



Loudon County Planning Department

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MINUTES LOUDON COUNTY REGIONAL PLANNING COMMISSION MEETING MARCH 20, 2018

Members Present	Members Absent	Others Present
John Napier, Chairman		William B. Alexander
Carlie McEachern		Victoria Farmer
Andy Hamilton		Steve Killian
Pat Couk		John Cobb
Pam McNew, Secretary		Jim Jenkins, Codes Enforc.
Ryan Bright		Laura Smith, Planner
Adam Waller		Sandra Cobb
Jimmy Williams		Virginia Santol
Leon Shields		Robert Santol
Jim Brooks		Glenna Overton-Clark
Ed Lee		David Creditt
		Jorge Chavez
		Leo Bradshaw
		Others (<i>see attached</i>)

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 the roll was called. The minutes of the February 20, 2018 meeting were unanimously approved on a motion by Carlie McEachern seconded by Ryan Bright.

REZONING REQUEST, FROM R-1, SUBURBAN RESIDENTIAL DISTRICT, PLANNED UNIT DEVELOPMENT, PUD OVERLAY TO R-1, SUBURBAN RESIDENTIAL DISTRICT, PUD FOR 2.5 UNITS PER ACRE, APPLICANT, STEVE KILLIAN, OWNER, GB LAND LLC, MOUNTAIN DRIVE, AVALON SUBDIVISION, TAX MAP 006, PARCEL 075.03, 5TH LEGISLATIVE DISTRICT, APPROXIMATELY 13.6 ACRES

Mr. Killian was present and summarized his request from last month's meeting for 3.67 units per acre which was denied. Mr. Killian requests that the property be rezoned for a density of 2.5 units per acre. An audience member discussed the existing road and cul-de-sac and asked Mr. Killian questions regarding access to the properties. Another audience member voiced their opposition to the request and had questions regarding the plat approval process. Planner, Laura Smith stated that since the property was in the Lenoir City Planning Region, if the increase in density were approved, any proposed subdivision plat would be submitted to the Lenoir City Planning Commission. Ms. Smith noted that there may be 10 dwellings on the property without the increase in density and may be 12.5 dwellings if the density is approved for increase.

ACTION

Mr. McEachern moved to approve the rezoning request which was seconded by Ed Lee and approved unanimously.

REZONING REQUEST, FROM R-1, SUBURBAN RESIDENTIAL DISTRICT, PLANNED UNIT DEVELOPMENT, PUD OVERLAY TO R-1, SUBURBAN RESIDENTIAL DISTRICT, PUD FOR 2.5 UNITS PER ACRE, APPLICANT, STEVE KILLIAN, OWNER, BURLESON GILLENWATER PARTNERS LP, MOUNTAIN DRIVE, AVALON SUBDIVISION, TAX MAP 010, PARCEL 094.01, 5TH LEGISLATIVE DISTRICT, APPROXIMATELY 5 ACRES

Mr. Killian makes the same request as the previous item listed above for this property. There was a discussion regarding whether the property is actually within the Avalon subdivision and Mr. Killian stated that he would not have to go the Avalon HOA for approvals.

ACTION

Mr. McEachern moved to approve the recommendation for the rezoning request which was seconded by Jim Brooks and approved unanimously.

ROADS ACCEPTANCE REQUEST FOR THOMAS WOODS SUBDIVISION, INCLUDES THOMAS WOODS WAY, APPROXIMATELY 1400 LINEAR FEET, SYCAMORE WAY, APPROXIMATELY 998 LINEAR FEET, AND SCARLET OAK WAY, APPROXIMATELY 299 LINEAR FEET, APPLICANT, R. SCOTT NOLTER, CHIEF MANAGER FOR THOMAS WOODS LLC, R-1, SUBURBAN RESIDENTIAL DISTRICT, TAX MAP 01G, GROUP E, PARCEL 001.01, 2ND LEGISLATIVE DISTRICT, APPROXIMATELY 1.01 ACRES

Adam Waller stated that this property was in the 6th Legislative District, not the 2nd as shown on the agenda. With that noted, Scott Nolter with Thomas Woods LLC stated that the homeowners association requested that the roads in the subdivision be accepted by the County. Audience member, Hank Kalakauskis who is a resident of the subdivision, stated that according to the bylaws, the HOA could not legally make that request. Mr. Kalakauskis stated that he was not in favor of the roads being accepted by the county because he had deeded rights. Attorney, Glenna Overton-Clark was present representing the HOA. Mr. McEachern asked Ms. Overton-Clark if the HOA could legally request that the County accept the roads and she confirmed that they could. Mr. Kalakauskis read from the deeds and covenants regarding deeded property owners. Leon Shields asked Mr. Kalakauskis why he did not want the roads to be accepted as public and Mr. Kalakauskis stated that he intentionally purchased the property because of the private roads and built his house because it was a private subdivision. The HOA has had core samples done by Professional Engineers, Inc. and the Loudon County Road Superintendent recommends that the roads be accepted by the County.

ACTION

Mr. Brooks made a motion to recommend that the roads be accepted as county roads, which was seconded by Mr. McEachern and approved unanimously.

REZONING REQUEST, FROM R-1, SUBURBAN RESIDENTIAL DISTRICT TO C-2, GENERAL COMMERCIAL DISTRICT, APPLICANT AND PROPERTY OWNER, LYNNE HOLMES, WALLER FERRY ROAD, TAX MAP 009, PARCELS 081.00, 082.00, AND 088.00, 5TH LEGISLATIVE DISTRICT, APPROXIMATELY 3.5 ACRES

Mr. Lynne Holmes was present to request that the property he purchased adjacent to his existing property on Hwy. 321 be rezoned from R-1 to C-2. Mr. Holmes proposes combining all the lots if rezoned for an outdoor storage facility.

ACTION

Mr. Waller moved to approve the rezoning request which was seconded by Pam McNew and approved unanimously.

REZONING REQUEST FOR T-1, TELECOMMUNICATION OVERLAY DISTRICT FOR VERIZON WIRELESS, APPLICANT, VICTORIA FARMER, ZONING SPECIALIST, FAULK & FOSTER, PROPERTY OWNER, DANITA COPLEY, 272 WARD RD., TAX MAP 068, PARCEL 138.00, A-1, AGRICULTURE FORESTRY DISTRICT, 4TH LEGISLATIVE DISTRICT, APPROXIMATELY 25.01 ACRES

Victoria Farmer with Faulk & Foster was present to request the rezoning request for the T-1 Overlay in order for a new telecommunication tower to be built. They propose leasing an area and the tower will have co-location. Ms. Smith stated that all required documents for the rezoning had been submitted by the applicant. Several audience members voiced their opposition to the request because of the use of the driveway and because the tower would obstruct their view. Ms. Farmer stated that the proposed tower was to boost an existing tower that was about a mile away. The siting for the proposed tower she stated was following the requirements in the Loudon County Zoning Resolution. After the tower is constructed, the driveway would be used for maintenance access. Mr. Waller asked about range of the tower. Audience member, Robert Turnbow said neighbors had purchased 5 acre lots to build houses and questioned how the property could go back to agriculture use. Ms. Smith noted that residential use is permitted in the A-1 Zoning District. Mr. Turnbow stated that he was opposed to the rezoning. Another audience member stated that he could see a cell tower from one direction of his property. Another speaker stated that view was important and another audience member stated that he had been approached by Verizon in the past, but he had turned them down. There were other comments from audience members who were opposed to the proposed cell tower.

ACTION

Mr. McEachern moved to deny the rezoning request which was seconded by Mr. Bright. When asked by Ms. Farmer for the reason for the denial because it would be referred to the legal department, Mr. McEachern stated it was because the residents were in opposition. The motion was then approved by 10 voting yes and 1 abstention by Ed Lee.

FINAL SUBDIVISION PLAT, STONE CROSSING UNIT 5, 18 LOTS, APPLICANT AND SURVEYOR, RICHARD LEMAY, PROPERTY OWNER, THE CROSSING GROUP, MARK WHITE, TAX MAP 007, PARCEL 099.00, HWY. 70E, R-1, SUBURBAN RESIDENTIAL DISTRICT WITH PUD, PLANNED UNIT DEVELOPMENT OVERLAY, APPROXIMATELY 10 ACRES

Staff stated that this was a preliminary plat not a final as listed on the agenda. She stated that this was the final phase of the development and recommended preliminary plat approval.

ACTION

Mr. McEachern moved to approve the preliminary plat which was seconded by Mr. Waller and

approved unanimously.

COUNTY COMMISSION ACTION ON PLANNING COMMISSION RECOMMENDATIONS
n/a

DEPARTMENT BUILDING ACTIVITY SUMMARY FOR FEBRUARY 2018 (ATTACHED)
The Development Building Activity Summary for February was presented and Mr. Jenkins stated that the amount of permits issued had gone up.

At this time, Mr. Shields noted that Ms. Farmer had stated that legal action would be taken after the motion on the cell tower rezoning, but prior to the commission vote, and he wanted to make sure that it was reflected in the minutes.

UPDATE FROM PLANNING DEPARTMENT

Ms. Smith stated that in 2007 a final plat for The Shire, a 7-lot subdivision off Highway 72 was approved. A letter of credit has been held for the final improvements including the final topcoat of the right-of-way. Over the years, the amounts have been reduced as improvements were installed. The property owner and developer, Sheila Roberts has contacted staff on several occasions stating that she does not want to finalize the plat or do any other improvements and wants her letter of credit, which is currently for \$10,000, released. Since Ms. Roberts has not acquired all the required certificate signatures, she requests, via email to staff, to withdraw the plat.

ACTION

Mr. McEachern moved to dissolve and withdraw the final plat as it has not been recorded and release the letter of credit. The motion was seconded by Mr. Waller and approved unanimously.

ADJOURNMENT

The meeting adjourned at 6:40 p.m.

Chairman

Date

LOUDON COUNTY
REGIONAL PLANNING COMMISSION
AND
BOARD OF ZONING APPEALS MEETINGS

March 20, 2018

5:30 p.m.

Please Sign In

Robert J Turnbow	
JANE I TURNBOW	
Susan A. Harrison	
Raymond B. Harrison	
John Stobierski	
Joe Mitchell	
Ray Jones	
Henry Kalakauskis	
Robert Ward	
Bill Muncie	
Patsy Muncie	
DAN HATCHETT	

LOUDON COUNTY
REGIONAL PLANNING COMMISSION
AND
BOARD OF ZONING APPEALS MEETINGS

March 20, 2018

5:30 p.m.

Please Sign In

William B. Allardice	Scott Nolt
Victoria Danner	
St. Kellan	
John Cobb	
Sandra Cobb	
Vigman Santoli	
Robert Santoli	
Glenna Overton-Clark	
David Crompt	
Brian Sp	
Jorge Chavez T	
BRIAN TRUG	
Leo Bradshaw	
David Campbell	



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MINUTES LOUDON COUNTY BOARD OF ZONING APPEALS MARCH 20, 2018

Members Present	Members Absent	Others Present
Carlie McEachern, Chairman		Jorge Chavez
Ryan Bright		Javier Cisneros
John Napier		Jim Jenkins, Codes Enforcement
Leon Shields		Laura Smith, Planning Department
Jim Brooks		

CALL TO ORDER

Chairman, Carlie McEachern called the meeting to order at 6:40 p.m. and audience members who wanted to speak were sworn in. The minutes of the February 20, 2018 meeting were unanimously approved on a motion by John Napier seconded by Ryan Bright.

SPECIAL EXCEPTION FOR PARKING TRUCKS AND VAN WITHOUT PARKING SURFACE ON PROPERTY FOR CHAVEZ GUTTERING, APPLICANT, JORGE CHAVEZ, PURCHASING PROPERTY FROM WINNIFRED MCKESEY, TRUST, 13831 STEEKEE ROAD, TAX MAP 057, PARCEL 056.00, C-1, RURAL CENTER DISTRICT, APPROXIMATELY .72 ACRES

Jorge Chavez was present with his interpreter, Javier Cisneros. Mr. Cisneros stated that Mr. Chavez requested a special exception to park his trucks on the property on Steekee Road without an office or any other building or parking spaces or pavement for his business. Mr. Chavez is purchasing the property from the McKesey Trust. Codes Enforcement Director, Jim Jenkins, stated that he had received complaints about the property and it had appeared that a retaining wall was being built. However, it now appears that a fence is being built and not a wall. Mr. Chavez wants to only park his 2 trucks and 1 van that he uses for his business which is "Chavez Gutter Services."

ACTION

Mr. Bright moved to approve the special exception for Mr. Chavez to park his trucks and van for "Chavez Gutter Services" only. The motion was seconded by Jim Brooks and approved unanimously.

OTHER

Ms. Smith stated that a few months ago the BZA had approved a surveyor showing a fall zone for an existing telecommunications tower. Ms. Smith wanted to let the BZA know that since then, an adjacent property owner has called staff stating that the cell tower was not on his

property as it appears to show on the Tennessee Property Viewer and she has no additional information at this time.

ADJOURN

The meeting adjourned at 7:00 p.m.

Chairman

Date