

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: June 15, 2009

SUBJECT: Staff reports on items to be added for the Thursday June 25th, 2009 regular meeting. 5:30 Hearings

Hearings:

- A. Concept Plans: None
- B. Preliminary Plats – Major Subdivisions: None
- C. Final Plats – Major Subdivisions: None
- 1. **Sharondel Estates, Phase 1 off Morganton Road by Ratledge and Ivens: 3 lots off the existing county road, 2 lots to be served by a common driveway and the remainder greater than 5 acres.**

Background: The proposed Sharondel Estates Phase 1 is a 3.4 acre parcel containing 3 proposed new lots along Morganton Road with a remainder greater than 5 acres. This is part of a major subdivision approved as preliminary plat at the last regular meeting. The parcel is gently rolling pasture land and is void of any farming activity. Due to soil constraints the developer intends to construct a sewer system to be owned and operated by a public utility to serve all of the future lots. However these three lots are to have individual septic systems. According the project engineer none of the parcel is located within a floodplain. All three of the proposed lots are to be served by public water and underground electric

Design of plat, plat description:

The parcel is located within the R-1 zone and the proposed density is appropriate as all of the lots are greater than 30,000 square feet. Due to marginal soils, swales and drainage ditches all three of the lots will be restricted on the final plat for the location of field lines.

The parcel is gently sloping to terrain and all of the drainage will be directed towards the existing drainage swales located behind these three lots and towards the ditches along the front of the parcel. The drainage basin located behind these lots has been constructed for the larger development which is unfinished. This facility shall be in operable condition and must be maintained by the property owners association, which shall include these three lots.

The overall design is satisfactory and is in general conformity with the subdivision regulations and preliminary plat. The proposed subdivision has been reviewed inclusive of the subdivision regulations for small lots along public roads with public water, underground electric and individual septic systems.

Existing County Road(s):

The Highway Department reports that Morganton Road is 19' wide with substantial shoulders and is adequate for the addition of these lots.

Access:

Two of the lots shall be served by a common driveway easement for safety purposes. Adequate sight distance can be accommodated at the crest of the vertical curve on Morganton Road located between lots 59 and 60. Lot 61 shall have restricted driveway access at the Western most portion of the proposed lot along the Ragain boundary line. A sight distance easement shall be placed on the final plat .

Septic, Sanitary Sewer:

The environmental health department has reviewed these three lots for individual septic systems including a preliminary and high intensity soil map. The director of environmental engineering has stated that all three of the lots have marginal soils and are constrained by low areas, swales, and ditches. In order to approve the three lots, as shown, all of the lots will be shaded on the final plats to indicate the areas to be utilized for field lines and duplication area only. The location of the future homes, accessory structures, pools, and driveways must be placed outside of the shaded areas. The environmental health department is preparing to sign the final plats.

Common Driveway:

The common driveway easement with entry at the crest of Morganton must be fully installed to serve lots 59, and 60 within the easement shown on the plat. Lots 59 and 60 will be restricted from any other driveway cuts into Morganton Road. The common drive shall be built on a compacted earth surface void of substandard soil condition in the sub-grade. The entire common driveway shall be constructed on a prepared crowned base. The slope and transition back to the natural grade must also be smooth and not excessively steep. A common driveway that enters along Morganton road will also require a paved entrance.

Any fill sections must be rolled in with a sheep's-foot to ensure adequate compaction rates prior to stone surface. 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 2 inches thick 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 drainage considerations shall be designed and sized by the project engineer.

Public Water and Electric Utilities:

Public water and underground electric are proposed to serve all of the lots. 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. Written verification that a surety has been posted or the extension of services has been accommodated from the individual utilities prior to any phased final plats. Both utilities are preparing to sign the final plats for Phase 1.

Property Owner's Association:

The developer shall supply a copy of a Property Owner's Association for Sharondel Estates for the maintenance responsibility for the drainage facilities, common driveway and sight distance easement for staff review prior to releasing the final plat for Phase 1.

Construction of Improvements:

As of this time there has been some construction of improvements on site. The common driveway is not completed and the final plat shall be held until the common driveway has been completed and inspected. The drainage facilities in the lower drainage basin must be completed in accordance with the project engineering plans and be functional prior to releasing the final plat for Phase 1.

Administrative Considerations: The proposed Sharondel Estates Phase 1 plat was reviewed inclusive of subdivision regulations for small lots along county roads with public water, underground electric and individual septic systems for the lots along Morganton Road. As required, the preliminary plat was supplied with topographic information, road plan, drainage plan and calculations and preliminary soil information. A preliminary sewer plan and letters confirming the intent to install this system have been supplied by the sewer utility.

The comments from the Highway Engineering Department and Environmental Health Department are included in this staff analysis. The developer shall supply a certification letter from a qualified engineer of completion of the lower detention pond. No lot shall be advertised or offered for sale prior to recording of any final plat.

Recommendation: Planning, engineering and environmental health department staff concurs and recommend for Phase 1 Final plat approval for Sharondel Estates subject to the following:

NOTE 1: Completion of all on-site driveway and drainage improvements. Completion of water and electric or certification by both utilities.

NOTE 2: Updated final plats with health department limitations noted on plat as well as a sight distance easement along Morganton Road.

NOTE 3: POA documentation including maintenance responsibilities for the drainage facilities, common driveway, and the location of the sight distance easement. A sight distance easement note shall be added to the final plat.

NOTE 4: Payment of \$40 per lot platting fee as first phase of a major subdivision.

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

- D. Preliminary and Final Plats - Major Subdivisions:
- E. Preliminary and Final Plats - Minor Subdivisions: None
- 1. **JoAnn Williams Property off of Henry Lane and Cedar Church lane:
4 lots with county road frontage.**

The JoAnn Williams Property is a four lot preliminary and final plat. The proposed subdivision contains a total of 3.3 acres along Henry Lane and Cedar Church

Lane. All four of the lots have direct road frontage along the county roads. Site distance at this location is marginal and driveway access restrictions shall be placed on the final plat.

Analysis:

Design of plat, plat description: The proposed plat is satisfactory with the information supplied and subject to this staff analysis. The parcel is relatively flat and lots 1, 3 and 4 have homes on the property. The parcel is in the R-1 zone and the density and lots 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: Henry Lane and Cedar Church Lane are both local status roads and the plat indicates a 25' right-of-way dedication as required. Both roads have adequate shoulders and ditches and are acceptable for this preliminary and final plat request.

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

Construction of Improvements: No construction is required for this four 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.

The following driveway access restrictions shall be noted on the final plat.

Lot 2 shall have driveway access only off of Cedar Church Lane in the shaded area of plat. Lot 3 shall be restricted to the southern boundary with lot 4 along Henry Lane as indicated in shaded area of plat.

The home on Lot 1 is encroaching into the front setback. An encroachment note has been added to the final plat.

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.

Misc. Items:

1. **Variance request for the Fred Jennings and Mary Hazel Jennings property off Fred Jennings Road by Kenneth McCollum.**

Kenneth McCollum is requesting a variance to the subdivision regulations to minimum lot size in order to re-plat the two existing parcels of the Mary Hazel Jennings Property into two substandard lots. Currently Tract 1 consists of 1.16 acres and the John Jennings parcel is a 6,400 square foot lot of record. Both of the lots are of long standing and both are served by individual septic systems.

Mr. McCullom is requesting to add a substantial portion of Tract 1 to the John Jennings parcel to make two similar sized lots. The intent is to make the smaller tract (#2) usable subject to health department approval. Tract 1 will contain the existing house and septic system subject to sufficient reserve area, the new Tract 2 will be the vacant lot.

The minimum lot size in the R-1 (Rural-1) zone without public water is 35,000 square feet. The required road dedication along Fred Jennings Road is 25' which reduces the size of the proposed lot 1. Tract 1 will be approximately 27,000 square feet and Tract 2 is slightly less. (The plat supplied indicates a portion of Tract 1 past the end of the county road to be dedicated -- this portion of dedication is not necessary). The setbacks on the plat are incorrect and shall be changed.

Tract 1 will have road frontage along Fred Jennings and Tract 2 is to be served by a 25 foot easement. The easement does not have to be improved for a one lot subdivision. Any approval of the proposed subdivision would require an encroachment note for the existing home on Tract 1 that encroaches into the front setback.

Any variances should be conditional on the approval of the Environmental Health Department for at least a minimal viable septic system on each lot. Planning staff has no comment on the setback, minimum lot sizes and density requirements as per zoning. Any zoning variances for these matters should be

determined by the Building Commissioner and addressed to the Board of Zoning Appeals if needed.

Staff notes precedent in granting variances to allow the subdivision of lots with assumption that this would accommodate an existing constructed situation. Approval of the subdivision with variances may be appropriate in this case. To insure full disclosure of lot situation, approval could be with condition that the plat include Environmental Department certification of primary and reserve septic capability for the two lots.

Mr. Ferguson has discussed the situation with staff and agreed in principle that a subdivision that did not result in any net detriment to the property would be acceptable subject to approval of the Planning Commission and the Board of Zoning Appeals for both lots. Upon initial site visit, Mr. Ferguson notes that there may be problems with soils at the site.