

A Public Hearing was held at the Loudon County Courthouse on May 4, 1992 @ 7:00 P.M. for the purpose of:

- Zoning amendment, adding section 5.048 0-1, Office-Professional District; Article 4, Supplementary Provisions amending sections 4.090 and 4.160
- Rezoning on Ritchie Rd. Map 64, Parcel 12.00 from A-2, Rural Residential to 0-1, Office Professional
- Rezoning on Old Niles Ferry Rd., Map 93, Parcel 40.00 from A-2, Rural Residential to M-1, General Industrial
- Rezoning on Price Rd., Map 11, Parcel 48.02 from A-2, Rural Residential to C-2, General Commercial

There being no comment the hearing closed.

Be it remembered that the Loudon County Legislative Body met in Regular Session on Monday, May 4th, 1992 at 7:15 P.M. with the Chairman, J.J. Blair presiding and County Clerk, Riley D. Wampler, were present, whereupon Sheriff Tim Guider Opened Court, Led the Pledge of Allegiance to the Flag and Presented Hank McGhee, who gave the Invocation.

The following Commissioners were present:

Blair
Bledsoe
Millsaps

Price
Maples
Masingo

Park
Williams
Twiggs

APRIL 6th
MINUTES
APPROVED AS
CORRECTED

It was moved by Commissioner Price and seconded by Commissioner Park that the April 6, 1992 Minutes be approved as corrected. The vote was unanimous.

APRIL 20th
MINUTES
APPROVED

It was moved by Commissioner Park and seconded by Commissioner Price that the April 20, 1992 Minutes be approved as presented. The vote was unanimous.

PROPERTY
ASSESSOR,
DOYLE ARP
TALKS ABOUT
DARTER STEEL
CO.

Property Assessor, Doyle Arp spoke to the Commission concerning tax money owed by Darter Steel Co. of Alcoa which they have refused to pay and wanted it removed from the books. Mr. Arp stated it could not be removed from the books. They have since picked up the aluminum can crusher.

CONSTABLE
IN 6th & 3rd
DISTRICT TO
BE PUT ON
BALLOT

It was moved by Commissioner Masingo and seconded by Commissioner **Twiggs** that a Resolution be passed for the August General Election, to elect a Constable in the 6th and 3rd Districts.

The Resolution is attached hereto as Resolution No. 62A-92
Exhibit E.

HOWARD
LUTTRELL
APPOINTED
CIVIL
DEFENSE
DIRECTOR

The appointment of Howard Luttrell as Civil Defense Director by County Executive George Miller will take office May 4, 1992. He is a native of Loudon County, retired from the Mariene Corps, with the rank of Colonel. He introduced himself to the Commission.

APPLYING
FOR GRANT
MONEY

After much discussion concerning applying for grants to obtain funds for additional county ballparks or funding to improve parks already located in the county, it was moved by Commissioner Twiggs and seconded by Commissioner Price that they follow up on the Ruritan Grant already applied for, and apply for grants. The vote was unanimous. County Executive, George Miller stated that an application for one recreation grant must be filed by the end of May.

It was moved by Commissioner Masingo and Price and seconded by Commissioner Twiggs that County Executive George Miller take steps necessary to apply for the grant including a resolution. The vote was unanimous. The County Executive said East Tennessee Development District Officials would lend assistance with that grant application.

NATIONAL
GUARD
ARMORY
REPORT

County Executive, George Miller reported on the progress of the National Guard Armory stating that bids came in higher than their budget and would have to work on the budget. He stated there would be a meeting Wednesday, May 6th in Knoxville concerning the matter. It was moved by Commissioner Price and seconded by Commissioner Williams to give County Executive George Miller the authority to set the date on the matter.

BOARD OF
ZONING
APPEALS

Concerning the appointment to the Board of Zoning Appeals, it was moved by Commissioner Millsaps and seconded by Commissioner Park to let the Committee decide who will serve on the Board of Zoning Appeals. The vote was unanimous.

TELLICO
PARKWAY
ROAD

Mr. Evans met with the TRDA Staff and County Executive George Miller, concerning the Tellico Parkway Road. After much discussion by County Commission and Road Sup't. Don Palmer, it was moved by Commissioner Bledsoe and seconded by Commissioner Williams that the county accept the Parkway Road. "After it is brought up to standards" without the use of County Funds, voicing optimism that the state would eventually take responsibility for the road. The vote was 5 to 4 against taking responsibility. Those voting against it were Commissioners Blair, Maples, Price, Park and Twiggs.

CAPITAL
OUTLAY
NOTES
BUDGE.
AMENDMENTS

Out-
Director of Accounts, Nancy Richesin presented Capital Lay Notes to approve insurance in the amount of \$250,000 for the following capital projects: Demolition and removal of "Old Eaton School" - including site preparation, construction of EMT Building, Parking Lot County Justice Center, Roof original section County Justice Center, matching funds for Emergency Grant, County Office Building, replacing of seating Court Room-County Justice Center. It was moved by Commissioner Park and seconded by Commissioner Masingo to accept the Capital Outlay Notes and Budget Amendments. On Roll Call the vote was 8 with Commissioner Twiggs abstaining. They are attached hereto as Exhibit H.

BUILDING
INSPECTOR'S
REPORT

Building Inspector Doug Lawrence presented the Building Inspector's Report for April, 1992:

Fees-----\$3,893.00
Permits-----50

Value-----\$2,204,000.00
Taxes-----15,000.00

STATE
PLANNING
COMMISSION-
ER

State Planning Commissioner Pat Phillips presented the Planning Commission Report.

AMENDING
ARTICLE 5
SECTION
5.048,
ARTICLE 4,
SECTIONS
4.090 &
4.160
APPROVED

It was moved by Commissioner Park and 2nd by Commissioner Price that the Consideration of Amending the Zoning Resolution of Loudon County adding Section 5.048, O-1 Office Professional District, Article 4, Supplementary Provisions apply to Specific District, Section 4.090 Standards for Signs, Billboards, and other advertising structures; 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. 62-92 Exhibit B.

REZONING
MAP 64,
PARCEL
12.00
APPROVED

It was moved by Commissioner Bledsoe and seconded by Commissioner Millsaps that a Resolution rezoning Map of Loudon County, Tennessee pursuant to Chapter Four, Section 13-7-105 of the Tennessee Code Annotated, to Rezone Map 64, Parcel 12.00 from A-2 Rural Residential to O-1, Office Professional.(1st & 4th Legislative District) be approved. The vote was unanimous and the Resolution is attached hereto as Resolution No. 63-92 Exhibit C.

MAP 93
PARCEL
40.00
FROM A-2
RURAL
RESIDENTIAL
TO M-1
GEN. INDUST-
RIAL
WITHDRAWN
REZONING OF
MAP 11
PARCEL
48.02
APPROVED

It was moved by Commissioner Masingo and seconded by Commissioner Park that the Rezoning on Old Niles Ferry Road, Map 93, Parcel 40.00 from A-2, Rural Residential to M-1, General Industrial (3rd Legislative District) be withdrawn. The vote was unanimous.

It was moved by Commissioner Park and seconded by Commissioner Williams that the Rezoning on Price Road, Map 11, Parcel 48.02 from Rural Residential to C-2, General Commercial (5th Legislative District) be approved (Keeping all equipment in building). The vote was unanimous and the Resolution is attached hereto as Resolution No. 64-92 Exhibit D.

CABLE
TELEVISION
CONTRACT
STATUS

Concerning the status of Cable Television Contract with Robin Cable Systems II, Inc. (Intermedia Partners), David Maney states that the purchase of various Cable Systems by Intermedia Partners from Cook Cablevision was completed on Thursday afternoon, April 30, 1992, and the contract between Robin Cable Systems II, Inc., Intermedia's Subsidiary, and Loudon County has been executed, and should soon be in the County's hands, with the execution having occurred within the 30 day period required by the contract. He advised Attorney Sproul that the survey and mapping crews will be working immediately in the county, and should finish their work within 30-45 days. He expects that the crews will be stringing cable in the month of June.

OLD LHS
FOOTBALL
FIELD-LEASE
QUARTER-
BACK
CLUB

The Attorney for the Loudon Quarterback Club had contacted Attorney Sproul concerning the action of the County Commission at the April Meeting in cancelling the football field lease to whom Attorney Sproul explained that it was his understanding that the majority of the County Commissioner's intention was not to "break" the lease, or to cancel it on the basis of "failure to maintain", but it was his understanding that it was the majority's intention to give notice that the lease was cancelled as of the end of the lease-hold year (September 1, 1992). He stated to the Commission that he would assure that his interpretation of the majority's intent was correct unless there was an objection from any of the majority. There was a brief discussion, but no objection was made. Accordingly Attorney Sproul explained that the County Executive will give the Club Official written notice of cancellation effective September 1, 1992 as provided by the lease agreement.

PENDING
LITIGATION
HALL VS HALL
& FISRT
TENNESSEE
BANK,N.A.
VS
CLERK &
MASTER

Attorney Sproul felt there were two items of pending litigation concerning Clerk and Master's Office which he should explain in Executive Session. These suits involve the situation wherein the county has the option of deciding whether to appeal the recent decision of the Court of Appeals in the Hall fund as a part of the Clerk and Master's fees (the deficiency or surplus of which affect the county); and whether to defend the suit in the First Tennessee Bank, N.A. attempt to recover from the Clerk and Master a portion of certain funds that had been paid to the Clerk and Master as a purchase at a delinquent tax sale.

RECESS

The Chairman then recessed the meeting into an Executive Session, and the County Commission withdrew from the room.

FIRST
TENNESSEE
BANK,N.A.
VS
CLERK &
MASTER

Upon return, it was moved by Commissioner Park, and seconded by Commissioner Price, that the County Attorney be authorized to represent on behalf of the County Clerk and Master in the suit filed by First Tennessee Bank, N.A., requesting the return of certain funds paid into Court as the purchase price on a parcel of property sold at a delinquent tax sale be approved. The vote was unanimous.

No authorization or action was taken by the Commission in the suit of Paula C. Hall V. Kimberly Hall.

NOTARIES
APPROVED

It was moved by Commissioner Price and seconded by Commissioner Masingo that the following Notaries be approved:

Nancy L. Foshee, Carolyn M. Alexander, and Harold F. Carpenter. The vote was unanimous.

There being no further business, Court Adjourned at 8:45 P.M.

County Executive

County Clerk

Capital Outlay Notes

Commission to approve issuance of Capital Outlay Notes
in the amount of \$250,000 for the following capital projects:

- demolition and removal of "Old Eaton School"-including
site preparation
- Construction of EMT Building
- Parking lot County Justice Center
- roof-original section County Justice Center
- matching funds for Energy Grant-County Office Building
- replacing of seating Courtroom-County Justice Center

Budget Amendments:- *County General Fund*

Increase County Coroner budget's from \$2,500 to \$3,000

Amend Sheriff's Vehicle budget by \$15,000

these additonal monies to be taken from General Fund
fund balance-----

Sept 14 H

130

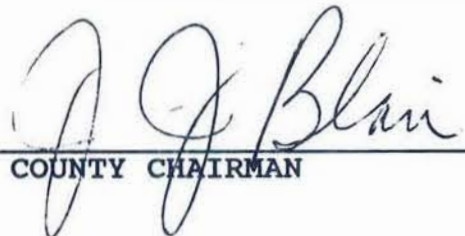
LOUDON COUNTY COMMISSION

RESOLUTION NO. LR-92


RESOLUTION AS TO CONSTABLE VACANCIES

WHEREAS, a vacancy exists in the third and sixth legislative districts of Loudon County for the office of Constable, and the County Commission has reapportioned Loudon County according to law, subsequent to the 1990 census;

NOW, THEREFORE, BE IT RESOLVED by the Loudon County Commission, in regular session assembled, on the 4th day of May, 1992, that the Constable vacancies for the third and sixth legislative districts (one Constable each) be held at the County General Election in August, and that the latest reapportionment plan for the third and sixth legislative districts be used for the eligibility of candidates, and for the purpose of voting.


COUNTY CHAIRMAN

APPROVED:


COUNTY EXECUTIVE
Date: May 4, 1992

ATTEST:

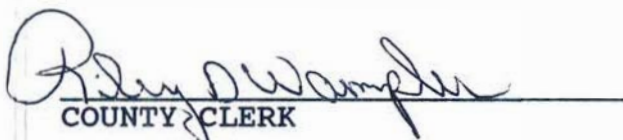

COUNTY CLERK

Exhibit B

121 R

RESOLUTION

102-92

**A RESOLUTION AMENDING THE ZONING RESOLUTION
OF LOUDON COUNTY, TENNESSEE, AMENDING
ARTICLE 5, SECTION 5.048; ARTICLE 4, SECTIONS 4.090
AND 4.160**

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 Resolution of Loudon County, Tennessee, and the necessary public hearing called for and held,

WHEREAS, an additional zoning district is deemed necessary to create a transitional zone between more intensive land uses and residential areas, and to provide for uses which do not negatively impact adjacent residential use.

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

Section 1. Section 5.048., 0-1, Office Professional District:

A. District Description

The purpose of this district is to create a district which is compatible with adjacent residential areas and serves as a transitional zone between residential and other incompatible land uses. The district is intended to promote quality development which promotes clustering of buildings surrounded by landscaped yards and open spaces. The district shall be established within areas in close proximity to arterials and which will directly serve the residential areas in the immediate vicinity. The district is primarily office in nature, however, certain retail uses are permitted within the development.

B. Uses Permitted

Within the 0-1, Office-Professional District, the following uses and their accessory uses are permitted.

1. Professional, business, and governmental offices. These shall include, but not limited to, offices for attorneys, architects, engineers, insurance and real estate agents, physicians, chiropractors, dentists, accountants, and brokers.
2. Medical/health care clinics & offices
3. Funeral homes
4. Day cares
5. Financial service businesses

Exhibit B

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6. Churches
7. Travel agencies
8. Personnel services
9. Pharmacies

C. Uses Permitted as a Special Exception

Within the 0-1 district the following uses may be permitted as special exceptions after review and approval in accordance with Article 7, Section 7.060.

1. Retail business*
 - a. Florists, barber and beauty shops, specialty shops, restaurants, convenience stores, dry cleaners, video stores, arts and crafts, landscape nurseries, other similar uses.

In reviewing an application for these uses, the board shall consider the suitability of roads, utilities, and impact on adjacent residential areas resulting from increase traffic, noise and property devaluation resulting from such development.

*The square footage of finished floor area dedicated or used for retail shall not exceed forty (40) percent of the total square footage of the development. Retail uses shall be integrated into the development and shall be secondary in nature.

D. Uses Prohibited

1. All uses not specifically permitted or permitted as a special exception and includes any permitted use in which any stock in trade or activity is conducted on the exterior of the primary or accessory structures. (The provisions of this section do not apply to landscape nursery operations).
2. Signs and billboards except as permitted in Article 4.

E. Dimensional Regulations

All uses in the 0-1, Office-Professional District shall comply with the following requirements except as provided in Article 6.

1. Front yard: The minimum depth of the front yard shall be forty (40) feet for one story structures and fifty (50) feet for two story structures.
2. Rear yard: The minimum depth of the rear yard shall be 25 feet.
3. Side yard: The minimum depth of the side yard shall be 20 feet for one story structures and 25 feet for two story structures.
4. Land area: The minimum land area required shall be one acre. Where no public water is available the minimum lot area shall not be less than three (3) acres.

5. Maximum lot coverage: In order to reduce incompatibilities with adjacent residential uses and promote quality developments with emphasis on open space, the total land area covered by buildings, and parking areas shall not exceed forty (40) percent.
6. Lot width: No lot shall be less than one hundred (100) feet wide at the building setback line.
7. Height requirement: No building shall exceed two (2) stories or twenty-five (25) feet in height, except as provided in Article 6, Section 6.030
8. Parking space requirements: As regulated in Article 4, Section 4.010.

Section 2. That Article 4, Section 4.090, be amended by adding subsection I.

I. In the 0-1, Office-Professional District, the following regulations shall apply.

1. One on-premise freestanding sign not to exceed one hundred (100) square feet in area and no more than ten (10) in height.
2. One wall sign per business establishment not to exceed one (1) square foot for each lineal foot of the business's primary facade.
3. Billboards or other similar signs, advertising structures, portable/temporary signs or banners are prohibited.

Section 3. That Article 4, Section 4.160 Landscape screening and buffering requirements be amended by adding the following:

The following requirements shall apply to all multifamily, office and commercial development.

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

County Executive

Attest

Date

RESOLUTION

63-92

A RESOLUTION AMENDING THE ZONING MAP OF LOUDON COUNTY, TENNESSEE, PURSUANT TO CHAPTER FOUR, SECTION 13-7-105 OF THE TENNESSEE CODE ANNOTATED, TO REZONE MAP 64, PARCEL 12.00 FROM A-2, RURAL RESIDENTIAL TO 0-1, OFFICE-PROFESSIONAL

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 64, Parcel 12.00 said property located on Ritchie Rd. in the 1st and 4th Legislative District be rezoned from A-2, Rural Residential to 0-1, Office-Professional

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

DATE: May 4, 1992

Loudon County Executive

ATTEST: _____

EX-100-2

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RESOLUTION 64-92

A RESOLUTION AMENDING THE ZONING MAP OF LOUDON COUNTY, TENNESSEE, PURSUANT TO CHAPTER FOUR, SECTION 13-7-105 OF THE TENNESSEE CODE ANNOTATED, TO REZONE MAP 11, PARCEL 48.02 FROM A-2, RURAL RESIDENTIAL TO C-2, GENERAL COMMERCIAL

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 11, Parcel 48.02 said property located on Price Rd. in the 5th Legislative District be rezoned from A-2, Rural Residential to C-2, General Commercial

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

DATE: May 4, 1992

Loudon County Executive

ATTEST: _____

Exhibit A