

**BLOUNT COUNTY BOARD OF ZONING APPEALS  
REGULAR MEETING  
THURSDAY, April 2, 2015**

BZA MEMBERS PRESENT: Larry Chesney, Bruce Damrow, Stanley Headrick, and Brian King.

Bruce Damrow entertained a vote to approve last month minutes and seconded was made by Brian King. The vote received a unanimous approval.

**CASES BEING HEARD AND ACTIONS TAKEN:**

- 1. SPECIAL EXCEPTION: Five**  
**1614 Topside Road**  
**3812 Big Springs Ridge Road**  
**2111 Old Niles Ferry Road**  
**2237 Big Springs Road**  
**750 Jennings Road**
  
- 2. APPEAL: None**
  
- 3. VARIANCE: One**  
**1439 Clendenen Road**

*Special Exception:*

**1614 Topside Road**

This request is for a special exception at 1610 and 1614 Topside Road. The property is identified on tax map 008, parcel 099.16 and is zoned S-suburbanizing. The requested use is for a retail swimming pool construction company. This property historically housed "Vendors Supply Inc." that was a grandfathered use. That use has vacated the property and a new potential tenant is proposing this change of use. This use would qualify as a special exception with specific limitations in accordance to section 9.1C. The property does meet the lot size requirement of 1 acre and is actually 1.01 acres. This is a pre-existing structure and does exceed the 4,000 square feet maximum footprint for a special exception with limitations. The structure is approximately 8,000 square feet. Parking should not be an issue with the large gravel area around and behind the building. This property is surrounded by commercial uses and a manufactured home park.

Michael Copeland spoke in favor of the special exception. Michael Copeland is the son of John Copeland who submitted the special exception request.

No one spoke in opposition.

Stanley Headrick made a motion to approve the special exception. Bruce Damrow seconded the motion.

Vote:	Larry Chesney	YES
	Stanley Headrick	YES
	Brian King	YES
	Bruce Damrow	YES

### **3812 Big Springs Ridge Road**

This request is for a change of use at 3812 Big Springs Ridge Road. The property is identified on tax map 055, parcel 108.00 and is zoned R-1. The current use of this property is a metal shop that fabricates metal products for the building industry. The owner would like to build a 23 feet by 33 feet shed to put an incinerator under, and use it for a pet crematorium. The applicant would like to phase this new use in and phase out the metal fabrication in order to keep employees working during the transition. Metal Craft was a pre-existing non-conforming use that predates our zoning regulations. The site plan shows a portion of the new use to be located within the existing structure and then the addition of the incinerator shed. All building setback requirements will be met according to the site plan. Mr. Hodge does own the properties that abut this parcel on one side and the rear.

Cliff Hodge was present and spoke in favor of the request.

No one spoke in opposition.

Stanley Headrick made a motion to defer the special exception to research any health requirements and who has oversight. Bruce Damrow seconded the motion.

Vote:	Larry Chesney	YES
	Stanley Headrick	YES
	Brian King	YES
	Bruce Damrow	YES

### **2111 Old Niles Ferry Road**

This is a special exception request at 2111 Old Niles Ferry Road. The property is identified on tax map 068, parcel 070.00 and is located in the S-suburbanizing zone. The requested use is for a doggie day care/fitness facility. This property owner came before the board with a similar use back in November 2014. At that time, they requested a dog boarding, grooming, and therapy business to be located in the home at this same address. That request was denied as a family commercial enterprise.

The current request is different in a few ways. First, the proposed use I now for a doggie day care/fitness facility. In section 9.1-B below, you can see that a day care facility is listed as a use permitted as a special exception. It does not specify any one type of day care facility, but a day care facility would not offer over night services. The previous request did include overnight services and the requested use now is specifically for day care use, which by nature would not include those services. The difference between the former request and this one is that the applicant applied for a family commercial enterprise, which has a limited list of uses and their use did not completely fit any of those. This request is for a use that is listed as a special exception. Another difference is that this use will be located in an existing accessory structure that is located off the carport on the back side of the house.

The site is no different than before except that the applicant has had a 6 feet privacy fence installed. The applicant has provided measurements that indicate that the accessory structure is 24 feet from the closest property line, which does conform to our required setback of 20 feet.

No one spoke in favor of the request.

Adam Latham spoke in opposition of the request. He stated that he was worried that by approve this request it would affect his property values. He also spoke of his concerns with the location being in an outbuilding and the smell that will be with the business.

Dennis Cowan spoke in opposition of the request saying that he had sanitary concerns, business of the road, and the noise.

Bruce Damrow made a motion to deny the special exception due to the added noise and any environmental concerns as well as the property values. Brian King seconded the motion.

Vote:	Larry Chesney	YES
	Stanley Headrick	YES
	Brian King	YES
	Bruce Damrow	YES

### **2237 Big Springs Road**

This is a special exception request for a cellular tower at 2237 Big Springs Road. The property is identified on tax map 056, parcel 107.00 and is zoned S-suburbanizing. Branch Towers is requesting a 150 foot tower to support a T-Mobile antenna and have room for three additional antennas to co-locate. The applicant has submitted a complete application for this request. The board was provided with a site plan along with Mr. Perry's technical review.

Mary Miller spoke in favor of special exception representing Branch Tower and T-Mobile.

Mary Tate and Ralph Miller spoke in their opposition to this requested.

Sam Horton spoke in opposition of the request and stated that he had a 10 page petition in opposition. He submitted the petition to the board. He also presented the board with documentation that the addition of the cell tower would lower the surrounding property values.

John Crabtree spoke in opposition of the request. He is a property owner to the south side of the site.

Tina Hundorf spoke in opposition. She restated that a 10 page petition against the site was presented and the addition of the cell tower would lower adjacent property values.

Suzanne Blair spoke in opposition for the cell tower stating the surrounding property values would decrease and she worried about the health effects the cell tower would have on the surrounding property owners.

Stan Headrick asked about the use of repeaters and Mary Miller explained the use of repeaters and the need for fiber optics.

Sam Horton rebutted all the information given by Mary Miller.

Jim Swaze offered an answer to Stan Headrick from the technical side.

Larry Perry spoke on behalf of the board and answered their questions.

Mary Miller spoke on the different markets that they serve

Bruce Damrow made a motion to approve the special exception. No second was given so the motion failed. Stanley Headrick made a motion to defer for thirty days and refer back to the Planning Department with Mr. Perry's information on future projections. Brian King seconded the motion.

Vote:	Larry Chesney	YES
	Stanley Headrick	YES
	Brian King	YES
	Bruce Damrow	YES

### **750 Jennings Road**

This is a special exception request for a cellular tower at 750 Jennings Road. The property is identified on tax map 045, parcel 027.03 and is zoned S-suburbanizing. Branch Towers is requesting a 150 feet tower to support a T-Mobile antenna and have room for three additional antennas to co-locate. The applicant has submitted a completed application for this request. The board was provided a site plan along with Mr. Perry's technical review and supporting information.

Mary Miller spoke in favor of the request representing Branch Tower and T-Mobile.

Ron Talbott spoke in opposition to this request based on lower property values and health reasons.

David Mattingly spoke in opposition for general opposition and the lighting issues.

Thomas Crisp spoke in opposition concerned about the height of the tower and he wished for the preservation of the neighborhood.

Karen Branch spoke in opposition about the worry traffic and the road deterioration.

James McHargue spoke in opposition about the maintenance of the road and the blinking light on top of the tower.

Clifford Jones spoke about his concerns of lowering property values.

Darrell Dugger spoke in opposition and asked the question: “Does it matter what residence think?”

Julie Watson lives on the left hand side of the site and spoke about her concerns with the road.

Howard Jones spoke in favor and answered the question raised by concerned citizens over the road issues.

Pat Byrum spoke in opposition in reference to the crane being on the road.

Julie Watson stated that they do have good neighbors in this area.

Dale Satterfield spoke in opposition about his concern at seeing a large tower out his window and that he didn’t want the tower.

Peter Grouper spoke in opposition that the tower would cause his view to be blocked and the cell tower companies have to get together.

Kayla Kramer responded to the questions raised about the tracks and previous conditions.

Anson Cable spoke and asked about the authority that the Board of Zoning and Appeals has.

Stanley Headrick made a motion to defer the special exception pending an agreement on a bond for the road conditions. Brian King seconded the motion.

Vote:	Larry Chesney	YES
	Stanley Headrick	YES
	Brian King	YES
	Bruce Damrow	YES

***Appeal:***

**None**

***Variance:***

**1439 Clendenen Road**

This request is for a variance from the front setback requirements for a garage addition at 1439 Clendenen Road. The property is identified on tax map 066, parcel 032.03 and is located in the R-1 Zone. The required setback is 30 feet from the front property line. The requested variance is for 12 feet, which would put the proposed addition 18 feet from the property line. The claimed hardship is lot size, septic and septic reserve, and large 100 year old trees that the owners want to preserve.

Bruce Damrow made a motion to approve the variance. Brian King seconded the motion.

Vote:	Larry Chesney	YES
	Stanley Headrick	YES
	Brian King	YES
	Bruce Damrow	YES

***Other Business:***

None

THE MEETING WAS ADJOURNED.