

## MINUTES

### LOUDON COUNTY BOARD OF ZONING APPEALS

JUNE 19, 2007

The June meeting of the Loudon County Board of Zoning Appeals was called to order at 6:30 PM. Present were Mr. Harrison, Mr. Brown, Mr. Brooks and Mr. McEachern. Ms Terry was absent.

Motion to approve the minutes of the May 15, 2007 meeting was made by Mr. McEachern, seconded by Mr. Brown and approved 4-0.

**Agenda Item A: Request consideration of special exception approval for a private recreational facility for church camp and activity area for property located at Pine Grove Providence Road and Hall Road and also at Hall Road at Pickle Road, referenced by Tax Map 18, Parcels 52.02 and 52.10, Zoned A-1, Agriculture-Forestry District with A-2, Rural Residential District requested, 5<sup>th</sup> Legislative District. Owner: Jeff Sharp**

Based on the discussion during the RPC meeting, and since the Board had recommended denial of the request to rezone, Mr. McEachern made the motion to deny, Mr. Brown seconded, and motion to deny was approved 4-0.

**Agenda Item B: Request consideration of special exception approval for home occupation (professional dog show handler) for property located at 266 Pinecrest Circle, referenced by Tax Map 11, Parcel 51.00, Zoned R-1, Suburban Residential District, 5<sup>th</sup> Legislative District. Applicant: Clark Pennypacker and Santiago Pinto**

Ms. Pennypacker and Mr. Pinto were both present. Ms. Pennypacker explained that she and her associate were professional dog handlers. Their clients pay an average of \$2000 per month for them to board, train, groom, and show their dogs. Some months they spend \$400 on hair care products for the dogs and all of the dogs have special diet and exercise programs. They are high strung dogs, and must live a stress free life. There would be no signage at the home. Mr. Pinto usually travels 3-4 days a week with the dogs, and his fiancée, his brother, and his sister would also be living in the home to be with the other dogs. No dog is ever left alone. The would plan to use the garage building on the property for part of their operations. In 2006 Mr. pinto attended 145 dog shows, all involving 2,3 or 4 day weekends. She can't say that the dogs won't bark, but they are never left unattended or left outside, as this would stress the dogs. If any problem were to arise because of the dogs there will be someone there to attend to them.

Mr. Brown asked about the building they planned to use.

Ms. Pennypacker said it is an detached garage of about 1200 square feet. They would have individual runs inside the kennel.

Mr. McEachern noted that a home occupation is designed to be operated in the home, not another building, and there can be no other employees.

Ms. Pennypacker said that the assistants would be Mr. Pinto's siblings and fiancée and would they would live there.

Mr. Brown stated that the requirements are for immediate family.

Mr. McEachern stated that this would be a commercial business and belonged in a commercial area.

Mr. Brown stated that if money changes hands, this request could not be granted.

Mr. Reynolds said that this is what a customary home occupation is, a family working out of a home., but the detached structure poses the problem.

Mr. Brown said they did not have the power to grant what was being requested.

Ms. Jada Feagley, owner of the home, stated she had been told in the past that if the garage was attached to the house, a beauty shop would be allowed because it would be considered part of the house.

Mr. Reynolds stated that the purpose of having family members residing in the house was to eliminate having outside employees coming and going.

Mr. McEachern again noted this would not be operated in the primary residence.

Mr. Pinto stated he would have his fiancée and his two siblings as his only employees/assistants.

Mr. Cox stated that if the house and the garage were connected, it would be interpreted as part of the structure. A building permit would have to be obtained to connect the structures.

Mr. McEachern made the motion to deny the request, Mr. Brooks seconded, and motion to deny was approved 4-0.

**Moved to RPC agenda: Request consideration of approval of 25' lot frontage variance (from 25' to 0') for property for cemetery (Axley's Cemetery) located on Coytee Road, referenced by Tax Map 51, Parcel 17.00, Zoned A-1, Agriculture-Forestry District, 3<sup>rd</sup> Legislative District. Owner: Trustee's of Axley's Cemetery Association [07-05-117-SU-CO]**

With no additional comments from the Board or the audience, the meeting was adjourned at approximately 7 PM.

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Signed

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Dated