

MINUTES
LOUDON COUNTY BOARD OF ZONING APPEALS
DECEMBER 16, 2014

The December meeting of the Loudon County Board of Zoning Appeals was called to order at 5:30 p.m. Present were Mr. Brown, Mr. Luttrell, Mr. McEachern, Mr. Bright, and Ms. Terry.

Mr. Brown, Chairman of the Board, swore in those who were to give testimony in the meeting.

Motion to approve the November 18, 2014 minutes was made by Mr. McEachern, second was made by Mr. Luttrell. Motion carried 5-0.

Agenda Item A: Consideration of a lot-size variance request for a re-subdivision of 2 lots located at 4735 and 4619 Malone Road, zoned A-2, referenced by Tax Map 57, Parcels 99.00 and 99.01. Applicant: James Loveday/Owners: Elizabeth Curry, Barbara McKee, and Denise Russell

Ms. Curry was present.

Ms. Curry stated that she and her mother, Barbara McKee, owned Parcel 99.01. She said that they wanted to purchase Parcel 99.00. She stated that the re-subdivision would straighten the property lines for both properties. She said that the surveyor had told her that both lots met the lot requirement for 20,000 square feet with a septic system.

Mr. Brown said that both lots were substandard lots. He asked Ms. Curry if the lots were Lot of Record.

Ms. Henson stated that she did not think that the lots were Lot of Record.

Ms. Curry said that the previous owner had subdivided the property approximately in 2003.

Mr. McEachern asked if the re-subdivision would create any other variances.

Mr. Brown asked Ms. Curry if she had a contract to purchase the land.

Ms. Curry stated that they were waiting on getting this approval before they had a contract to purchase the land. She said that it was in the agreement.

Mr. McEachern said that, in his opinion, that it was taking a bad situation and making it better.

Mr. Brown stated that his concern was that the other owner of one of the lots was not present.

Ms. Curry said that the surveyor told her that only one person needed to come to the meeting.

Mr. Brown stated that the other owner may decide that they weren't going to sell the property.

Mr. McEachern said that until the property changes ownership, they only have permission to create 2 substandard lots. He stated that until they create them, they will stay the same.

Mr. McEachern made the motion to approve the request, second was made by Ms. Terry. Motion carried 4-1, with Mr. Luttrell voting "no".

Agenda Item B: Consideration of a special exception request to building a 40'X60' storage building, consisting of ½ acre, located at 40421 Hwy. 95, North, Lenoir City, referenced by Tax Map 44, Parcel 2.00, zoned C-1. Owner: Robert Foshee
Mr. Foshee was present.

Mr. Foshee stated that his property consisted of ½ acre. He said that the existing 40' X 60' store building was grandfathered. He stated that he did not propose to do anything to this existing building. He said that the existing mobile home had received a variance in 1987. He stated that they currently had city water on the property. He said he planned on removing the existing mobile home. He stated that he proposed to replace the mobile home with a mini storage building.

Mr. Brown said that placing a mini storage building on the property was not on the agenda. He stated that he wanted to see a site plan before approving the request.

Mr. Foshee stated that he did not bring a site plan with him. He said he would meet the setback requirements on the rear and side.

Mr. McEachern explained to Mr. Foshee that the Board had to consider the footprint of the proposed building.

Mr. Brown said that the Board needed to see how to enter and exit the property. He stated that they needed to see more than what has been given to them.

Mr. Foshee asked if he needed to come back to the Board at next month's meeting.

Mr. Brown stated that when he came back next month, he needed to provide the Planning Office a scaled drawing of the property showing the existing buildings, the proposed building, the paved area, and how close to the property lines the proposed building will be.

Mr. Luttrell said he could not approve the request.

Mr. Brown stated that he did not think Mr. Foshee could get approval at this meeting without showing them a site plan.

Mr. Jenkins, Loudon County Building Official, stated that the reason Mr. Foshee was at the meeting was because of the C-1 zoning district, storage buildings were not a permitted use nor was listed in the Special Exception permitted use. He said that Mr. Foshee was asking approval to place a storage building in a C-1 zoning district.

Mr. Foshee said that he didn't know that a storage building was not allowed on his property.

Mr. Brown referred to the Zoning Resolution, and stated that storage buildings were not allowed in a C-1 zoning district. He informed Mr. Foshee that his request could not be approved. He said that storage buildings weren't even allowed with a Special Exception in a C-1 zoning district. He stated that storage buildings were allowed in a C-2 zoning district with a Special Exception. He informed Mr. Foshee that he could request a rezoning of the property.

Mr. Foshee stated that if it was illegal, he didn't want to do anything.

Mr. McEachern made the motion to deny the Special Exception request, since the C-1 zoning district did not allow storage buildings, second was made by Ms. Terry. Motion carried 5-0.

Additional public comments: There were none.

Announcements and/or comments from Board/Commission: There were none.

Meeting was adjourned at approximately 5:45 p.m.

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Signed

Date