

Loudon County Planning Department

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MINUTES LOUDON COUNTY REGIONAL PLANNING COMMISSION February 21, 2017

Members Present	Members Absent	Others Present
Adam Waller	Ed Lee	Steve Robbins
Jim Brooks		Marcie Nichols
John Napier, Chairman		Ed Loy
Leon Shields		Steve Gillman
Carlie McEachern		Sandy Gillman
Pam McNew, Secretary		Teresa Payne
Janis Terry		Audrey Clark
Jimmy Williams		Bruce Clark
Ryan Bright		Gary Alred
<i>vacancy</i>		Laura Smith, Planning
		Jim Jenkins, Codes Enforcement
		Others (see attached)

CALL TO ORDER AND APPROVAL OF MINUTES

Chairman, John Napier called the meeting to order at 5:30 p.m., the pledge of allegiance was given and roll was called. The minutes of the January 17, 2017 meeting, http://planningandcodes.loudoncounty-tn.gov/documents/meetings/LoudonCounty/2017/20170117_CORPCBZA_Minutes.pdf were unanimously approved on a motion by Carlie McEachern seconded by Pam McNew.

SUBDIVISION PLAT, 5-LOTS, KENNETH MORRIS PROPERTY, 1050 MORTON RD., TAX MAP 11, PARCEL 285, APPROXIMATELY 7.29 ACRES, R-1, SUBURBAN RESIDENTIAL DISTRICT, 17-01-03-SU-CO

No one was present. Carlie McEachern moved to postpone this item for 1 month. The motion was seconded by Jim Brooks and approved unanimously.

At this time, Adam Waller arrived.

SUBDIVISION PLAT, 3-LOTS, OTELLA LONG PROPERTY, 1767 WALLER FERRY RD., TAX MAP 009, PARCEL 103.00, APPROXIMATELY 3.8 ACRES, R-1, SUBURBAN RESIDENTIAL DISTRICT, 17-02-06-SU-CO

Ms. Long's daughter, Ms. Williams, was present to request approval for subdividing the approximate 3.8 acres with an existing dwelling, into three lots. Planner, Laura Smith stated that the plat met the subdivision regulations and the surveyor was obtaining the required certificate signatures.

ACTION

Mr. McEachern moved to approve the plat which was seconded by Janis Terry and approved unanimously.

SUBDIVISION PLAT, 2 LOTS, WITH A SHARED DRIVEWAY, ROSA BASTIDA 8495 HWY. 321 S., TAX MAP 005, PARCEL 008.00, 6.03 ACRES, A-2, RURAL RESIDENTIAL DISTRICT, 17-02-04-SU-CO

Ms. Bastida purchased 2 parcels from Mr. Lee, who was also present. Mr. Lee stated that in 1977 a permit was obtained for a house and mobile home on Parcel 8.00. The property is shown as being accessed from a shared driveway. Mr. Lee stated that the mobile home burned down more than a year ago and Ms. Bastida wants to replace it with another mobile home, and she does not want to split the property so was not requesting plat approval. Mr. Lee discussed having a permit for the mobile home and Mr. McEachern noted that the non-conforming status expires. Ms. Bastida confirmed that she was not requesting approval to subdivide the property and it was miscommunication that a plat was submitted.

ACTION

Mr. McEachern moved to deny the plat which was seconded by Mr. Brooks and approved unanimously.

COUNTY COMMISSION ACTION ON PLANNING COMMISSION RECOMMENDATIONS

Ms. Smith stated that the rezoning request for property on Hwy. 411S from A-2 Rural Residential to C-2 General Commercial District, that the Planning Commission recommended at their December 20, 2016 meeting was approved by County Commission at the February 6, 2017 meeting.

CODES DEPARTMENT BUILDING ACTIVITY SUMMARY FOR JANUARY 2017

Codes Enforcement Director, Jim Jenkins, presented the building activity summary for January 2017.

ADDITIONAL PUBLIC COMMENTS

N/A

UPDATE FROM THE PLANNING DEPARTMENT

Ms. Smith noted that there were two letters of credit that would expire soon if they were not extended, and reminder letters had been sent out for renewals.

ADJOURN

The meeting adjourned at 6:48 p.m.

Chairman

Date

LOUDON COUNTY REGIONAL PLANNING COMMISSION AND BOARD OF ZONING APPEALS MEETINGS

February 21, 2017

5:30 P.M.

Please Sign In

Steve Robbins (180 Littleton Dr.)	Aruta J. Despondt
Marie Nichols (180 Littleton Dr.)	JEFF CORNETT
ED LOY (520 Twin Lakes Rd. b.c.)	Sam A. Hu
Steve Gillman	Jan Morgan
Sandy Gillman	Bob & Kris Kelsey
By BL	John & Anne Chargin
Gina Payne	Jim & Sherry Turner
Medrey Clark	Jeff Judd
Bruce Clark	Michael & Megan Rapier
Gary Alred	
Sherry W. Coy	
John Chandler	
Mike Kitchens	
JAMES COVERT	
Joe L. Everett	
John F. Shuck	

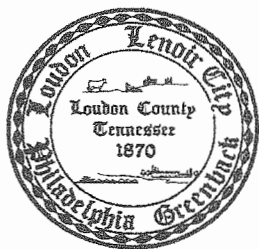
LOUDON COUNTY REGIONAL PLANNING COMMISSION AND BOARD OF ZONING APPEALS MEETINGS

February 21, 2017

5:30 P.M.

Please Sign In

Heriberto Gonzalez	TED SLAWTOR
Crystal Todd	Cathy Slawtor
Scott Bookout	Donald Cox
Miss Richard	Nicole Cox
John P. Redfern	Brigitte E. Williams
John P. Redfern	Lynne Smith
Margaret Harris	Jana Collins
Robert D. Harris	Ch A Allen
Rick Robinett	Kusha Funder
Carol Hulton	Barbara Funder
Charles E. Hulton	Dora Brown
NORMA SIGENSKETH	John H. Brown
Erasto Avalos Perez	Mike Funder
Rosa Bastida	
Gary Ubben	
JAMES R. O'BRIEN	



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MINUTES LOUDON COUNTY BOARD OF ZONING APPEALS FEBRUARY 21, 2017

Members Present	Members Absent	Others Present
Carlie McEachern, Chairman		Rosa Bastida
Jim Brooks		Jim Goyert
John Napier		Laura Smith, Planning Department
Janis Terry		Jim Jenkins, Codes Enforcement
Ryan Bright		Others

CALL TO ORDER

Chairman, Carlie McEachern called the meeting to order at 6:50 p.m., the roll was called and audience members, who wanted to speak, were sworn in. The minutes of the January 17, 2017 meeting http://planningandcodes.loudoncounty-tn.gov/documents/meetings/LoudonCounty/2017/20170117_CORPCBZA_Minutes.pdf were unanimously approved on a motion by Janis Terry seconded by Jim Brooks. Ryan Bright made a motion to move Item K on the agenda to Item A. The motion was seconded by Mr. Brooks and approved unanimously.

SPECIAL EXCEPTION FOR SECOND DWELLING ON LOT WITH EXISTING DWELLING, ROSA BASTIDA, 8495 HWY. 321, LENOIR CITY, TAX MAP 005, PARCEL 008.00, A-2, RURAL RESIDENTIAL DISTRICT

Ms. Bastida, who recently purchased Parcel 7 and Parcel 8 from Mr. Lee, requests putting a 2nd dwelling on Parcel 8, where there is an existing dwelling. The property lacks road frontage and access to the property appears to be an easement. Ms. Bastida stated that a mobile home had been on the property but burned down years ago. She also stated that she had thought that by requesting to subdivide the property it would make it easier for her to get a building permit. Mr. Lee, who sold the property to Ms. Bastida, said that there is a gravel road.

ACTION

John Napier moved to approve the 2nd dwelling on Parcel 8.0 replacing the one that had burned. The motion was seconded by Ms. Terry and approved unanimously.

SPECIAL EXCEPTION FOR UPGRADE OF EXISTING KENNEL AND TRAINING FACILITIES, SMOKY MOUNTAIN SERVICE DOGS, JIM GOYERT, 8376 FAIRVIEW ROAD, TAX MAP 035, PARCEL 095.00, A-2, RURAL RESIDENTIAL DISTRICT

Jim Goyert, with Smoky Mountain Service Dogs gave a presentation on the organization. He stated that they were a 501c non-profit with 50-80 volunteers and 3 full-time staff members.

They train mobility assistance dogs for veterans with service related injuries. They train 4-6 dogs per year at a cost of \$20,000 to \$25,000 per dog. It takes 2 to 2 ½ years to train a dog to perform tasks. They have approximately 10 acres with 23 kennels and also rent off-site facilities to train the dogs. He stated that they request approval to expand and upgrade the facilities so that everything is at one site. A demonstration was given by a volunteer with one of the dogs they are training.

ACTION

Mr. Brooks moved to approve the expansion of the facility which was seconded by Mr. Bright and approved unanimously.

SPECIAL EXCEPTION FOR MBX TACTICAL LLC, GUNSMITH, REPAIR, LIGHT MANUFACTURING, APPLICANT, ADRIAN COBB, 180 LITTLETON DRIVE, LOUDON, TAX MAP 041, PARCEL 130.01, C-2, GENERAL COMMERCIAL DISTRICT

Realtors, Steve Robbins and Marcie Nichols were present representing Mr. and Mrs. Cobb who live out-of-state. Mr. Cobb requests operating a facility where he would manufacture some parts and be assembling already manufactured parts for firearms. Chairman McEachern asked questions such as whether there would be retail sale of the guns at the site, and what parts they would be manufacturing. Neither Mr. Robbins nor Ms. Nichols had that information available.

ACTION

Mr. Brooks moved to table the item for one month so that more information could be provided. The motion was seconded by Mr. Napier and approved unanimously.

SPECIAL EXCEPTION FOR DETACHED GARAGE IN FRONT YARD, PROPERTY OWNER, HERIBERTO GONZALEZ, 8015 TOWN CREEK ROAD, TAX MAP 010, PARCEL 159.00, R-1, SUBURBAN RESIDENTIAL DISTRICT

Mr. Gonzalez has approximately 4 acres on Town Creek Road. There is an existing dwelling and he would like to build a garage on the property. The driveway is in the front of the house, the septic tank and field lines are in the back, there is an existing well in the side yard and a spring runs through his property so he requests a special exception to build the 2-3 car garage for his personal vehicles in the front yard. Mr. Gonzalez confirmed that he was not going to operate a car repair facility.

ACTION

Mr. Napier moved to approve the special exception for Mr. Gonzalez to build a garage for his personal vehicles in the front yard because of the property constraints. The motion was seconded by Mr. Bright and approved unanimously.

SPECIAL EXCEPTION, ADD 2ND DWELLING FOR GUESTHOUSE, PROPERTY OWNER, TERESA GAYLE PAYNE, 2298 PATERSON ROAD, TAX MAP 078, PARCEL 020.00, A-1, AGRICULTURE FORESTRY DISTRICT

Ms. Payne (Daugherty) stated that she purchased her property in 2015. There is an existing dwelling on Parcel 20 which is approximately 9.90 acres. Ms. Payne also purchased Parcel 19.0 which is approximately 4.3 acres and is adjacent to Parcel 20. Ms. Payne requests a special exception to add a 2nd dwelling on Parcel 20 so that her family can live in the existing dwelling

and she could stay in the 2nd dwelling when she was in town. She stated that it was not for rental purposes and that she would be living there and she would be using the same existing driveway for the 2nd dwelling. Audience members spoke about their concerns with the maintenance of the driveway. Ms. Payne stated that she had combined the 2 lots so that it was now one 14 acre parcel. She stated that she had about 32' of road frontage. With the lack of road frontage, further subdivision could not occur.

ACTION

Ms. Terry moved to approve the special exception for the 2nd dwelling on Parcel 20 which was seconded by Mr. Napier and approved unanimously.

VARIANCE REQUEST, 20' FRONT YARD SETBACK, APPLICANT, ZANE AND CRYSTAL TODD, 1001 GILBERT LANE, TAX MAP 036F, GROUP B, PARCEL 024.00, A-1, AGRICULTURE FORESTRY DISTRICT AND F-1, FLOODWAY DISTRICT

Mr. and Mrs. Todd own approximately 1.0 acre on Gilbert Lane. An existing dwelling has been removed and the Todd's request a 30' front yard setback for a new home because the flood hazard area runs through the rear of the property, so they request placing the home closer to the front property line. The front yard setback in the A-1 Agriculture Forestry District is 50' and the Todd's request a variance of 30' to be 20' from the front property line.

ACTION

Mr. Brooks moved to grant the front yard setback which was seconded by Mr. Bright and approved unanimously.

SPECIAL EXCEPTION FOR STRUCTURE ON EXISTING FARM FOR GUIDED QUAIL HUNTING GROUPS, APPLICANT, STEVEN BREWINGTON, PROPERTY OWNER, MELON PROPERTIES LLC, 1180 POPLAR SPRINGS BLAIR BEND RD., TAX MAP 034, PARCEL 003.00, A-1, AGRICULTURE FORESTRY DISTRICT AND F-1, FLOODWAY DISTRICT

Melon Properties is located on Tax Map 034, Parcel 001.00, Parcel 002.00, and Parcel 003.00. Mr. Brewington requests a special exception to be able to build a structure on Parcel 003.00 of the existing farm in order to operate guided quail hunts. He proposes having two courses on 200 acres to offer the hunting of quail. The property is currently a working cattle farm and he said it would remain so, with the cattle sectioned off. The 182 day quail hunting season is October through March and is regulated through TWRA. Mr. Brewington stated that the quail will not be raised on the farm, but brought in from off-site. He stated that the clientele would be from all over the country. They would have guided and unguided groups, but no overnight accommodations. The proposed building on Parcel 3.0 would be for the gathering of the groups. Since the parcel lacks public road frontage, Mr. Brewington stated that the properties would be combined to build the proposed structure which would include a gravel parking lot. Mr. Brewington stated that he has talked with the neighbors about the proposal and did not have any negative feedback. He also stated that they may try to have coveys and sow seeds for the game in the future.

ACTION

Mr. Napier moved to approve the special exception which was seconded by Mr. Brooks and approved unanimously.

SPECIAL EXCEPTION, CUSTOMARY HOME OCCUPATION FOR CONSULTING SERVICES AND SALE OF FIREARMS AND EQUIPMENT, APPLICANT, JEFFREY CORNETT, CURRENT PROPERTY OWNER, JOHN AND JERRY BROWDER, 4075 HWY. 11 W, LENOIR CITY, TAX MAP 026, PARCEL 070.00, R-1, SUBURBAN RESIDENTIAL DISTRICT

Mr. Cornett, who currently lives in Knoxville, plans to move to the area, and is in the process of purchasing property on Hwy. 11W which would give he and his family more acreage. He currently works part-time selling firearms out of his home and works fulltime at ORNL. Mr. Cornett finds the parts and then puts them together for the customer. He handles all the transfer process and is licensed in Knox County. He sells to customers on an appointment only basis. He provides a service other than what existing stores do. There is no gun use on the property and he would not have a gun range, and he would not have any signs either.

ACTION

Mr. Brooks moved to approve the special exception which was seconded by Ms. Terry and approved unanimously.

SPECIAL EXCEPTION TO CONTINUE USING AS OFFICES, STORE EQUIPMENT, TRUCK PARKING, STORE GARBAGE CANS, APPLICANT, K5 REALTY BEALS CHAPEL, OWNER, KEVIN WARD, AGENT, ROBERT HINTON, 150 BEALS CHAPEL ROAD, TAX MAP 016, PARCEL 214.08, R-1, SUBURBAN RESIDENTIAL DISTRICT, PUD, F-1, FLOODWAY DISTRICT

Attorney, Robert Hinton presented handouts to the members of the BZA. He stated that Mr. Ward was the developer of the townhomes and that the office building on the property was in existence prior to the townhomes. RDMN LLC had a golf training facility near the Cedar Hills golf course. Mr. Hinton stated that the property should have been zoned commercial because that is how it was used. He also stated that the property was not a garbage transfer station and that there were four trucks inside a fenced area and there were some garbage cans. The building was also used for the townhomes office and garbage service office. Mr. Hinton stated that Mr. Ward wanted to be a good neighbor. Mr. Ward stated that his son who is a veteran wanted to operate the trash service and employ his veteran friends. He operates pink cans for breast cancer awareness and black cans for veterans groups. He operates the office out of the building. Mr. Ward also noted that he had purchased the 50 acre Browder property. He uses the office, has trucks, cans, and equipment storage. His trucks are F250's and not large trucks. Chairman McEachern asked Codes Enforcement Director, Jim Jenkins if he had any comments. Mr. Jenkins stated that in October 2015 he received a complaint about the trucks which were then removed. In 2016 the trucks came back to the property and names of the company were added to the building. The property is zoned R-1/PUD which does not permit how Mr. Ward is using the property.

An audience member asked about future plans. Ms. Cox, who lives in Summitt View Subdivision, stated that when she purchased her property, the Ward property was a golf course.

In the past year she has seen trucks and she is concerned and does not want the facility next to her property. Steve Gilman said that the facility was registered as Ward Waste Solutions and the address listed is a Knoxville address. He said they bought the property which is zoned residential, and Mr. Ward lives out of state.

John Barker lives on Wilson Road. He stated that the condos were in the flood zone and he doesn't know how they got built. He stated that he has seen trucks washed out in the creek. He stated that they were only supposed to have an indoor driving range and the garbage trucks made property values go down and he was opposed to the request.

Kim Turner, owner and manager of Tennessee Trash stated that she had started her business with one truck. She said she followed the proper procedures in the appropriate zoning district. Her daughter lives in Silo Acres and although she loves her garbage trucks, she doesn't want to live next to them. She also stated that the location is at a 3-way intersection. Ms. Turner stated that Mr. Ward has "roll off" boxes too and that he stored them on the property. She too is opposed to the request.

Another audience member asked whether an Environmental Impact Study had been completed, and another property owner who stated that he lived across the street, asked if it was a private landfill. He said he had to have permits for his business to park his landscape trucks on his property, but he stated that Mr. Ward did try to keep the property up.

Chairman McEachern stated that the property was zoned for residential use. Adam Waller stated that Commissioner Harrelson, who could not attend the meeting, was opposed too.

Mr. Ward stated that the property was not a garbage dump. He wants to just park trucks there overnight. Ownership of the property is Mr. Ward for K-5 Realty and the garbage business belongs to his son, who lives in Farragut. Mr. Ward's son stated that he operates the business out of his home but does not have a home occupation permit from Knoxville. He stated that he has roll offs for homes and spring cleaning and he has used them one time because he could not get to the dump in time. Ms. Carrington (sp?) inquired into why the property was used this way if they knew it was zoned residential.

ACTION

Mr. McEachern moved to deny the special exception which was seconded by Mr. Brooks and approved unanimously.

SPECIAL EXCEPTION, SELF-STORAGE WAREHOUSE FACILITY, OWNER AND APPLICANT, JOE EVERETT, 7442 HWY. 411S, GREENBACK, TAX MAP 084, PARCEL 050, C-2, GENERAL COMMERCIAL DISTRICT

Mr. Everett recently had the property rezoned to C-2 so that he could request a special exception to build storage buildings. There was a brief discussion regarding the piece of the property which is across the railroad tracks and Mr. Everett stated the property was not useful to him because of permits he would be required to obtain to cross the railroad. The storage buildings would be on the portion of the property which fronts on Hwy. 411S and if the special exception is approved, Mr. Everett is to submit a site plan to the planning office.

ACTION

Mr. Brooks moved to approve the special exception for storage buildings to be built. The motion was seconded by Ms. Terry and approved unanimously.

SPECIAL EXCEPTION TO BUILD ACCESSORY BUILDING IN FRONT YARD AND VARIANCE REQUEST FOR 15' FRONT YARD SETBACK FOR ACCESSORY BUILDING, APPLICANT, MEAGAN & ROBERT HARRIS, 1100 WALLER FERRY ROAD, LENOIR CITY, TAX MAP 009, PARCEL 083.00, R-1, SUBURBAN RESIDENTIAL DISTRICT

Mr. Harris started to build an accessory building in the front yard, and did not realize he had to get a permit before building it until he was informed. In the R-1, Suburban Residential District the front yard setback for principal structures is 30'. Accessory structures are permitted in the side or rear yard only, with a 5' setback. Mr. Harris has already begun to build the structure in the front yard, 15' from the front property line. LCUB power lines run across the front of the property and the structure may not meet setback requirements from the power lines either. Mr. Harris stated that the structure is a woodshed where he would like to store rough sawn lumber. He only wants to store the wood there temporarily and will move the lumber and take down the shed which will have doors, when he has moved the lumber. Leon Shields, with LCUB stated that the setbacks are 15' which would be 7 ½ feet from the centerline of the lines.

ACTION

Mr. Brooks moved to grant the temporary woodshed subject to meeting the power line setbacks of LCUB. The motion was seconded by Mr. Napier and approved unanimously.

ADDITIONAL PUBLIC COMMENTS

An audience member stated that he owned the property that Ms. Bastida (Item A) uses to access her parcel and they did not have permission to cross his property. He said he wanted to give his son and daughter property too.

ANNOUNCEMENTS AND/OR COMMENTS FROM BOARD/COMMISSION

None

ADJOURN

The meeting adjourned at 7:55 p.m.

Chairman

Date