

MEETING REPORT  
LOUISVILLE BOARD OF ZONING APPEALS  
Louisville Town Hall  
May 05, 2022  
6:00 PM

MEMBERS PRESENT

Tom Swicegood  
Charles Perry  
Jim Brown  
Brad Smith  
Jenny Anderton

MEMBERS ABSENT

OTHERS

Frank & Tina Reed  
Chris & Brandi Shipwash  
Rita Walker

BCPO Staff Representative: None required

**Call To Order – Roll Call**

At 6:00 PM May 05, 2022, BZA Chairman Tom Swicegood called the meeting to order and called the roll. All members were present to constitute a quorum.

**Approval of Previous Minutes**

**MOTION** by Charles Perry to approve the minutes of the March 24, 2022 meeting of the Board of Zoning Appeals. Second by Jim Brown. Vote: UNANIMOUS. **MOTION PASSES**

**Business Items:**

William Mattison request for a variance for height of a proposed detached accessory garage at 3304 Little Dug Gap Road

William Mattison presented the site plan and background information for his request to obtain a height variance to construct a detached garage for his residence at 3304 Little Dug Gap Road. Mr. Mattison presented his conceptual plans for the garage as well as the proposed location. The garage would be identical to an accessory garage constructed in 2019 by Mr. Mattison on his adjacent parcel at 3302 Little Dug Gap Road.

Chairman Swicegood reviewed the zoning regulations for this type of property requesting a variance. According to the Zoning Ordinance, the Mattison request and associated site plan conforms to all requirements for an accessory garage. The Town Codes Official has inspected the existing residence on the property to insure that the structure is in use and habitable.

Three adjacent property owners were present to speak in opposition to the approval of the Mattison request. Those property owners were as follows: Frank & Tina Reed, 3242 Little Dug Gap Road; Christopher & Brandi Shipwash, 3320 Little Dug Gap Road; Rita Walker, 3218 Little Dug Gap Road. The opposing comments focused on their past

history of conflict with Mr. Mattison's use of this parcel and the adjoining parcel. They testified about the storage of junk vehicles and boats, inadequate screening, parking on easement, commercial use, hazardous chemicals, storm water control and overgrown property. There were no opposing comments on the accessory building height except that the Town should insure Mr. Mattison be held to the height and location proposed if approved. Mr. Mattison defended his use of the property as part of his hobby and that he was making improvements to the original condition when he purchased.

After the testimony of those opposing, the BZA began discussion concerning the merits of the request. This discussion focused on the request at hand and advised those in opposition that the related issues would need to be directed to the Town of Louisville administration. Most of the BZA discussion was then directed to acceptance of the 21 foot height, the location on the parcel and the impact of Mr. Mattison's hobby on the neighbors. The following conditions were developed for consideration for approval or denial of the request.:

1. The 21 foot could not be exceeded.
2. The location must be at the proposed corner of Mr. Mattison's parcel with 30 foot setback from the Shipwash property line and 20 foot setback from the Reed property line.
3. All Mattison vehicles and boats, current and future, dislocated by the construction of the garage, must be properly screened with review and approval required by the Town of Louisville Codes Official.

Based on the available information, Chairman Swicegood called for a vote on the request.

**MOTION** by Brad Smith to approve the request for a height variance for a detached garage at 3304 Little Dug Gap Road with Conditions 1, 2 and 3 attached. Second by Charles Perry, Vote: Swicegood – Yes, Brown – No, Perry – Yes, Smith – Yes, Anderton - No. **MOTION PASSES 3-2**

Property owner was advised that the variance request was granted. A letter will be sent to the property owner verifying the approval. Owner can now proceed to obtain a building permit when ready to proceed.

### **Adjourn**

**MOTION** by Jim Brown to adjourn, Second by Charles Perry, VOTE: UNANIMOUS.  
Meeting adjourned at 7:10 PM.