

## AGENDA

### LOUDON COUNTY BOARD OF ZONING APPEALS

JULY 17, 2007

The July meeting of the Loudon County Board of Zoning Appeals was called to order at 5:50 PM. Present were Mr. Harrison, Mr. Brown, Mr. McEachern, Mr. Brooks and Ms. Terry.

Motion to approve the minutes of the June 19, 2007 meeting was made by Mr. McEachern, seconded by Mr. Brooks and approved 5-0.

**Agenda Item A: Request consideration of approval of front yard setback variance of 38' (from 50' to 12'); side yard setback variance of 5' (from 20' to 15'); and side yard setback variance of 13' (from 20' to 7') for addition to house on property located at 3290 Craig's Chapel Road, referenced by Tax Map 79, Parcel 27.00, Zoned A-1, Agriculture-Forestry District, Greenback City, 3<sup>rd</sup> Legislative District. Owner: Al Babineau**

Mr. Babineau was present.

Mr. Reynolds explained that the owner wishes to do a front addition to the house. There is an existing side setback issue and the addition will also create a front setback issue. The house was built in the 1950's and the property is a lot of record.

Mr. Babineau explained that he wanted to put a two story addition to the front of the house. The house is 28 x 25 and he wants to add 16'. He stated the septic inspector is willing to let them do this if they can use some of the adjoining property for a septic reserve.

Mr. Newman told the Board the property is inside the city limits of Greenback, which requires a minimum of one acre of property in the A-1 zone, but this is a lot of record. He recommended denial of the request.

Mr. Babineau stated it would take six months to make the house livable. He has already re-plumbed and put a sturdier foundation under the house. This is his first house.

Mr. Brooks stated the lot is too small for this type of addition, suggesting the owner consider building on the back of the house.

Mr. Babineau stated that is where his septic tank is located.

Mr. McEachern made the motion to deny, Mr. Brooks seconded, and motion was approved 5-0.

**Agenda Item B: Request consideration of approval of side yard setback variance of 11' (from 25' to 14') for existing structure on property located at 2500 Meadow Road W, referenced by Tax Map 61, Parcel 8.08, Zoned A-1, Agriculture-Forestry District, 3<sup>rd</sup> Legislative District. Owner: Anthony Arnold**

Mr. Arnold was present. He explained that he was the builder of the home, and the current owners had lived in the house since 2005. When he staked out his foundation, the property is on an angle to the road, and he mis-measured his layout. He is trying to make this right for the current owner, a retire engineer, that found the problem.

Mr. Terry McBath stated he had built the house next door and he and Mr. Arnold had staked out their foundations at the same time. He agreed that due to the angle of the lots to the road it was difficult to do. He had no objections to Mr. Arnold's request.

Mr. Brooks made the motion to approve, Mr. McEachern seconded, and motion was approved 5-0.

**Agenda Item C: Request consideration of approval of rear yard setback variance of 10' (from 30' to 20') for existing structure located at 1963 Martel Road, referenced by Tax Map 21, part of Parcel 12.00, Zoned C-2, General Commercial District, 2<sup>nd</sup> Legislative District. Owner: Crossroads Christian Academy [07-06-145-SU-CO]**

Mr. Stuart Crane was present for the applicant. He explained that they wish to subdivide the part of the property with the school and a setback issue is created.

Mr. Newman recommended approval of the request on the condition the plat state the school has permitted access on the driveway.

Mr. Brooks made the motion to approve, Mr. Brown seconded, and motion was approved 5-0.

**Agenda Item D: Request consideration of approval of front yard setback variance of 34' (from 50' to 16') for sign on property located at 7203 Hwy 11 E, referenced by Tax Map 15, Parcel 144.00, Zoned O-1, Office Professional District, 5<sup>th</sup> Legislative District. Owner: Richard Cubberly, Turn Key Plumbing**

Mr. Cubberly was present.

Mr. Reynolds explained the property and location for the Board. Mr. Cubberly wants to have his sign on the top of the cyclone fence, within the setback area.

Mr. Cubberly stated anyone pulling out of Shaw Ferry Road would be able to see underneath the 24 square foot sign he wants to install.

Mr. McEachern made the motion to approve the sign only, with the placement not to interfere with the line of sight. The motion approves the intent of the sign, and leaving the placement approval to the Planning Office to inspect the location of the sign. Mr. Brown seconded, and motion was approved 5-0.

**Agenda Item E: Request consideration of special exception to allow a coffee processing facility, Goodson Coffee Company, to locate in Hickory Creek Business Park, referenced by Tax Map 7-A, Group A, Parcels 6.00, 7.00, 8.00 and 9.00, Zoned C-2, General Commercial District, 5<sup>th</sup> Legislative District. Owner: Hickory Creek Partners**

Mr. Buddy White, Mr. Charles Goodson, Mr. Joe Chalmers and Mr. Bill McSpadden were present.

Mr. Newman described the property and location for the Board. He stated that the C-2 zoning district does not address a coffee processor, which would involve roasting, grinding, and packaging, and he felt it should be addressed as a special exception by the BZA. It could be construed as an industrial type use.

Mr. Goodson stated that they are contract packagers for Proctor and Gamble, Folgers, Millstone and Sysco, doing work that is farmed out from the larger coffee companies. The business is currently located on Sherway Drive in Knoxville and they want to relocate to a larger parcel of property where they will own their own building. They have been renting space since 1979. Their air quality control is inspected annually. There is occasionally a smell of coffee, as they process between three and four million pounds of coffee a year. They average four or five tractor trailers a week at their facility. They plan to build a 50,000 sf facility and possibly expand to 75,000 sf in the future.

Mr. Bob Tallent, a resident of Avalon, expressed concern that this would allow for another industrial use in the business park.

Mr. Newman said that is why he preferred to deal with this as a special exception, where each item stands on its own merits at the discretion of the Board.

Mr. Tallent asked about odor from the facility, and Mr. Goodson stated he had \$100,000 of pollution equipment which heats the smoke and odor to 1400 degrees to destroy it before it can leave the plant.

Mr. Newman stated he recommended approval of this request, noting that the Zoning Ordinance addresses noxious odors and could be enforced.

Mr. McEachern made the motion to approve, Mr. Brooks seconded, and motion was approved 5-0.

#### **Additional Public Comments**

Mr. Faud Reveiz asked consideration of an item to be added to the agenda. Mr. Newman stated that there had been a miscommunication in Mr. Reveiz's office and the request had not been filed in time. He had told Mr. Reveiz he could ask the Board to add it to the agenda. After seeing the proposed plans for a truck repair facility and learning there had been no public notice, the Board refused to add it to the agenda. It will be heard at the August meeting.

With no other comments from the Board or the audience, the meeting was adjourned at approximately 6:45 PM

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Signed

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Dated