

Think Quality - Think Future

Blount County Planning Department

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MEMORANDUM

TO: Members of the Blount County Planning Commission

FROM: Planning Department (Tel. 273-5750)

DATE: September 1st - 19th, 2007

SUBJECT: Staff reports on agenda items for the *Thursday September 27th, 2007* regular meeting. 5:30 Hearings and Site Plans

Hearings:

- A. Concept Plans: None
- B. Preliminary Plats – Major Subdivisions:
 - 1. **Fairway Vista Subdivision preliminary plat by Susan King with extension of Hunter Run Road off of Laurel Road in Laurel Valley development.**

Background: Fairway Vista was considered as part of the overall development of Laurel Valley, and was determined to be “grandfathered” under zoning (source - memo from Bill Crisp to Roger Fields dated January 12, 2001). A preliminary plat was last approved for the subdivision in May 2001. The preliminary plat was extended for a year in April 2002.

As further background, the following is excerpt of staff memo of June 29, 2006 to Susan King (present developer) noting requirements and deficiencies at the time:

A final plat was submitted for consideration at the March 2003 Planning Commission meeting, and was deferred. The plat was again considered at the April 2003 Planning Commission meeting, at which time developer Harold King requested that the plat be

withdrawn from the agenda. The Planning Commission voted in April 2003 to deny the plat to remove it from the agenda without prejudice.

The preliminary plat approval has lapsed long ago. To further consider the plat, a new preliminary plat meeting all present requirements will need to be submitted, including the following:

- Lot and road layout in plat form
- Topographic map
- Road plan and profiles
- Drainage plan including calculations and design of any required detention
- Erosion control plan
- Engineering plan for alternative sewer system (if still planned)

The above items will need to be supplied by a surveyor and an engineer.

The plans may also require state permits prior to construction. Ultimately, the plans for the alternative sewer will need approval by the state (record is not clear on currency of previous approval), and a Public Utility will need to certify construction and take over management of the system.

Given that Fairway Vista subdivision will be connected to the greater Laurel Valley road network, suitable arrangements will need to be confirmed for participation in any required property owners association (POA) dues. If the internal subdivision road or any other common elements are to be maintained separate from the Laurel Valley POA, then a separate POA will need to be established.

I note that some of the improvements may already be in place for the subdivision, based on past activity in relation to the previous preliminary plat. I note also that most of the improvements were not inspected as they were being built, and this may require separate engineering testing/inspection and certification prior to final plat consideration.

A new preliminary plat has been submitted for consideration. See attached plat. A drainage plan and a road plan were also submitted.

Analysis: Staff notes that the proposed subdivision is in the R-1-Rural District 1 zone requiring minimum 30,000 square foot lots. Staff also

noted previous determination that the proposed subdivision is considered as part of an overall development that predated zoning in the County. Given that the Planning Commission approved a preliminary plat of similar design for the property in the past, the issue of “grandfathering” of the overall design would seem to be settled if on sewer. If not on sewer, the lot design is deficient in relation to requirements in the Subdivision Regulations.

The plat did not have a design for the sewer system, and this should be supplied as part of preliminary plat consideration. Also needed is determination of the public utility that is to own and manage the sewer system.

A drainage plan was submitted, and evaluation will be reported at the meeting. An erosion control plan was not submitted and should be considered as part of preliminary plat consideration.

The road plan shows that the previously constructed cul-de-sac is to be modified to meet subdivision regulation standards. The road plan does not specify how this is to be accomplished. The details of cut and fill were not presented with the road plan, and should be considered as part of preliminary plat. The Planning Commission may also consider the existing improvements in their present state since it is a stable situation and any extension of the turn-around would require substantial cut on one side (hill side) and fill on the other (down-slope to golf course). This would be a variance situation that should only be considered upon formal request specifying hardship.

Road improvements are evident in the site. However, the design installation of the road cannot be confirmed. Road borings should be undertaken and results supplied with the preliminary plat to determine conformity with requirements.

A grading permit from the County will be required for any new construction on the site. State permits for grading and other plans may also be indicated.

The subdivision can be serviced by water and electric. All utilities shall be underground.

Any construction prior to a pre-construction meeting is at the risk of the developer. A pre-construction meeting shall be held prior to any on-site construction.

Recommendation: Staff notes deficiencies in the plat, including lack of sewer plan, lack of erosion control plan, need for detail on improvement to cul-de-sac, and lack of determination of past road construction in relation to standards. Given deficiencies, deferral would be indicated to allow the applicant to supply the necessary information.

2. Lovingood Estates off Middle settlements Road: 3 tracts to be served off a 50' common driveway easement.

Background:

The preliminary plat for the Lovingood Estates is a proposed 3 lot subdivision containing 15.5 acres with a 50' common driveway easement off of Middle settlements Road. All three lots indicated are to be served off the common driveway easement shown. Just prior to completion of this memo, staff discovered that the property is probably in the City of Louisville. If this is confirmed, the Blount County Planning Commission will have no authority to consider the plat.

Analysis:

Design of plat, plat description: The parcel is in the R-1 zone. Since this three-lot plat contains a proposed common driveway it is considered a major plat for the purposes of having a preliminary plat, preconstruction meeting, construction of improvements and final plat process. The common driveway proposal is satisfactory with the information supplied. The parcel is rolling pasture and woodland and is currently vacant of any other use.

This proposed common driveway division can be accommodated off of Middle settlements Road provided the special instructions in this staff analysis are completed prior to final plat for any of the lots. All of the physical common driveway construction and installation of utilities shall be the responsibility of the owner.

According to the plat all these lots are to be served by public water and individual septic systems. This plat does not require electric to be installed underground. None of the parcel is located in a floodplain.

Septic, Sanitary Sewer: A preliminary soil map was supplied along with the preliminary plat as required. The Environmental Health Department has reviewed the preliminary soil map and has indicated the preliminary plat is satisfactory.

Existing County Roads: The road list for the county shows Middlesettlements Road as being 18 – 23 feet wide. The Highway Department has stated that adequate ditches and shoulders are present along Middlesettlements for this division. The location of the proposed common driveway appears satisfactory with no sight distance issues. The owner shall contact the highway department prior to any common driveway improvements being made on site.

Utilities: Public water and electric are proposed to serve all lots for the proposed Re-subdivision of the Lovingood Estates. All water and electric improvements shall be fully installed to each lot prior to final plat or a surety posted to the appropriate utility prior to final plat. All water lines shall be installed to each lot prior to releasing the final plat. All of the lots shown shall be served by electric.

Construction of Improvements: None of the improvements have been completed as of this time. Prior to construction of the common driveway the owner shall meet with planning staff for a pre-construction meeting. The common driveway must be fully installed with a T-turn around to be constructed within the easement shown. The common drive shall be built on a compacted earth surface void of substandard soil condition in the sub-grade. Prior to stone application the owner shall contact the subdivision inspector for inspection of the subgrade, tiles, and ditches. The graded surface shall be a prepared crowned surface a minimum of 16 feet wide between ditches on both sides of the driveway. The gravel surface application shall be spread a minimum of 4 inches thick of rolled pug-mix the entire length of the common driveway and on the turn-around and be a minimum of 10 feet wide (five feet on either side of crown in sub-grade). The three foot shoulders on both sides of the 10 foot wide gravel surface shall also be compacted and seeded and covered in straw as soon as the stone surface is applied. Any tiles for the common driveway have been sized by the project engineer hired by the owner. The gravel surface entrance shall contain 50' turning radiuses.

In addition, the owner has the option to pave the entrance of the common driveway as described in Section 6.02.5 (a)(1) of the subdivision regulations in order to improve turning movements in and out of the site, reduce wheel spin, keep gravel from migrating onto the county road, and to minimize damage to the existing paved edge of the county road. The paved surface shall contain 50' turning radiuses and be built to county road standards and the paving shall extend from the edge of the existing pavement along Middlesettlements Road to the edge of the right-of-way at a minimum.

Drainage and Erosion Controls: Drainage information and calculations were not required for this three-lot plat.

Any construction activity, earth moving, or grading that occurs prior to a pre-construction meeting with staff is solely at the risk of the developer. All state and county erosion control permits shall be supplied to staff prior to the pre-construction meeting.

An erosion control plan and SWPPP permit shall be supplied if required by the State of Tennessee prior to any on-site construction; it is the owner's responsibility to determine if a SWPPP is required. A copy of the permit and plan shall be submitted to planning staff prior to or at the time of the preconstruction meeting. The owner shall apply for a grading permit from the Blount County Storm Water Coordinator.

Developer Notice: Any construction prior to a pre-construction meeting with staff or required permits is at the risk of the owner. The owner shall contact the Planning Office at 273-5750 to schedule a pre-construction meeting.

- The owner shall apply for a county grading permit from the Blount County Storm Water Coordinator at 681-9301 and supply a copy of the permit at the time of the pre-construction meeting. All erosion controls must be fully installed and inspected by the Storm Water Coordinator prior to any on-site construction activities.
- The owner must confirm in writing to staff that a Storm Water Pollution Prevention Plan permit (SWPPP) from TDEC is or is not required for this project and supply a copy prior to the pre-construction meeting.
- Prior to any on-site construction the developer shall contact the Utility Inspector of the Blount Highway Department at 982-4652 regarding any utility construction to be done within the county right-of-way along Middlesettlements Road.
- It is the responsibility of the developer and contractors to contact Tennessee One-Call to verify the location of all utilities at least 72 hours prior to any construction at 1-800-351-1111.

Property Owner's Association: The owner shall supply a Maintenance Agreement or Property Owner's Association inclusive of maintenance responsibilities for the common driveway for staff review prior to final plat. Any future use of the common driveway easement, or temporary situation for potential future road construction should be included in the private covenants.

Administrative Considerations: The proposed Lovingood Estates was reviewed inclusive of subdivision regulations for small lots served by a common driveway easement with public water, underground electric and individual septic systems. As required, the preliminary plat was supplied with topographic information, preliminary soil information and a drainage plan. The comments from the engineering department, storm water coordinator and environmental health department are included in this staff analysis.

Outstanding items to be completed:

1. All instructions in this staff analysis, including pre-construction meeting, permits and construction of all improvements.
2. Copy of POA/Maintenance Agreement documentation to be supplied to staff for review prior to final plat submission.

In accordance with past actions of the Planning Commission in similar situations, the Planning Commission has options to 1) deny preliminary plat due to identified deficiencies, 2) defer preliminary plat approval until deficiencies are addressed, or 3) grant preliminary plat approval subject to meeting all requirements, applying identified conditions, and addressing deficiencies.

- C. Final Plats – Major Subdivisions: None
- D. Preliminary and Final Plats - Major Subdivisions: None
- E. Preliminary and Final Plats - Minor Subdivisions:
 1. **Amburn Builders LLC Property off Peach Orchard Road by Amburn Builders LLC: 2 proposed lots with county road frontage and a remainder greater than 5 acres.**

Background:

The Amburn Builders Property is a two lot preliminary and final plat, the proposed subdivision contains a total of 1.7 acres along Peach Orchard Road. Lots 1 and 2 have direct road frontage along the county road. Lot 2 is to be served by a 25' easement for driveway access.

Lot 1 shall have a driveway restriction noted on the plat for sight distance safety and lot 2 shall utilize the 25' driveway easement for safety purposes

but is not to be counted as a lot served by the common driveway easement since this lot has road frontage.

Analysis:

Design of plat, plat description: The parcel is in the R-1 zone. The proposed subdivision is satisfactory with the information supplied and subject to this staff analysis. The parcel is rolling terrain that slopes away from the county road is currently vacant land. The bulk of the drainage is directed towards the center of the property.

According to the preliminary plat these lots are to be served by public water, electric and individual septic systems. According the surveyor, none of the parcel is located in a floodplain.

Septic, Sanitary Sewer: A preliminary soil map was supplied along with the preliminary plat as required. The soil scientist has identified marginal soil characteristics. The environmental health department has given a favorable preliminary and final recommendation. The environmental health department is prepared to sign the final plats with no lot restrictions.

Existing County Roads: The road list for the county shows Peach Orchard Road with an average 17' - 18' paved surface with adequate shoulders and ditches and is acceptable for this preliminary and final plat request.

Utilities: Public water and electric are proposed to serve all lots for the Amburn Builders subdivision. Both the water and electric are prepared to sign the final plat stating that utility service to each lot is currently available.

Drainage and Erosion Controls: The engineering department has reviewed the preliminary and final plat and has not required any additional drainage information be supplied by the owner due to the topography of the site, size of the lots and the existing natural drainage.

Construction of Improvements: As of this time the driveway serving lot 2 has been constructed previously and appears satisfactory. No on site construction is required prior to final. No storm water or erosion control measures are required.

- It is the responsibility of the lot owners and contractors to contact Tennessee One-Call to verify the location of all utilities at least 72 hours prior to any construction at 1-800-351-1111.

Staff has evaluated the lots for driveway locations and sight distance and has placed a driveway restriction on lot 1 for safety purposes. The

surveyor shall add driveway access lot restrictions to the final signature plats. Lot 2 shall be restricted to using the 25' easement only for road access as well and noted as such on the final plat.

Administrative Considerations: The proposed Amburn Builders subdivision preliminary and final plat was reviewed inclusive of subdivision regulations for small lots along the existing county road with public water, existing electric and individual septic systems. The comments from the engineering department and environmental health department are included in this staff analysis.

A note shall be added to the plat indicating the four lot maximum off the common driveway easement.

Outstanding items to be completed:

1. All certifications on the final plats.
2. \$20.00 per lot platting fee and the surveyor shall add the notes for lots 1 and 2 driveway restrictions to the final plat.

In accordance with past actions of the Planning Commission in similar situations, the Planning Commission has options to 1) deny preliminary and final plat due to identified deficiencies, 2) defer preliminary and final plat approval until deficiencies are addressed, or 3) grant preliminary and final plat approval subject to meeting all requirements, applying identified conditions, and addressing deficiencies.

2. Re-plat Lot 1 of the Rex Adams Property off Adams Road by Arvil Adams and Rex Adams: 2 lots and a remainder greater than 5 acres.

Background: The preliminary and final plat for the Re-plat Lot 1 of the Rex Adams Property is a proposed 2 lot subdivision containing 6 acres located off Adams Road with a remainder greater than 5 acres.

Analysis:

Design of plat, plat description: The parcel is in the R-1 zone and the proposed density is appropriate. The Re-plat of the Rex Adams property shows two proposed lot to be served by a 50' right of way easement (common driveway easement). The 50' flag stem is to remain part of the remainder which is greater than 5 acres. The parcel contains two structures and drains away from the county road.

The Rex Adams re-plat indicates a 50' right-of-way easement to serve lots 1R and the 5 acre tract. The five acre tract shall be numbered lot 2 and the 50' right-of-way shall be labeled as a common driveway easement on the future final plat. All of the lots are to be served by public water, electric, and individual septic systems.

County Roads: According to the county road list Adams Road is 10-12' wide. The driveway entrance is in place and requires no additional improvements along the county road.

Septic, Sanitary Sewer: The Environmental Health Department has reviewed the preliminary and final soils as of this time and is prepared to sign the final plats.

Construction of Improvements: The common driveway has been constructed and appears satisfactory to meet the intent of the common driveway standards per the subdivision regulation requirements. The drive is well established, appears to drain well and has well established vegetation along both sides.

Drainage and Erosion Controls: A drainage plan was not required for this re-plat. In addition all of the structures indicated on the plat and the driveway are all in place and no soil disturbance has occurred in preparation for this division. Neither a Storm Water Pollution Prevention Plan (SWPPP) permit nor a county grading permit was required in the preparation of this preliminary and final plat.

Utilities: Public water and electric are preparing to sign the final plats.

Property Owner's Association: A Maintenance Agreement or POA shall be recorded with the final plat inclusive of maintenance responsibilities for the common driveway for the lots shown.

Administrative Considerations: This proposed subdivision has been reviewed inclusive of the subdivision regulations for small lots and common driveway standards with public utilities and individual septic systems. The comments from the engineering department are included in this staff analysis. The proposed plat was reviewed for subdivision under the regulations for the Blount County Planning Region, any private covenants or restrictions are the responsibility of the owner(s).

A note shall be added to the plat indicating the four lot maximum off the common driveway easement.

Outstanding items to be completed:

1. Final maintenance agreement documentation to be recorded with final plat.
2. Signature Plats and a \$20.00 per lot platting fee.
3. Add note on plat indicating the four lot maximum off the common driveway easement.

In accordance with past actions of the Planning Commission in similar situations, the Planning Commission has options to 1) deny preliminary and final plat due to identified deficiencies, 2) defer preliminary and final plat approval until deficiencies are addressed, or 3) grant preliminary and final plat approval subject to meeting all requirements, applying identified conditions, and addressing deficiencies.

3. Webb/Leitch Property off Cunningham Road West by Judy Webb and Gail Leitch: 3 lots; 2 with county road frontage and 1 lot served by a 25' driveway easement.

Background: The preliminary and final plat for the Webb/Leitch Property is a proposed 3 lot subdivision containing 8.5 acres located along Cunningham Road West. Lot 1 and 3 have road frontage and lot 2 is to be served by a 25' easement. Lot 3 is over five acres but is to be evaluated the same as the smaller lots since this tract has been platted.

Analysis: The parcel is in the R-1 zone and the proposed density is appropriate. The parcel is relatively flat terrain and slopes mainly away from the county road. According to the plat these lots are to be served by public water, electric and individual septic systems. None of the parcel is located in a floodplain according to the surveyor.

The road list for the county shows Cunningham Road West as being 16 feet average in pavement width. Minor Subdivisions of four lots or less are acceptable as per the Subdivision Regulations with respect to road criteria.

The environmental health department has reviewed the preliminary and final soil information as supplied and has signed the final plat.

Construction of Improvements: No road or utility construction was required for this subdivision. The subdivision regulations do not require a driveway easement be improved for one lot, however the existing driveway is adequate and located in this location.

Drainage and Erosion Controls: A drainage plan was not required for this re-plat. In addition all of the structures indicated on the plat and the driveway are all in place and no soil disturbance has occurred in preparation for this division. Neither a Storm Water Pollution Prevention Plan (SWPPP) permit nor a county grading permit was required in the preparation of this preliminary and final plat.

Utilities: Public water and electric are preparing to sign the final plats.

Administrative Considerations: The proposed Webb/Leitch Property was reviewed inclusive of subdivision regulations for small lots along an existing county road with public water, electric and individual septic systems. Road frontage is adequate as is sight distance. The preliminary and final plat had been supplied with all required information for subdivision. The comments from the highway department and storm water coordinator are included in this staff analysis. No additional information was required. Any private covenants or restrictions are the responsibility of the owner(s). A note shall be added to the plat indicating the four lot maximum off the common driveway easement

Outstanding items to be completed:

1. Signature plats and a \$20.00 per lot platting fee.

In accordance with past actions of the Planning Commission in similar situations, the Planning Commission has options to 1) deny preliminary and final plat due to identified deficiencies, 2) defer preliminary and final plat approval until deficiencies are addressed, or 3) grant preliminary and final plat approval subject to meeting all requirements, applying identified conditions, and addressing deficiencies.

4. Williford Property off Glover Road by Hulda Williford: 3 lots; 2 with county road frontage and 1 lot served by a 25' driveway easement.

Background: The preliminary and final plat for the Williford Property is a proposed 3 lot subdivision containing 10.9 acres located along Glover Road. Lot 1 and 2 have road frontage and lot 3 is to be served by a 25' easement. Lot 2 is over five acres but is to be evaluated the same as the smaller lots since this tract has been platted.

Analysis: The parcel is in the R-1 zone and the proposed density is appropriate. The parcel is relatively flat terrain and slopes mainly away from the county road. According to the plat these lots are to be served by public water, electric and individual septic systems. None of the parcel is located in a floodplain according to the surveyor. The proposed

subdivision has been reviewed inclusive of subdivision regulations for small lots along a county road with water, electric and individual septic systems.

The road list for the county shows Glover Road as being 16 feet average in pavement width. Minor Subdivisions of four lots or less are acceptable as per the Subdivision Regulations with respect to road criteria.

The environmental health department has reviewed the preliminary and final soil information as supplied and is preparing to sign the final plat.

Construction of Improvements: No road or utility construction was required for this subdivision. The subdivision regulations do not require a driveway easement be improved for one lot.

Drainage and Erosion Controls: A drainage plan was not required for this plat. In addition no soil disturbance has occurred in preparation for this division. Neither a Storm Water Pollution Prevention Plan (SWPPP) permit nor a county grading permit was required in the preparation of this preliminary and final plat.

Utilities: Public water and electric are preparing to sign the final plats.

Administrative Considerations: The proposed Williford Property was reviewed inclusive of subdivision regulations for small lots along an existing county road with public water, electric and individual septic systems. Road frontage is adequate as is sight distance. The preliminary and final plat had been supplied with all required information for subdivision. The comments from the highway department and storm water coordinator are included in this staff analysis. No additional information was required. Any private covenants or restrictions are the responsibility of the owner(s).

A note shall be added to the plat indicating the four lot maximum off the common driveway easement

Outstanding items to be completed:

1. Signature plats and a \$20.00 per lot platting fee.

In accordance with past actions of the Planning Commission in similar situations, the Planning Commission has options to 1) deny preliminary and final plat due to identified deficiencies, 2) defer preliminary and final plat approval until deficiencies are addressed, or 3) grant preliminary and final plat approval subject to meeting all requirements, applying identified conditions, and addressing deficiencies.

II. Misc. Items:

1. Re-plat of Lots 21, 22 and 23 of the Sandystands Top of the World off Sandystand Road by Ronald and Wilburn Campbell.

This plat comes as a re-plat of three lots into two. See plat attached. The lots lay along an existing, platted gravel road. The actual road bed meanders outside the platted right-of-way and into the existing and proposed lots.

The plat comes for determination of variance to allow the re-plat of existing middle lot 22, with portions being combined to adjacent Lots 21R and 23R. The lots nominally meet the minimum 30,000 square foot lot size in the zone, but do not meet minimum lot size (35,000 square feet) for lack of public water, and do not meet road improvement standards for less than five acre tracts on gravel roads.

In the past, the Planning Commission has allowed redivision and combination of lots if the result would be a net improvement in the platted situation. In this instance, both lots 21 and 23 would be improved in size with division of intervening lot 22 between them.

Of possible concern is that existing lots 22 and 23 are under one ownership and the reduction of lot 22 may lead to practical reduction of septic capability for the existing cabin. Staff suggests that any approval of the re-plat be contingent on lot 23R meeting the minimum three bedroom standard for septic by memo from the Environmental Department.

The re-plat implies transfer of property between owner of Lot 22 and owner of Lot 21. The plat does not accomplish transfer of property, and a deed of transfer would need to be executed if the plat is approved.

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