

# 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: January 20<sup>th</sup>, 2010

SUBJECT: Staff reports on agenda items for the **Thursday, January 28th, 2010** regular meeting. 5:30 Hearings and Site Plans

#### I. Hearings:

A. Concept Plans:

##### 1. **Concept Plan for Sparks Cabin Sites off Christy Lane in Laurel Valley.**

The Sparks Cabin Sites Concept Plan is a proposed five-lot subdivision containing 3.5 acres off of Christy Lane in Laurel Valley. All of the lots are to be served off a shared access easement and all of the lots are to be served by electric, public water and a shared septic system. The parcel is in the R-1; Rural District 1 Zone and the lot sizes indicated do not meet the minimum lot size requirements for zoning or for the subdivision regulations.

The following issues need to be addressed with regard to the proposed subdivision concept plan:

1. Lots 1 through 5 are all less than the minimum 30,000 square foot lot size required in the subdivision regulations which would require variance to the subdivision regulations.
2. According to the Building Commissioner these lots would not meet the minimum lot size requirement for the R-1 zone and would require a variance from the zoning regulations. The five cabins are grandfathered under zoning as they sit undivided.

3. All five of the lots are served by a shared access easement. Due to the number of lots and the existing lot to the rear of the parcel (Lane Property), this access easement would have to be improved to a private road standard. At a minimum the roadway would have to be paved a minimum of 18' wide with gravel shoulders and ditches.
4. All five of the lots have existing structures on them and all of these cabins utilize a shared septic system shown as the "Joint Sewer Easement" on the plat. (The plat is to be modified to reflect a joint septic easement rather than sewer). The condition of this system and adequacy of the system to support five one- bedroom cabins has been confirmed by the Environmental Health Department. The original system for these five one-bedroom units was approved on an undivided tract in 1995.
5. The Environmental Health Department has stated that the existing septic system is adequate, however for further division a duplication area shall be required as with all lots approved by the planning commission. The existing lots appear too small to accommodate this duplication area. However the addition of some of the remainder to this tract (remainder of Sparks) should allow adequate duplication area according to the county Environmental Specialist.
6. One option to meet density and minimum lots size requirements per the subdivision regulations and the zoning regulations, and to accommodate for the necessary septic duplication area, is to add a portion of land from the remainder as shared open space with a septic reserve easement. This accommodation would allow the proposed subdivision to meet the requirements for a planned unit development per the zoning regulations and a cluster development per the subdivision regulations.
7. The Planning Commission has approved cluster development where the minimum lot size is greater than one-half of the minimum lot size required where a commensurate portion of property is designated as permanent open space to be shared in-common by all of the lots. The Planning Commission has also determined the size of the open space to be commensurate with overall size of the development, thus no actual percentage of land is required, rather a portion deemed by the planning commission as acceptable to meet the requirement of commensurate land area required to accommodate minimum density.
8. Review and comment by the Laurel Valley Home Owner's Association with regard to road maintenance and dues to be paid for use of the internal existing roadways will need to be confirmed.

9. POA documentation to be provided for staff review inclusive of the above mentioned road maintenance responsibilities in addition to the maintenance of the shared septic system.
10. A subdivision plat may also require additional information and engineering design for roads and drainage.

This is a concept plan and no action is indicated or required by the Planning Commission. The concept plan is used as a basis for discussing design issues with the owner/subdivider, and to give guidance on necessary actions that need to be taken to proceed with a subdivision plan.

- 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: None

**II. Misc. Items:**

**1. Combination of Lots 1 and 2 Vista Heights Subdivision off of Nickel Point Drive: Variance Request.**

Lots 1 and 2 of Vista Heights Subdivision were created on plat in file 220B and are lots of record. Both lots are substandard in size, as is the proposed combination of these two lots into Lot 1R with 0.651 acres or approximately 28,345 square feet. The current minimum lot size for lots in the R-1 zone with public water is 30,000 square feet outside of any area of development hindrance. In addition, corner lots are required to have greater area, and a minimum lot width at building line greater by two-thirds (2/3) the amount of the minimum building setback, to allow for minimum building setback lines as provided in the subdivision regulations or in the Blount County zoning regulations.

There is no indication of septic capability on original plat or present proposed plat.

The proposed combination of these two lots of record into one substandard lot indicates several variances as follows: variance to minimum lot size, variance to corner lot size, and variance of septic capability of the lot. Staff notes precedent in granting blanket variance to allow combination of lots with assumption that a combination would result

in an improved situation. Approval of the combination with variances may be appropriate in this case.

To insure full disclosure of lot situation, approval could be with condition that either the Environmental Department certify septic capability for the lot or a note be placed on the plat that there is no septic capability for residential or any other use.

Mr. Ferguson could sign approval for existing systems with approval of the plat with variances from the Planning Commission.

This plat does fall under that precedent, and would be appropriate for approval with variances subject to certification of the Environmental Health Department and all other required certifications.

Planning staff has no comment on the setbacks, 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.