

SEVIERVILLE PLANNING COMMISSION

May 10, 2011



Planning Commission May 10, 2011 Agenda

- A. Call to Order
- B. Approval of Minutes
- C. Staff Reports
- D. Old Business
- E. New Business
 - 1. Site Plan – Vision Engineering requests approval of Labor and Workforce Building on Lot 3, Varsity Square on Graduate Drive (City).
 - 2. Site Plan – Al Crumley requests approval of addition to the Apple Shack on Winfield Dunn Parkway (City).
 - 3. Site Plan – MBI, Inc. requests approval of a revised site plan for Allensville Square Apartments on Allensville Road (City).
 - 4. Site Plan – TCH requests approval of driveway entrance and freezer building for Swaggerty Sausage on Swaggerty Road (City and Region).
- F. Adjournment

MINUTES
SEVIERVILLE REGIONAL PLANNING COMMISSION
April 7, 2011
5:00 P.M.

The regularly scheduled meeting of the Sevierville Regional Planning Commission was held at the Civic Center, 130 Gary Wade Blvd., Sevierville, Tennessee on Thursday, April 7, 2011 at 5:00 P.M.

There were present and participating:

MEMBERS PRESENT

Lyle Overbay, Chairman
Jerry Loveday
Billy Carroll
Jim Arwood
Conley T. Murrell, Secretary
Alan Dillow, Vice Chairman

MEMBERS ABSENT

Bryan Atchley, Mayor

Staff Present

Judi Forkner, Interim Planning Director
Joy Coats, Recording Secretary
Jerry Hickman, City Engineer
Nathan Raulston, Engineering Technician

Local Planning Office

David Williams

Chairman Overbay declared a quorum present and announced the meeting would proceed.

APPROVAL OF MINUTES

A motion was made by Mr. Dillow, and seconded by Mr. Arwood, to approve the minutes from the March meeting. The motion passed with a unanimous vote.

STAFF REPORTS

Ms. Forkner told the Commissioners that the workshop regarding Hillside/Ridges recommendations would be Monday, April 18, 2011 at 3:00 P.M. She reminded everyone that the May meeting would be held May 10, 2011 because of the election on May 5, 2011. Mr. Williams stated the Quality Growth Conference was a success and he would have more to report at the May meeting.

OLD BUSINESS

NEW BUSINESS

SITE PLAN – NORVELL & POE ENGINEERS REQUESTED APPROVAL OF ADVENTURE ZIPLINES OF SEVIERVILLE PHASE 2, PARKWAY (CITY)

Staff Recommendation

Ms. Forkner explained that in Phase 2 of the amusement, a motorized zipline will travel both up and down hill among 7 towers with patrons riding on an individual apparatus. She said it was primarily battery operated and computer controlled, and that the operator has submitted information from a local insurance agent indicating that the ride can receive insurance coverage. Ms. Forkner stated an erosion control plan has been submitted for the areas where the towers will be constructed, but noted that if additional land disturbance and/or grading occurs, other information may need to be submitted to meet the city's grading and stormwater management ordinance requirements. She also explained that amusements are permitted uses in the C-4 and C-5 districts and that Phase I of the zipline had been located on property zoned C-3 with an amusement use that existed when the area was annexed. However, portions of Phase 2 of the project will be located partly on other parcels which are in the same ownership as the parcel upon which the existing amusements exist, but which are presently zoned C-3 or R-3. Therefore, the property owner has requested rezoning of the properties upon which both Phase I and Phase II of this amusement are located to C-4. Ms. Forkner said if approval of the site plan is granted, approval should be subject to the property being rezoned to C-4.

Action Taken

A motion was made by Mr. Arwood, and seconded by Mr. Dillow, to approve the site plan subject to the property rezoning to C-4. The motion passed with a unanimous vote.

SITE PLAN – WC WHALEY, INC. REQUESTED APPROVAL OF ASHLEY APARTMENTS ON RIDGE ROAD (CITY)

Staff Recommendation

Ms. Forkner said this proposal was to place a 4 unit, 1 story apartment building on the site. She said the building would have to be sprinkled under our current building code. Parking and landscaping were adequate and staff recommended approval.

Action Taken

A motion was made by Mr. Murrell, and seconded by Mr. Carroll, for approval of the site plan. The motion passed with a unanimous vote.

PUD SUBDIVISION – VISION ENGINEERING REQUESTED FINAL APPROVAL OF LOTS 1-27 OF RIDGEWOOD ESTATES II, LONGSPRINGS ROAD, TAX MAP 51, PARCEL 28 (REGION)

Staff Recommendation

Ms. Forkner noted that this had previously been approved as a PUD development with a mix of 37 single-family and duplex units with the remainder of the property to be common area, with the exception of the streets which are county roads. It was explained that the property would now be 27 individual lots with the common area

being reduced to the stormwater detention area and two other smaller areas. These areas will be held in common by a home owners association (HOA), and a signed "Declaration of Restrictions" has been submitted providing a mechanism for the developer and HOA to maintain the common area. Ms. Forkner noted that this development had been initiated prior to the adoption of county zoning and subsequent amendments to the county zoning ordinance governing PUDs, but that both Jim Bryant (retired planning director) and she had discussed the proposed changes in the development scheme with the county planning director who had no objection to the present plan. Staff recommended approval.

Action Taken

A motion was made by Mr. Dillow, and seconded by Mr. Arwood, for final approval. The motion passed with a unanimous vote.

REZONING – REQUESTED REZONING OF PROPERTY ON NEW ERA ROAD NEAR THE PARKWAY FROM C-3 TO C-4

Staff Recommendation

Ms. Forkner stated this rezoning would allow the moto-zip to develop as proposed. The property upon which three of the towers were proposed would need to be rezoned from R-3 to C-4. The property owner proposed to rezone the other property he owns which includes the existing stables, existing zipline, and other areas from C-3 to C-4.

Action Taken

A motion was made by Mr. Arwood, and seconded by Mr. Loveday to rezone the property. The motion passed with a unanimous vote and was certified to the Board of Mayor and Aldermen for action.

There being no further business, the meeting adjourned.

Lyle Overbay, Chairman

Conley T. Murrell, Secretary

Joy Coats, Recording Secretary

SEVIERVILLE BOARD OF ZONING APPEALS

May 10, 2011



Board of Zoning Appeals May 10, 2011 Agenda

- A. Call to Order
- B. Approval of Minutes
- C. Staff Reports
- D. Old Business
- E. New Business
 - 1. Case Number 11-05 – Swaggerty Sausage Company requests a variance to Section 405.4.1 of the Zoning Ordinance and allow two driveways on the property. Regulations allow one driveway.
 - 2. Other new business
- F. Adjournment

MINUTES
SEVIERVILLE BOARD OF ZONING APPEALS
April 7, 2011
(Held immediately after planning commission meeting)

The regularly scheduled meeting of the Sevierville Board of Zoning Appeals was held at the Civic Center, 130 Gary Wade Blvd., Sevierville, Tennessee on Thursday, April 7, 2011 immediately after the planning commission meeting.

There were present and participating:

MEMBERS PRESENT

Lyle Overbay, Chairman
Billy Carroll
Jerry Loveday
Jim Arwood
Conley T. Murrell, Secretary
Alan Dillow, Vice Chairman

MEMBERS ABSENT

Bryan Atchley, Mayor

Staff Present

Judi Forkner, Interim Planning Director
Joy Coats, Recording Secretary
Jerry Hickman, City Engineer
Nathan Raulston, Engineering Technician

Local Planning Office

David Williams

Chairman Overbay declared a quorum present and announced the meeting would proceed.

APPROVAL OF MINUTES

A motion was made by Mr. Dillow, and seconded by Mr. Arwood, to approve the minutes from the March meeting. The motion passed with a unanimous vote.

NEW BUSINESS

CASE NUMBER 11-03– LARRY AND GENA ROLEN REQUESTED A KENNEL AT 1408 OLD NEWPORT HIGHWAY TO BE REOPENED BEYOND THE 90 DAY NOTIFICATION

Staff Comments and Discussion

Due to the absence of Codes Enforcement Director, Butch Stott, Mr. Loveday presented this item to the Board. Mr. Loveday explained that at the time this property was annexed, annexed property came into the city

classified as R-1. He said a veterinary office was operating at this location at the time it was annexed and continued to operate as a nonconforming use until the occupant closed his practice. Mr. Loveday noted that the property was designed as a veterinary office, and the property owner had sought to continue that legal nonconforming use by seeking an appropriate tenant, but was not immediately successful at doing so. The property owner did receive notification under Article IV, Section 401.3 of the zoning ordinance regarding the prohibition of reestablishing a nonconforming use after a cessation of ninety days. However, the property owner has now been approached by a nonprofit pet adoption organization which wishes to occupy the building and use it in a similar fashion to a veterinary practice.

Action Taken

A motion was made by Mr. Murrell, and seconded Mr. Dillow, to waive the application of Article IV, Section 401.3 for the purpose of allowing the occupation of the former veterinary clinic by a use of similar nature. The motion passed with a unanimous vote.

CASE NUMBER 11-04 – GREG R. MCCOY REQUESTED A REAR YARD SETBACK VARIANCE OF FOUR FEET AT 2518 GOINGBACK CIRCLE

Staff Comments and Discussion

Due to the absence of Codes Enforcement Director, Butch Stott, Mr. Arwood presented this item to the Board. Mr. Arwood noted that Shaconage subdivision was in the county when developed with a 20' rear setback established for lots. As a result, nearby homes built prior to annexation intrude into the 30' rear setback presently required in the R-1 zoning district. He also noted the lots along Goingback Circle are steep along the front and Mr. McCoy's home, as well as neighbors' homes, have been constructed toward the rear lot lines for that reason. As presently designed, most of the addition would meet setback requirements, but because of the angle of the rear lot line and the house being located toward the rear of the lot due to topography, the southeast corner of the addition will intrude into the 30' setback.

Action Taken

A motion was made by Mr. Arwood, and seconded by Mr. Dillow, to allow the rear yard setback variance of four feet. The motion passed with a unanimous vote.

There being no further business, the meeting adjourned.

Lyle Overbay, Chairman

Conley T. Murrell, Secretary

Joy Coats, Recording Secretary



CITY OF SEVIERVILLE

T E N N E S S E E

BOARD OF ZONING APPEALS

Case Number 11-05 Fee Paid _____

Action Requested
 Interpretation/Administrative Review Map Interpretation
 Variance Request Special Exception Request

Owner SWAGGERTY SAUSAGE Co. (BY KENT WOODS)

Address 2827 SWAGGERTY RO., KODAK, TN. 37764 Lot No. (Parcel No.) 201

Tax Map 12 Lot Size _____ Zoning District R-1

Lessee _____

Address _____

The aforesaid applicant requested a building permit on the _____ day of _____, 20____

And was denied said permit for the following reason(s): _____

The applicant is requesting consideration (excepting special exception requests) FOR A VARIANCE

TO SECTION 405.4.1 OF THE ZONING ORDINANCE AND ALLOW
TWO DRIVEWAYS ON THE PROPERTY. REGULATIONS ALLOW ONE DRIVEWAY

KENT WOODS (BY PHONE)

Applicant's Signature

Date

Granted: _____ Reasons: _____ Denied: _____ Minutes: _____

Notice

1. The Sevierville Board of Zoning Appeals requests that you or your agent be present at this meeting to be held at 5:00 p.m. on MAY 10, 2011 in the Sevierville City Hall, 120 Gary Wade Blvd.
2. Postponement requests for deferred action on any application will be granted one month only (or the next regularly scheduled board meeting, if that should occur on a different date). A completely new application must be submitted for consideration beyond that time.
3. A re-application request cannot be accepted for consideration after an application has been denied.
4. The work or use authorized under an approved Special Exception Application must be commenced or implemented within six (6) months from the date of Board of Zoning Appeals approval, and once commenced or implemented, must be completed within two (2) years from the date of the original application approval.



TO: Sevierville Board of Zoning Appeals

FROM: Butch Stott, Codes Enforcement Director

B.S.

DATE: May 5, 2011

RE: Request for a Variance by Swaggerty Sausage

At the time the portion of property in question was annexed, it was being used as a parking area for employees of Swaggerty's Sausage, and received the zoning classification of R-1. Recently, a portion of the property lying outside the city limits was rezoned to I-1 (Industrial) by Sevier County. Swaggerty's Sausage subsequently presented a site plan to the city (*to construct a freezer building*) to be reviewed by our planning commission acting as a regional planning commission, and to the county (*to improve the employee parking lot inside the city and to construct a driveway through the portion of the parcel lying within the city to serve the freezer located in the county*).

As presented to the city, the site plan depicts the entrance to the employee parking area from Swaggerty Road remaining and serving as access to an expanded and paved parking area. The site plan shows a separate driveway to provide access only to the freezer building located outside the city. The frontage of the parcel lying along Swaggerty Road is 221' +/- . Section 405.4.1 of the city's zoning ordinance states lots serving nonresidential use having less than 250' of frontage may have one driveway. The appellant is requesting a variance to place a driveway to the freezer in order to maintain separation between employees' passenger vehicles and trucks delivering or picking up products to and from the freezer.

SEVIERVILLE DEPARTMENT OF PLANNING AND DEVELOPMENT

120 GARY WADE BOULEVARD
 SEVIERVILLE, TN 37862
 (865) 453-5504 www.seviervilletn.org

DEVELOPMENT REVIEW PROCESS AND APPLICANT GUIDELINES, CITY ZONING MAP, CITY ZONING TEXT, AND
 CITY/PLANNING REGION SUBDIVISION REGULATIONS AVAILABLE IN OFFICE OR ONLINE

APPLICATION FOR PLANNING AND ZONING SERVICES

SUBMIT WITH SIX (6) COPIES OF PLANS (IF APPLICABLE) NO LATER THAN TWENTY (20) DAYS PRIOR TO THE FIRST THURSDAY OF THE MONTH

<input checked="" type="checkbox"/>	PROJECT TYPE OR REQUEST	<input checked="" type="checkbox"/>	PROJECT TYPE OR REQUEST
	SITE PLAN		ANNEXATION
	SUBDIVISION PLAT <input type="checkbox"/> PRELIM <input type="checkbox"/> FINAL		SIGN REVIEW (MONUMENT AND NONPROFIT OFF-PREMISES SIGNS)
	REZONING (STATE PROPOSED USE BELOW)		BOARD OF ZONING APPEALS (BZA) <input checked="" type="checkbox"/> VARIANCE <input type="checkbox"/> INTERPRETATION <input type="checkbox"/> OTHER
	OTHER (DESCRIBE REQUESTED SERVICE/ACTION BELOW IF NOT INCLUDED IN THE LIST ABOVE)		

LOCATION OF PROJECT (STREET and/or MAP/PARCEL OF SITE PLAN, SUBDIVISION, REZONING REQUEST, ANNEXATION, SIGN REVIEW, BZA REQUEST, OR OTHER REQUEST)

SWAGGERTY ROAD (TAX MAP: 12, PARCEL 201)

PROPOSED USE (REQUIRED FOR *SITE PLAN REVIEW* OR *REZONING REQUEST*)

BZA REQUEST (PROVIDE RELEVANT DETAILS AND INDICATE REQUESTED ACTION) OWNER REQUESTS A VARIANCE TO BE ALLOWED TO INSTALL TWO DRIVEWAYS

APPLICANT OWNER **AGENT FOR OWNER** (AGENTS MUST PROVIDE OWNER CONTACT INFORMATION BELOW)

KENT WOODS / SWAGGERTY SAUSAGE COMPANY

MAILING ADDRESS (INCLUDE ZIP CODE) 2827 SWAGGERTY ROAD

KODAK, TN. 37764

TELEPHONE (DAYTIME with AREA CODE) KENT WOODS (865) 389-6115

PROPERTY OWNER(S) and CONTACT INFORMATION (IF DIFFERENT THAN THE APPLICANT)