



**LOUDON COUNTY
PLANNING
& CODES
ENFORCEMENT OFFICE**

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MINUTES

LOUDON COUNTY REGIONAL PLANNING COMMISSION

September 17, 2013

The September 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. Hale, Mr. Napier, and Mr. Bright.

Motion to approve the minutes for the August 20, 2013 meeting was made by Mr. Luttrell, seconded by Mr. Brooks, and approved 11-0.

**Agenda Item A: Consideration of request for a final plat approval of a 24-lot subdivision, Stone Crossing, Unit 2, Tax Map 7, Part of Parcel 99.00, located off Hwy. 70, E., Zoned R-1/PUD at 2.0 units/Acre, 5th Legislative District. Owner/ Applicant: The Crossing Group, Mark White, Manager
File #13-09-57-SU-CO(F)**

Mr. White was not present.

Mr. Newman referred to the submitted plat. He explained the location of the subdivision. He stated that the preliminary plat for the project was approved in 2005. He said that Unit 1 of the project was started then. He stated that Unit 1 had 48 lots. He said this approval of the plat will allow the developer to finish the development and begin selling the lots. He stated that Unit 2 will have 22 lots. He said this did involve the extension of the main road that goes into the development with another road that will be added. He stated that the roads have been rough graded, and the utilities had not been put in. He said these public improvements would need a Letter of Credit before the plat could be signed off. He stated he had asked the developer to get the numbers of the cost of these public improvements. He said he recommended approval of the proposed plat subject to the Letter of Credit and few changes that was requested on the plat.

Mr. McEachern stated that he would like to know how much money the improvements would be.

Mr. Newman said that he was not sure how much the cost would be, but could approximately be well over \$100,000.

Mr. McEachern stated that it could be over \$250,000.

Mr. Newman said that it could very well be that amount. He stated that the developer gets contractor quotes to send in and then 10% is added to the amount to determine the Letter of Credit.

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Mr. Luttrell made the motion to approve the final plat request subject to the administrative requirements, second was made by Mr. Brooks. Motion carried 11-0.

Agenda Item B: Request consideration of approval of 4 lot plat with joint permanent easement access, Tax Map 70, Parcel 118, located on Sinking Creek Rd., Zoned A-1, 3rd Legislative District. Owner/ Applicant: Jeff Disney

Mr. Disney was present.

Mr. Newman stated that Mr. Disney owned approximately 32 acres. He said the Mr. Disney had his existing home on the property. He stated that Mr. Disney had purchased the property about 10 years ago. He said that Mr. Disney had done a 4-lot subdivision that was approved by the Planning Commission about that time. He said the remaining property that Mr. Disney kept had about 50' road frontage. He stated that now Mr. Disney wanted to subdivide the 32 acres for his children. He said that Mr. Disney wanted to have a Joint Permanent Easement for the lots. He stated that the subdivision regulation does require 4 lots with frontage on the Joint Permanent Easement. He said there were 4 undeveloped lots on the proposed plat. He stated that the length requirement of the Joint Permanent Easement be no more than 500 feet. He said that Mr. Disney had already paved about 100' in concrete on the Joint Permanent Easement from the road and then is graveled going up the existing house. He stated this was a substantial improved driveway presently.

Mr. Brown said that he saw 5 lots on the JPE.

Mr. Newman stated that one of the lots was already developed, but all the lots would be using the Joint Permanent Easement. He said that 3 of the lots were over 5 acres, and 2 of the lots were approximately 2 ½ acres. He stated that the width of the easement from the back lot to the JPE was 75'.

Mr. Brown said that Mr. Disney's plat met all the basic requirements.

Mr. Newman stated that he did meet all the requirements.

Mr. McEachern said that it didn't look like Mr. Disney could subdivide the property after this plat was approved.

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

Planning and Codes Department Building Activity Report for the month of August, 2013:

Mr. Newman gave the building report for the month of August, 2013.

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

Additional Public Comment: There were none.

Comments from the Commission: There were none.

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


Signed


Date



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MINUTES

LOUDON COUNTY BOARD OF ZONING APPEALS

September 17, 2013

The September 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 August 20, 2013 minutes was made by Mr. McEachern, second was made by Mr. Bright. Motion carried 5-0.

Mr. McEachern made the motion to add Item F to the amended agenda, second was made by Mr. Luttrell. 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
Ms. Gabhart was present.

Ms. Gabhart stated she wanted to live in the camper until they got the house moved from 2 ½ miles down the road in Roane County. She said they were waiting on the excavators to get done. She stated that as soon as they dug the footers, they would be placing the house on the lot.

Mr. Newman asked Ms. Gabhart what the estimated time frame for this to happen.

Ms. Gabhart said that she hoped it would be in the next month. She stated that it should have already happened, but they were having trouble getting the excavator to come back and finish.

Mr. Brown suggested the Board to give Ms. Gabhart 90 days.

Mr. McEachern made the motion to approve the request for 90 days and if they need longer, they would need to come back to the Board, second was made by Ms. Terry. Motion carried 5-0.

Agenda Item B: Consideration of request for a 7' front yard setback variance for a pool at 120 Barclay Court, Avalon Subdivision, Tax Map 6M, Group A, Parcel 12.00, Zoned R-1, 5th Legislative District. Owner/ Applicant: Joe Zimmerman

Mr. Zimmerman was present.

Mr. Zimmerman stated that in the process of building the pool on his property, it was discovered that the contractor had violated the setback requirement. He said that the pool edge was at 23' instead of the required 30'.

Mr. McEachern asked if the was in the frontyard of the property and if the rules applied to the pool.

Mr. Newman said that this was part of the issue. He stated that Mr. Zimmerman had contacted the office about building a pool when the property was 2 separate lots.

Mr. Zimmerman stated that he had his home on one lot and wanted to put the pool on the other lot. He said at this time was when he found out that he needed to combine the 2 lots. He stated that he was informed that he could not put a pool on a lot that didn't have a primary structure on it. He said he had the property surveyed and combined the 2 lots.

Mr. McEachern said that the pool was at the side of the house, but was in the front yard of the previous lot before combining the lots.

Mr. Newman stated that the pool was still in the front yard. He referred to the picture that he had passed out that was taken from the back of the property. He said that the elevation change on the property made it a hardship to have the pool further back. He stated that they had moved the pool back as far as they could.

Mr. McEachern asked Mr. Zimmerman if there were any problems with the subdivision covenants or restrictions.

Mr. Zimmerman said that he had the homeowners' association approval as long as he got the Loudon County Board of Zoning Appeals' approval.

Ms. Terry asked Mr. Zimmerman if he planned on fencing the pool in.

Mr. Zimmerman stated that he was going to fence the pool in.

Mr. McEachern said that it looked like Mr. Zimmerman did have a hardship, because the drop off was very apparent.

Mr. McEachern made the motion to approve the 7' variance request, second was made by Ms. Terry. Motion carried 5-0.

Mr. Newman requested to Mr. Zimmerman to put up a temporary fence around the pool, because it did have water in it.

Mr. Zimmerman said he would put up a temporary fence.

Mr. Newman stated that the other option was to drain the water out of the pool. He said he did realize that there was an issue about the water needing to be in the pool or the pool would collapse.

Agenda Item C: Consideration of special exception request to live in a temporary dwelling (a camper) at 3020 Parris Rd. while sister's house is being constructed, Tax Map 28A, Group C, Parcel 3.00, Zoned A-2, 6th Legislative District. Owner/ Applicant: David and Paula McGhee

Ms. McGhee was present with her sister.

Ms. McGhee explained to the Board that her sister, who lived in the adjacent house, was having her house remodeled. She said that due to not having to pay rent anywhere else, she was letting her sister stay in their camper on their property. She stated that the remodeling was taking longer than they had anticipated.

Mr. Brown asked Ms. McGhee how much longer the project would take.

Ms. McGhee said she really didn't know, but she asked for 6 months.

Mr. McEachern stated that the last several requests the Board has approved for people to live in campers, the Board gave them a year to live in the camper. He said if something happened that made the requested few months not be enough, the year kept them from having to come back to the Board for a few more months' extension.

Ms. McGhee said that a year would be nice.

Mr. McEachern made the motion to live in the camper for one year or less, second was made by Ms. Terry. Motion carried 5-0.

Agenda Item D: Consideration of request to approve a lot size variance to allow use of two adjoining lots of record that total 9,583 sq. ft. (.22 Acres) located at 700 Riverview Rd., Tax Map 26G, Group C, Parcels 29.00 and 30.00, Zoned R-1, 5th Legislative District. Owner/ Applicant: Bobby Fritts Jr.

Mr. and Mrs. Fritts and, Mr. George Moore, the representative from Clayton Homes, were present.

Mr. Newman referred to the copy in the agenda package of the survey of the property. He stated that the property was 2 Lots of Record off Riverview Rd. He said that they were non-conforming lots presently. He stated that they could legally use the lots individually if the required setbacks were met. He said the mobile home that Mr. Fritts had purchased would not fit on either one of the lots, but being combined, the mobile home could meet the required setbacks.

Mr. Newman asked Mr. Fritts if he had checked to see if sewer was available. He said he didn't see where it was available when he visited the lot.

Mr. Fritts showed Mr. Newman where on the survey where the sewer was.

Mr. McEachern said that if the Board approved this request, they would be approving a substandard lot that Mr. Fritts could build on.

Mr. Newman stated that the mobile home that Mr. Fritts had purchased could fit in the buildable envelope if the 2 lots were combined without variances.

Mr. Moore said that the surveyor had staked out the buildable area with flags on the property. He stated that he told the people delivering the mobile home to be 2' from the flags that were placed.

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

Agenda Item E: Request special exception approval for a wrecker service/ auto storage lot at 3694 Highway 11 E., Lenoir City, Tax Map 15M, Group C, Parcel 2.00, Zoned C-2, 2nd Legislative District. Owner: Roy Coffman / Applicant: Clifton Teeters

The applicant, Mr. Teeters, and the property owner, Mr. Coffman, were present.

Mr. Teeters stated that he when he started looking at this property and what it was zoned, he was informed by the office the C-2 zoning did not allow towing and storage service without a Special Exception request.

Mr. Newman explained the location of the property. He said that Mr. Coffman had leased the property to different people for years. He stated that the property was a mess. He said that Mr. Teeters currently had a car business in the City of Loudon and wanted to expand his business operation to include a wrecker and towing service. He stated the C-2 zoning did not specifically list this use. He said that this lot was already fenced in and worked for this type of business.

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

Agenda Item F: Consideration of request to approve an Amended Final Development Plan for Five Star Senior Living Community of Tellico Village (formerly The Neighborhood at Tellico Village) to add a 100 unit independent living apartment building, expand the existing assisted living apartment building for Alzheimer's care and assisted living duplexes from 48 units to 26 units. Applicant: FSQC Tellico Village, LLC

Mr. Mike Waller, the engineer, was present.

Mr. Newman referred to the paper he had handed out about what has already been approved and what they are asking from modifications standpoint. He stated that the Board of Zoning Appeals had originally approved this under the PUD provision. He said even though the property was in Tellico Village, the reason the request had come to the Board was this property had been added to the Village after the original transfer, and the County had jurisdiction over the property. He stated that the original concept was not changing. He said what had been completed was a one-story assisted living facility. He stated that the road and utilities were finished in the subdivision where the duplexes were. He said that the original plan on the duplexes would be reduced from 48 duplexes and 2 single units to 26 duplexes and 1 single unit. He stated that the other component to be added would be the other one-story 100-unit independent living apartment complex. He said that at this stage, it didn't look like they would have enough parking for this. He stated that the parking issues will be reviewed when the site plan was submitted. He said they proposed to add an Alzheimer's unit and more assisted living units.

Mr. Waller stated that the property was currently 30 acres, and the proposed new developers wanted to subdivide the property into 3 lots.

Mr. Newman said that this is the final development plan, which is a conceptual plan, which needs to be approved.

Mr. McEachern stated that he liked the concept, and there was a need for it.

Mr. Brown agreed with Mr. McEachern.

Mr. Newman recommended approval for the amendment to the final development plan.

Mr. Bright made the motion to approve the amendment to the final development plan, second was made by Mr. McEachern. Motion carried 5-0.

Additional public comments: There were none.

Announcements and/or comments from Board/Commission:

Mr. Jesse Boling, Zoning Inspector, gave a report on the cleanup of the Bryant property. He stated that the last time he met with the Bryant's was on September 9th. He said that he did see some progress, because Mr. Bryant is working slowly. He stated that Mr. Bryant moves the junk around. He said that he would continue to work with Mr. Bryant.

Mr. Newman commented that the junk was very well organized.

Ms. Terry asked Mr. Boling what Mrs. Bryant thought of the progress.

Mr. Boling said that Mrs. Bryant wanted the office to enforce some things that they couldn't. He stated that Mrs. Bryant was glad that her husband did work on the cleanup.

Mr. McEachern made the motion to adjourn. Meeting was adjourned at approximately 6:25 p.m.



Signed



Date