

**BLOUNT COUNTY BOARD OF ZONING APPEALS
REGULAR MEETING
THURSDAY, FEBRUARY 1, 2018**

BZA MEMBERS PRESENT: Larry Chesney (Chairman), Bruce Damrow, Joe Everett, Stanley Headrick, and alternate John Rush. Member(s) absent: Brian King.

Roll was called and a quorum was present.

Bruce Damrow made a motion to approve the January 4, 2018, minutes; seconded by Joe Everett. The vote received unanimous approval.

CASES BEING HEARD AND ACTIONS TAKEN:

- 1. VARIANCE: None**
- 2. APPEAL: None**
- 3. SPECIAL EXCEPTION:
1826 Morganton Road, Maryville**

Special Exceptions:

1826 Morganton Road, Maryville:

The applicant requested a change of the existing non-conforming status of the property from a hair salon to a discount tobacco store. The property is zoned S (Suburbanizing) and such a use would not be otherwise permissible.

The applicant provided an affidavit that attests to the previous use of the property as a hair salon from approximately July 2002 to December 2016. A separate affidavit from a former owner indicated that it was used as a grocery store for years prior. Since that was prior to the adoption of the Zoning Resolution in 2000, that non-conforming use was lawfully established and thereby allowed to continue in perpetuity. Sufficient evidence was provided to establish the current use of the property as non-conforming.

A concept site plan showed no change to the existing 1240 SF footprint of the building. Modifications to the interior would include the addition of a service counter. Operating hours would be 7 days a week, 9am-8pm Monday-Saturday, 10am-6pm on Sunday. Plans include selling tobacco products and accessories, beer (if granted beer permit by Beer Board), and other goods consistent with such a store. If needed, applicant expressed willingness to add additional onsite parking as well as an additional driveway onto Wilson Road. The Blount County Highway Department has no objection to the additional driveway in concept.

A memo from the County Attorney, Craig Garrett, was given to members for review prior to the meeting. Based upon the application and information presented, it appears that application meets the requirements for a special exception in Section 11.5 of the Zoning Ordinance as Highway Department and Road Superintendent have determined that there will not be undue

burden to the infrastructure surrounding this property based upon the modifications at the applicant is willing to make.

Staff mentioned the possible future widening of Morganton Road and that it could potentially impact the parking area when and if additional right of way is required along the project frontage. Staff noted that the Board could require the driveway and parking improvements the applicant has offered now or reserve them for the future when/if it is determined that they would be needed.

Melanie Davis, attorney, represented Bobby Patel and explained the history of the building and Mr. Patel's intent for the property.

No one spoke against this item.

Members discussed the applicant's intentions and determined that the improvements to the site could wait until a demonstrated need to accommodate additional access and parking is present. The applicant should coordinate with staff before any improvements are made.

Joe Everett made a motion to grant the special exception to change existing non-conforming use to a discount tobacco store at 1826 Morganton Road; seconded by Bruce Damrow.

Vote:	Larry Chesney	YES
	Bruce Damrow	YES
	Joe Everett	YES
	Stanley Headrick	YES
	Brian King	Absent

Motion to approve the special exception at 1826 Morganton Road passed.

Other Business: None.

THE MEETING WAS ADJOURNED.