

## Guidelines for Appeals to the Town of Louisville Board of Zoning Appeals

The BZA was created by the BMA per the need established in the Town of Louisville Zoning Ordinance. This Board has been delegated the authority to review the actions of the building official in relation to the specifics of the zoning ordinance, review requests by property owners for special exceptions to the zoning ordinance and review requests by property owners for variances from the zoning ordinance. The Board has a somewhat legal court-based approach to questions brought by request from citizens. It is not a Board for handling general complaints about zoning issues. Those type requests will be referred to the Town Codes Official or to the BMA. The driving principle for the BZA is that the Board does not make law, but only interprets the existing law via the Louisville Zoning Ordinance for solving legitimate issues. All decisions of the BZA are final and may not be appealed. Any appeals must be filed with the Chancery Court in Blount County.

The following steps are intended to provide general guidance for initiating an appeal. Complete details are available in the Zoning Ordinance and can be reviewed with the Chairman of the BZA prior to initiating an appeal.

1. Prepare an email or letter requesting an appeal describing in detail the nature of the appeal. Send the email to Linda Webb [manager@louisvilletn.gov](mailto:manager@louisvilletn.gov) or mail/drop off the letter at Town Hall, 3623 Louisville Road, Louisville, Tennessee 37777.
  - a. Building Official Decision: Appealing a decision by the Building Official such as refusal to grant a permit, orders, requirements or other action considered an error in interpretation of the Zoning Ordinance.
  - b. Special Exception: Appealing to request a special exception for use of the property as allowed by the Zoning Ordinance. Currently, the allowed special exceptions are limited to residential facilities for the aged or physically handicapped, day care for more than seven, bed & breakfast inns and special events such as wedding venues.
  - c. Variance: Appealing to request a variance from the terms of the Zoning Ordinance due to size, topography or other extraordinary conditions on the property which would result in exceptional hardship for the property owner.
2. The request for appeal will be reviewed by the Town Manager and the Chairman of the BZA to validate the basis for appeal. The person requesting the appeal will be notified if the appeal is valid or will be referred to the appropriate Town official if the request will not be heard by the BZA.
3. The BZA will set a hearing date with consideration given to the property owner's availability as well as the members of the BZA. Every effort will be made to hold the hearing within 30 days of the request.
4. For a special exception or variance request, the property owner must submit to the Chairman of the BZA letters to all adjacent property owners notifying them of the request and the date/location for the hearing. The letters shall be in stamped, unsealed envelopes with the return address for the BZA. The letters will be verified and sent by the Chairman of the BZA.
5. The BZA will post a sign on the property to make the public aware of the request at least seven days before the hearing date.
6. The BZA will post a public notice in the Daily Times stating the date, time, location and nature of the request at least ten days before the hearing.
7. The BZA will conduct the hearing and make a final decision to deny or approve, including any conditions attached to approval.
8. A letter from the BZA to the property owner will be issued concerning the decision of the BZA.