



**LOUDON COUNTY
PLANNING
& CODES
ENFORCEMENT OFFICE**

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MINUTES

LOUDON COUNTY REGIONAL PLANNING COMMISSION

August 20, 2013

The August 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. Cardwell, Ms. Terry, Ms. Ross, Mr. Napier, and Mr. Bright. Absent was Mr. Hale.

Motion to approve the minutes for the July 16, 2013 meeting was made by Mr. Luttrell, seconded by Ms. Terry, and approved 10-0.

Agenda Item A: Consideration of Phillips 3 lot subdivision located at 6419 Town Creek Rd. E., Lenoir City, consisting of 5.75 acres, zoned R-1, referenced on Tax Map 10, Parcel 260, 5th Legislative District. Owner/Applicant: Kenneth Phillips. File # 13-08-47-SU-CO

Mr. Newman stated that the surveyor had submitted this plat to the office. He said that the plat actually needed to go to the Lenoir City Planning Commission, due to the property being in the Lenoir City Planning Region. He stated that the Loudon County Planning Commission did not need to take any action on this item.

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 and 83.00, 5th Legislative District. Owner/ Applicant: Bertha Brannon, Connie and James Hooks, Jeremy and Joyce Brannon. File # 13-08-46-SU-CO
The daughter of Bertha Brannon was present.

Mr. Newman stated that the plat was a resubdivision of 3 existing lots that the family owned. He said there were 3 existing homes on these properties. He stated that the purpose of the resubdivision was to create one new buildable lot to put a new home on. He said that all the lots were over ½ acre each. He stated that all the existing structures on the purposed lots met the setback requirements to the zoning district. He said that no variances would have to be addressed.

Mr. Newman recommended approval of the 4-lot resubdivision, due to the plat conforming to the County's subdivision regulations and the zoning requirements.

Mr. McEachern made the motion to approve the 4-lot subdivision, second was made by Mr. Napier. Motion carried 10-0.

Agenda Item C: Consideration of Amendment to the Loudon County Zoning Resolution, Section 4.140 Litter, Refuse, Garbage, Junk and Debris to include an Exception for activities covered by the Tennessee Right to Farm Act. Staff

Mr. Newman said that based on the discussions from last month's meeting concerning addressing the issue of this section of the Zoning Resolution, he had 2 suggestions to go over. He stated that the first document was a letter that could be mailed out with the standard Notice of Violation. He said that the Notice of Violation was very official looking and listed the violation from the Resolution written on it. He stated that the property had to be notified what violation they had. He said that the Notice of Violation also gives the property owner a time frame to respond to the Planning Office. He stated that the Notice of Violation could be confusing. He said that the purpose of the letter was to explain the issue of violation and asked the property owner for their help in addressing the situation. He stated that the letter also informed the property owner that if they did not think they were in violation, they could appeal to the Loudon County Board of Zoning Appeals by a certain time frame. He said that the Office would make every effort to personally contact the property owner in addition to sending the letter. He stated that the other change was to add "or any farming activity protected pursuant to § 43-26 (**Tennessee Right to Farm Act**) to the specific exception in this section. He said that adding this would recognize any activity that is protected under this Act, it is not affected by the County's regulation either.

Mr. Bright stated that he thought the letter looked good, and he liked the addition to the exception.

Mr. Brooks asked why the addition had not been listed in the exception before.

Mr. Newman said that this provision had been in the Zoning Resolution for a long time. He stated that the Tennessee Right to Farm Act had not been in affect as this section had been in the County's Resolution. He said that this section of the Resolution had not been updated in years. He stated that he was not fully familiar with the Tennessee Right to Farm Act and what was protected under it.

Mr. Newman stated that by adding this exception to this section of the Zoning Resolution would clarify what would be exempted in this section.

Mr. Luttrell made the motion to accept these changes and to recommend them to County Commission, second was made by Ms. Ross. Motion carried 10-0.

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

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

Additional Public Comment: Review new Planning and Codes Department Website.
Planningandcodes.loudoncounty-tn.gov

Mr. Newman asked the Commission to review the website. He stated that if any of their information needed to be changed, to contact the Office.

Comments from the Commission: There were none.

Mr. McEachern made the motion to adjourn. Meeting was adjourned at approximately 5:45 p.m.

Martin Bram
Signed

9/17/13
Date



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MINUTES

LOUDON COUNTY BOARD OF ZONING APPEALS

August 20, 2013

The August 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 July 16, 2013 minutes was made by Mr. Luttrell, second was made by Mr. Bright. Motion carried 5-0.

Agenda Item A: Consideration of request to live in a temporary dwelling (camper) on property located at 702 Edith Lane, Lenoir City, while house is being moved from Roane County, Tax Map 9, Parcel 175.01, Zoned R-1, 5th Legislative District. Owner: Margaret Gabhart, Applicant: Matthew Minix
The owner nor the applicant were present.

Mr. Brown stated that the Board could come back to this item before adjourning.

Came back to this item:

Mr. McEachern said that the request did not need to be heard if the applicant was not present.

Mr. Newman recommended to defer the item for 30 days. He stated that the other option was to place a Stop Work Order on the property and make him vacate the camper.

Mr. Luttrell made the motion to defer the request for 30 days, second was made by Mr. McEachern. Motion carried 5-0.

Agenda Item B: Consideration of request for home occupation approval to operate a fishing guide business similar to a bed and breakfast from 3380 Hackney Chapel Rd., Tax Map 36, Parcel 97.00, Zoned A-1, 3rd Legislative District. Owner: Steve Spell

Mr. Spell, the owner, and Mr. Rice, who lives on the property, were present.

Mr. Spell stated that he leased his property to Mr. Rice. He said that Mr. Rice had a fishing business and allowed his fishing clients to stay in the home.

Mr. Newman said that there was a neighbor in the community who had filed a complaint with the Office in regards to Mr. Rice's use of the property.

Mr. Rice stated that he had his fishing business in this county for over 12 years. He said allowing the fishing clients to stay with him made the fellowship better. He stated that none of the clients were on the property without him.

Mr. Brown said that looking at the picture from the property across the road, the house couldn't be seen.

Mr. Rice stated that his neighbor threatens his clients as they come onto the property. He said he had tried to get along with the neighbor.

Mr. Spell said that this particular individual had acted this way since he had purchased the property. He stated that it had been a constant harassment.

Mr. McEachern asked if the neighbor had expressed what his displeasure was or was it everything.

Mr. Rice stated that the neighbor was displeased with everything. He said that his first complaint was speed. He stated that his clients did not speed on the road. He said that he always informed his clients to drive slowly when they came into the area, because there were kids playing in the area. He stated that most of the people who stayed with him were friends, but they were still customers. He said that the clients he didn't know stayed in the Econo Lodge and would just come to fish. He stated that he brings a lot of people into our county and had for years.

Mr. Newman asked Mr. Rice how many people stayed with him at one time.

Mr. Rice said that he had about 4 people at his house at a time.

Mr. Brown asked Mr. Rice what type of lease he had with Mr. Spell.

Mr. Spell stated that Mr. Rice would eventually buy the property.

Mr. Rice said that it was more like "a rent to own" deal. He stated that the property would be in his name by next summer.

Ms. Estelle Herron, County Mayor, stated that the gentleman that had complained on Mr. Rice was a constant complainer. She said that he had been in her office and the Sheriff's Office many times. She stated that he had problems himself. She said that she and the Sheriff had tried to work with him, but he was never satisfied. She stated that she was not aware that Mr. Rice lived in the county until this issue came up. She said that the Visitors Center through Mr. Clayton Pangle brought in the county fishing tournaments. She stated that when talking with Mr. Pangle she asked him if he knew Mr. Rice and what he does. She said that Mr. Pangle was not aware of him and said it was such a need in our county. She stated that Mr. Pangle gets telephone calls from people wanting a fishing tour guide. She said that the volume of money that is brought into our county through the fishing industry was phenomenal. She stated that Mr. Rice offers a valuable service to our county.

Mr. Brown suggested that if the Board approved this request, it needed to be approved for Mr. Rice only and not to the property owner.

Mr. McEachern agreed with Mr. Brown stating it could be approved for this business only. He said that if someone else moved onto the property and took over the business, he would have to come before the Board for approval.

Mr. McEachern made the motion to approve the bed and breakfast request to Mr. Rice while he occupies 3380 Hackney Chapel Road, second was made Ms. Terry. Motion carried 5-0.

At this time, the Board went back to Item A.

Additional public comments: There were none.

Announcements and/or comments from Board/Commission: Mr. Luttrell asked Mr. Newman about the status of the Bryant property that was discussed at the last month's meeting.

Mr. Jesse Boling, Zoning Inspector, stated that he had been out to the property a couple of times. He said that he had met with Mr. Bryant and walked the property with him to discuss what needed to be done. He said he had taken some pictures and made a document to work on. He stated that when he and Mr. Newman had gone back out to the property to meet with Ms. Bryant, it looked like about a fourth of

the work had been done. He said that Mr. Bryant liked to move stuff around to make it look like he had done something. He stated that he and Mr. Newman spoke with Mr. and Ms. Bryant at the same time last week. He said he felt like Mr. Bryant knew better what all needed to be done. He stated that he was going to follow up in 2 weeks with another inspection.

Mr. Newman said that Mr. Bryant is making some progress, but probably not as fast as his wife would like for him to work on the problem. He stated that he did explain to Ms. Bryant that all the office could enforce was what the Zoning Resolution required. He said that this may not be the degree of what Ms. Bryant expects.

Mr. McEachern made the motion to adjourn. Meeting was adjourned at approximately 6:05 pm.



Signed



Date