

MINUTES

LOUDON COUNTY REGIONAL PLANNING COMMISSION

JULY 15, 2008

The July meeting of the Loudon County Regional Planning Commission was called to order at 5:30 PM. Present were Mr. Harrison, Mr. McEachern, Ms. Terry, Ms. McNew, Mr. Brown, Mr. Brooks, Mr. Luttrell, Mr. Hale and Mr. Napier. Absent were Ms. Ross and Ms. Cardwell.

Motion to approve the minutes of the June 17, 2008 meeting was made by Mr. Luttrell, seconded by Ms. McNew, and approved 9-0.

Agenda Item A: Request consideration of approval of plat for Tellico Village Community Church that will relocate Tellico Village reserve strip to the outer boundary of property acquired by Tellico Village Community Church, referenced by Tax Map 58, Parcel 71.01, Zoned A-2, Rural Residential District, 7th Legislative District. Owner: Tellico Village Community Church [07-09-199-SU-CO]

Mr. Newman described the property and location for the Board. He noted there are several different owners of portions of the adjoining 70 acre farm, the most recent of which involved an approximately 5 acre tract for the proposed library and a proposed storage facility. Over a year ago the Board reviewed an assisted living center project for a portion of this property. The church has acquired approximately 15 acres behind their current facility. This is not something that would normally come before the Board, but the 15 acres were not part of the original Tellico Village lands. The Tellico Village 10' reserve strip that surrounds the area will need to be relocated to the outer boundary of this property to allow access is the only reason this is on the agenda. Mr. Newman recommended approval.

Mr. McEachern made the motion to approve, Mr. Brown seconded, and motion was approved 9-0.

Agenda Item B: Request consideration of final plat approval of 3 lot subdivision of property and approval of 47' lot frontage variance (from 75' to 28') for Lot 3 located on Glendale Community Road, referenced by Tax Map 43, Parcels 73.00, 74.00, 75.00, and 76.00, Zoned A-2, Rural Residential District, 3rd Legislative District. Owner: Kenneth Sterling [06-06-166-SU-CO]

Mr. Newman told the Board the owner had contacted him to postpone this item until August.

Agenda Item C: Request consideration of final plat approval of 5 lot subdivision of 12.12 acres of property with 356' Joint Permanent Easement on property located on Lakeland Drive, referenced by Tax Map 22, Parcel 61.00, Zoned A-2, Rural Residential District, 6th Legislative District. Owner: Ed Loy & D J Wheeler [08-05-147-SU-CO]

Mr. Newman told the Board this is a revision of the four lot subdivision plat they had reviewed and denied in June. In June the plat had shown a JPE that exceeded the maximum length that is allowed in the regulations. He has discussed with the developers that the JPE provision is not intended to be used as on

the drawing submitted at this time, creating a public road to a certain point then creating a JPE. A JPE should be used to be able to utilize a smaller piece of property, not for a major subdivision development. He recommended building the entire length of road as a public road built to county standards. It is possible another lot could be added if a public road is created. He recommended approval if a public road is built, which would remove the two hammerhead designs and create a cul-de-sac.

Mr. Ed Loy presented an alternate proposal with 6 lots, and creating new public road. He said they had originally wanted to use 10 acres to do three lots, and now they are being forced to end up with 6 lots, doubling the planned density.

After looking at the proposed plan handed out by Mr. Loy, Mr. Brooks made the motion to approve, Mr. McEachern seconded, and motion was approved 9-0.

Agenda Item D: Agenda Request consideration of approval of closure of approximately 2100' of Holston Drive, parallel with Highway 321, adjacent to Parcel 16 and part of Parcel 17.00 of Tax Map 27. Applicant: Chester Franklin [08-06-164-TR-CO]

Mr. Franklin was present.

Mr. Newman described the property and location for the Board, noting Mr. Franklin had an agreement with the property owner at 405 N. Holston Drive to provide frontage to that property along Hwy 321. Mr. Franklin owns the remaining property that touches Holston Drive. The only issue with the request is the road Superintendent had noted that approximately 600' of N. Holston Drive had been paved within the last year, and had requested Mr. Franklin reimburse the county for the cost of that paving. Mr. Franklin has agreed to do so.

Mr. Brooks made the motion to approve, Mr. McEachern seconded, and motion was approved 9-0.

Agenda Item E: Discuss zoning ordinance requirement for location of accessory structures.

Mr. Newman told the Board that the wording of the Zoning Ordinance does not specify where an accessory structure should be located; it just specifies rear and side yard setbacks. He said he has always interpreted that accessory structures should be located in a rear yard, but yet there are typically detached carports located to the side of a structure. The main issue is a lot in a subdivision that is zoned R-1, if someone places a large accessory structure in the front yard it could be very unattractive, but a property owner cannot be told they can't do that without some change to the regulation where it pertains to subdivisions.

Building Commissioner Bill Cox told the Board that his interpretation of the Resolution does not limit accessory structures to a rear yard. The different setbacks for the rear yard give the property owner some leeway for an accessory structure. The change that is before County Commission for approval also includes the side yard setback requirement. Pools are an accessory structure, and no pool can protrude into any required front yard. The Zoning Resolution gives the Building Commissioner the authority to administer and enforce the ordinance and if something is not required he cannot enforce it. He interprets the ordinance as an accessory structure may be placed anywhere on the property as long as it does not violate setbacks. Carports are common on the side, and can be one could be in the front as long as it does not violate setbacks.

Mr. Newman noted that there could be multiple interpretations as written and suggested modifying the wording, particularly in regards to subdivisions where accessory structures could have a fairly significant negative effect.

Mr. Harrison suggested Mr. Newman and Mr. Cox work together to rewrite the items that concern them.

Mr. Cox suggested hiring a consultant to re-write and bring the Zoning Resolution up to date.

Building Commissioner's Report

49 permits issued for the month of June with an estimated value of \$4,765,186.00 and fees of \$18,485.00
Estimated AFT amount \$48,800.00 for the county and \$55,484.00 for cities and county combined.

With no additional comments from the Board or the audience, the meeting was adjourned.

Signed

Dated