

# Loudon County Planning Department

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## MINUTES

### LOUDON REGIONAL PLANNING COMMISSION

November 5, 2014

The November meeting of the Loudon Regional Planning Commission was called to order at 12:30 p.m. Present were Mr. Carey, Mr. McEachern, Mr. Gammons, Mr. Cardwell, Mr. Brewster, and Ms. Jones. Absent were Ms. Hines and Mr. Brennan.

A motion to approve the minutes for the October 1, 2014 meeting was made by Mr. McEachern, second was by Mr. Gammons. Minutes were approved 6-0.

**Agenda Item A: Consideration of a rezoning request at the intersection of Holt Dr. and Hwy. 72 from R-1 (Low Density Residential District) to P-1 (Professional and Civic District), consisting of 1 acre, referenced on Tax Map 40, Parcels 123.00 and 124.00. Owner: Charles Dunn. File #14-09-57-RZ-LO**  
Mr. Dunn was present.

Ms. Smith stated that Mr. Dunn was proposing to build office space for a doctor's office or a dentist's office.

Mr. Dunn said that he might lease it to a lawyer. He stated that it would all be professional use.

Ms. Smith passed out the pictures of the building that Mr. Dunn brought before the meeting to the Commission.

Mr. Dunn stated that if this rezoning was approved, the proposed building would be 120' long X 40' wide. He said that he proposed to have 4 office spaces in this building, each one consisting of 30' X 40'.

Mr. Smith referred to the permitted uses in the P-1 zoning district in the zoning ordinance. She showed the property location on the zoning map. She said that the property was adjacent to some R-2 property.

Mr. Gammons asked if this would be considered spot zoning.

Ms. Smith stated that she didn't think that TDOT would issue a driveway permit off Hwy. 72, due to it being so close to Holt Drive.

Mr. Brewster asked Mr. Dunn if he had applied with the state about a driveway permit coming off Hwy. 72.

Mr. Dunn said that he had an engineer looking into getting with the state about the driveway coming off Hwy. 72. He stated that he would prefer using a driveway off Hwy. 72 than using access off Holt Dr.

Mr. Carey stated that the P-1 zoning was an excellent buffer zone between residential and commercial zoning. He said that the main consideration was this property was one small spot.

Mr. McEachern said that it was spot zoning. He asked Mr. Dunn why he bought property that was in an R-1 zoning district if he wanted to put a professional building on the property.

Mr. Dunn stated that the location of the property is why he purchased the property.

Mr. Ronnie Tallent, a neighbor in this area, said that there were 5 houses that adjoined this property. He stated that he wanted the property to stay residential.

Mr. Bill McLendon, another resident in the neighborhood, stated that if Mr. Dunn did not get a driveway permit to come from Hwy. 72, he would have to have access off a residential street. He said that his concern was if Mr. Dunn used Holt Dr. as his access to his proposed building. He stated that Holt Dr. was a narrow street.

Mr. Dunn stated that if he did not get the driveway permit from TDOT to come off Hwy. 72, he would not put the building on this property. He said he would not use Holt Dr. as his access.

Mr. Tallent asked Mr. Dunn what he would put on the property.

Mr. Dunn said that he would build houses on the property.

Mr. Bill Twohig, a resident on Holt Dr., stated that this area was completely residential community. He said that the turn off on Holt Dr. was difficult to make due to the curve on Hwy. 72. He stated that traffic is increasing on Hwy. 72. He said this would not help with traffic congestion on Hwy. 72. He stated that Mr. Dunn should build his building on the commercial property on Hwy. 72 rather than build in at the entrance of residential community. He said that this rezoning request was not appropriate.

Mr. Carey said that the purpose for any of the committees or boards for the city was to look out for the interest of all city residents and base it on technical or financial reason for the requests. He stated that they have to consider what is best for the property owners for the whole community.

Mr. Earl Ridenour, a resident on Holt Dr., stated that the previous owner had tried to get this property rezoned several years ago to build a car repair business. He said that it went to court before a judge. He stated that the judge ruled that the property was in a residential area. He said that the judge ruled in favor of the property staying residential.

Ms. Sylvia Ridenour, a resident on Holt Dr., said that this property was the first property coming into their residential community. She stated that since the property was already zoned residential, she would prefer houses to be built on this property.

Mr. Brewster asked Mr. Dunn if he had tenants for the building.

Mr. Dunn stated that he did have tenants lined up.

Ms. Smith said that Mr. Dunn had purchased 2 lots. She stated that if the property was rezoned, Mr. Dunn planned on combining the 2 lots.

Mr. Cardwell asked if this property was rezoned to P-1, professional use, could Mr. Dunn put a retail business in one of the 4 units in the proposed building.

Mr. Dunn stated that he would only use the building for professional use. He said that is why he changed to the request from C-2, commercial, to P-1, professional.

Mr. McLendon said that the residents did not have a guarantee that Mr. Dunn won't use Holt Dr. for the buildings access.

Mr. Brewster stated that the Commission could put that guarantee on the approval.

Mr. McEachern said that the Commission could not put the guarantee on the approval for the rezoning. He stated that the Commission could only put the guarantee that Mr. Dunn would not use Holt Dr. as his building's access on the site plan.

Ms. Smith stated that there were many items to consider on the request. She said the things to be considered were:

1. could the property be used as it exists
2. the spot zoning issue – was the property adjacent to property that is already zoned P-1
3. traffic issue
4. how would it effect the existing character of the surrounding properties
5. consideration of the commercial property that is on Hwy. 72
6. driveway access from Hwy. 72

She stated that whatever the Commission's recommendation to City Council, City Council does have the 2 readings with a public hearing. She said that Mr. Dunn would still need to submit a site plan. She stated that if the property did get rezoned, Mr. Dunn could sell the property.

Mr. McEachern made the motion to deny the rezoning request due the availability of commercial which could be made professional on Hwy. 72, second was made by Ms. Jones. Motion carried 6-0.

**Agenda Item B: Consideration of acceptance of Hampton Place Circle, Stone Creek Drive, and Mill Creek Drive as public streets, located in Hampton Place subdivision. Applicant: City of Loudon. File # 14-10-60-TR-LO**

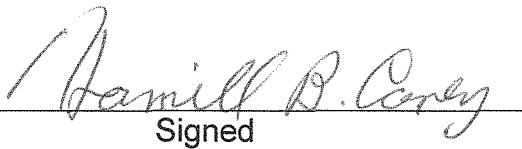
Mr. Bill Fagg, Loudon Public Works Director, stated that the streets meet the City's requirement, except for the cul-de-sac. He said there was a turn around at the end of each street. He said there was no place to put a cul-de-sac. He stated with some insurance money the City had received, the City paved the streets and put up street lights. He said that the City would accept these streets.

Mr. Cardwell made the motion to accept the streets, second was made by Mr. Brewster. Motion carried 6-0.

**Additional Public Comment:** There were none

**Announcements and/or Comments from the Board/Commission:** Mr. Brewster thanked Ms. Jones for being on the Planning Commission representing the City Council.

Mr. Cardwell made the motion to adjourn. Meeting was adjourned at approximately at 1:10 p.m.

  
Signed

  
Date