

# 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: July 15, 2009

SUBJECT: Staff reports on items to be added for the Thursday July 23rd, 2009 regular meeting. 5:30 Hearings

#### Hearings:

- A. Concept Plans: None
- B. Preliminary Plats – Major Subdivisions:
  - 1. **Re-subdivision of the Glenn Payne Property (lots 5R and 5R1) of Old Niles Ferry Pike by Terry and Debbie Hardin: 5 lots served exclusively by a 25' common driveway easement and 1 lot with county road frontage.**

Background: The preliminary plat for the Re-subdivision of the Glenn Payne Property is a proposed 5 lot subdivision containing 4.9 acres. A 25' common driveway easement is planned to serve the proposed lots off of Old Niles Ferry Pike. Lots 5RR1, 5RR2, 5RR3 and 5RR4 are to be served exclusively off the common driveway easement. Lot 5RR5 has an existing home and driveway access along Old Niles Ferry. The proposed location of the common driveway easement is satisfactory.

#### Analysis:

Design of plat, plat description: The parcel is in the R-1 zone and is open pasture on gently rolling terrain. This proposed common driveway division can be accommodated off of Old Niles Ferry Pike at this location provided the special instructions in the staff analysis are completed prior to final plat for any of the lots served by the easement for access. All of the physical common driveway construction and installation of utilities shall be the responsibility of the owner and be completed prior to releasing the final plat.

According to the plat all these lots are to be served by public water and individual septic systems. None of the parcel is located in a floodplain. The proposed subdivision has been reviewed inclusive of subdivision regulations for small lots served by a common driveway easement with public water, underground electric and individual septic systems.

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. The Director of Environmental Health has indicated that lot 5RR3 may have to be shaded on the plat to show the location of the field lines and duplication area; or that a few lot line adjustments may be shifted in order to make this lot larger. Either situation is acceptable and shall be indicated on the future final plat.

Existing County Roads: The county road list shows Old Niles Ferry Pike as being 19 feet wide with adequate ditches and shoulders for this subdivision. The location of the proposed common driveway is satisfactory, as is sight distance in either direction. Staff instructions, per the subdivision regulations regarding the required improvements to the common driveway are listed below.

Utilities: Public water and underground electric are proposed to serve all lots for the subdivision. 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.

Construction of Improvements: The re-subdivision of the Glenn Payne Property contains an existing home on lot 5RR5 that is served by a driveway that requires no additional improvements.

Any of the common driveway improvements that are made prior to a pre-construction meeting with staff are at the risk of the owner. The location of the entrance and the driveway grade appear satisfactory.

The common driveway must be fully installed to each lot to be constructed within a 25' easement. A T- turnaround shall be required on 5RR1 to be contained within the easement. The common drive shall be built on a compacted earth surface void of substandard soil conditions in the sub-grade. Compaction of the sub-grade may be required. The graded surface shall be a prepared crowned surface that is 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 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.

The driveway entrance shall be paved 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 be built to county road standards and the paving shall extend from the edge of the existing pavement along Old Niles Ferry Pike to the edge of the right-of-way at a minimum. A 40' turning radius shall be constructed at the entrance on both sides of the paved entrance. The entrance shall be 16 feet wide of paved surface (wide enough for two vehicles) and taper down to the ten foot gravel driveway.

Prior to any on-site work the owner shall contact the subdivision inspector for inspection of the sub-grade, tiles (if any), and ditches.

*Drainage and Erosion Controls:* Drainage information and calculations were not requested by the Engineering Department and Storm Water Coordinator for this subdivision since only 4 new home sites are being proposed and no on-site detention facilities are indicated.

*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. Any state erosion control permit(s) shall be supplied to staff prior to the pre-construction meeting. The owner is responsible for erosion control measures and an **Erosion Control Plan** as per Section 5.01.2(h) of the Subdivision Regulations. The Erosion Control Plan must be supplied by the time of the pre-construction meeting.*

*Next, the owner shall comply with Section 8.02.1 prior to the removal of topsoil and install all erosion controlling devices as per the Erosion Control Plan submitted and in accordance with the Tennessee Erosion and Sediment Control Handbook, 2<sup>nd</sup> Edition. Planning staff shall inspect and approve on-site erosion controls prior to any earth moving activities. It is further the owner's responsibility to comply with Section 7.01.9 for all site improvements regarding seeding, matting, ditch treatments and other measures to re-establish vegetative cover on all disturbed areas. Staff shall inspect and approve all final site improvements prior to releasing any final plat.*

The owner is also responsible for determining if a SWPPP permit is required by the State of Tennessee prior to any on-site construction. The owner shall supply staff with a copy of the SWPPP permit if applicable.

*Developer Notice:*

- Any on-site 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 supply an Erosion Control Plan as per Section 5.01.2(h) at the time of the pre-construction meeting. All erosion controls must be fully installed and inspected by Planning Staff and the Storm Water Coordinator prior to any on-site construction activities.
- The owner must confirm 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 if needed prior to the preconstruction 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 Old Niles Ferry Pike.
- 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.

Maintenance agreement for common drive: The owner shall supply a Maintenance Agreement or property owner's association prior to final plat inclusive of maintenance responsibilities for the common driveway.

Administrative Considerations: The proposed Re-subdivision of the Glenn Payne Property 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, and preliminary soil information. The comments from the environmental health department, engineering department and storm water department are included in this staff analysis.

Outstanding items to be completed:

1. Copy of a Maintenance Agreement or Property Owner's Association documentation to be supplied to staff for review prior to final plat submission.
2. A preconstruction meeting is required prior to any on-site work. An Erosion Control Plan and any state permits to staff. All instructions in this staff analysis for the construction of the common driveway, paving of entrance, and construction of all utility improvements.

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. Re-Subdivision of Tract 15 Lindsey Estate off of Lanier Road by Amburn Builders: 5 lots with county road frontage.**

The Re-subdivision of Tract 15 Lindsey Estate is a five lot preliminary and final plat. The proposed subdivision contains a total of 4.9 acres along Lanier Road. All five of the lots have direct road frontage along the county road. Site distance at this location is marginal and driveway access restrictions shall be placed on the final plat for lot 15R4.

Analysis:

Design of plat, plat description: The proposed plat is satisfactory with the information supplied and subject to this staff analysis. The parcel is gently rolling terrain and is vacant of any structures or farming activity. 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: Lanier Road is a local status road and the plat indicates a 25' right-of-way dedication as required. Lanier Road is 19' or wider at this location to Brick Mill Road and has adequate shoulders and ditches and is 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 five 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 +building inspector for the necessary permits for any future construction of homes or other structures at 681-9301.

Administrative Considerations: Drainage information and calculations were not requested by the Engineering Department and Storm Water Coordinator for this subdivision since there is no road or utility construction and only 5 new home sites are being proposed and no on-sight detention facilities are indicated.

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 15R4 shall have driveway access restricted to the western most front property corner as indicated in the shaded area of 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.

**2. Re-Subdivision of Tract 16 Lindsey Estate off of Lanier Road by Samuel Howard: 3 lots with county road frontage and a remainder greater than 5 acres.**

The Re-subdivision of Tract 16 Lindsey Estate is a three lot preliminary and final plat with a remainder greater than 5 acres. The proposed subdivision contains a total of 2.25 acres along Lanier Road. All three of the lots have direct road frontage along the county road. Site distance at this location is marginal and driveway access restrictions shall be placed on the final plat for lot 16R1 and 16R3.

Analysis:

Design of plat, plat description: The proposed plat is satisfactory with the information supplied and subject to this staff analysis. The parcel is gently rolling terrain and is vacant of any structures or farming activity. 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: Lanier Road is a local status road and the plat indicates a 25' right-of-way dedication as required. Lanier Road is 19' or wider at this location to Brick Mill Road and has adequate shoulders and ditches and is 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 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 building inspector for the necessary permits for any future construction of homes or other structures at 681-9301.

Administrative Considerations: Drainage information and calculations were not required for this three lot subdivision.

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 16R1 and 16R3 shall have driveway access restricted to the western most front property corner for both lots as indicated in the shaded areas of plat.

Outstanding items to be completed:

3. All certifications on the final plats.
4. \$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.

**3. Robles Property on Topside Road: 3 lots; one with road frontage and 2 lots served by a common driveway easement with variance request to lot size.**

This is a three lot preliminary and final plat. The proposed subdivision contains a total of 2.8 acres off of Topside Road. Lots 1 and 3 are served off of an existing common driveway. The common drive is already extended to Lot 1. The regulations state that a one- lot subdivision with an easement doesn't require the easement to be improved. Essentially Lot 2 being the last lot of the common driveway doesn't require improvements. Site distance at this location is satisfactory.

Analysis:

Design of plat, plat description: The proposed subdivision is satisfactory with the information supplied and subject to this staff analysis. The parcel is gently rolling and there are two homes on lots 1 and 3. The parcel is in the R-1 zone and the density and lots sizes for the lots are appropriate.

**The owner is requesting a variance to lot size for Lot 1.** While the lot is 30,000 square feet and complies with zoning; the subdivision regulations require 30,000 square feet outside any area of development hindrance. In the case of Lot 1, the easement containing the common driveway reduces the usable lot area to about 25,000 square feet. Lot 1 already contains a home which is a two-bedroom dwelling and has an approved septic system.

Septic, Sanitary Sewer: The environmental health department has reviewed the soil information and existing homes. The Director of environmental health has stated that Lots 2 and 3 are adequate; in addition, Lot 1 has adequate room for a two bedroom reserve area and is not opposed to the variance being granted as the existing home was permitted with a two bedroom septic permit.

Existing County Roads: Topside Road is a state road and has adequate shoulders and ditches and is acceptable for this preliminary and final plat request.

Utilities: Both the water and electric shall sign the final plats.

Construction of Improvements: The condition of the common driveway is satisfactory.

- 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 an existing common driveway with public water, existing electric and individual septic systems.

A maintenance agreement for the common driveway shall be supplied to staff for review and recorded along with the final plat.

Staff notes precedent in granting variances to allow the subdivision of lots with the assumption that this would accommodate an existing constructed situation. Approval of the subdivision with a variance may be appropriate in this case. To insure full disclosure of lot situation, approval could be with condition that the final plat includes Environmental Department certification of reserve septic capability for Lot 1.

Outstanding items to be completed:

1. Maintenance agreement.
2. All certifications on the final plats.
3. \$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.