

Planning and Zoning Summary

January 24, 2022

Zoning Board Members

Jim Rollins
Richard Ezelle
Chuck Benson
David Hunter
Chad Tyler

Staff

Kelsey Fortner, Zoning Officer
Richard Dumas
Karen Madden

Meeting called to order at 5:30pm.

BROWNLEE ROAD/REZONING/CONDITIONAL USE REQUEST

The Monroe County Planning & Zoning Board denied by a 4-1 vote on Monday, Jan. 24 an applicant's request to re-zone from agricultural to commercial one acre of a 5.8-acre tract at 2971 Brownlee Road for the purpose of establishing a trucking business at the site.

The applicant, Brandon Shannon, has also requested for a conditional use in commercial zoning for a trucking business that will haul gravel, dirt, rock, and asphalt. A second conditional use in commercial is also required due to the property's location within 300 feet of other residential/agricultural property. In addition, a variance request in commercial is required because the setback of the proposed business is expected to encroach about 35 to 40 feet on the 75-foot required distance from the property line. Ronnie Shannon, Brandon Shannon's uncle, is the property owner.

Monroe County Zoning Officer Kelsey Fortner said Shannon plans to use an existing out building, constructed eight months ago, to house and work on his three trucks. She said he plans to hire three employees and the business would typically operate no earlier than 5 a.m. and no later than 7 p.m. She said Shannon also has plans to put in restrooms on site in the future.

Shannon, who said he has already been parking his trucks at the site for about 20 years, said there would be no dumping or erosion on site. He said all work on trucks, primarily changing brake pads, would occur on a concrete pad inside the building. He said there wouldn't be any loud noises during the evening hours.

One neighbor, Lamar King, spoke in support of Shannon's request, saying he lives next door and has not seen any issues with liquid contamination.

However, a quartet of neighbors spoke in opposition to Shannon's request. Garr Road resident Gary Womble, who lives directly behind the proposed trucking business, said he doesn't mind Shannon parking trucks on site but doesn't want a commercial trucking business behind his home.

"If I want to sell my house one day, what's that going to do to the value of my house?" Womble asked. "Nobody's going to want a commercial trucking business in their backyard."

Brownlee Road resident Steve O'Kelley said Brownlee Road isn't in adequate shape to support big trucks. He said he's also worried about a potential oil or chemical spill that could harm

nearby creeks. Steve O'Kelley, a commercial plumber, also questioned whether Shannon's property could have a septic system without installing a pumping station.

Brownlee Road resident Lynn O'Kelley, Steve O'Kelley's wife, said she's concerned that a commercial business could cause property values of nearby homes to plummet. She also agreed with her husband that Brownlee Road is not in sufficient condition for truck use.

In response to the O'Kelleys' comments, P&Z Chairman Jim Rollins asked Monroe County Code Enforcement Officer Dep. Jeff Wilson if Monroe County prohibits truck traffic on Brownlee Road. Wilson said a sign banning commercial truck traffic has been present on Brownlee Road for many years.

Steve O'Kelley's father, Brownlee Road resident Robert O'Kelley, who lives behind the proposed business, asked "Why are they (Shannons) allowed to put a truck stop in my front yard?" Robert O'Kelley said he was a diesel mechanic for 35 years and knows how much noise is caused from operating trucks.

He said of the noise already coming from Shannon's building: "It's like somebody is shooting off a cannon down there."

After about 20 minutes of discussion, P&Z member Chuck Benson motioned to approve Shannon's re-zoning request on the basis that Shannon has already been parking his trucks on the property for many years, but the motion died for lack of a second. Then, P&Z member Red Ezelle motioned to deny the re-zoning request on the basis that Brownlee Road is not equipped for truck traffic. P&Z member David Hunter then seconded Ezelle's motion to deny, and it passed 4-1 with Benson the lone dissenter.

New District 4 P&Z appointee Chad Tyler, who voted in opposition of the request, attended his first P&Z meeting on Monday. He replaced Michael Brewster, who had served as the District 4 appointee for the past five years.

RIVER ROAD/VARIANCE REQUEST

The Monroe County Planning & Zoning Board approved by a 4-1 vote on Monday, Jan. 24 a couple's request for a variance in agricultural zoning for the purpose of parceling out two acres from a 30.5-acre tract at 153 River Road to build a second home.

The applicants, Steven and Kathryn Bertram, who are also the property owners, have requested for a variance in agricultural zoning for the purpose of parceling out two acres from a 30.5-acre tract for an immediate family member to purchase and build a home. The variance request is necessary because the two-acre tract is smaller than the required 10-acre minimum on a private road as well as the required three-acre minimum under agricultural zoning.

Steven Bertram said he plans to sell the parceled-out lot to his brother so his brother can build a home on site. He said his brother's home will be stick-built rather than a mobile home.

Bertram said there are 16 private wells already on the property since a chicken house used to be in operation at the site.

P&Z chairman Jim Rollins asked Bertram why he couldn't sell his brother three acres to meet the required agricultural zoning minimum instead of only two. Bertram replied that he was requesting a variance for the two acres but said if his request is denied, he would sell his brother three acres instead.

No one was opposed to Bertram's request.

After about 10 minutes of discussion, P&Z member Chuck Benson motioned to approve the Bertrams' request, which was seconded by P&Z member David Hunter and approved 4-1.

Rollins cast the lone dissenting vote.

PATE ROAD/VARIANCE REQUEST

The Monroe County Planning & Zoning Board unanimously approved on Monday, Jan. 24 an applicant's request for a variance in residential zoning for a proposed addition to an existing home on a 1.26-acre tract at 112 Pate Road.

The applicant, Christopher Michael Dykes, who is also the property owner, has requested for a variance in residential zoning for the purpose of building a garage that will encroach on the side property line by five feet. The minimum side setback in residential zoning is 10 feet.

Dykes said he plans to build a detached garage to house a vehicle and lawn mower.

No one was opposed to the request.

After about five minutes of discussion, P&Z member David Hunter motioned to approve, which was seconded by P&Z member Red Ezelle and approved 5-0.

HWY 83 SOUTH/VARIANCE REQUEST

The Monroe County Planning & Zoning Board unanimously approved on Monday, Jan. 24 an applicant's request for a variance in agricultural zoning for the purpose of parceling out 2.5 acres from a 5-acre tract at 4704 Hwy. 83 South to build a second home.

The applicant, Karen Bowden Bellanca, has requested a variance in agricultural zoning for the purpose of parceling out 2.5 acres from a 5-acre tract to build a new home on the parceled-out property. The variance request is necessary because both proposed 2.5-acre tracts are smaller than the required 3-acre minimum under agricultural zoning. Scott Bowden and Michelle Bowden Fair are the property owners.

Monroe County Zoning Officer Kelsey Fortner said splitting the current five-acre lot would create a pair of non-conforming lots. She said the current home fronts Hwy. 83 South, but the new, second home would front Wood Valley Trail, a county road.

Bellanca said her family bought the lot back in the 1970s. She said she is requesting to split the lot so that she can build a home next to her elderly parents.

No one was opposed to the request.

After about 10 minutes of discussion, P&Z member Chuck Benson motioned to approve, which was seconded by P&Z member David Hunter and approved 5-0.