

**BLOUNT COUNTY BOARD OF ZONING APPEALS  
REGULAR MEETING  
THURSDAY, DECEMBER 11, 2008**

BZA MEMBERS PRESENT: Harold Brown, Larry Campbell, Stanley Headrick, Rob Walker, Gordon Wright, Jim Melton (present but not voting)

The minutes from the previous meeting were read and a motion to approve was made by Larry Campbell. A second was made by Gordon Wright. The members voted unanimously to accept the minutes from the last meeting.

**CASES BEING HEARD AND ACTIONS TAKEN:**

- 1. SPECIAL EXCEPTIONS: ONE**
- 2. VARIANCES: ONE**

***Special Exception:***

1. Richard Hicks is requesting a family commercial enterprise to be located at 707 Self Hollow Road for a “doggie day care”.

--Richard Hicks was present and spoke.  
--Takuo Sonada spoke in opposition.  
--Pam Tinsley spoke in opposition.  
--Pat Snowden spoke in opposition.  
--Mary Ann Sonada spoke in opposition.  
--Jennifer Hicks spoke in favor.

A motion was made by Larry Campbell to deny the special exception based on this use not being specifically listed in section 7.10 of the Blount County Zoning Regulations as a permitted use. Gordon Wright made a second.

Vote:	Harold Brown	YES
	Larry Campbell	YES
	Stanley Headrick	YES
	Rob Walker	YES
	Gordon Wright	YES

The special exception was denied by a unanimous vote.

***Variance:***

1. Tom Hatcher is requesting a variance from the lot size minimum and density for property located at 4560 Sevierville Road.

--Tom Hatcher was present and spoke.

Gordon Wright made a motion to approve this variance. Larry Campbell made a second.

Vote:	Harold Brown	YES
	Larry Campbell	YES
	Stanley Headrick	YES
	Rob Walker	YES
	Gordon Wright	YES

The variance was approved by a unanimous vote.

***Other Business:***

Summary:

Currently, certain businesses are permitted in residential developments where deeded subdivision regulations do not allow it. Variances granted by the Board of Zoning Appeals allow this to happen even though these restrictions are a legal recorded instrument, and also placed on the property deeds. It is not the Board of Zoning Appeals jurisdiction to enforce subdivision regulations, but I don't think that they have the authority to overrule a recorded deeded restriction on these properties. These subdivision regulations are also mandated by the planning department of Blount County through the Planning Commission before a proposed subdivision is approved for construction.

Suggestion:

Propose to the Planning Commission that an addition be added as 7.10(c) (this will have to be brought to the County Commission for approval) to read: Variances for commercial or businesses may be denied if regulations of that subdivision prohibit the request, and are duly recorded in the Register of Deeds as subdivision regulations or a restriction placed on the property by recorded deed.

Staff to report back to Board at next month's meeting.

There was discussion among the board regarding section 5.4 of the Blount County Zoning Regulations at the request of Larry Campbell.

THE MEETING WAS ADJOURNED.