

AGENDA

LENOIR CITY BOARD OF ZONING APPEALS

JULY 10, 2007

The Lenoir City Board of Zoning Appeals was called to order at 6:00 PM by Vice-Chairman Herb Lingenfelter. Present were Mr. Ghormley, Ms. Watson, Mr. Lingenfelter, Mr. Simpson, Mr. Wilkerson, and Mr. Grindstaff. Ms. Ross was not present, but arrived as after the approval of the minutes.

Mr. Lingenfelter welcomed new member Mr. Tim Grindstaff to the Board.

Mr. Simpson made the motion to nominate Mr. Bill Ghormley as Chairman, Mr. Wilkerson seconded, and Mr. Ghormley was approved as Chairman by a vote of 5-0.

Mr. Wilkerson made the motion to nominate Ms. Terri Watson as Vice-Chairman, Mr. Simpson seconded, and Ms. Watson was approved as Vice-Chairman by a vote of 5-0.

Mr. Lingenfelter then turned over the gavel to Mr. Ghormley.

Motion to approve the minutes of the June 5, 2007 meeting was made by Ms. Watson, seconded by Mr. Lingenfelter, and approved 6-0.

Agenda Item A: Request clarification of C-3 Zoning District regarding pet facility for boarding and grooming at 1300 Simpson Road W, referenced by Tax Map 15, Parcel 333.00. Owner: MSM Development

Mr. Mark Matlock was present for the agenda item.

Mr. Newman explained that this building formerly housed the Child Advocacy Center, who had recently vacated. He noted that according to the ordinance, a veterinary facility with boarding is permitted, but this would not be a veterinary facility, only a kennel, therefore he had thought the Board should review the request.

Mr. Matlock said the owners of the facility would be working with local veterinarians, and would also have an enclosed pool for water therapy to help in rehabilitating animals. The dogs would only be outside for exercise and would be attended at all times.

Mr. Newman expressed concern about the building being located between two apartment complexes and the noise that could possibly come from the facility.

Mr. Matlock stated that the facility would be staffed 24 hours a day, 7 days a week, and the animals would not be outside in the late evenings, which would be similar to how Dr. O'Brien's facility on Broadway was operated.

Mr. Simpson said he would be willing to approve the facility if it was stipulated the boarding would be indoors, there would be a handler present if any dogs were outside.

Mr. Newman expressed concerns about night noise, and recommended that there be no dogs in outdoor runs after 9 PM.

Mr. Matlock said that was a reasonable request. He also stated that there would be no lights on the back of the building except for security type lighting.

Ms. Ross asked about sound proofing.

Mr. Matlock said there were no windows on the back of the building, and the building is a fair distance from at least one of the apartment complexes. There will be a caretaker or cleaning person there 24/7. The dogs are usually quiet at night in their enclosures. The dogs would be taken out before 9 PM and would not go out again until 6-7 AM. There would be no outdoor runs for the animals. The fenced area would only be an exercise yard. He also described the materials that are used and will be used in the building addition, noting that Dr. O'Brien's walls are block and do not absorb sound like the walls in this building will be. This will also be more of a luxury facility, catering to upper scale clientele. They also plan to have community programs, adoption days, and work with the UT vet school for physical therapies.

Mr. Simpson made the motion to approve the usage, with a 9 PM curfew and one handler for every three dogs that may be outside.

Mr. Wilkerson seconded, and motion was approved 7-0.

With no additional business, the meeting was adjourned at approximately 6:25 PM

Signed

Dated