



**LOUDON COUNTY  
PLANNING  
& CODES  
ENFORCEMENT OFFICE**

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**MINUTES**

**LOUDON COUNTY REGIONAL PLANNING COMMISSION**

**February 19, 2013**

The February meeting of the Loudon County Regional Planning Commission was called to order at 5:30 p.m. Present were Mr. Brown, Mr. Luttrell, Ms. McNew, Mr. Jim Brooks, Mr. McEachern, Ms. Terry, Ms. Ross, Mr. Napier, Ms. Cardwell, Mr. Hale, and Mr. Bright.

Motion to approve the minutes for the January 15 15, 2013 meeting was made by Mr. McEachern, seconded by Mr. Luttrell, and approved 11-0.

**Agenda Item A: Request approval of Billy Morgan, 4-lot subdivision with 50' road frontage variance for parcels 149.00 and 149.01, referenced on Tax Map 19, Parcels 149.00 and 149.01, Tax Map 20, Parcels 93.00, 94.00 and 51.01, Zoned R-1. Located at 1800 West Lane, Lenoir City, 5<sup>th</sup> Legislative District. Owner/ Applicant: Billy Don Morgan. File # 12-12-85-54-CO**

Mr. Jim Hair, the surveyor, was present.

Mr. Newman stated that the existing property was currently divided into 5 parcels. He said that it was all family owned. He stated that the heirs of the property were re-dividing the property from 5 parcels to 4 parcels. He said that each of the 4 parcels would be over 5 acres. He stated that this plat was not something that normally would have to come to the Planning Commission. He said that one reason for the plat coming to the Planning Commission was that 4 of the existing parcels were less than 5 acres. He said that the other reason was the 75' road frontage requirement for parcels under 5 acres, and 2 of the proposed lots did not meet that requirement. He said they are really not changing the situation but reusing it and reshaping it with the same amount of property but 1 less lot.

Mr. Brown said the approval needed to convey that they were making a bad situation better. He stated that the 2 flag lots did meet State requirements, although they do not meet the county's requirements.

Mr. Newman stated that they are reducing the number of lots, enlarging the size of the lots, and since there were already 2 existing flag lots; he recommended approval of the request.

Mr. McEachern made the motion to approve the request, second was made by Ms. Terry. Motion carried 11-0.

**Agenda Item B: Request approval of Hendrix 2-lot subdivision, Unit 3 located on White Wing Rd., consisting of 7.42 acres, referenced on Tax Map 5, Parcel 46.00, Zoned A-2, 5<sup>th</sup> Legislative District. Owner/ Applicant: Cleo Hendrix. File # 13-01-05-54-CO**

Mr. Hendrix and his daughter, Ms. Suzette Case, were present.

Mr. Newman reminded the Commission that a couple of months ago, the Board of Zoning had denied approval for a variance request to place a second dwelling on this property. He said that the option was given to Ms. Case to subdivide the property to provide a buildable parcel. He stated that they have submitted a plat with a Joint Permanent Easement. He said that the JPE on the plat meets the Joint Permanent Easement regulations. He stated that the JPE was less than 500 feet with a provided turn around at the end. He said that this plat would give Mr. Hendrix a parcel to place a dwelling on.

Mr. Newman recommended approval for the proposed plat, subject to conforming to the Joint Permanent Easement provisions in the subdivision regulations.

Mr. McEachern made the motion to approve the request, second was made by Mr. Bright. Motion carried 11-0.

**Planning and Codes Department Building Activity Report for the month of January, 2013:**  
Mr. Newman gave the building report for the month of January, 2013.

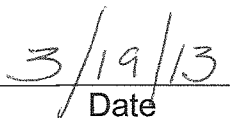
**County Commission Action on Planning Commission recommendations:** There were none.

**Additional Public Comment:** There were none.

**Comments from the Commission:** There were none.

Meeting was adjourned approximately at 5:45 p.m.

  
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Signed

  
\_\_\_\_\_  
Date



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**MINUTES**

**LOUDON COUNTY BOARD OF ZONING APPEALS**

**February 19, 2013**

The February meeting of the Loudon County Board of Zoning Appeals was called to order at 5:50 p.m. Present were Mr. Brown, Mr. Luttrell, Mr. McEachern, Mr. Bright, and Ms. Terry.

Mr. Brown, Chairman of the Board, swore in those who were to give testimony in the meeting.

Motion to approve the January 15, 2013 minutes was made by Mr. McEachern, second was made by Ms. Terry. Motion carried 5-0.

**Agenda Item A: Request special exception approval for home occupation to have a real estate office in a home located at 18180 Beals Chapel Road, Lenoir City, referenced on Tax Map 28, Parcel 50.00, Zoned A-2. Owner/ Applicant: Nicholas Alvarro**

Mr. Alvarro was present.

Mr. Alvarro stated that he had applied through the State to get his principle broker license. He said that the State required the County's approval to be able to do this in his residence. He stated that he will not have any agents coming to his house.

Mr. Newman said this request can be approved by the BZA as a home occupation by Special Exception. He stated that subject to meeting the home occupation regulations in the Zoning Regulation, he recommended approval for the request.

Mr. McEachern made the motion to approve the request, second was made by Mr. Luttrell. Motion carried 5-0.

**Agenda Item B: Request a 20' rear-yard variance to build an attached garage to existing home located at 111 Galyon Drive, Lenoir City, referenced on Tax Map 25L, Group A, Parcel 29.00, Zoned R-1. Owner/ Applicant: Jose Jimenez**  
Mr. Jimenez was not present.

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Mr. Newman stated that the Board needed to hear from the owner on what the use would be for the building. He said that Mr. Jimenez had told the office that he wanted a building to store personal items and materials on his property. He stated that Mr. Jimenez wanted to attach the structure to his house. He said that the existing house is in violation of the rear yard setback requirement. He stated that the addition would not create another violation. He said that the other option was to have a detached building, but would also require a variance to have a structure in the front yard. He stated that this was Mr. Jimenez's best option.

Mr. Newman recommended postponing the request for one month.

Mr. Luttrell made the motion to postpone the request for one month, second was made by Ms. Terry. Motion carried 5-0.

**Agenda Item C: Request special exception approval for wholesale warehouse to distribute fireworks located at 180 Gladstone Drive, Lenoir City, referenced on Tax Map 7A, Group A, Parcel 1.00, Zoned C-2. Owner: Billy Seal, Applicant: Kaiden Enterprises, LLC**

Mr. Seal, the owner, was present. Mr. Jason Murphy, Kaiden Enterprises, LLC, was present to represent his client.

Mr. Seal stated that he was trying to get a renter for this building.

Mr. Murphy said that the building his client wanted to lease was a 5,000 sq. ft. warehouse that was located in the commercial business park near the Knox County/Loudon County line. He stated that his client was from China and had been in the fireworks industry for a number of years. He said that if the request was approved, it would bring more business, employment, and revenue to Loudon County. He stated that the business would not be a retail use; therefore, customers would not be coming and going from the business. He said that the business would conform to the uses around the property. He stated that this was a good location for the business, and it was close to the interstate. He said his client goes through the federal regulations for safety, and the product was tested before shipping to this country by an independent lab.

Mr. Brown asked Mr. Murphy if there were any State requirements for warehousing fireworks.

Mr. Murphy stated that the State did have requirements for warehousing fireworks. He said that this was the first step in the process his client needed to take before getting the fireworks license from the State. He passed an aerial photograph of the

property and explained the location of the site. He stated that they would not be adding to the traffic.

Mr. McEachern asked if the existing house was being used as a residence.

Mr. Newman said that the existing house was not currently being used as a residence. He stated that the existing house had been used as an office, since the zoning had been changed to commercial. He said that once the house had been converted to commercial use, it could not become a residence.

Mr. Seal stated that the house had been stripped and was currently a shell.

Mr. Newman said that this development was a light warehouse park.

Mr. McEachern asked if the Special Exception request was due to the fireworks.

Mr. Newman stated that the fireworks did not have anything to do with the Special Exception request, but the use was for light wholesale distribution warehousing was a Special Exception use in a C-2 zoning.

Mr. Newman recommended to approve the Special Exception request subject to receiving all the permits that are required by the State and/or local government.

Mr. Luttrell made the motion to approve the Special Exception request, second was made by Mr. McEachern. Motion carried 5-0.

**Agenda Item D: Request special exception approval to allow use of a temporary dwelling for 1 year while constructing a new dwelling located on track #7 on Flatwoods Road, referenced on Tax Map 63, Parcel 29.0, Zoned A-1. Owner/ Applicant: Gregory L. Simmons**

Mr. Simmons was not present.

Mr. Newman explained to the Board that Mr. Simmons currently resides in Arizona. He stated that Mr. Simmons has purchased the property, which is located in the far western side of Loudon County. He said that the 30 acre property was in a very rural area. He stated that Mr. Simmons wanted to build a home on the property while he lives in a travel trailer on the property. He said that Mr. Simmons' request stated that he would be able to do this in one year. He stated that he informed Mr. Simmons that the Board of Zoning Appeals would have to approve the use of a temporary dwelling.

Mr. McEachern asked if there was some way to keep Mr. Simmon from living in the travel trailer permanently.

Mr. Newman stated that the office would issue a "temporary use permit" with an expiration date. He said that the inspectors would monitor the permit for compliance. He stated that Mr. Simmons would need to come to get a building permit to start construction on the dwelling within that time frame. He said that even if Mr. Simmons did not ask to be put back on the agenda for the extension, it would still be placed on the agenda.

Mr. Newman recommended giving Mr. Simmons a one-year time period to live in the temporary dwelling.

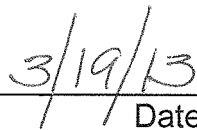
Mr. McEachern made the motion to approve the Special Exception request for 12 months only, second was made by Ms. Terry. Motion carried 5-0.

**Additional public comments:** There were none.

**Announcements and/or comments from Board/Commission:** There were none.

Ms. Terry made the motion to adjourn. The meeting was adjourned at approximately 6:15 p.m.

  
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Signed

  
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Date