

**BLOUNT COUNTY BOARD OF ZONING APPEALS
REGULAR MEETING
THURSDAY, OCTOBER 4, 2012**

BZA MEMBERS PRESENT: Larry Chesney, Bruce Damrow, Stan Headrick, Rob Walker

The minutes from the previous meeting were read and approved, with a correction to the date, by a unanimous vote.

CASES BEING HEARD AND ACTIONS TAKEN:

- 1. SPECIAL EXCEPTION: ONE**
860 Bert Garner Rd
- 2. VARIANCE: ONE**
210 Boat Gunnel Rd
- 3. OTHER BUSINESS: ONE**
Training Update

Special Exceptions:

1. Matthew Deck is requesting a special exception for a special events venue to be located at 860 Bert Garner Lane.

--Matthew Deck spoke in favor of this motion. He stated that they have had six (6) events so far this year. At one such event, there was a band and he noted that the noise level did get to an excess. They have made a rule that all events would end at 10pm. He agreed to give all neighbors his contact information so that he can work with surrounding neighbors to handle any complaints. He contacted Mr. Yoakum and agreed to cancel all activities by ten o'clock.

--Harold Walker spoke only about the noise at night. He was not opposed to the business but he was against the loud noise.

--Jim Yoakum is the adjacent neighbor. He also spoke for Charles Taylor and Dale Bailey who are also neighbors to this property. They agree with Harold Walker. They are not opposed to the activity itself but they are against the noise and requested that it be addressed.

--Sandy Vandenberg spoke in opposition of the exception. She does not feel that this fits the neighborhood. She also noted that Bert Garner is a small road and she expressed concern about the additional traffic on this road.

--Dr. Ron Spencer who lives in Foxdale spoke in opposition. His property is adjacent to the property and he spoke to the loud noise from the past events that had occurred at the property. He also noted that by providing a cheaper wedding venue this would be a very busy location.

--Judith Gorski is the homeowner at the corner of Cedargate and Bert Garner. She stated that the noise does resonate to her property. Her major issue is a safety concern due to the amount of traffic that will be on Bert Garner Lane.

--Larry Bradley spoke on behalf of the Foxdale Subdivision HOA that their covenants state that there would be no loud noises in their subdivision. The noise from the past events is a major problem for him. He feels that approving this would be bad for all surrounding properties.

--Glen McClanahan is against the noise. He said that he has tolerated their dogs for several years. He said that the noise just has to stop.

--Sandy Vandenburg read a letter from Kevin and Gay Gibson, a neighbor who was unable to attend due to another engagement. They are against the approval due to the noise that is generated from this venue.

--Brandon Kimsey spoke in favor of the approval. He is a DJ. He stated that the decimal levels can be lowered. He said that maybe setting a decimal level would combat the noise level issue that everyone spoke about.

--Ed Chastain who lives in Foxdale Subdivision spoke about the noise level that he heard at their venue. He said that the noise was so loud that it rattled the window on their deck. He didn't have a problem with the business in the home but the noise level needs to be controlled.

--Roxanne Beall who lives in Foxdale Subdivision spoke about the noise. She asked what would be the ramification if it is approved with the stipulation of the 10pm cutoff. She was told that the police would need to be called.

--Ken Williams lives on Muscadine Dr. He is against the noise level. He stated that the DJ and Band members are not living in the neighborhood. He also is worried about the safety concerns with the road.

--Ron Hines, 2760 Cedargate Dr., spoke about the safety concerns. He said that the road is smaller and the increased traffic due to these events is going to cause a problem. The parking for the events was a problem too. He also stated his concern on what this will do to the property value of surrounding properties.

--Mary Cate spoke against the approval of the exception due to the safety concerns for children in the area. She said with the increased traffic and the possibility of alcohol being served at the events would place the surrounding children in danger.

--Mrs. Deck stated that the cars would be parked in the grass at their property. They have 10 acres and she said that no cars would be parked in the street. She also stated that she has an acquaintance that helps with her events that works for the Sheriff's department. This person would help to make sure that things are done correctly. Mrs. Deck also stated that anytime alcohol is served at an event she requires there to be a licensed bar tender to oversee the distribution of the alcohol.

Board asked the size of the pavilion. Mr. Deck stated that this was a 40 x 50 structure and it was built for personal parties and for wedding. The pavilion was completed in April 2012 with one restroom. Mr. Deck is not in the HOA mentioned. Food is catered

in. 30 – 150 guests for each event with approximately 50 cars. Mr. Deck stated they have had six weddings and that he has not had any complaints from the neighbors. A permit was obtained for the pavilion and he is currently in litigation with the builder because he pulled the permit under false pretences.

Stanley Headrick made a motion to deny the special exception. Larry Chesney seconded the motion.

Vote:	Larry Chesney	YES
	Bruce Damrow	YES
	Stanley Headrick	YES
	Rob Walker	YES

The motion was denied by a unanimous vote.

Variance:

1. The applicant is applying for a variance from the minimum lot size for replat of the property at 210 Boat Gunnel Rd.

--The property has been reviewed by the Environmental Department and the Planning Department. The replat of this will improve the lots situation.

--Jeremy Killebrew spoke on behalf of Russell Hepperly who purchased the smaller lot. Mr. Hepperly bought the property with the intentions of making improvements and selling the property. With this lot line adjustment, the pool will be reattached to the property and make it better for him to sell the property.

--No opposition presented.

--Bruce Damrow made a motion to approve the variance. Larry Chesney made a second.

Vote:	Larry Chesney	YES
	Bruce Damrow	YES
	Stanley Headrick	YES
	Rob Walker	YES

The motion was approved by a unanimous vote.

Other Business:

Training Update

--Roger Fields will be provided an update on the training hours at the next meeting.

THE MEETING WAS ADJOURNED.