

# 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 1<sup>st</sup> – September 10th, 2011

SUBJECT: Staff reports on items to be considered for the Thursday September 22nd, 2011 regular meeting. 5:30 Hearings

#### Hearings:

- A. Concept Plans: None
- B. Preliminary Plats – Major Subdivisions: None
- C. Final Plats – Major Subdivisions:
  - 1. **Rudd Acres by Don Headrick off Rudd Hollow Road: 4 lots served by a 25' common driveway easement.**

The Planning Commission approved the preliminary plat at the November 10<sup>th</sup>, 2008 called meeting for a period of 24 months. The preliminary plat was extended for an additional 12 months until October of 2011.

A review of the driveway grade indicated a short section of the common driveway is approximately 16%. The maximum road grade for a common driveway is 15%. The owner requested a variance to the regulations for this short section which is less than 100 feet in length, the variance was granted at the November 10<sup>th</sup> meeting.

Background: The preliminary plat for Rudd Acres is a proposed 4 lot subdivision containing 4.3 acres. A 25' common driveway easement is planned to serve the proposed lots off of Rudd Hollow Road. While lots 1 and 4 have road frontage, all of the lots are served off the common driveway easement. All of the lots will access the common driveway easement for safety purposes to eliminate additional driveways along Rudd Hollow Road. Currently the parcel contains an existing home and the existing driveway is to be improved to common driveway

standards. The first portion of the common driveway easement crosses the Primitive Baptist Church property. The proposed location of the common driveway easement and sight distance at this location is satisfactory.

Design of plat, plat description: The proposed final plat is satisfactory with the information supplied and subject to this staff analysis. The parcel is rolling land and is not in the floodplain. The parcel is in the R-1 zone and the density and lots sizes are appropriate. The common driveway is in place as well as the ditches and tiles and is satisfactory for this four-lot subdivision.

Septic, Sanitary Sewer: The Environmental Health Department is reviewing the final soil information and has stated that any adjustments to the lot lines by the owner will require additional review prior to signing the final plat.

Existing County Roads: This four lot subdivision can be accommodated off of Rudd Hollow Road.

Utilities: The electric utilities are in place and water is being installed at this time. Both utilities shall sign the final plat.

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

Administrative Considerations: The owner shall secure a notice from the Primitive Baptist Church acknowledging that these four lots constitute all of the lots that can be accommodated off of the common driveway easement.

The proposed subdivision of Rudd Acres was reviewed inclusive of subdivision regulations for small lots served by a common driveway easement with public water, electric and individual septic systems. As required, the preliminary plat was supplied with topographic information and preliminary soil information. The comments from the engineering department and storm water department are included in this staff analysis.

Outstanding items to be completed:

1. Copy of a Maintenance Agreement documentation to be supplied to staff for review prior to final plat submission.
2. Completion of construction of the water line, stabilization of the soil.
3. Final plats with all certifications including certification by the Environmental Health Department (with any lot line changes), water and electric certifications and platting fee.

4. The owner shall secure a notice from the Primitive Baptist Church acknowledging that these four lots constitute all of the lots that can be accommodated off of the common driveway easement,

In accordance with past actions of the Planning Commission in similar situations, the Planning Commission has options to 1) deny final plat due to identified deficiencies, 2) defer final 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: None

E. Preliminary and Final Plats - Minor Subdivisions:

1. **Irene Millsaps Estate off Crye Road by Irene Millsaps (4 lots and a re-plat of lot 3R): 4 new lots, 3 lots with county road frontage and 1 lot served by a 25' easement.**

Background: The proposed Irene Millsaps Property off of Crye Road contains 4 lots on 5.5 acres. Lot 3R is a re-plat of an existing lot and is being made larger and will meet the current minimum lot size of 30,000 square feet. Lot 3 was approved in 1997 with 21,000 square feet. Lots 4, 6 and 7 will have road frontage along Crye Road. Lot 5 will be served by a 25' easement across the flag-stem for lot 4.

The regulations state that a one-lot subdivision with an easement does not require the easement to be improved; therefore the driveway to Lot 5 does not need to be constructed for final plat consideration. No driveway or utility extensions are required for this plat other than the electric and water being available along Crye Road. Site distance for these proposed lots appears satisfactory.

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 land and is not in the floodplain. The parcel is in the R-1 zone and the density and lots sizes are appropriate.

Septic, Sanitary Sewer: The environmental health department is reviewing the preliminary and final soil information and has stated that the soil information provided appears satisfactory.

Existing County Roads: The road list for the county indicates that Crye Road is 15 -18 feet wide with adequate ditches and shoulders. The subdivision

regulations allow for a four lot subdivision (not counting the re-plat of existing Lot 3) on road sections less than 18 feet wide.

Utilities: both water and electric utilities are in place along Crye Road.

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. Signature plats and a \$20 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. Teddy and Norma Wilson property off Duncan Road and Norcross Road: 3 lots with county road frontage and a remainder greater than 5 acres.**

Item was withdrawn from the August 2011 agenda at the request of the owner.

Background: The proposed subdivision of the Teddy and Norma Wilson Property off of Duncan and Norcross Roads contains 3 lots on 2.1 acres and a remainder greater than 5 acres.

All three of the lots meet the minimum lot size however the Environmental Health Department has stated that Lot 1 will be restricted due to unfavorable soil conditions on part of the lot. In order to not have to limit the future home location on this lot, the lot may be made larger to accommodate more reserve area for duplication.

No utility extensions are required for this plat other than the electric and water being available along the county roads.

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 land and is not in the floodplain. The parcel is in the R-1 zone and the density and lots sizes are appropriate.

Septic, Sanitary Sewer: The Environmental Health Department is reviewing the preliminary and final soil information and has stated that restrictions for Lot 1 will be noted on the final plat stating where the future home is to be located on the lot

of that a smaller footprint will be required to minimize disturbance and allow for primary and duplication are on this lot.

Existing County Roads: This three lot subdivision can be accommodated off of Duncan and Norcross Roads.

Utilities: both water and electric utilities are in place.

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.

There is an existing tile located along Lot 1 in the intersection of Duncan and Norcross Road. This previous driveway location shall be removed (including removal of the asphalt driveway and tile) and a ditch installed by the owner prior to releasing the final plat to ensure this driveway is no longer used for safety purposes. A note for driveway access for lot one has been added to the plat. Lot 1 shall have no driveway access along Duncan Road. In addition, a Cedar tree located along Duncan Road shall be removed prior to releasing the final plat to improve sight distance and turning movements on and off of Norcross Road.

Outstanding items to be completed:

1. Removal of tile and asphalt paving at intersection of Norcross and Duncan along Lot 1, constructing a ditch and removal of Cedar Tree along Duncan Road.
2. Any special notes added to plat or any modification to the size of Lot 1 as per the Environmental Health Department.
3. 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

**Misc. Items:**

**1. Variance request for the Cooper Property off Cutshaw Road by Allen Cooper.**

Background:

The Cooper Property subdivision was approved by the Planning Commission in April of 2000 with a 25' driveway easement serving lot 2 with lot 1 having access along Cutshaw Road.

Allen Cooper has supplied a letter to the Planning Commission requesting a variance to the subdivision regulations to divide lot 1 into two separate lots in order to separate the two existing homes with separate deeds (see attached sketch plan). Lot 1 is currently 1.05 acres or 45,738 square feet. The regulations require a minimum lot size of 30,000 square feet.

The proposed division would not create any additional lots off of the driveway easement, both lots divided from lot 1 will have road frontage along Cutshaw Road. The condition of the existing driveways is good and there are no sight distance issues.

Any variances should be conditional on the approval of the Environmental Health Department. 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.

Outstanding items to be completed:

1. Consideration of variance request by the planning commission.
2. Submission of a plat with certifications including Environmental Health Department Approval.