



Loudon County Planning Department

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MINUTES

LOUDON COUNTY REGIONAL PLANNING COMMISSION

October 21, 2014

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

Motion to approve the minutes for the September 16, 2014 meeting was made by Mr. Luttrell, seconded by Mr. Lee, and approved 11-0.

Agenda Item A: Consideration of request for final plat approval for Morganton Landing, a 36-lot subdivision, referenced on Tax Map 78, Parcel 71.00, consisting of 28.26 acres, Zoned R-1, City of Greenback, 3rd Legislative District. Owner/Applicant: Baker's Creek Partnership, G.P. File #14-08-49-SU-CO

Mr. Loy and Mr. Petite were present.

Mr. Loy stated that there were some issues that needed to go on the plat. He asked for the final plat approval subject to this issues being completed. He said that they had gone over the issues with Ms. Smith and had no objections to the notes she wanted added.

Ms. Smith said that she asked them to provide documentation for the setup and maintenance of the open space, to label the roads as private, to provide documentation for the maintenance agreement, and to provide documentation for the location and maintenance of the installed gates.

Ms. Smith recommended final plat approval subject to the changes being made.

Mr. Brooks made the motion to approve the final plat approval subject to the recommended changes, second was made by Mr. McEachern. Motion carried 11-0.

Mr. Brown introduced the new planner, Ms. Laura Smith, to the Commission.

Agenda Item B: Consideration of request for preliminary plat approval for a 6-lot subdivision for River Cove Subdivision, Phase 2 with a JPE called River Cove Way, located off of Summitt Hill Dr., referenced on Tax Map 51, Parcel 8.03, Zoned A-1, 3rd Legislative District. Owner: Stewart and Deb Rossi/ Applicant: Urban Engineering, Inc. File #14-10-59-SU-CO

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Mr. and Mrs. Rossi were present with their engineer, Mr. Chris Sharp.

Mr. Brown stated that the road on the preliminary plat was a private road rather than a JPE.

Mr. Sharp, with Urban Engineering, said that they would be revising 2 current lots to facilitate the road. He stated that this approval would enable them to get a grading permit to build the road.

Mr. McEachern asked where the expense for maintenance would come from.

Mr. Sharp said that the expense for the road would come from the Home Owners Association. He stated that was one of the comments Ms. Smith had noted on the plat.

Mr. McEachern asked Mr. Sharp if this home owners association would be joining an already established home owners association or would it be independent.

Mr. Sharp stated that it would join the already existing HOA.

Ms. Rossi said that one HOA takes care of 3 neighborhoods.

Mr. Sharp stated that the HOA would take care of the roads and all of the common areas.

Mr. William Gosch, who owns property on Coytee Road, said he wanted to make some clerical corrections. He stated that the property was zoned A-2, but the agenda said that the property was zoned A-1.

Mr. Brown stated that the office had researched and did not find where this property had ever been rezoned to A-2, that it was still zoned A-1.

Mr. Gosch also stated that the 6-lot plat had the wrong zoning on the adjacent properties. He said that Mr. McDonald and the Gosch properties were both zoned A-1 instead of A-2.

Ms. Smith said that her comments to the engineer to correct were to label the subdivision as Phase I; to correct the zoning on the property to A-1 with the appropriate setbacks for A-1; note the minimum lot size for A-1 zoning was 1 acre with 150' building setback line; show the surveyor's certificate and signature; obtain any permits from TDEC, which may be required before construction; to verify the location of the cemetery shown on the tax maps, which probably is not located on the Rossi's property; include a note if the property was in a flood hazard area; to label the roads as private and not as a JPE; adjust the width of private road, which shows that it had sifted from 50' to 40'; and to note that a home owners association needed to be established for the maintenance of the road and for the final approval. She asked Mr. Sharp about the 2 revised lots (lots 19 and 20) if they needed to be taken off the plat or if they were to be revised.

Mr. Sharp stated that in order to make the right-of-way with the road, he said he had to adjust those lots.

Ms. Smith said that the Rossi's had brought in a new preliminary plat, but she had not checked to see if all the corrections had been made.

Mr. Sharp stated that to his knowledge, all the corrections had been made on the new preliminary plat.

Ms. Smith recommended approval for the preliminary plat, subject to verifying the corrections had been made on the new preliminary plat.

Mr. Luttrell made the motion to approve the preliminary plat, subject to the corrections being made from the planner, second was made by Mr. Brooks. Motion carried 11-0.

Agenda Item C: Consideration of request to release Letter of Credit for Cobblestone Dr., Flagstone Blvd., and Fieldstone Dr. in Stone Crossing, Phase I.

Ms. Smith stated that Mr. Billy Pickel, from the Highway Department, had confirmed that the roads in Phase I (lots 1-49) have been built to county standards.

Mr. McEachern made the motion to release the Letter of Credit for Cobblestone Dr., Flagstone Blvd., and Fieldstone Dr. in Stone Crossing, Phase I, second was made by Ms. Terry. Motion carried 11-0.

Planning and Codes Department Building Activity Report for the month of September, 2014: Mr. Jim Jenkins gave the report.

September - 39 permits issued with estimated value of \$4,418,410 and fees collected of \$16,670 (14 single-family building permits issued)

County Commission Action on Planning Commission recommendations:

The request to rezone approximately 38.1 acres from A-2 (Rural Residential District) to R-1/PUD (Suburban Residential District/Planned Unit Development, 1.5 units per acre), located on Coytee Rd, River Cove Subdivision (Yellow Wood Subdivision), Phase I will be sent back to the Planning Commission.

Mr. Brown asked the Rossi's if they planned to bring this request back to the Planning Commission. He stated that he and Ms. Smith had already met with the Rossi's the previous week for discussion.

Ms. Rossi stated that they would be ready to present this request to the Planning Commission next month.

Approved the request to rezone approximately 16.3 acres from A-1 (Agricultural District) to C-2 (General Commercial District) located at 1639 Buttermilk Rd., W.

Additional Public Comment: There were none.

Update from the Planner: Ms. Smith said that she had been told that there had been some discussion at the previous meeting about some revisions to be done on the zoning resolution in

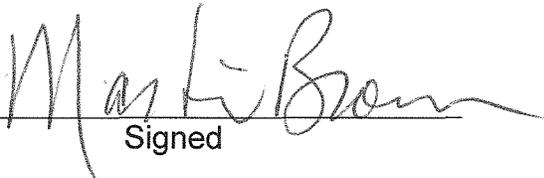
the next few months. She suggested not starting on Page 1, but maybe starting with the site plan requirements and then going to setback requirements in the zoning districts. She asked the Commission to let her know of their comments. She asked if they would be interested in having workshops before meetings.

Mr. Luttrell stated that the Commission meetings seemed to go smooth. He said he didn't see reason to have workshops before the meetings. He stated that he would not object to having a workshop if there was something special that needed to be discussed prior to a meeting.

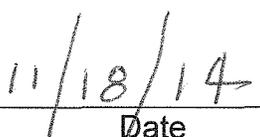
Mr. McEachern agreed with Mr. Luttrell.

Comments from the Commission: Mr. Brown gave an update on action from the County. The mayor had appointed a committee to work on the cell tower regulations. On this committee were the Mayor, Mr. Brown, and 2 County Commissioner: Mr. Van Shaver and Mr. Steve Harrelson. He said that when the committee met, there were a few changes to made. He stated that these changes had been taken to the County Commission Workshop on October 20th. He said he had not heard what action had been taken. He stated some of the changes to be made was omitting cell towers in the A-2 zoning and allowing them in C-2 instead, making a requirement that the towers had to at least be 2 miles apart, and changing the zoning regulations to state that cell towers were to come to the Planning Commission rather than the Board of Zoning Appeals and then go to County Commission for final approval.

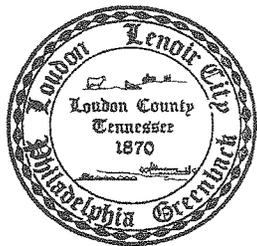
Mr. Luttrell made the motion to adjourn, second was made by Mr. McEachern. Meeting was adjourned at approximately 5:55 p.m.



Signed



Date



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MINUTES

LOUDON COUNTY BOARD OF ZONING APPEALS

October 21, 2014

The October meeting of the Loudon County Board of Zoning Appeals was called to order at 6:00 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 September 16, 2014 minutes was made by Mr. McEachern, second was made by Mr. Bright. Motion carried 5-0.

Agenda Item A: Consideration of a variance request to build an addition in a floodplain area, located at 3120 Stockton Valley Rd., referenced by Tax Map 46, Parcel 4.02, Zoned A-1, 4th Legislative District. Owner: Cary Ratliff
Mr. Ratliff was present.

Mr. Ratliff stated that he had first come into the office to see what was required to get a building permit. He said he did come back to get a building permit to build an addition to his existing home. He stated that he was told that he couldn't get a building permit, because he was in the floodplain. He said he asked what his options were. He stated that he talked with Mr. Newman, the previous planner, and he told him his option was to go before FEMA to get a variance. He stated that he knew that would probably not happen. He said he thought he was told that he was in the A zone of the floodplain. He stated that he asked some civil engineers what being in the A zone of the floodplain meant. He said he could not obtain documentation of finished floor elevation or flood topos. He stated that the engineers he consulted said there were no documented information on the floodplain. He said they said it just looked like it would be a flood area and put him in the flood zone. He stated that he had this little house he wanted to put an addition on. He said he had torn off a smaller existing addition. He stated that he raised the new addition to level with the existing house. He said he started building his addition. He stated that he always got his approvals, documentations, and inspections. He said he didn't feel like this was right to keep him from building a small addition to his home in area that wasn't even documented. He

stated that he tried to go through the system the appropriate way, but kept getting road blocks. He said it wasn't his plan to go against any documentation, but this was his own house.

Mr. Jenkins, the building official, said that he was aware that Mr. Ratliff had come to the office to get a building permit. He stated that when Mr. Ratliff came in to get his permit, he found out that he was in a flood hazard area. He said that they tell people then what the process is to go through. He stated they have to find out what their elevations are. He said Mr. Ratliff was informed that he would have to elevate to 3' above the highest adjacent grade. He stated that Mr. Ratliff indicated that would be difficult to do, because it would make his house not look right. He said that Mr. Ratliff said he would have to think about this requirement. He stated that he talked with Mr. Newman, the floodplain manager. He said Mr. Newman wrote on May 28, 2014 that after he had reviewed the ordinance and definition, the only way we could issue a building permit for the addition was to require conformance with the A zone which makes the addition 3' above the highest adjacent grade of the floor level. He stated that the existing non-conforming structure did not need to be addressed. He said he called Mr. Ratliff on May 28, 2014 of what was required to issue him a building permit for the addition. He stated that Mr. Ratliff said he would think it over. He said he told Mr. Ratliff that the office would hold onto the information for a few weeks.

Mr. Brown stated that he understood the ordinance to state that the ordinance did not apply unless it was a major addition. He asked Mr. Jenkins if he understood the ordinance correctly.

Mr. Jenkins said that the ordinance would apply to new construction and even substantial improvements which were 50% accumulative over a five year period.

Mr. Brown asked Mr. Ratliff what the square footage was of the existing house.

Mr. Ratliff stated that originally his existing house was 2,000 sq. ft. He said there was an addition that was 12' X 14' that had been 2' lower than the existing house. He stated that was the part he had torn off. He said that this current addition was 20' X 20', which was 400 sq. ft. He stated that he had increased the total square footage by 240 square feet, which was a little over 10%.

Mr. Brown said that he didn't see this as a major addition.

Mr. McEachern agreed with Mr. Brown.

Mr. Brown stated that he believed that someone misinterpreted the ordinance. He said that the ordinance says 50% of value.

Mr. Bright asked Mr. Ratliff if he ever had any water damage previously in the torn down addition that was even lower than the house.

Mr. Ratliff said he never did have any water problems.

Mr. Luttrell asked Mr. Ratliff if he realized what could happen.

Mr. Ratliff stated that the creek had gotten up to the top of the bank, but it had never come out of the bank. He said when he had talked with the previous owner; he said that it had never flooded. He stated that the neighbors said they had never seen the creek flood.

Mr. Luttrell asked Mr. Ratliff if he could be insured.

Mr. Ratliff said that he was insured.

Mr. McEachern stated that the picture showed that if the water did come over the bank, it had to go out into a field. He said it looked like the water would be going further out rather than encroaching toward Mr. Ratliff's house.

Mr. Ratliff said that there was a big field down below his house.

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

Mr. Brown asked Mr. Jenkins what Mr. Ratliff needed to do next.

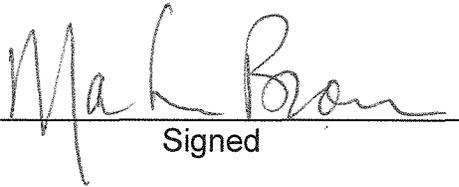
Mr. Jenkins stated that Mr. Ratliff needed to come back to the office to get his building permit. He said that the signed variance application that has been approved will be put with his file. He stated that they will work out the inspections with engineers, since Mr. Ratliff was pretty far along with the construction.

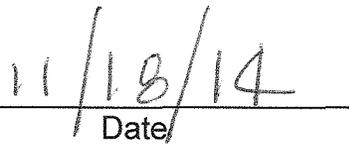
Mr. Ratliff said that he had architects and engineers review the construction.

Additional public comments: There were none.

Announcements and/or comments from Board/Commission: Mr. Luttrell stated that he was glad there was a planner on board.

Ms. Terry made the motion to adjourn. Meeting was adjourned at approximately 6:10 p.m.


Signed


Date