

**Blount County Board of Zoning Appeals**  
**Regular Session**  
**Thursday October 7, 2004**  
**6:00 P.M.**

The Blount County Board of Zoning Appeals met in regular session on Thursday October 7, 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, and Harold Brown.

Mr. Brown made a motion to approve the minutes of the September 7, 2004 meeting. Second was made by Mr. Headrick. The motion received unanimous approval.

**Cases Being Heard**

**1. APPEALS:**

**Gina French- 5223 Highway 411 S:**

Ms. French is appealing a site plan that was approved by the Blount County Planning Commission on August 26, 2004. The site plan was for the expansion of an existing car dealership. The plan shows the addition of a showroom and service building. The site plan was approved in accordance with Section 6 of the Blount County zoning regulations. This piece of property has multiple uses that do confuse this situation. Originally this car lot was the existing small building and the larger garage area behind it. The previous owner switched the uses without the BZA's approval to a boat tower shop and retail store. The retail store was changed back to a car dealership and a change of use was granted for the garage to be used for the tower shop. The car lot was one of the original grandfathered uses and is why the site plan was granted. Mr. Fields also included a letter from Norman Newton concerning the matter. Ms. French was present to speak in favor of the appeal. The board discussed the matter. Mr. Brown made a motion to deny the appeal. Mr. Headrick seconded the motion.

A roll call vote was taken:

- Bill Marrison – No
- Stanley Headrick – Yes
- Kathy Lovingood – No
- Harold Brown – Yes

The vote for the appeal was tied so the motion to deny the appeal passed.

**2. VARIANCES: NONE**

**3. SPECIAL EXCEPTIONS:**

**Paul Kennedy- 4748 Morganton Road:**

This is a special exception request to have an automobile sales lot to be located at 4748 Morganton Road. This is a use that is permitted as a special exception with specific limitations in Section 9.2c. The limitations are that the lot be one acre or greater and have frontage on a collector or arterial status road. This lot has the proper road frontage, but the lot is .704 acres. Mr. Fields considered it to be a family commercial enterprise as well, but those uses are limited to a specific list of uses and an automobile sales lot is not one of them. The structure does not meet the minimum setback requirements either. This property has recently been re-plated and the front property line has been moved back for Road ROW. On 12/1/03 this site was approved for a carryout restaurant. That business has not been started. The applicant has until 12/1/2004 to start that business. Based on an interpretation of the zoning regulations Mr. Fields does not recommend approval of the request. Mr. Kennedy was present to speak in favor of the request. Mr. Campbell spoke in opposition. He is opposed due to the status of the road. Ms. Lovingood made a motion to deny the special exception based on staffs recommendation. Mr. Brown seconded the motion.

A roll call vote was taken:

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

The motion to deny the special exception passed.

**Jim and Mary Haider- 5110 Little Doubles Road:**

This is a special exception request for a bed and breakfast to be located at 5110 Little Doubles Road. This is a use that is permitted as a special exception found in Section 9.3b of the zoning regulations. The site plan shows that all building setback requirements would be complied with. This is located in a very heavily forested area that provides sufficient natural buffering. If the existing natural buffer remains, additional buffering will not be required. Mr. Fields recommended that the special exception be granted. Mr. Dwayne Smith was present to speak in favor of the site plan. Mr. Haider was also present. Mr. Headrick made a motion to approve the site plan. Ms. Lovingood seconded the motion.

A roll call vote was taken:

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