

MINUTES
LOUDON BOARD OF ZONING APPEALS
NOVEMBER 7, 2007

The November meeting of the Loudon Board of Zoning Appeals was called to order at 12:30 PM Present were Mr. Carey, Mr. McEachern, Mr. Melton, Mr. Greenway, Mr. Gammons, Mr. Brewster and Ms. Millsaps. Absent was Mr. Brennan and Mr. Garner.

Motion to approve the minutes of the October 3, 2007 meeting was made by Mr. McEachern, seconded by Mr. Greenway and approved 7-0.

Agenda Item A: Request consideration of approval of 10' right of way variance (from 25' to 15') for Highland Avenue side and 5' right of way variance (from 20' to 15') for Teepee Street side of property located at the corner of Highland Avenue and Teepee Street, referenced by Tax Map 40D, Group B, Parcels 15.00, 16.00 & 17.00, Zoned R-1, Low Density Residential District. Owner: Douglas Lyle

Mr. Lyle was present. He told the Board that he is requesting the right of way variance so he does not have to dedicate more property to the city when he moves lot lines to sell one of his two houses. When he had the property pins located he found his garage was on the property line of the house he wants to sell. His house and garage were built in 1957 and until the pins were located he had no idea the garage was that close. All of the lines he is moving are internal lines.

Mr. Newman told the Board that a variance was issued last year for the Cabot's on Highland Avenue for the same reason. Teepee Street and Highland Ave are wide streets already, most of the lots having homes on them, and he saw no reason to not grant the variance. He recommended approval.

Mr. Melton made the motion to approve, Mr. McEachern seconded, and motion was approved 7-0.

Agenda Item B: Request consideration of approval of special exception to operate a restaurant at 810 Mulberry Street, referenced by Tax Map 41H, Group E, Parcel 11.00, Zoned P-1, Professional Civic District. Applicant: Ruthe Spivey

Ms. Spivey was present.

Mr. Newman described the property and location to the Board, noting that Ms. Spivey wanted to operate a small restaurant. In the P-1 district a restaurant is not a permitted use, but since cafeterias are allowed as an accessory to a permitted use, he felt she should have the option of asking for a special exception versus a rezoning.

Ms. Spivey explained she had a restaurant in south Georgia before she moved to Atlanta and now she wants to come home She plans to cater to businesses, taking food to them, and have soups and sandwiches, a special hamburger and desserts. She plans to use the four rooms on the front, and grow into the back part of the building. She is not sure if she will serve breakfast, but will serve lunch from 11:00 -3:30 or 4:00 and maybe offer dinner on Fridays.

Mr. Brewster questioned the cafeteria aspect of the Ordinance.

Mr. Newman said it is allowed as an accessory use to the primary use.

Mr. Newman asked how many tables she planned to have.

Ms. Spivey said she plans approximately 15 tables, some 4 seats, some 2 seats, and plans to serve 50-60 people.

Mr. Melton asked where she planned for her customers to park.

Mr. Carey said that would be addressed in the RPC meeting when the Board reviewed the site plan.

Mr. Newman said the use as discussed would be a relatively limited impact, and if the property were rezoned to C-2 it would be a permanent rezoning, and the plan had never been for the C-2 area to move towards the downtown along Mulberry.

Mr. McEachern made the motion to approve, Mr. Gammons seconded, and motion was approved 7-0.

With no additional comments from the Board or the audience, the meeting was adjourned at approximately 1:00 PM

Signed

Dated