



Loudon County Planning Department

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WORKSHOP
 LOUDON COUNTY
 REGIONAL PLANNING COMMISSION
 FEBRUARY 19, 2019
 4:30 p.m.

The Loudon County Regional Planning Commission held a continuing education/training workshop at 4:30 p.m. on the topic of the powers and procedure of the Board of Zoning Appeals.

MINUTES
 LOUDON COUNTY REGIONAL PLANNING COMMISSION
 February 19, 2019
 5:30 p.m.

Members Present	Members Absent	Others Present
John Napier, Chairman		Nate Moore, Attorney
Carlie McEachern		Ron Hutson
Leon Shields		Laura Smith, Planning
Pat Couk		Jim Jenkins, Codes Enforcement
Pam McNew, Secretary		Eddie Simpson, Road Superintendent
Ryan Bright		Jonathan Lyons
Mark White		Mike Turner
Ed Lee		Michael Ayres
Jim Brooks		Audience Members
Andy Hamilton		
Jimmy Williams		

CALL TO ORDER, PLEDGE OF ALLEGIANCE 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 called. Chairman Napier noted that the agenda had been amended to include "Item i" and that Item C. showed a final plat approval request and it is for preliminary approval, and the minutes to be approved are from the January 15, 2019 meeting, not November and December. Pam McNew then moved to approve the minutes which was seconded by Carlie McEachern and approved unanimously.

REZONING REQUEST FROM C-2. GENERAL COMMERCIAL DISTRICT TO R-1, SUBURBAN RESIDENTIAL DISTRICT, PROPERTY OWNER, THOMAS FELICE, APPLICANT, DAVID HENDERSON. PROPERTY ADDRESS, 1350 OLD MIDWAY RD. LENOIR CITY. TAX MAP 016. PARCEL 332.00. APPROXIMATELY 3.18 ACRES.

Mr. Henderson was present to request property he proposes buying be rezoned from C-2, General Commercial District to R-1, Suburban Residential District, in order to build a home.

Property owner, Thomas Felice, had provided written approval to the applicant for the request. Ms. Smith stated that adjacent properties to the east and south of this property are zoned R-1, Suburban Residential and recommended approval.

ACTION

Ed Lee moved to recommend approval which was seconded by Mr. McEachern and approved unanimously.

REQUEST TO CLOSE RIGHT-OF-WAY, NOTCH-IN-HILL ROAD, TAX MAP 042, TAX MAP 041, AND TAX MAP 033

Loudon County Road Superintendent, Eddie Simpson was present with Nate Moore, from County Attorney, Bob Bowman's office. Mr. Simpson summarized some history of Notch-In-Hill Road. He stated that approximately nine years ago the City of Loudon annexed the territory with the road, but then about five years ago, they deannexed the territory. At that time, Mr. Simpson did not recommend accepting the road back into the County system. It was a dirt road and public. It was brought to the attention of the Loudon County Attorney, Bob Bowman, at the request from property owner, Ron Morton to close the road, and have barriers placed at both ends because of the tires, trash, refrigerators, and other items that are dumped out there. He said that gates and barriers could go up, but only property owners would get through. Mr. Simpson stated that he had sent out notices to all the property owners and he recommended closure of the road. At the City of Loudon Regional Planning Commission meeting, there had been one lease holder who opposed the closure of the road. Mr. Moore stated that one property owner would be landlocked but that property owners would have easements and that all the property owners were in favor of the closing. Mr. Moore discussed the process for road closings. Mr. Simpson also stated that only property owners would have access through gates. He stated that the road has not been maintained by the City in five years and there are rough areas. Ms. Smith stated that the City of Loudon Regional Planning Commission recommended the closing of the road as recommended by Mr. Simpson.

ACTION

Leon Shields moved to recommend approval and there was a question regarding ownership of the right-of-way, but no one was determined as being the property owner. The motion was then seconded by Jim Brooks and approved unanimously.

REQUEST TO CLOSE PORTION OF RIGHT-OF-WAY, BUSTER BLVD. APPROXIMATE 200 LINEAR FEET BY 20' WIDTH, AREA ADJACENT TO PARCELS 20.00, 21.00, 22.00 AND 35.00 ON TAX MAP 21A, GROUP B, PROPERTY OWNER, LONNIE JONES, 6115 MARTEL RD. APPLICANT, PAULA MILLER, R-1, SUBURBAN RESIDENTIAL DISTRICT

Ms. Smith summarized that Mr. Jones had requested resubdivision of 5-lots he owned off Martel Road a few months ago. There is a portion of Buster Blvd. that runs through Mr. Jones property. At that time, approval for resubdividing three of the lots was approved with Mr. Jones to get more information regarding the alley. With the request to close the portion of Buster Blvd. adjacent to Mr. Jones property, the remaining lots could be resubdivided. Ms. Smith recommended the portion be closed stating that it is unimproved, closing it would not land lock anyone, and Mr. Simpson forwarded his recommendation to close it.

ACTION

Mr. McEachern moved to recommend closing the portion of the right of way which was seconded by Mr. Lee and approved unanimously.

SUBDIVISION PLAT, REQUEST FOR EXTENSION OF PRELIMINARY, STAMFORD BRIDGE SUBDIVISION, HWY. 11E., TAX MAP 011, PARCEL 137.00, APPLICANT JONATHAN LYONS FOR PROPERTY OWNER, MIKE TURNER AND DEVELOPER, STEVE BETHEL, R-1, SUBURBAN RESIDENTIAL DISTRICT WITH PUD, PLANNED UNIT DEVELOPMENT, APPROXIMATELY 7.6 ACRES

Surveyor, Jonathan Lyons was present with Stephan Turner of Turner Homes to request extension of the preliminary plat approval of the Stamford Bridge Subdivision. Mr. Turner stated that because of rains, progress has been delayed. He stated that he thought they would be closer to complete by July. Bad dirt had cost about of month of delays but the detention pond had been completed.

ACTION

Mark White moved to approve the extension of the preliminary plat which was seconded by Ryan Bright and approved unanimously.

REZONING REQUEST FROM R-1, SUBURBAN RESIDENTIAL DISTRICT TO A-2, RURAL RESIDENTIAL DISTRICT FOR PROPOSED HORSE RIDING FACILITY, PROPERTY OWNER, JULIANNE HAMILTON, APPLICANT, MICHAEL AYRES, PROPERTY ADDRESS, 101 WILKERSON LANE, TAX MAP 007, PARCEL 114.00, APPROXIMATELY 28 ACRES;

Mr. Ayres was present and stated that he has two daughters who have trained and ridden horses. They want to have a horse farm and riding stables. He stated that it would be similar to what is seen in Kentucky and he would be investing a lot of money. The horses are “warmblood” horses and hunter jumpers.

ACTION

Mr. Brooks moved to approve the recommendation to rezone the property which was seconded by Mr. McEachern and approved unanimously.

SUBDIVISION PLAT, COMBINING 4-LOTS INTO 1-LOT, APPLICANT, BETHANY ROONEY, BDG ARCHITECTS, FOR REGIONS BANK, PROPERTY OWNER, UNION PLANTERS BANK, 6105 MORGANTON RD., GREENBACK, TAX MAP 70L, GROUP D, PARCELS 009.00, 010.00, 011.00 AND 012.00, C-2, HIGHWAY COMMERCIAL DISTRICT, CITY OF GREENBACK, APPROXIMATELY 0.63 ACRES;

Michael Foster, Architect for Regions Bank was present to request subdivision plat approval to combine the lots for an ATM that the bank proposes building. The bank is on two of the four lots. He stated that a lot of banks are now doing stand-alone ATM's. The bank will also be on the BZA agenda.

ACTION

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

COUNTY COMMISSION ACTION ON PLANNING COMMISSION RECOMMENDATIONS

None

CODES DEPARTMENT BUILDING ACTIVITY SUMMARY

The January 2019 Building Activity Summary was attached.

ADDITIONAL PUBLIC COMMENTS

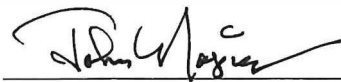
None

UPDATE FROM PLANNING DEPARTMENT

There was a reminder of the upcoming symposium and conference in March.
East Tennessee Development Symposium, March 12-13, 2019, Crown Plaza. Knoxville, TN.
Tennessee American Planning Association (TAPA) Spring Conference, March 21-22, 2019,
Black Forest Lodge by Hilton, Pigeon Forge, TN.

ADJOURN

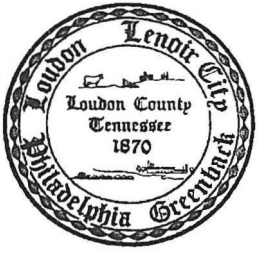
The meeting adjourned at 6:00 p.m.



Chairman

3 - 19 - 2019

Date



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MINUTES
 LOUDON COUNTY BOARD OF ZONING APPEALS
 February 19, 2019

Members Present	Members Absent	Others Present
Carlie McEachern, Chairman		Michael Foster
Jim Brooks		Tom Osborne
John Napier		Jim Jenkins, Codes Enforcement
Leon Shields		Laura Smith, Planning Department
Ryan Bright		Ron Hutson
		Sandy Dalton
		Joe Lane
		Justin Rigney
		Alison Rigney
		Jim Moore
		Bill Bowling
		Pat Reedy
		Pam Marcum
		Kenneth Wallace

CALL TO ORDER, ROLL CALL AND APPROVAL OF MINUTES

Chairman, Carlie McEachern called the meeting to order at 6:05 p.m. and audience members who wanted to speak were sworn in. Roll was called and the minutes of the January 15, 2019 meeting were unanimously approved on a motion by John Napier seconded by Jim Brooks.

VARIANCE REQUEST FOR ADDITIONAL DRIVEWAY APPROXIMATELY 90' FROM INTERSECTION OF MORGANTON ROAD AND WALNUT STREET, APPLICANT, BETHANY ROONEY, BDG ARCHITECTS FOR REGIONS BANK, 6705 MORGANTON ROAD, TAX MAP 70L, GROUP D, PARCEL 009.00, C-2 HIGHWAY COMMERCIAL DISTRICT, CITY OF GREENBACK, (ON PLANNING COMMISSION AGENDA 2/19/19);

Michael Foster, Architect for Regions Bank was present and explained that the bank owned the four lots that they are combining into one so that they could install a new ATM with a new driveway at the corner of Morganton Road and Walnut Street. Mr. Brooks stated that he had heard that the bank was closing, but the FDIC wouldn't let them and questioned why they were installing an ATM. Mr. Foster stated that he was not aware of any closing. The Zoning Ordinance stated that driveway's shall not be closer than 400' from the intersection of two streets. However, the proposed driveway would be approximately 90' from the intersection and that is what they request a variance for. There was discussion of lot size and distances and determined that many lots in the downtown area are approximately 50' wide.

ACTION

Mr. Brooks moved to approve the variance for the distance of the driveway from the intersection which was seconded by Mr. McEachern and approved unanimously.

Mr. Foster said he just learned that the sign for the ATM exceeds the maximum total square feet allowed so would like to request a variance for that as well.

ACTION

Ryan Bright moved to add the request to the agenda which was seconded by Mr. Brooks and approved unanimously. Mr. McEachern then moved to approve the variance for the addition of the sign for the ATM which was seconded by Mr. Brooks and approved unanimously.

ANNUAL REVIEW AND EXPANSION OF MINING ACTIVITIES FROM 44 ACRES TO 50 ACRES AND INCREASE IN BOND AMOUNT FROM \$440,000 TO \$500,000, APPLICANT, JILL DOWNER, VULCAN CONSTRUCTION MATERIALS, 6334 HWY 411 SOUTH, GREENBACK, TAX MAP 80, PARCEL 020.0, A-1, AGRICULTURE-FORESTRY DISTRICT, APPROXIMATELY 178.98 ACRES

Tom Osborne, Operations Manager for Vulcan was present for Jill Downer to request approval to add more acreage and to increase bond amount. Mr. Osborne discussed the increase of approximately 6 acres towards the existing berm. John Napier suggested not requiring the annual meetings as Ms. Downer has to travel from out of state. After a brief discussion, there was no change agreed on.

ACTION

The annual review and update and bond increase was then approved on a motion by Mr. Brooks seconded by Mr. McEachern.

VARIANCE REQUEST FOR 0' SIDE YARD SETBACK AND 0' REAR YARD SETBACK FOR RETAINING WALLS AND ROOF TO ENCLOSE FOR STORAGE, APPLICANT AND PROPERTY OWNER, DARRELL SUMMEY, 479 ENGEL RD., TAX MAP 033L, GROUP A, PARCEL 003.00, R-1, SUBURBAN RESIDENTIAL DISTRICT, APPROXIMATELY 1.0 ACRE

The item was postponed per applicant.

SPECIAL EXCEPTION FOR ACCESSORY STRUCTURE WITH NO PRINCIPAL STRUCTURE. APPLICANT AND OWNERS, SANDY AND JOHN DALTON, 3060 WHITE WING RD. LENOIR CITY, TAX MAP 009, PARCEL 060.00, R-1, SUBURBAN RESIDENTIAL DISTRICT, APPROXIMATELY 15.22 ACRES

Sandy Dalton, who was with her father, stated that they bought the land and wanted to store tractors and other items such as tools and some farm equipment. Codes Enforcement Director, Jim Jenkins stated that he had received complaints and they were told at the time that the building must be used to store farm equipment and accessories, but when he went to the site, he observed that it was used as a garage and office. He noticed items such as a camper, ATV's, and skid steer and that the building was built with no permits. Ms. Dalton stated that the structure had been there approximately 5 years and when they bought the land there was a barn, but they couldn't fix the barn up so purchased the building. She stated that they have farm equipment but

no livestock and they do have electricity hooked up to the building.

ACTION

Mr. McEachern moved to approve the special exception which was seconded by Jim Brooks. The approval was unanimous with John Napier noting however that he didn't like it because of the contents of the building.

VARIANCE REQUEST FOR 2ND DWELLING, (PROPOSE ADDING POOL HOUSE) WHEN LOTS COMBINED, APPLICANT AND PROPERTY OWNER, JOE LANE, 6615 RIVERVIEW GOLF DRIVE, TAX MAP 32L GROUP A PARCEL 039.00, R-1, SUBURBAN RESIDENTIAL DISTRICT, APPROXIMATELY 0.79 ACRES

Joe Lane was present and stated that the proposal is for a pool house and he wants to include a bathroom. Mr. McEachern stated that it would have to be one parcel and it could not be used as a residence. Mr. Lane stated that it would help his family and would keep them from going back and forth to the house. He stated that no residential work would be done on the property.

ACTION

Leon Shields moved to approve the variance which was seconded by Jim Brooks and unanimously approve

SPECIAL EXCEPTION FOR DOG TRAINING FACILITY ON PROPERTY WITH EXISTING DWELLING TO HOUSE AND TRAIN UP TO 10 DOGS. APPLICANT AND PROPERTY OWNER, ALISON RIGNEY, 3504 WATKINS RD. TAX MAP 057 PARCEL 327.06, A-2, RURAL RESIDENTIAL DISTRICT, APPROXIMATELY 5.57 ACRES

Justin and Alison Rigney stated that they want to operate a dog training facility which would be enclosed with no outside activities. The clients are pets and service dogs and no breeding of dogs would occur. Mr. McEachern stated that one neighbor was opposed to the facility and presented a letter explaining why he was opposed. Mr. Rigney stated that no police dogs would be trained and it was only pets and service dogs. There was a brief discussion regarding deed restrictions, however, Mr. McEachern stated this commission will not rule on what is clearly a civil issue.

ACTION

Jim Brooks moved to deny the request which was seconded by Ryan Bright and approved on a roll call vote with Mr. Shields abstaining, Mr. Napier voting no, Mr. McEachern, Mr. Brooks and Mr. Bright voting yes.

SPECIAL EXCEPTION, "DEAD MAN'S FARM HAUNTED HOUSE" IN OCTOBER OF EACH YEAR. APPLICANT, SARAH LINGINFELTER, PROPERTY OWNERS, TONI AND WALTER JINKENS, PROSPECT CHURCH RD., TAX MAP 039 PARCEL 078.00, A-1, AGRICULTURE FORESTRY DISTRICT, APPROXIMATELY 28.5 ACRES

This item was postponed by the applicant

SPECIAL EXCEPTION REQUEST TO CHANGE GRACE BAPTIST TABERNACLE SIGN TO A DIGITAL SIGN. APPLICANT JEFF WALDROP, PROPERTY OWNER GRACE BAPTIST TABERNACLE, PROPERTY ADDRESS, 9195 FORD RD., LENOIR CITY, ZONING DISTRICT R-1, APPROXIMATELY 4.26 ACRES.

Pastor, Jim Moore stated they want to take the existing sign face out and replace it with a digital sign. It would replace the existing sign area.

ACTION

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

SPECIAL EXCEPTION CONTINUE USE OF MOBILE HOME FROM PREVIOUS MEDICAL HARDSHIP TO CARE FOR RELATIVE, APPLICANT BILL BOWLING, PROPERTY OWNERS, DELLA BOWLING DAVIS AND MARY SHELTON, 5737 BRANCH ROAD, TAX MAP 050, PARCEL 241.00, A-2, RURAL RESIDENTIAL DISTRICT, APPROXIMATELY 6.46 ACRES

Mr. Jenkins summarized the history of the existing special exception. The person who had received a special exception passed away about a year ago. The agreement was to move the mobile home once the person having the medical hardship passed away and this has not been done. It has been over one year. Neighbors, Pat Reedy and Kenneth Wallace were there to oppose granting another medical hardship, both had issues with too much traffic using a shared driveway. Mr. Bowman's son had spoken with Mr. Jenkins and stated that they were not aware that they had to have a special exception and that a nephew had moved into the mobile home two months ago to help take care of Bill Bowman. Jim Jenkins sent a letter of neighbor complaints regarding the mobile home and shared driveway. The initial medical hardship was issued 10 years ago. Neighbor, Pam Marcum was opposed to the special exception because she had been assured that only one principal dwelling was permitted on a lot.

ACTION


Carlie McEachern moved to deny the special exception which was seconded by Ryan Bright and approved unanimously.

ADDITIONAL PUBLIC COMMENTS

None

ADJOURN

The meeting adjourned at 7:05 p.m.


Chairman

Date