

**Blount County Board of Zoning Appeals**  
**Regular Session**  
**Thursday August 5, 2004**  
**6:00 P.M.**

The Blount County Board of Zoning Appeals met in regular session on Thursday August 5, 2004, at 6:00 pm at the Courthouse. Staff was represented by: Roger Fields, Building Commissioner.

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

The minutes of the July meeting were not approved due to a problem with notice of the meeting not appearing in the paper.

**Cases Being Heard**

**1. JULY 1, 2004 MEETING:**

**Jerry Hall- 4726 E. Lamar Alexander Pkwy:**

Mr. Brown and Mr. Headrick agreed to uphold their previous motions.  
A roll call vote was taken:

- Bill Marrison-Yes
- Stanley Headrick- Yes
- Kathy Lovingood-Yes
- Harold Brown-Yes
- Jim Melton-Yes

The motion to reapprove the variance passed.

**James and Jackie Bumgarner- Big Valley Campground Lot 250:**

Mr. Headrick and Mr. Brown agreed to uphold their previous motions.  
A roll call vote was taken:

- Bill Marrison-Yes
- Stanley Headrick- Yes
- Kathy Lovingood-Yes
- Harold Brown-Yes
- Jim Melton-Yes

The motion to reapprove the variance passed.

**Ernest Stinnet- 353 Black Mash Hollow Road:**

Mr. Brown and Mr. Headrick agreed to uphold their previous motions.  
A roll call vote was taken:

- Bill Marrison-Yes
- Stanley Headrick- Yes
- Kathy Lovingood-Yes
- Harold Brown-Yes
- Jim Melton-Yes

The motion to reapprove the special exception passed.

**Judy Hinson- 5127 Hwy 411 South:**

Mr. Brown and Mr. Headrick agreed to uphold their previous motions.  
A roll call vote was taken:

- Bill Marrison-Yes
- Stanley Headrick- Yes
- Kathy Lovingood-Yes
- Harold Brown-Yes
- Jim Melton-Yes

The motion to reapprove the special exception passed.

**2. APPEALS: NONE**

**3. VARIANCES:**

**CLS Group-241 E. Millers Cove Rd. & 339 Bradley Retreat Road:**

This request is for a variance to use a 230 square foot shelter for a collocation support structure at 241 E. Millers Cove Rd. and 339 Bradley Retreat Rd. The zoning regulations limit the size of these shelters to 200 square feet. Mr. Fields has spoken with a representative of CLS and they have indicated that this size structure is required for all the hardware that has to go in it. It is in the spirit of the zoning regulations to promote co-location of existing towers vs. the addition of new towers. Mr. Fields does not recommend approval of this variance unless the board finds that the spirit of the zoning regulations is better upheld by granting the variance. Julia Robella was present as a representative of CLS. Mr. Brown made a motion in the spirit of the zoning regulations to approve the variance. Mr. Melton seconded the motion.

A roll call vote was taken:

- Bill Marrison-Yes
- Stanley Headrick- Yes
- Kathy Lovingood-Yes
- Harold Brown-Yes
- Jim Melton-Yes

The motion to approve the variance passed.

#### **4. SPECIAL EXCEPTIONS:**

##### **Victor Kampas- 1713 Topside Road:**

This is a special exception request for a change of use, which is a special exception in accordance with the zoning regulations. This request is for 1713 Topside Road and it is located in the **S** zone. The property was used to store Oakwood Manufactured Homes until April 4, 2003. The property owner wants to lease the property to Sysco Co. to store their trucks for local hauling. The site plan shows a 12' X 28' portable building that will be added for an office. All building setback requirements will be met. This property is surrounded by commercial uses and would not require additional buffering. If the Board finds the use to be of equal or less impact, Mr. Fields recommends approval of the change of use. Larry Campbell was present to speak in opposition. Due to the amount of questions about the operation of the business Mr. Melton made a motion to defer the change of use to the next meeting. Mr. Headrick seconded the motion.

A roll call vote was taken:

- Bill Marrison-Yes
- Stanley Headrick- Yes
- Kathy Lovingood-Yes
- Harold Brown-Yes
- Jim Melton-Yes

The motion to defer the special exception to the next meeting passed.

##### **James Shannon Gilmore- 4907 Highway 411 S:**

This is a special exception request to allow an automobile sales lot to be located at 4907 Highway 411 S. Currently USA Auto Repair is located in the building. They plan to operate both businesses out of the existing location. The applicant wishes to sell automobiles from this lot. To do so they must comply with the zoning regulations in order to obtain a license from the state. The property is zoned R-1 and is located on an arterial road. The current use is grandfathered and the applicant did sell cars off the lot until early 2000. This is a difficult request to define. It is not a change of use nor is it a request for a new special exception. It is a request for an additional use that is very similar to the existing use. The zoning regulations do not directly address this particular situation. The structure is a 60' X 40' and this would be the structure that is used for both repair and sales. This structure would not meet all the setback requirements for a new special exception, but the existing use is grandfathered. Due to the nature of the request Mr. Fields has no recommendation. Larry Campbell was present to speak against the special exception. Mr. Headrick made the motion to approve the special exception. Mr. Brown seconded the motion.

A roll call vote was taken:

- Bill Marrison-No

- Stanley Headrick- Yes
- Kathy Lovingood-No
- Harold Brown-Yes
- Jim Melton-Yes

The motion to approve the special exception passed.

**5. OTHER BUSINESS:**

**Horse Arena:**

Other business brought before the board was the potential for an indoor horse arena. The question is whether this will still be considered an agricultural use. Dr. Wycliff was present to speak for the owner. It was agreed that this would still be considered an agricultural use.

**6. ADJOURNMENT:**

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

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Secretary, Board of Zoning Appeals