

Loudon County Planning Department

MINUTES

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LOUDON COUNTY REGIONAL PLANNING COMMISSION

MAY 19, 2015

The May 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. McEachern, Mr. Jim Brooks, Ms. Terry, Mr. Lee, Ms. Cardwell, Ms. Ross, Mr. Bright, and Mr. Napier.

Motion to approve the minutes for the April 21, 2015 meeting was made by Mr. Luttrell, seconded by Ms. McNew, and approved 11-0.

Agenda Item A: Consideration of preliminary plat approval for River Cove Subdivision, Phase 2, located off Summitt Hill Dr., referenced by Tax Map 51B, Group A, Parcels 1.00-9.00, Zoned A-2/PUD. Owner: Stewart and Debbi Rossi File #15-04-28-SU-CO

Ms. Smith stated that due to some items not completed for the preliminary plat for River Cove Subdivision, the Rossi's asked to postpone the approval until next month.

Mr. McEachern made the motion to postpone the request for 30 days, second was made by Mr. Brooks. Motion carried 11-0.

Agenda Item B: Consideration of Brannon 4-lot subdivision located at 4559 Browder Hollow Rd., Lenoir City, consisting of 8.77 acres, zoned R-1, referenced on Tax Map 20, Parcels 57.00, 58.00, 83.00, and 83.01, 5th Legislative District. Owner/ Applicant: Bertha Brannon, Connie and James Hooks, Jeremy and Joyce Brannon. File #15-03-23-SU-CO
Mr. and Mrs. Hooks were present.

Ms. Smith explained that this request was on last month's agenda. She said that the Commissioners postponed the request to this month due to the plat lacked the signatures. She stated that Lots 1R and 2R had previously been platted with 25' of road frontage several years ago. She said that this re-subdivision was changing the lot line in the back.

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

Agenda Item C: Discuss Land Use plan – Staff

Ms. Smith stated that County Commission asked her and the Planning Commission to review the Growth Plan and the Land Use Plan for Loudon County. She passed out copies of the current maps. She said that these maps were approved in 1999-2000. She stated that these maps were on the website. She said that County Commission wanted the Planning Commission to consider

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if the goals in the Land Use Plan were still the goals, and how property was developed. She asked the Planning Commission if they wanted to have a sub-group to meet and discuss these maps. She said that Barge Waggoner had done these maps several years ago. She stated that she spoke with someone from Barge Waggoner to see if these maps could be done digitally to see if they can be amended. She said she didn't know how that would work with contracts. She stated that she would let the Planning Commission know when she found out some more information from Barge Waggoner.

Ms. Ross explained that when the Growth Plan and Land Use Plan maps were done back in 1999-2000, there was a lot of public input that went into it on how they wanted the county to look over time. She asked if there was a plan to do this process again.

Ms. Smith said that she didn't know if that was the goal or not. She stated that she thought maybe it came from a lot of rezoning requests, development in the rural areas, and things that have occurred recently. She said that the Growth Plan and the Land Use Plan were done because there was a law to do it. She stated she needed to know if the Planning Commission wanted to make this a big project and correct anything, or just go through the exercise of looking at what they already have.

Mr. Brown stated that the Growth Plan and the Land Use Plan was done before the law went into effect. He asked Ms. Smith what County Commission wanted the Planning Commission to do specifically.

Ms. Smith said that she thought it stemmed from the PUD, the road not being up to standard, and the extension of water lines. She stated that the meeting this property was being rezoned, a commissioner asked if the Planning Commission could look at the Land Use Plan. She asked if they wanted to review what was written back when it was done. She wanted to know if they did want to make changes to the plans. She said this would be Step I.

Ms. Ross stated that the Growth Plan and the Land Use Plan were 15 years old. She said that it was a good thing to get public input to affirm what was done.

Mr. McEachern said if the maps could be done electronically, so that the public could log on and look at the plans. He stated that they could send in their comments for any changes. He said that they would have to give their name and address with their comments.

Mr. Brown stated that this sounded like a good idea.

Ms. Ross suggested have the maps online plus having meetings for those who didn't use computers or wanted to speak to someone face to face.

Ms. Smith said she would try to get map that she could print and bring to the Planning Commission to review to see if any changes needed to be made. She stated that she did not anticipate any changes to be made.

Ms. Ross stated that she thought that they had stayed by the guidelines.

Mr. Brown agreed with Ms. Ross.

Ms. Smith said when someone came in to ask for a rezoning, she always referred to the Land Use Plan. She stated that when she contacted Barge Waggoner, she would ask if it could be converted to GIS, not changing it.

Planning and Codes Department Building Activity Report for the month of April, 2015: Mr. Jim Jenkins gave the report.

April – 37 permits issued with estimated value of \$3,657,482 and fees collected of \$14,543 (15 single-family building permits issued)

County Commission Action on Planning Commission recommendations:

Approved rezoning from R-1 (Suburban Residential) to C-1 (Rural Center District) on property located at 5375 Hwy. 321, N., Lenoir City, consisting of 1.4 for both properties, referenced by Tax Map 9E, Group B, Parcels 3.00 and 4.00. Owner/Applicant: Michelle Howard.

Additional Public Comment: There were none.

Update from the Planner:

Planning commissioner training on Tuesday, June 30, 2015 in Oak Ridge at 5:45 p.m. Sponsored by the ETDD (East Tennessee Development District), University of Tennessee, and TDEC (Tennessee Department of Environment and Conservation).

1-Hour presentation entitled, “Population at the Speed of Life” by John Lamb, Director, Blount County Planning Department, on June 1st at 11:30 a.m. at United Way in Knoxville.

Comments from the Commission: Mr. Brown stated that two months ago that the Planning Commission voted that the Planning Commission would no longer approve final plats until they were completed. He said that at last month’s meeting, a plat was completed except for the required signatures. He stated that the plat was turned down, because it did not have the required signatures. He stated that the owner of the plat brought the plat into the office with all the signatures, except for the Planning Commission’s secretary signature. He said that the secretary should not sign the plat until the Planning Commission had approved it. He stated that a decision needed to be made if the secretary could sign an unapproved plat, or they would have to wait to sign the plat once it gets approved by the Planning Commission.

Ms. Terry said that she didn’t think the secretary needed to sign the plat until the plat had been approved by the Planning Commission.

Mr. Brown stated that he thought the reason for voting that everything needed to be complete before final approval was to make sure all the “physical” work was done. He said he had not

thought about the signatures. He stated that he agreed that the secretary did not need to sign the plat until the final plat had been approved by the Planning Commission.

Mr. McEachern said that when he signed plats for the City of Loudon, he did not sign the plat until all the other signatures were on the plat and had been approved by the Planning Commission.

Mr. Brown stated that Ms. McNew, Planning Commission Secretary, had already signed the plat before the Planning Commission had approved the plat at tonight's meeting.

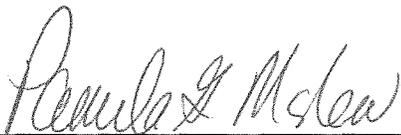
Ms. Henson, Code Enforcement Office Administrator, stated that the reason she had Ms. McNew to sign the plat was so all the signatures would be on the plat if asked if they had gotten all the signatures. She said she did not want the plat to be delayed any longer.

Ms. Smith said that she thought that the intent was for the "subject to" would have been the items needed to be corrected on the plat by the surveyor before Planning Commission approved the plat. She stated that this was the first subdivision plat to come before the Planning Commission since they had voted to have the plat completed before being approved.

Ms. Ross made the motion to add this item to the agenda, second was made by Mr. McEachern. Motion carried 11-0.

Mr. Brooks made the motion that all signatures needed to be done, except the Planning Commission Secretary's signature before approval by the Planning Commission, second was made by Mr. Lee. Motion carried 11-0.

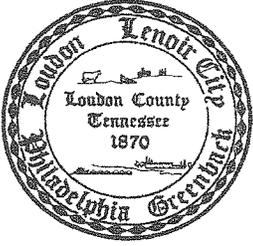
Mr. Lee made the motion to adjourn. Meeting was adjourned at approximately 6:00 p.m.



Signed



Date



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MINUTES

LOUDON COUNTY BOARD OF ZONING APPEALS

MAY 19, 2015

The May meeting of the Loudon County Board of Zoning Appeals was called to order at 6:15 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 April 21, 2015 minutes was made by Mr. Luttrell, second was made by Ms. Terry. Motion carried 5-0.

Agenda Item A: Consideration of a 30' frontyard setback variance for property located at 781 Matlock Shores, referenced by Tax Map 31J, Group A, Parcel 6.00, Zoned A-1 (Agricultural-Forestry District). Applicant/Owner: William Blake Cosner
Mr. and Mrs. Cosner were present with their contractor, Mr. Richard Hessick.

Mr. Hessick explained that the floodplain came up onto the property substantially. He said that the Cosner's lot was 200' deep. He said that the Cosner's had combined 2 lots together. He stated that they had to put a narrow depth home, approximately 60' deep, on the property. He stated that the main floor of the proposed home was 1200 sq. ft. He said that the front setback requirement was 50'. He stated that the neighbor's in the community had also received variances to build their homes.

Mr. McEachern said that there was a definite hardship on all the lots on that side of the road.

Ms. Smith stated that she had done an approximate measurement on the Real Estate Assessment Data. She said there was approximately 95' from the front property line to the flood hazard line. She stated that subtracting 50' (the required front setback requirement) and 35' (the required rear setback requirement) from 95', that would only equal to 10' in depth to be able to build a house. She recommended to approve the 30' frontyard setback variance request.

Mr. McEachern made the motion to approve the 30' frontyard setback variance request, second was made by Ms. Terry. Motion carried 5-0.

Agenda Item B: Consideration of a 38' frontyard setback variance for property located at 353 Matlock Shores, referenced by Tax Map 31J, Group A, Parcel 15.00, Zoned A-1 (Agricultural-Forestry District). Applicant/Owner: Clifford Glassman
Mr. and Mrs. Glassman were present.

Mr. Glassman stated that his situation was similar to the previous request, except his request was for 38' due to the way the road lays. He stated that TVA had a straight line deed that goes across these lots. He said that with the TVA line and the turn of the road, it made his lot narrower. He said he only had about 8' for the home to go in.

Ms. Smith said that she did an approximately measurement on this lot on the Real Estate Assessment Data. She stated that the depth of the lot was approximately 200'. She said that when you subtract the 50' (frontyard setback requirement) and 35' (rearyard setback requirement), it left approximately 115'. She stated that this website doesn't show the TVA deed line.

Mr. Glassman stated that the existing houses on the other lots were on this straight line TVA deed. He said that his lot was also in the straight line TVA deed.

Ms. Smith recommended approval for the request, if he met the average front setback with the other houses.

Mr. Luttrell made the motion to approve the 38' frontyard setback variance request, second was made by Mr. McEachern. Motion carried 5-0.

Agenda Item C: Consideration of a Special Exception request to allow a camper that is currently being lived in on property with an existing doublewide mobile home located on 2905 White Rd., consisting of 3 acres, referenced by Tax Map 24, Parcel 56.00, Zoned A-1 (Agricultural-Forestry District). Applicant/Owner: Johnny McKee

Mr. McKee was present.

Mr. Brown asked Mr. McKee if someone lived in the mobile home.

Mr. McKee stated that he lived in the mobile home.

Mr. Brown asked Mr. McKee who was living in the camper.

Mr. McKee said that his son lived in the camper. He stated that his son helped take care of the property. He said he has had a massive heart attack and has a fibulator. He stated that his doctors would not let him do anything. He said he did not know that it was illegal to live in a camper.

Mr. Brown stated that it was also illegal to have 2 residences on one lot.

Mr. McKee said that the property had been 2 lots before and there were 2 septic tanks on the property.

Mr. Brown stated that it could have been 2 lots before, but the property was not currently 2 lots.

Mr. McKee said that he was having the property surveyed and dividing it into 2 lots. He stated that the mobile home would be on an acre lot, and the camper would be on the remaining property.

Mr. Brown asked Mr. McKee how long he thought it would take him to get this property divided.

Mr. McKee stated that he did not know how long it would take. He said his surveyor was currently on vacation. He stated that he had turned the plat into Ms. Smith last week. He asked the Board how long he had to remove his camper.

Mr. McEachern asked the Board if this situation could be treated as a medical hardship.

Mr. McKee said that his son did not want to have a medical hardship.

Mr. McEachern stated that there were rules that allow people to live in a camper.

Mr. McKee said that he planned to move a mobile home in place of the camper.

Mr. McEachern stated that a mobile home would be fine. He said that once the property was divided, he didn't need the Board's permission to move a mobile home on the property.

Again, Mr. McKee asked the Board how long they would give him to move the camper.

Mr. McEachern asked Mr. McKee if 6 months would be long enough.

Mr. McKee said that he preferred to have a year to move the camper.

Mr. Brown asked Mr. McKee why he needed a year to divide his property and move a mobile home on the property.

Mr. McKee stated that he was running out of money, because he was on Social Security.

Ms. Smith said that when Mr. McKee had come to see her the first time, Mr. McKee had already talked with Mr. Jenkins, Loudon County Director of Code Enforcement, regarding the camper being on the lot with an existing mobile home. She stated that Mr. Jenkins had told Mr. McKee that the camper could not be lived in. She said that Mr. Jenkins explained to Mr. McKee his options, which were a medical hardship, subdividing the property, or to leave the property as it currently was. She stated that Mr. McKee turned in a plat to her. She said when she and Mr. McKee talked in the office; she went through the same things with him that Mr. Jenkins had explained to him. She stated that she didn't know if Mr. McKee really wanted to subdivide the property.

Mr. Brown stated that Mr. McKee had already paid to get the property surveyed. He asked Mr. McKee if this was the step he wanted to take.

Mr. McKee said that he wanted to do this, so that no one would come back and say that the mobile home couldn't be on the property.

Mr. Brown stated that the Board was trying to come up with a way to help him.

Mr. McKee said that he understood that the Board was trying to help him. He stated he had already spent \$1,200 for a surveyor.

Ms. Smith stated that no one is supposed to live in a camper.

Mr. McEachern said that the camper was in violation.

Ms. Smith stated that she thought that if Mr. McKee subdivided the property that he would replace the camper with a mobile home.

Ms. Terry asked the Board if they could give Mr. McKee a year to replace the camper after he subdivided the property.

Mr. McEachern said he understood that he wanted a year to get the mobile home onto the property, and the camper will no longer be lived in.

Mr. McKee stated that the camper would no longer be there after the mobile home was setup on the property. He said that the camper would be moved off the property.

Mr. Brown said that the camper could stay on the property as long as no one lived in it.

Mr. McEachern stated that he understood his son wanting his dwelling on a separate parcel. He asked Mr. McKee if he would oppose the special exception being a medical hardship for a year. He explained to Mr. McKee that he was already in the process to eliminate it once the property was subdivided and the mobile home was moved in.

Mr. Brown said that if it was going to be a medical hardship, Mr. McKee would need a doctor's statement.

Mr. McEachern stated that Mr. McKee could probably get a doctor's statement without any trouble.

Mr. Luttrell said that he could not support this request the way it was written on the agenda.

Mr. Brown stated that, in his opinion, the Board could not approve the request the way it was written on the agenda. He said he was just trying to see how the Board could help Mr. McKee.

Again, Mr. McKee asked how long the Board would give him.

Mr. McEachern asked the Board if they could approve it contingent on submitting a doctor's statement.

Mr. Brown said that he thought the Board could approve it if Mr. McKee submitted a doctor's statement. He stated that Mr. McKee could submit the doctor's statement, continue with subdividing the property, and replace the camper with a mobile home. He said that the Board could give Mr. McKee 30 days to submit the doctor's statement.

Mr. McKee asked the Board if they could approve him to put a mobile home on the property.

Mr. Brown explained to Mr. McKee that if he subdivided his property, the Board did not have to approve him to move a mobile home on the property.

Mr. McKee said he could not subdivide the property until his surveyor got back from vacation.

Mr. Brown, again, told Mr. McKee that the Board was trying to decide what they could do to help him.

Mr. McKee said that Mr. Jenkins told him that his time up on this day.

Mr. Jenkins stated that he was giving Mr. McKee until today to see how the Board was going to act on the request.

Mr. McEachern said how the Board would act at this meeting is how Mr. McKee would act in the future.

Mr. Brown reviewed what the Board needed to require from Mr. McKee: a doctor's statement, and to give him 12 months to get the property subdivided and replace the camper with a mobile home.

Mr. McEachern made the motion to approve the special exception contingent on submitting a doctor's statement for a medical hardship within 30 days, getting his property surveyed making 2 lots, moving the camper onto the vacant lot, and replace the camper with a mobile home within 12 months, second was made by Ms. Terry. Motion carried 5-0.

Ms. Smith asked who Mr. McKee would give his doctor's statement to.

Mr. McEachern stated that Mr. McKee would give his doctor's statement to her.

Mr. Brown said that the special exception for a medical hardship would be good for 12 months.

Mr. McKee stated that he wanted the 3 campers in Wampler's Mobile Home Park removed. He said that if his son couldn't live in a camper, those people shouldn't be allowed to live in them. He asked the Board if he got his property subdivided by next month, did he still need to submit a doctor's statement.

Mr. McEachern said that Mr. McKee still needed to submit a doctor's statement, even if he got his property subdivided if his son still lived in the camper. He stated that was how the Board was giving him the 12 months.

Agenda Item D: Consideration of a Special Exception request to allow a 24' X 31' carport for personal boats on property leasing from Mr. Roy Coffman located on property at 3694 Hwy. 11, E., Lenoir City, consisting of .28 acre, referenced by Tax Map 15M, Group C, Parcel 2.00, Zoned C-2. Applicant: Steve Spell/Owner: Roy Coffman

Mr. Spell and Mr. Coffman were present.

Mr. Coffman stated that they proposed to hire someone to put the carport on his property. He said that the carport was supposed to stand up to 150 mph winds. He stated that the carport would be temporary.

Ms. Smith said that this item was on last month's agenda, but the property owner was not present.

Mr. McEachern asked Mr. Coffman how they would access the property.

Mr. Coffman stated the access was from Hwy. 11.

Mr. McEachern said he could not approve of that.

Mr. Coffman stated that the property was fenced in, and the gate opened on Hwy. 11.

Ms. Smith said that Mr. Spell wanted to put the carport up on Mr. Coffman's property to store his personal boats.

Mr. Brown asked Mr. Coffman if there were any other structures on the property.

Mr. Coffman stated that there were no other buildings on the property. He said that at one time, someone stored their camping trailer on his property.

Ms. Terry asked how many boats they planned to put under the carport.

Mr. Spell said that he planned on putting 2 boats under the carport.

Mr. McEachern made the motion to approve the special exception request for a 24' X 31' carport for Mr. Spell only on this lot only, second was made by Mr. Bright. Motion carried 5-0.

Mr. McEachern explained that this approval was not permanent.

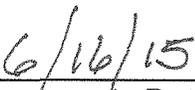
Additional public comments: There were none.

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

Mr. Luttrell made the motion to adjourn the meeting. Meeting was adjourned at approximately 6:35 p.m.



Signed



Date