

## MINUTES

### LOUDON COUNTY BOARD OF ZONING APPEALS

MARCH 18, 2008

The March meeting of the Loudon County Board of Zoning Appeals was called to order at 5:30 PM. Present were Mr. Harrison, Mr. Brown, Mr. McEachern, Mr. Brooks and Ms. Terry.

Motion to approve the minutes of the February 19, 2008 meeting was made by Mr. McEachern, seconded by Mr. Brooks and approved 5-0.

**Agenda Item A: Request consideration of approval of special exception for cabinet making business on property located at 7305 and 7307 Hines Valley Road, referenced by Tax Map 14, Parcel 47.00, Zoned C-1, Rural Center District, 5<sup>th</sup> Legislative District. Applicant: Robert L. Cox (Postponed at March meeting)**

Mr. Cox was present.

Mr. Newman described the property and location for the Board. He noted the property is zoned C-1, and has had a trailer fabrication business on it for a number of years.

Mr. Cox said the owner of the property is now widowed, and wanted to sell the property. He plans to have a custom cabinet assembly business, and all the work and storage would be inside the buildings. He and his brother also plan to use the remainder of the property to build their homes.

Mr. Newman told the Board that although the cabinet business is not listed as a permitted use in C-1, the Board has the authority and responsibility to interpret if the use would be permitted. He also noted a letter from Mr. H.B. Cooper on Hines valley road objection to a special exception being approved for this use..

Mr. McEachern noted he felt this would be an improvement to the current use of the property, and Mr. Brown agreed.

Mr. Brooks made the motion to approve, providing there is no outdoor storage of materials and that the special exception be tied to this individual and this business, Mr. McEachern seconded and motion was approved 5-0.

**Agenda Item B: Request consideration of approval of special exception to have Adult Home in residence located at 174 Old Midway Road, referenced by Tax Map 16, Parcel 319.00, Zoned R-1, Suburban Residential District, 6<sup>th</sup> Legislative District. Owner: Larisa Onofriychuk (Postponed at March meeting)**

Ms. Onofriychuk was present. She stated she wished to have a residential care home, and they would remodel their house if this request is approved where they could have eight residents. They were already approved last year for a daycare, but they changed their mind about that. She is a CNA. They have a friend that will finance their doing this.

Mr. Newman noted the house is served by a shared driveway to three properties. He recommended the request be denied because of the shared access with the other residents, and by use of one home for a multi-family structure, the traffic that will be generated will have an adverse affect on the neighboring property owners. Also, parking is very limited. The use would be more appropriate on a larger parcel with its own access.

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

**Agenda Item C: Request consideration of special exception approval for internet gun sales as a home occupation on property located at 9255 Steekee School Road, referenced by Tax Map 49, Parcel 128.00, Zoned A-2, Rural Residential District, 1<sup>st</sup> Legislative District. Owner: Randall Newbolds**

Mr. Newbolds was present. He told the Board that the ATF permit was required for him to become a dealer, and they required a zoning compliance letter. He would be selling guns over the internet from his home.

Mr. Brown asked if there would be evidence that a business was being conducted from the home.

Mr. Newbolds said there would not be, but there would be UPS deliveries. He stated he currently has to drive to a dealer in Knoxville to pick up merchandise.

Mr. Newman made the recommendation to approve the request on the condition there are no direct sales to customers from the home and there is no signage or employees.

Mr. Brown made the motion to approve the request incorporating Mr. Newman's recommendations. Mr. McEachern seconded and motion was approved 5-0.

**Agenda Item D: Request interpretation of auto sales as special exception in C-1 District on property located at 7374 Highway 411 S, referenced by Tax Map 84, Parcel 50.01, 3<sup>rd</sup> Legislative District. Owner: Ralph Tallent**

Mr. Tallent was present. He stated his building has its own electricity, septic, and access from the Highway.

Mr. Newman described the property and location for the Board, noting that Mr. Tallent had the property rezoned last year to C-1, since he also lives on the property. He stated that C-1 does allow some retail businesses, but does exclude body shops. He felt the request for a car sales lot would be inserting a use that was not originally intended. Car sales are permitted in the C-2 district.

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

**Agenda Item E: Request variance approval to obtain building permit for lot of record without road frontage for property located on Cuddie Lane, referenced by Tax Map 33L, Group B, Parcel 21.00, Zoned R-1, Suburban Residential District, 1<sup>st</sup> Legislative District. Applicant: Waylon Fortner**

Mr. Fortner was present.

Mr. Newman said this property was part of a platted subdivision, Port Madison, and is a lot of record. The property has no road frontage but does have a platted right of way easement to the property. The Building Commissioner cannot issue a building permit with no road frontage without BZA approval.

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

With no additional comments from the Board or the audience, the meeting was adjourned at approximately 6:05 PM

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Signed

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Dated