

A Public Hearing was heard Monday, May 6, 1991, for the Purposes as follows:

(1) Rezoning on Matlock Bend Rd., Lake Drive and Matlock Bend Industrial Park Dr., Map 35, Parcels 13.0, 14.0, 15.0, 16.0, 35.0, 7.0, 60.0 & 60.02 from A-1, Agriculture Forestry to M-1, General Industrial. Mr. John Stevens spoke concerning Parcel 35.

(2) Rezoning on Wade Road, Map 73, Parcel 28, from A-1, Agriculture Forestry to R-1, Suburban Residential.

(3) Zoning resolution Amendment, Article 4, Supplementary Provisions Applying to Specific Districts, adding section 4.150 Requirements for the Storage of Abandoned, Dismantled Junk Vehicles & Parts.

(4) Zoning resolution amendment, Article 4 Supplementary Provisions Applying to Specific Districts, adding section 4.160, Landscape, Screening and Buffering Requirements.

(5) Zoning resolution amendment, Article 5, Zoning Districts, adding section 5.048, R-E, Single Family Overlay District.

There being no further comment, the Public Hearing was adjourned and the County Court Meeting began.

Be it remembered that the Loudon County Legislative Body met in regular session on Monday, May 6, 1991 at 7:15 P.M. with the Chairman J.J. Blair presiding and the County Clerk, Riley D. Wampler was present, whereupon, Sheriff Tim Guider Opened Court, Led the Pledge of Allegiance to the Flag and presented Rev. Charles Taylor, who gave the Invocation.

The following Commissioners were present:

Blair  
Bledsoe  
Millsaps

Price  
Masingo  
Williams

Maples  
Park  
Twiggs

APRIL  
MINUTES  
APPROVED

It was moved by Commissioner Price and seconded by Commissioner Milsaps that the minutes be approved as presented. The vote was unanimous.

WATER PROBLEM  
ON MARTEL RD  
DISCUSSED

Mrs. Linda Carson Johnson spoke to the Commission concerning the water problem on Martel Road. Commissioner Twiggs ask that the county attorney research the problem and the road commissioner get and estimate of what it would cost to correct the problem, also the attorney look into the legal aspect - who is responsible?

ANIMAL  
SHELTER  
DISCUSSED

(1) Commissioner Twiggs presented Judy Bundy, who spoke to the Commission concerning keeping the animal shelter open on week-ends, that they had been doing this since September. She asked permission to use the money they received for adoption of animals during the week-end for the repairs on the shelter. \$3,644.00 has already been spent on the shelter. It was moved by Commissioner Twiggs and seconded by Commissioner Maples that permission be granted concerning the matter. The vote was unanimous.

- (2) Concerning the TCCA of Accounts of Interest, a possibility of schools loosing the state income tax (\$23,000.00)  
(3) That the solid waste is going on tract.

BUDGET  
AMENDMENTS  
APPROVED

Director of Accounts, Nancy Richesin, presented the Budget Amendments. It was moved by Commissioner Millsaps and seconded by Commissioner Twiggs that the Highway Budget Amendments be approved. The vote was unanimous and they are attached hereto as Exhibit H.

TENNESSEE  
CONSOLIDATED  
RETIREMENT

Mrs. Richesin also spoke to the Commission concerning the Tennessee Consolidated Retirement. It was moved by Commissioner Price and seconded by Commissioner Bledsoe to allow elected board members to become members of Tennessee Consolidated Retirement System. On Roll Call, the vote was unanimous.

BUILDING  
INSPECTOR'S  
REPORT

Doug Lawrence presented the Building Inspector's Report:

Permits-----	48	Value-----	\$1,000,000.00
Fees-----	\$2,157.00	Taxes-----	\$7,000.00

PLANNING  
COMMISSION  
REPORT

Planning Commissioner Pat Phillips presented the Planning Commission Report which is attached hereto as Exhibit B.

REZONING ON  
MATLOCK  
BEND MAP 35  
PLACED ON  
JUNE AGENDA

It was moved by Commissioner Bledsoe and seconded by Commissioner Millsaps that the rezoning on Matlock Bend Rd., Lake Drive and Matlock Bend Industrial Park Dr., Map 35, Parcels 13,14,15,16, 35, 7.0,60-0, 60-02 from A-1 Agriculture Forestry to M-1, General Industrial (1st & 4th Districts) be placed on the next agenda. The vote was unanimous.

MAP 73,  
PARCEL 28.0  
APPROVED

It was moved by Commissioner Millsaps and seconded by Commissioner Bledsoe that the Rezoning on Wade Rd, Map 73, Parcel 28-0 from A-1 Agriculture Forestry to R-1, Suburban Residential (1st & 4th District) be approved. The vote was unanimous and it is attached hereto as Resolution No 15-91 Exhibit C.

ARTICLE 4  
SECTION 4.150  
AMENDED

It was moved by Commissioner Park and seconded by Commissioner Price that the Amendment to the Zoning Resolution, Article 4, Supplementary Provisions applying to Specific Districts adding section 4.150 Requirements for the Storage of Abandoned Dismantled Junk Vehicles & Parts be approved. The vote was 8 to 1 in favor with the Commissioner Blair voting Nay. The Resolution is attached hereto as Resolution No 16-91 Exhibit D.

ARTICLE 4  
SECTION 4.160  
AMENDED

It was moved by Commissioner Millsaps and seconded by Commissioner Parks that the Amendment to the Zoning Resolution 4 Supplementary Provisions applying to Specific Districts, adding Section 4.160, Landscape Screening and Buffering Requirements be approved. The vote was 8 to 1 in favor with Commissioner Blair voting Nay. The Resolution is attached hereto as Resolution No. 17-91 Exhibit E.



AMENDMENT TO  
ZONING  
RESOLUTION  
ARTICLE 5,  
ADDING  
SECTION  
5.048  
REJECTED

It was moved by Commissioner Maples and seconded by Commissioner Williams that an Amendment to the Zoning Resolution Article 5, Zoning Districts, adding Section 5.048. R-E Single Family Exclusive Overlay District be rejected. On Roll Call, the vote was 8 to 1 with Commissioner Twiggs Voting Nay. It was then moved by Commissioner Millsaps and seconded by Commissioner Twiggs that it be sent back to the Planning Commission.

STATUS  
ENTERPRISE  
WASTE OIL  
VS  
LOUDON CO.

County Attorney, Harvey Sproul reported that the attorney for Enterprise Waste Oil Co. (Wayman Prichard) Attorney had filed a Petition for Certiorari with the United States Supreme Court. The County is filing an objection, and it is expected that it will be several weeks or even months, before it is known whether or not the Supreme Court will consider the case any further.

STATUS OF  
DR. GUIDER  
VS LOUDON  
COUNTY  
COMMISSION

Concerning the case of Dr. Guider VS Loudon County Commission regarding the closing of Huff Ferry Road, the County's Insurance Co. has not accepted financial responsibility for defending this suit, and the county is taking the position that the county is entitled to a defense provided by the insurance company. The county will be represented by another attorney in the suit because the county attorney has a conflict in the matter.

SOUTHERN  
RAILWAY SUIT  
AGAINST  
ALL COUNTIES

Attorney Sproul reported that the Southern Railway has filed a suit against all counties in the state. The suit claims that Southern Railway (and other similar utility) are being taxed inequitable concerning personal property in this state, and is primarily being defended by the State Attorney General. This case will probably be tried later this summer, and if it is lost will mean a fairly good loss of revenue to Loudon County.

STATUS  
OF COOKE  
CABLEVISION  
APPLICATION  
FOR RENEWAL

The County's Cable Committee has taken a position in support of the Cooke Cablevision Application for Renewal of Franchise provided that an acceptable agreement can be reached on all of the terms of a proposed agreement. Loudon still has under consideration the possibility of building their own system, but Lenoir City is proceeding forward and at this point the county is cooperating with Lenoir City in attempting to come up with an acceptable franchise agreement. Attorney Sproul says hopefully there will be a report by the next meeting.

EAST TENN  
NATURAL GAS  
CO. INSTALL-  
ING NEW LINE  
THRU LOUDON  
COUNTY

The East Tennessee Natural Gas Co. through its Construction Engineers, Wellbros Butler Engineers, Inc., is installing a new line through Loudon County within its original 50 foot easement. However, they need to use an additional 20 foot strip temporarily during the construction period which, insofar as the two lots owned by the County is concerned, will take approximately four days across each lot. They have requested a temporary work space permit for \$100.00 on the lot located on Browder Street (Map 22, Group B, Parcel 3) and will pay \$203.43 for crossing the lots located at the rear of the Justice Center. Upon Motion by Commissioner Park and seconded by Commissioner Price and unanimously approved, the County Executive was authorized to sign the permits and agreements.

COMMUNITY  
SERVICES TO  
RENT AT  
COUNTY  
OFFICE BLDG.

County Executive, George Miller, reported that Linda White, from Community Service was looking for a place to move. After some discussion if it was moved by Commissioner Park and seconded by Commissioner Twiggs that they get a place at the County Office Building on a thirty day trial basis (Rent \$75.00 month). The vote was 8 to 1 in favor with Commissioner Millsaps voting nay.

HOSPITAL  
EXPRESSED  
INTEREST IN  
BACON BLDG.

County Executive, George Miller reported that the Hospital had expressed interest in taking over the Bacon Building, if it could be included in the lease.

RESOLUTION  
SUPPORTING  
TWO BILLS TO  
IMPROVE THE  
ANNEXATION  
LAWS FOR  
PUBLIC GOOD  
APPROVED

It was moved by Commissioner Williams and seconded by Commissioner Park that a Resolution Supporting two bills to improve the State Annexation Laws for the Public Good and that the County Attorney would draw the Resolution for approval. The vote was unanimous. Resolution No. 18-91 Exhibit 7.

DISCUSSION  
OF FEDERAL  
GRANT  
MONEY

Commissioner Williams requested a discussion on Audit Findings which pointed out establishment of unauthorized bank accounts for industrial grants. Industrial Developer, Doug Berry told Commissioners that the accounts at First Heritage National Bank complies with Federal Grant guidelines but at the same time, it also fails to comply with state auditing requirements. Berry reported that since it was Federal Money they had to follow the Federal Guidelines or loose the grant. It was moved by Commissioner Twiggs and seconded by Commissioner Maples that the Finance Committee check into the matter. The vote was unanimous.

NOTARIES  
APPROVED

It was moved by Commissioner Price and seconded by Commissioner Maples that the following Notaries Publics be approved: Gayle G. Matlock, Kelly Billingsley, John W. Cooper, Jackie McKee, Martha Smith, Karen Johnson, Linda Wheeler, Betty S. Easton, Brenda S. Johnson, Charles T. Eblen, Harold L. Hopkins, Glenn Alvin McNish, Wendy E. Taylor, & Royal Sampson. The vote was unanimous.

There being no further business, Court adjourned at 9:45 P.M.

LOUDON COUNTY HIGHWAY DEPARTMENT

BUDGET AMENDMENTS

April 30, 1991

ACCOUNT NO 131:

		<u>DR.</u>	<u>CR.</u>
61000 599	Other Charges	22.00	
61000 320	Dues & Memberships		22.00
63100 599	Other Charges	500.00	
62000 351	Rentals		500.00
62000 444	Salt	1,000.00	
63100 425	Gasoline	1,000.00	
66000 204	State Retirement	1,000.00	
62000 409	Crushed Stone		3,000.00
63100 499	Other Supplies/Materials	1,500.00	
66000 204	State Retirement	2,000.00	
63100 412	Diesel Fuel		3,500.00
62000 404	Asphalt Hot Mix	5,000.00	
63100 416	Equipment Parts-Heavy	5,000.00	
63100 417	Equipment Parts-Light		10,000.00
62000 404	Asphalt Hot Mix	17,500.00	
62000 405	Asphalt Liquid	12,500.00	
62000 403	Asphalt Cold Mix		30,000.00

ACCOUNT NO 131-SUBFUND:181

		<u>DR.</u>	<u>CR.</u>
61000 142	Mechanic(s)	5,800.00	
63100 425	Gasoline		5,800.00

  
 Don Palmer  
 Road Superintendent

*Exhibit A*

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# Loudon County Regional Planning Commission

P.O. Box 48  
Loudon, Tennessee 37774

## MEMORANDUM

TO: County Executive George Miller, & Loudon County Commission

FROM: Patrick Phillips

DATE: May 6, 1991

SUBJECT: General Report

The Loudon County Regional Planning Commission met on April 11, 1991 to discuss and consider and recommend the following:

### LCRPC

- Recommended the rezoning of property on Wade Rd., Map 73, Parcel 28.0 from A-1, Agriculture Forestry to R-1, Suburban Residential
- Rezoning request on Unitia Rd., & Leeper Mill Rd., Map 40, Parcel 5.3 - motion to recommend rezoning failed by a tie vote of planning commission
- Recommended rezoning on Matlock Bend, Lake Drive and Matlock Bend Industrial Park Rd., Map 35, Parcels 13, 14, 15, 16, 35, 7.0, 60.0 & 60.02 from A-1, Agriculture Forestry to M-1, General Industrial
- Approved land use plan amendment designating Matlock Bend Industrial
- Heard building commissioner's report

PP:sat

(615) 458-4470

*Exhibit B*

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RESOLUTION 1591

RESOLUTION TO AMEND THE ZONING MAP OF  
LOUDON COUNTY, TENNESSEE PURSUANT TO  
CHAPTER FOUR, SECTION 13-7-105 TENNESSEE CODE  
ANNOTATED, TO REZONE MAP 73, PARCELS 28.0, FROM  
A-1, AGRICULTURE FORESTRY TO R-1, SUBURBAN  
RESIDENTIAL

WHEREAS, the Loudon County Commission in accordance with Chapter Four, Section 13-7-105 of the Tennessee Code Annotated, may from time to time, amend the number, shape, boundary, area, or any regulation of or within any district or districts, or any other provision of any zoning resolution, and

WHEREAS, the Regional Planning Commission has forwarded its recommendations regarding the amendment to the Zoning Map of Loudon County, Tennessee, and the necessary public hearing called for and held,

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission that the Zoning Map of Loudon County, Tennessee be amended as follows:

I. That Tax Map 73, Parcel 28.0, said property located on Wade Road, in the 1st & 4th Legislative District be rezoned from A-1, Agriculture Forestry to R-1, Suburban Residential

BE IT FINALLY RESOLVED that this Resolution shall take effect immediately, the public welfare requiring it.

DATE: May 6, 1991

\_\_\_\_\_  
County Executive

*E. L. C.*

RESOLUTION NO. 16-91

**A RESOLUTION AMENDING THE ZONING  
RESOLUTION OF LOUDON COUNTY,  
TENNESSEE, PURSUANT TO CHAPTER FOUR,  
SECTION 13-7-105 OF THE TENNESSEE CODE  
ANNOTATED, AMENDING ARTICLE 4,  
SUPPLEMENTARY PROVISIONS APPLYING TO  
SPECIFIC DISTRICTS ADDING SECTION 4.150  
REQUIREMENTS FOR THE STORAGE OF  
ABANDONED, DISMANTLED JUNK VEHICLES  
AND PARTS**

WHEREAS, the Loudon county Commission in accordance with Chapter Four, Section 13-7-105 of the Tennessee Code Annotated, may from time to time, amend the number, shape, boundary, area, or any regulation of or within any district or districts, or any other provision of any zoning resolution, and

WHEREAS, the Regional Planning Commission has forwarded its recommendations regarding the amendment of the Zoning Resolution of Loudon County, Tennessee, and the necessary public hearing called for and held, and

WHEREAS, the storage and location of dismantled, abandoned or junk vehicles contribute to decreased property values since such items visually detract from the aesthetic qualities of the area's natural resources and creates potential health hazards due to the stagnate collection of water and is a habitat for rodents, snakes and other vermin.

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission that the Zoning Resolution of Loudon County, Tennessee, be amended as follows:

Section 1. That Article 4 be amended by adding section 4.150 Requirements For The Storage of Abandoned, Dismantled, Junk Vehicles and Parts

4.150 Requirements for the storage of abandoned, dismantled junk vehicles and parts. The following requirements shall apply to the storage or placement of the above mentioned vehicles or parts thereof.

1. Within any residential district no commercial vehicle engine repair or body repair operation shall be permitted except those business operating under the nonconforming provisions of this resolution. The repair of vehicles titled to persons residing on the premises or for immediate members of the family shall be permitted; however, exterior storage of dismantled,

*Ex Exhibit D.*

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abandoned or junk vehicles or parts thereof is prohibited.

2. Within any commercial district any vehicle engine repair of body repaired operation permitted to operate within the district shall conform to the following:

Any dismantled, partially dismantled, junk vehicle or parts of same, shall be located within an enclosed area and completely screened from view to adjoining properties and/or from any public road, street, highway or thoroughfare

**BE IT FINALLY RESOLVED,** that this resolution shall take effect immediately, the public welfare requiring it.

DATE: \_\_\_\_\_

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Attest

RESOLUTION NO. 17-91

**A RESOLUTION AMENDING THE ZONING  
RESOLUTION OF LOUDON COUNTY,  
TENNESSEE, PURSUANT TO TENNESSEE CODE  
ANNOTATED, SECTION 13-7-105 AMENDING  
ARTICLE 4, SUPPLEMENTARY PROVISIONS  
APPLYING TO SPECIFIC DISTRICTS ADDING  
SECTION 4.160, LANDSCAPE, SCREENING &  
BUFFERING REQUIREMENTS**

WHEREAS, the Loudon County Commission in accordance with Chapter Four, Section 13-7-105 of the Tennessee Code Annotated, may from time to time, amend the number, shape, boundary, area, or any regulation of or within any district or districts, or any other provision of any zoning resolution, and

WHEREAS, the Regional Planning Commission has forwarded its recommendations regarding the amendment of the Zoning Resolution of Loudon County, Tennessee, and the necessary public hearing called for and held, and

WHEREAS, landscaping, screening and buffering improved the aesthetic and environmental qualities of the area thus creating a positive image which enhances the areas competitive edge for economic development and tourism, and

WHEREAS, the integration of landscaping into a total development plan reduces both stormwater runoff and the visual conflict between motorists and developments adjacent to the areas roadway network.

NOW THEREFORE, BE IT RESOLVED, that the Zoning Resolution of Loudon County, Tennessee be amended as follows:

Section 4.160 Landscape screening & buffering requirements. The following requirements shall apply to all multi-family and commercial developments:

A. Landscaping

Landscaping shall be integrated into building arrangements, topography, parking, and buffering requirements. Landscaping shall include trees, shrubs, ground cover, perennials, annuals, art, and the use of building and construction materials in a manner that respects the natural topographic features and natural resources of the site. A detailed landscape plan shall be submitted with the site plan when requesting a building permit.

For each acre, or fraction thereof, the following minimum standards shall apply:

Canopy Trees: Three (3) canopy trees with a minimum 5 inch caliper; or six (6) canopy trees with a minimum 3 inch caliper; or eight (8) canopy trees with a minimum 2 inch caliper.

Shrubs: Thirty-five (35) shrubs with a minimum height of 18 inches.

Minimum Area: There shall be a minimum of ten (10) square feet of landscaping for each parking space provided within the development. Retail automobile sales establishments shall conform to one-half the minimum requirements.

Location: Landscaping shall be integrated into parking areas, buffer areas and open spaces. The design shall maximize the visual effect to motorists and adjacent properties. Consideration will be given to mature trees which remain on the site following completion of construction. Trees with a caliper size less than the minimum stated above will not be calculated as mature trees.

**B. Screening & Buffering**

Parking areas in commercial areas shall be adequately screened/buffered so as not to be visible from contiguous residential areas and shall have limited visibility from adjoining streets. The impacts of headlight glare, noise, and traffic movement shall be mitigated by utilizing berms, evergreens, shrubs, deciduous trees or any combination to achieve the stated objective. Screening shall not be less than six (6) feet in height, shall be provided from the grade of the property upward and shall be permanently maintained. The screening/buffer area shall be fifteen (15) feet wide and shall be located along the front perimeter of the property between the roadway and parking areas of the development. The area shall not be utilized for parking or structures. If plant materials are used for screening, they shall cover a minimum of ten (10) feet in width along the property line.

**C. Alternative Design Proposals**

The board of zoning appeals is granted the authority to consider & approve alternative design proposals which meet or exceed the intent of these requirements.

**BE IT FINALLY RESOLVED**, that this resolution shall take effect immediately the public welfare requiring it.

DATE: \_\_\_\_\_

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Attest





Loudon County  
Tennessee

## Resolution

NO. 18-91

### RESOLUTION SUPPORTING AMENDMENTS TO STATE ANNEXATION LAWS

**WHEREAS**, under present law, municipalities may take action to annex adjacent properties to their present municipal boundaries without specific notice to the residents involved, and such residents do not have the right to contest the validity of the action of the municipality in so annexing; and

**WHEREAS**, the present laws would be sufficient to enhance municipal annexation powers with some modifications; and

**WHEREAS**, many times annexations by cities have significant detrimental effects upon County government in the loss of revenues and the loss of population.

**NOW, THEREFORE, BE IT RESOLVED** by the Loudon County Commission, in regular session assembled, on the 6th day of May, 1991, that it support Senate Bill 1106 and House Bill 880, and Senate Bill 625 and House Bill 879, all pending in the Tennessee General Assembly, along with any reasonable amendments that might be made, requiring municipalities to notify affected property owners by certified mail of their intent to annex, and giving the right to residents in a proposed annexation area the right to file suit to contest the annexation, and also prohibiting the division of less than a complete tax parcel.

**FURTHER, BE IT RESOLVED** that the legislative representatives representing Loudon County in the Tennessee General Assembly be notified of the County Commission's position in this matter.

**This the 6th day of May, 1991.**

  
COUNTY CHAIRMAN

APPROVED:

  
COUNTY EXECUTIVE

ATTEST:

\_\_\_\_\_  
COUNTY CLERK

*Exhibit 7*

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