

# 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: December 1<sup>st</sup> -15th, 2008

SUBJECT: Staff reports on agenda items for the Tuesday December 23rd, 2008 regular meeting. 5:30 Hearings

#### Hearings:

- A. Concept Plans: None
- B. Preliminary Plats – Major Subdivisions: None
- C. Final Plats – Major Subdivisions: None
- D. Preliminary and Final Plats - Major Subdivisions: None
- E. Preliminary and Final Plats - Minor Subdivisions:
  - 1. **Archer and Keyees Property by Jerry and Linda Archer off Cedar Church Lane: 3 lots with county road frontage.**

This is a three lot preliminary and final plat. The proposed Archer and Keyees property contains a total of 3.7 acres along Cedar Church Lane. All three of the lots have direct road frontage along the county road. Site distance at this location is satisfactory.

*Note: Clearing and grading of bank would be beneficial but not required.*

Analysis:

Design of plat, plat description: The proposed preliminary and final plat is satisfactory with the information supplied and subject to this staff analysis. The parcel is rolling terrain and has two homes on the property (lots 1 and 3). The parcel is in the R-1 zone and the density and lot sizes are appropriate.

Septic, Sanitary Sewer: The environmental health department has reviewed the soil information and is preparing to sign the final plats.

Existing County Roads: The county road list for the county shows Cedar Church Lane with an average 16' to 18' paved surface with adequate shoulders and ditches and is acceptable for this three lot plat.

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

Construction of Improvements: No construction is required for this three lot subdivision.

- 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 driveway or home construction at 1-800-351-1111. The lot owners shall contact the storm water coordinator and building inspector for the necessary permits for any future construction of homes or other structures at 681-9301.

Administrative Considerations: The proposed 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.

Outstanding items to be completed:

1. All certifications on the final plats.
2. \$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.

**2. Re-plat of the Buchanan and Hearon Property by Hubert Hearon off Martin Road: 3 lots, 2 lots with road frontage and 1 served exclusively off of a 25 foot common driveway easement.**

This is a previously platted 3-lot subdivision. Lots 1 and 3 are both being made larger from portions of lot 2.

Background: The preliminary and final plat for the Buchanan and Hearon Property is a proposed 3 lot subdivision containing 9.4 acres total with a 25' driveway easement off of Martin Road. Lots 1 and 2 will have access only off the proposed common driveway.

Analysis:

Design of plat, plat description: The proposed re-plat is satisfactory with the information supplied and subject to this staff analysis. The parcel is relatively flat and has two homes on the property (lots 1 and 3). The parcel is in the R-1 zone and the density and lot sizes are appropriate. The tract is open pasture and contains a few accessory structures. Site distance at this location of the existing common driveway easement is satisfactory.

Septic, Sanitary Sewer: The environmental health department has reviewed the soil information and has signed the final plats.

Existing County Roads: The road list for the county shows Martin Road with an average 15' paved surface with adequate shoulders and ditches and is acceptable for this preliminary and final re-plat request.

Utilities: Both the water and electric have signed the final plats.

Construction of Improvements: No construction is required for this three lot re-plat. The existing condition of the common driveway is satisfactory. No new lots are being created and the net number of lots along the common driveway remains unchanged therefore no new improvements need to be installed.

- 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 home construction at 1-800-351-1111. The lot owners shall contact the storm water coordinator and building inspector for the necessary permits for any future construction of homes or other structures at 681-9301.

Administrative Considerations: The proposed preliminary and final plat was reviewed inclusive of subdivision regulations for small lots along the

existing county road, a common driveway easement, with public water, existing electric and individual septic systems.

Outstanding items to be completed:

1. All certifications on the final plats.
2. No platting fee since no net new lots created.

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. Re-plat of Lot 117 and 118 off Christy Lane in Laurel Valley by John Sparks and others. (Lots 117R and 118R).**

Background:

Lot 117 was approved by the Planning Commission at the November 2008 special called meeting. Approval was conditional on the construction of a common driveway and driveway entrance to meet the standards of the subdivision regulations. The driveway had been constructed and the entrance off of Christy Lane was paved. A list of items from the LVPOA was supplied by Kizer and Black Attorneys. A representative of the LVPOA stated that all of the conditions of the LVPOA had been met at the November meeting including a permanent barrier to restrict cross-through traffic along the constructed common driveway easement.

Staff understands that Mr. Sparks intends to establish a private road easement off of Christy Lane and to divide large tracts of five acres or more beyond parcel 117. The LVPOA representative also stated that an additional five acre tract would be accepted (Lot 118) provided the lot become a part of the LVPOA for maintenance of the private roadways.

Staff has not seen a previous plat for lot 118. Lot 118 was created by deed for a 5 acre tract. Lot 117 has been previously evaluated by the Environmental Health Department and approved. Lot 118 would under normal circumstances be exempt under state statute definition of a subdivision. However, the proposed division involves three parcels (lot 117, lot 118 and remainder of Sparks property), and transfers of less than five acres between the parcels. The proposed Lots 117R and 118R are simply shifting the lot line between the lots and adding a small section to both lots. The net effect is that lot 117 will be larger and lot 118 will still be

greater than five acres. Staff has not done any further evaluation of this plat.

Staff has reviewed the plat and has no reservations about the re-plat. The proposed lot combination for lot 117(R) makes for a more buildable situation allowing more room for the home, yard and septic system than was previously approved. Lot 118 (R) essentially is still an exempt situation but appears on this plat as a portion of the lot is being added to lot 117, and a portion of Sparks is being added to 118. Any private covenants for maintenance responsibility of the private roadways in Laurel Valley for lot 118R are the responsibility of the lot owners.

F. Miscellaneous requests and required actions.

**1. Clayton Davis and Gregory Roberts properties lot size variance.**

The plat involves redivision of two existing lots each with an existing house, one (original lot 1) which is presently conforming for lot size, and the other (lot 2) which is presently not conforming. The proposal is to enlarge present lot 2 to accommodate a fenced area, a pool area and septic reserve. This will result in a diminished lot 1 to area less than required by the Subdivision Regulations.

Staff notes that the Planning Commission has in the past allowed redivision with variances to reasonably accommodate existing houses. The proposed redivision seems to reasonably accommodate the two houses and the existing accessory fence and pool area on lot 2. In the past, the Planning Commission has generally approved such variances with condition of Environmental Health approval of the septic situation.

Staff notes that granting variances under the Subdivision Regulations does not automatically address minimum lot sizes under zoning, and refers the owners to the Building Commissioner for determination of any variances that may need to be secured for zoning.

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