

**BLOUNT COUNTY BOARD OF ZONING APPEALS
REGULAR MEETING
THURSDAY, May 1, 2014**

BZA MEMBERS PRESENT: Andy Allen, Larry Chesney, Bruce Damrow, Stanley Headrick, and Rob Walker

Bruce Damrow entertained a vote to approve last month minutes and Larry Chesney seconded. The vote received a unanimous approval.

CASES BEING HEARD AND ACTIONS TAKEN:

- 1. SPECIAL EXCEPTION: Two**
1210 W Hunt Rd
2116 Calderwood Hwy
- 2. APPEAL: One**
904 N Union Grove Rd
- 3. VARIANCE: One**
2189 Meade St

Variance:

219 Meade St

The applicant has requested a variance from the side setback requirements for a garage addition. The property is identified on tax map 037J, Group K, parcel 026.00 and is located in the suburbanizing zone. The required side setback is 10 feet. The request is for a 5 feet setback from the side property line. The garage would be added to the end of the house on the existing concrete currently used for parking. A 5 feet setback would be consistent with the surrounding properties.

Bob Hearon spoke in favor of the request. He stated that the homes in the area are within the 5 feet setback.

No one spoke in opposition.

Bruce Damrow made a motion to approve the variance request and it was seconded by Larry Chesney.

Vote: Andy Allen	YES
Larry Chesney	YES
Bruce Damrow	YES
Stanley Headrick	YES
Rob Walker	YES

Appeal:

904 N Union Grove Rd.

This is an appeal of a notice of violation that was sent to the property owner at 904 N Union Grove Rd on February 20, 2014. The violation is that the property owner had built his garage on the property line. In 2008, the applicant obtained a building permit and had the footer inspected and the inspector approved it. Recently, I received a complaint about the structure being located to close or over the property line and was provided a survey to confirm this issue. The applicant came to the office to appeal the violation and stated that the measurements at the time of the inspection were pulled from an old fence that was believed to be the property line. This turned out to be wrong. Now the garage is 0.20' over the property line.

The home owner, Curtis Karvonen was present. He brought pictures of the property to the meeting.

Mrs. Karvonan spoke in favor of the request and argued that the old survey does not match the current survey.

Lacy Cocker spoke against the appeal. She stated that she was unwilling to make any concessions with Mr. Karvonen. She stated that she had done her due diligence when she purchased the property and obtained a survey. She said that Mr. Karvonen should have done the same.

Tim Lavan spoke in contest of the appeal. He stated that Mr Karvonen was a contractor in Michigan and he should have known that a survey should have been obtained prior to building the structure.

Andy Allen made a motion to uphold the ruling. Stanley Headrick seconded.

Vote: Andy Allen	YES
Larry Chesney	YES
Bruce Damrow	YES
Stanley Headrick	YES
Rob Walker	YES

Special Exception:

1210 W Hunt Rd

2116 Claderwood Hwy

1. This request is for a cellular tower to be located at 1210 W. Hunt Road. The property is identified on tax map 036, parcel 019.00 and is zoned S (Suburbanizing). The applicant is AT&T and they submitted a complete application along with the site plan. The proposed tower is 97 feet monopole with a 5 feet lightning rod attached to the top. The site plan shows that there is room for four antennas on this tower. The site indicates that the tower location will meet our separation requirements from the front and back property lines, but also shows that they are not met from either side. The required separation from residential use property is 300% of the towers height. At 97 feet tall the required distance is 241 feet, and this tower will be 153 feet from the West property line and 154 feet from the East property line. This does exceed the 75% of the tower height, which is used to separate from non-residential properties. Relief from these requirements will be required if the BZA so desires.

Kevin Krueger (representing AT & T) spoke in favor of the special exception. He stated that the smaller towers would not give the coverage needed. He stated a small reduction in the tower may be able to be completed.

Roger Fields and Stanley Headrick updated the board on the meeting with the Planning Commission in regards to cell tower regulations.

No one spoke in opposition of the special exception.

Andy Allen made a motion to approve the special exception with the contingent that it will be painted to match the natural surroundings. Stanley Headrick seconded.

Vote:	Andy Allen	YES
	Larry Chesney	NO
	Rob Walker	NO
	Stanley Headrick	YES
	Bruce Damrow	YES

2. This is a request for a cellular tower to be located at 2116 Calderwood Hwy. The property is identified on tax map 111, parcel 127.00 and is zoned R-1 (Rural District One). The applicant is AT&T and they have submitted a complete application along with the site plan. The proposed tower is 195 feet monopole with a 4 feet lightning rod attached to the top. The site plan shows that there is room for four antennas on this tower. The site plan does show that the separation distance from adjoining property lines

will be met from three of the four adjoining properties. The separation will be met from the properties to the South and West of this location, both are zoned R-1 and taxed as agriculture. The properties shown as 3, 4, and 5 on the site map are zoned R-1 and taxed as residential, 3 and 4 appear to be vacant land, 5 does have at least one dwelling on it. The required separation from a residential property is 300% of the tower height in this case it would be 585 feet. Separation from agricultural property is 75% of the tower height, which in this case would be 146 feet. Relief from these requirements will be required from the three point mentioned above if the BZA so desires.

Kevin Krueger represented AT&T and spoke in favor of the exception.

No one spoke in opposition.

Bruce Damrow made a motion to grant the special exception.
Andy Allen seconded the motion.

Vote:	Andy Allen	YES
	Larry Chesney	NO
	Bruce Damrow	YES
	Rob Walker	YES
	Stanley Headrick	YES

Other Business:

THE MEETING WAS ADJOURNED.