken:

- William Marrison – Yes
- Stanley Headrick - Yes
- Kathy Lovingood– Yes
- Harold Brown – Yes
- Jim Melton-Yes

The motion to approve the special exception passed.

**Blair Branch Development- Off Hesses Creek Road:**

This is a special exception request for a multifamily development off of Hesses Creek Road. There are two existing buildings and six additional dwellings are being proposed. The property is over 500 acres with portions of it in the R-1 and the R-2 zones. The portion being developed is in the R-1 zone. They have dedicated around 30 acres for the cabins and the remaining land will be dedicated to the Foothills Conservancy. This request will fall under the vacation rental cabin guidelines that allows up to 10 vacation rental cabins off of a gravel road. This site plan does indicate that the development will meet the setback requirements, density requirements, and the buffering is the existing forest areas that surround the property. Mr. Sam Beall was present to speak in favor of the special exception. Mr. Fields recommended for approval of the special exception. Ms. Lovingood made a motion to approve the special exception. Mr. Brown seconded the motion.

A roll call vote was taken:

- William Marrison – Yes
- Stanley Headrick - No
- Kathy Lovingood–Yes
- Harold Brown – Yes
- Jim Melton-No

The motion to approve the special exception passed.

**J.T. Kerr and Doug Bell- 3822 Kerr Road:**

This is a special exception request for a carpet cleaning business to be located at 3822 Kerr Road. The structure is a vacant building that was built prior to our zoning regulations. This unit has not been in use. It was originally built as an expansion of a racecar fabrication shop that is across the road from this site. The owner now wants to sell the building for commercial use. Special exceptions are granted along Collector Status Roads only. Kerr Road is not on the County Roads list as a collector road. According to the site plan all building setbacks will be met. Buffering would be required to screen the use from the neighboring residential uses. Due to the road status Mr. Fields recommended denial of the site plan. Doug Bell was present to speak in favor of the special exception. J.R. Kerr was also present to speak in favor. Mr. Headrick made a motion to approve the special exception, due to the fact that the structure was built prior to zoning for a commercial use and this would be a light duty use. Mr. Melton seconded the motion.

A roll call vote was taken:

- William Marrison – No
- Stanley Headrick - Yes
- Kathy Lovingood– No
- Harold Brown – Yes
- Jim Melton-Yes

The motion to approve the special exception passed.

4. **OTHER BUSINESS:**

5. **ADJOURNMENT:**

There being no further business to conduct, the Chairman declared the meeting adjourned.

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Secretary, Board of Zoning Appeals