

**BLOUNT COUNTY BOARD OF ZONING APPEALS
REGULAR MEETING
THURSDAY, AUGUST 3, 2006**

BZA MEMBERS PRESENT: Larry Campbell, Stanley Headrick, Rob Walker and Kathy Lovingood.

The minutes from the last meeting were read and a motion was made by Larry Campbell to approve the minutes and a second by Stan Headrick.

All the members voted yes to accept the minutes.

CASES BEING HEARD / AND ACTION TAKEN

- 1. VARIANCE: ONE**
- 2. APPEALS: NONE**
- 3. SPECIAL EXCEPTION: TWO**

SPECIAL EXCEPTION: (Rosie Pierce and Clara Peals)

This is a request for a Bed and Breakfast located at 1559 Middlesettments Road. The property is zoned S. This would be located in an existing structure.

The special events would be for wedding receptions, family reunions, and similar events.

The site plan indicates that all building setback requirements will be met.

Buffering would be required to screen the use from an abutting residential use property to the South of the site. This would be just left of the driveway as you enter the property.

The parking requirements must be enough to keep all the parking off the public right of way. There is existing parking, but more may be needed depending on the size of the crowd. There is a large field that could be used as an over flow.

Carrol Prest and Harold Best voiced some concern about the noise from the music being played at the events.

Ms. Pierce and Ms. Peals answered questions and concerns.

The Board of Zoning Appeals had some discussion concerning the zoning on this piece of property.

A motion was made by Kathy Loviingood to approve this Special Exception and Stan Headrick second the motion.

**The vote was: Stan Headrick = YES
Kathy Loviingood = YES
Larry Campbell = YES
Rob Walker = YES**

The Special Exception was approved.

SPECIAL EXCEPTION:

Cingular Wireless is requesting a cell tower to be located on the property at 1170 Cumberland Drive.

Mr. Larry Perry has preformed his consultation of this cell tower structure. He recommendation is for the approval of this tower with a variance for the buffering requirements.

The tower is to be a 192 feet monopole. The lightning rod on top of the tower brings the total height of the pole to 199 feet.

Our zoning regulations require the lease area to be *buffered by evergreen vegetation*. The applicant is requesting this requirement be waived due to this site being located in a forested area. This site is in a heavily wooded area with a mix of hardwoods and evergreens. The approval of a variance from this requirement is up to the BZA.

Some citizens voiced concern about the cell tower being close to the TVA power lines.

Mr. Fields stated that it was well over 145 feet from the easement line.

Discussion was had concerning the information on Larry Perry's report.

David Pike spoke in favor of this cell tower. He explained the advantages of having this site for the tower. The fact that the area is wooded, the base of the tower would not be visible from the surrounding area.

Carroll Myers spoke against this cell tower.

Carolyn Campbell ask if the owner of the property where the tower is located had been paid.

Sarah Talbot ask about the interference with radio frequency or satellite TV from the cell tower.

Carolyn Campbell spoke again regarding radiation form these towers.

David Pike answered questions regarding this cell tower and the impact on the residents and surrounding area.

Doyle Taylor ask questions about this tower.

Easement issues were discussed.

Mr. Fields had some questions about the apartment buildings that were near this tower.

Mr. Fields addressed the BZA about the distance of the tower from the near residential property.

The requirement set back for the cell tower is 300 percent of the tower's height.

This is called separation distance. This tower does not meet the set back distance from the residential area.

The engineer made the recommendation to approve this tower.

Some discussion was had about the fact that the apartments and duplexes are residential use.

Mr. Pike stated the benefits of placing this tower on this property.

Kenneth Melton and Jim Campbell ask questions about the tower and its use.

Kathy Lovingood stated these variances are very large and she did not see that there is a hardship to warrant this being granted. This brings up the fact that this is a question of not meeting the set backs(not just asking for a special exception of the buffering).

Ray Talbert spoke about this issue.

Stan Headrick made a motion to *deny* this cell tower because of the set backs.

Larry Campbell second the motion.

**The vote was: Stan Headrick = YES
Larry Campbell = YES
Rob Walker = YES
Kathy Lovingood = YES**

The Special Exception / Variance was *denied*.

VARIANCE: (Ralph Tallent)

Mr. Tallent has a request for a front setback variance at 6718 Old Walland Hwy.

This request was before the BZA last month. A motion to approve died because of a tie vote. A motion to deny failed as well. Mr. Tallent is presenting this variance at this BZA meeting.

He has provided pictures for review. These were presented at the meeting.

This is a steep piece of property. However Mr. Fields does not feel this is a hardship since this is an *accessory* building.

Mr. Ralph Tallent spoke in favor of this variance.

The Board ask questions about the size and what the building was used for.

Calvin Tallent spoke in favor of this variance.

Kathy Lovingood stated that it looked more like a living quarter than an accessory building.

Stan Headrick made a motion to *deny* the variance. The motion was second by Larry Campbell.

**The vote was: Rob Walker = YES
Stan Headrick = YES
Kathy Lovingood = YES
Larry Campbell = YES**

The Variance was *denied*.

THE MEETING WAS ADJOURNED

