

## PUBLIC HEARING-COUNTY COMMISSION MEETING

NOVEMBER 4, 1996

1. Public Hearing:
  - Shaw Ferry Rd-Hwy. 11. Tax Map 17. Parcel 17.01
  - Highway 321. tax Map 30. parcel 21.09
  - Amend. Zoning Res.- Supplementary Provisions Applying to Specific districts. adding section 4.190.
2. Call to order. Invocation. Roll call
3. Adoption of Agenda
4. Approval of Minutes of Special Called Meeting, September 16, 1996
5. Minutes of October 7, 1996 approved.
6. Comments for audience in minutes limited
7. Audience invited to speak on items on agenda.
8. Audience invited to speak on items not on agenda.
9. Comm. Duff appointed to replace Comm. Twiggs on Visitor's Bureau Br.
10. Discussion - Old Nat. Guard Armory Purchase deferred to next meeting.
11. N. Richesin's report.
  - 1.) Additional appropriation to County libraries
  - 2.) \$5,000. to "Break the Cycle" pregnancy program.
  - 3.) \$5,000. appropriated for School light HHCA.
12. Study and appropriation of \$84,000. Allocated to addition at Justice Center.
13. Attorney Sproul's report.
14. Pat Phillips, Dir. Of Planning and Community Dev.
  - 1.) Rezoning approved Shaw Ferry Rd-Hwy. 11. Tax Map 17. Parcel 17.01
  - 2.) Rezoning approved-Hwy. 321. Tax map 30. parcel 21.09
  - 3.) Amendment approved Zoning Res.- Supplementary Provisions Applying to Specific districts. adding section 4.190.
15. Approval granted-Nationwide Express Inc.--purchase of 10-12 acres in Sugarlimb Ind. Park.
16. Building Commissioner's report.
17. Don Palmer, Road Commissioner. permission granted to allow County Highway Equip.
18. Howard Luttrell's report.
19. Bond approvals
20. Notaries approved.

(1)  
Public  
Hearing

PUBLIC HEARING  
NOVEMBER 4, 1996

1. Rezoning request for property on Highway 11 at Shaw Ferry Road, Fifth Legislative District, referenced by Tax Map 17. Parcel, 17.01, from R-1 Suburban Residential District, to O-1, Office-Professional District.
2. Rezoning request for property on Highway 321, located in the Third Legislative District, referenced by Tax Map 30, Parcel 21.09, from A-2, Rural Residential district, to C-2, General Commercial District.
3. Amendment to the Zoning Resolution of Loudon County, Article 4, Supplementary Provisions Applying to Specific Districts, adding Section 4.190, Waste Disposal Facilities Location and Designs Standards.

No one wished to speak on any of these rezoning issues.

COUNTY COMMISSION MEETING

NOVEMBER 4, 1996

(2)  
Call to order,  
Roll Call

Be it remembered that the Loudon County Legislative Body met in regular session on November 4, 1996 at the Loudon County Courthouse Annex, with the Chairman Roy Bledsoe presiding, County Court Clerk, Riley D. Wampler, and County Executive George Miller were present, whereupon Deputy Sonny Routson opened Court, Mr. Howard Luttrell led the Pledge of Allegiance, and Rev. Gary Amos gave the Invocation. On Roll Call the following Commissioners were present:

Bivens  
Randolph  
Bledsoe

Masingo  
Park  
Ledbetter

Duff

Commissioners Maples and Twiggs were absent, however, Commissioner Twiggs arrived at 7:10.

(3)  
Adoption  
of agenda

Chairman Bledsoe asked if any Commissioner objected to the proposed agenda being adopted. No one objected so the Chairman announced the agenda is approved as submitted.

(4)  
Minutes of  
Sept. 16, 1996  
approved

Commissioner Bivens made the motion that the minutes of County Commission Meeting of September 16, 1996 be approved. Commissioner Duff seconded the motion. Voice vote indicated all in favor. Ms. Patricia Hunter has requested this correction: She spoke in opposition to spending \$1,000,000 of taxpayer money to purchase the Headlee property (this overall statement is affirmed by the tape of that meeting). Commissioner Bivens requested that certain statements be included in the minutes. They are:

1. That she expressed concerns that worry citizens in her district. The citizens are concerned about too much Industrial acreage being located in the first district.
2. She asked if the resolution had been brought before the Blair Bend Industrial Committee, and questioned the legality of a member selling his property "minutes" before to Edward Headlee.
3. Why the taxpayers were asked to pay more per acre for the land than John Deere Co. had paid (on the additional acreage.)

Voice vote indicated motion carried.

- (5)  
Minutes of  
Oct. 7, 1996  
approved
- Commissioner Ledbetter made the motion that the minutes of County Commission Meeting of October 7, 1996 be approved. Commissioner Masingo seconded the motion. Voice vote indicated all in favor.
- (6)  
Audience  
comments  
limited in  
minutes.
- Chairman Bledsoe announced that unless any member of the County Commission objected that the minutes of the Loudon County Commission Public Hearings and Citizens comments would only contain: person's name, subject addressed, and whether they were for/against the subject.
- (7)  
Audience  
speaks on  
agenda items.
- Chairman Bledsoe asked if anyone had comments on any item on the agenda but no one came forward.
- (8)  
Audience  
speaks on  
non-agenda  
items.
- Chairman Bledsoe asked if anyone had comments on any item not on the agenda and:  
Ms. Pat Hunter came forward and spoke concerning the Headlee property sale/J. Deere facility.
- Mr. Miller, County Executive had these items:
- (9)  
Comm. Duff  
appointment  
to replace  
Visitor's  
Bureau Bd
- Appointment of Commissioner Harold Duff to fill the vacancy on the Visitor's Bureau Board, created when Commissioner Twiggs resigned. Commissioner Park made the motion that this be approved with Commissioner Randolph seconding the motion. Voice vote indicated the motion carried.
- (10)  
Old Nat.  
Guard Armory  
Discussion-  
deferred
- Discussion of Old National Guard Armory property. The discussion involved Loudon County's possible purchase of Lenoir City's interest in the Old Armory. Mr. Miller will negotiate with Lenoir City, and report to Commission at the December meeting.
- (11)  
N. Richesin's  
Report
- Nancy Richesin, Director of Accounts and Budgets had the following recommendations from the Budget Committee:
1. Appropriation of additional \$4,353.00 to fund extra hours for the Loudon, Philadelphia and Greenback Libraries.
  2. Appropriation of \$5,000.00 to the "Break the Cycle" teen pregnancy program (administered by Paige Williams.)
  3. Recommendation of \$5,000.00 for the installation of "school zone flashing lights" on Martel Road for the Highland Hills Christian Academy. The school will assume the responsibility for utility bill of this traffic light.
- Commissioner Twiggs made the motion that these items be funded, with Commissioner Ledbetter seconding the motion. Results of Roll Call:
- |          |     |           |        |        |     |
|----------|-----|-----------|--------|--------|-----|
| Bivens   | yes | Masingo   | yes    | Duff   | yes |
| Randolph | yes | Ledbetter | yes    | Park   | yes |
| Bledsoe  | yes | Maples    | absent | Twiggs | yes |
- 8--yes, 1--absent --Motion passed unanimously of those present.  
These items are to be funded by the General Fund reserves.
- (12)  
Justice Center  
addition -  
\$84,000
- The last item involves the possible appropriation of \$84,000. For an addition to the Justice Center and the Circuit Court Clerk's area. Commissioner Duff made the motion that this be approved, with Commissioner Masingo seconding the motion. Commissioner Park then made a motion to propose an amendment that would authorize an engineering report to be conducted to advise of actual cost and future needs. Commissioner Randolph seconded the motion. Results of roll call



(16)  
Bl. Comm.  
Report

Loudon County Building Commissioner had this report for the month of October:

|                   |         |            |              |
|-------------------|---------|------------|--------------|
| Permits issued    | 50      | Est Value: | \$1,923,500. |
| Amount Collected: | \$2521. | New taxes: | \$12,000.    |

(17)  
D. Palmer  
Use county  
equipment  
for Cem. Rd.

Mr. Don Palmer, Road Commissioner, had this request:  
Permission from County Commission to approve the use of County Equipment to work out roads to two Cemeteries. one is located in District three, and one in the fourth district. Commissioner Park made the motion to approve this, with Commissioner Masingo seconding the motion. Voice vote indicated motion carried.

(18)  
Pur. Agent

Mr. Howard Luttrell presented the Commissioners with and updated Jan 1996-Oct. 1996 maintenance report. He informed them that the intersection of Shaw Ferry Rd. and Hwy. 11, is to be completed this week.

(19)  
Bonds  
Approved

Commissioner Masingo made the motion the following Bonds be approved, with Commissioner Park seconding the Motion:  
Jessica F. Queener  
Voice vote indicated all in favor.

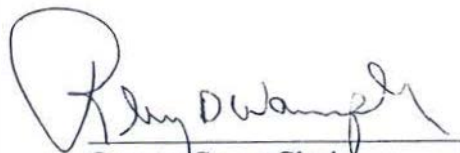
(20)  
Notaries  
Approved

Commissioner Masingo made the motion the following Notaries be approved, with Commissioner Park seconding the Motion:  
Judith White                      Karen Mills Ault              Jessica F. Queener  
Michelle Lynn Hughes              Ronald H. Johnson  
Voice vote indicated all in favor.

(21)  
Dismissal

Motion to adjourn at 7:55.

\_\_\_\_\_  
Chairman

  
County Court Clerk

  
County Executive

vote on the amendment:

|          |     |           |        |        |     |
|----------|-----|-----------|--------|--------|-----|
| Bivens   | yes | Masingo   | yes    | Duff   | yes |
| Randolph | yes | Ledbetter | yes    | Park   | yes |
| Bledsoe  | yes | Maples    | absent | Twiggs | yes |

8--yes, 1--absent --Amendment passed unanimously of those present.

The roll call vote on the motion:

|          |     |           |        |        |     |
|----------|-----|-----------|--------|--------|-----|
| Bivens   | yes | Masingo   | yes    | Duff   | yes |
| Randolph | yes | Ledbetter | yes    | Park   | yes |
| Bledsoe  | yes | Maples    | absent | Twiggs | yes |

8--yes, 1--absent --Amendment passed unanimously of those present.

(13)

Attorney  
Sproul's  
Report

Attorney Sproul gave a report on pending litigation and also discussed the possible presentation of a resolution pertaining to the litter fee and the \$500.00 fine. The resolution will be presented next month.

(14)

Pat Phillips

Mr. Pat Phillips, Director of Planning and Community Development had these three rezoning items:

Rezoning app.  
Shaw Ferry-  
Hwy 11

1. Rezoning request for property on Highway 11 at Shaw Ferry Road, Fifth Legislative District, referenced by Tax Map 17, Parcel, 17.01, from R-1 Suburban Residential District, to O-1, Office-Professional District.

Commissioner Park made the motion that this be approved, with Commissioner Park seconding the motion. Voice vote indicated all in favor. Hereby included as resolution # 11496, Exhibit # A.

Rezoning app.  
Hwy. 321

2. Rezoning request for property on Highway 321, located in the Third Legislative District, referenced by Tax Map 30, Parcel 21.09, from A-1, Rural Residential district, to C-2, General Commercial District.

Commissioner Masingo made the motion that this be approved, with Commissioner Park seconding the motion. Voice vote indicated all in favor. Hereby included as resolution # 11496, Exhibit # B.

Amendment  
App. - Zoning  
Res.

3. Amendment to the Zoning Resolution of Loudon County, Article 4, Supplementary Provisions Applying to Specific Districts, adding Section 4.190, Waste Disposal Facilities Location and Designs Standards

Commissioner Randolph made the motion that this be approved, with Commissioner Bivens seconding the motion. Voice vote indicated all in favor. Hereby included as resolution # 11496, Exhibit # C.

(15)

Nationwide  
Express Inc.  
Purchase of  
10-12 acres  
app. -  
Sugarlimb  
Ind. Park.

Ms. Debbie Foster, from the Office of the Industrial Recruiter had the request that Nationwide Express Inc. desires to purchase 10-12 acres in Sugarlimb Industrial Park. This property is located at Malley Blvd. and Kimberly Way. The total amount of the purchase is approximately \$145,390.38 (\$15,000.00 per acre, with certain allowances for transmission line easement.) This purchase was approved by the City of Loudon and Blair Bend Ind. Park. Commissioner Park made the motion that this be approved with Commissioner Randolph seconding the motion. Results of a roll call:

|          |     |           |        |        |     |
|----------|-----|-----------|--------|--------|-----|
| Bivens   | yes | Masingo   | yes    | Duff   | yes |
| Randolph | yes | Ledbetter | yes    | Park   | yes |
| Bledsoe  | yes | Maples    | absent | Twiggs | yes |

8--yes, 1--absent --Amendment passed unanimously of those present.

RESOLUTION 11496

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 PROPERTY ON HWY 11 AT SHAW FERRY ROAD, LOCATED IN THE FIFTH LEGISLATIVE DISTRICT, REFERENCED BY TAX MAP 17, PARCEL 17.01, FROM R-1, SUBURBAN RESIDENTIAL DISTRICT, TO O-1, OFFICE-PROFESSIONAL DISTRICT

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 Commissions have forwarded 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:

1. That property on Hwy. 11 at Shaw Ferry Road, located in the Fifth Legislative District, referenced by Tax Map 17, Parcel 17.01, be rezoned from R-1, Suburban Residential District, to O-1, Office-Professional District, as represented on the attached map; said map being part of this Resolution.

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

  
ATTEST

LOUDON COUNTY CHAIRMAN

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

  
APPROVED: LOUDON COUNTY EXECUTIVE

The vote on the question of approval of this Resolution by the Planning Commissions is as follows:

APPROVED: 5

APPROVED: 8

DISAPPROVED: \_\_\_\_\_

DISAPPROVED: \_\_\_\_\_

  
ATTEST: SECRETARY, LENOIR CITY REGIONAL  
PLANNING COMMISSION  
DATE: 10/1/96

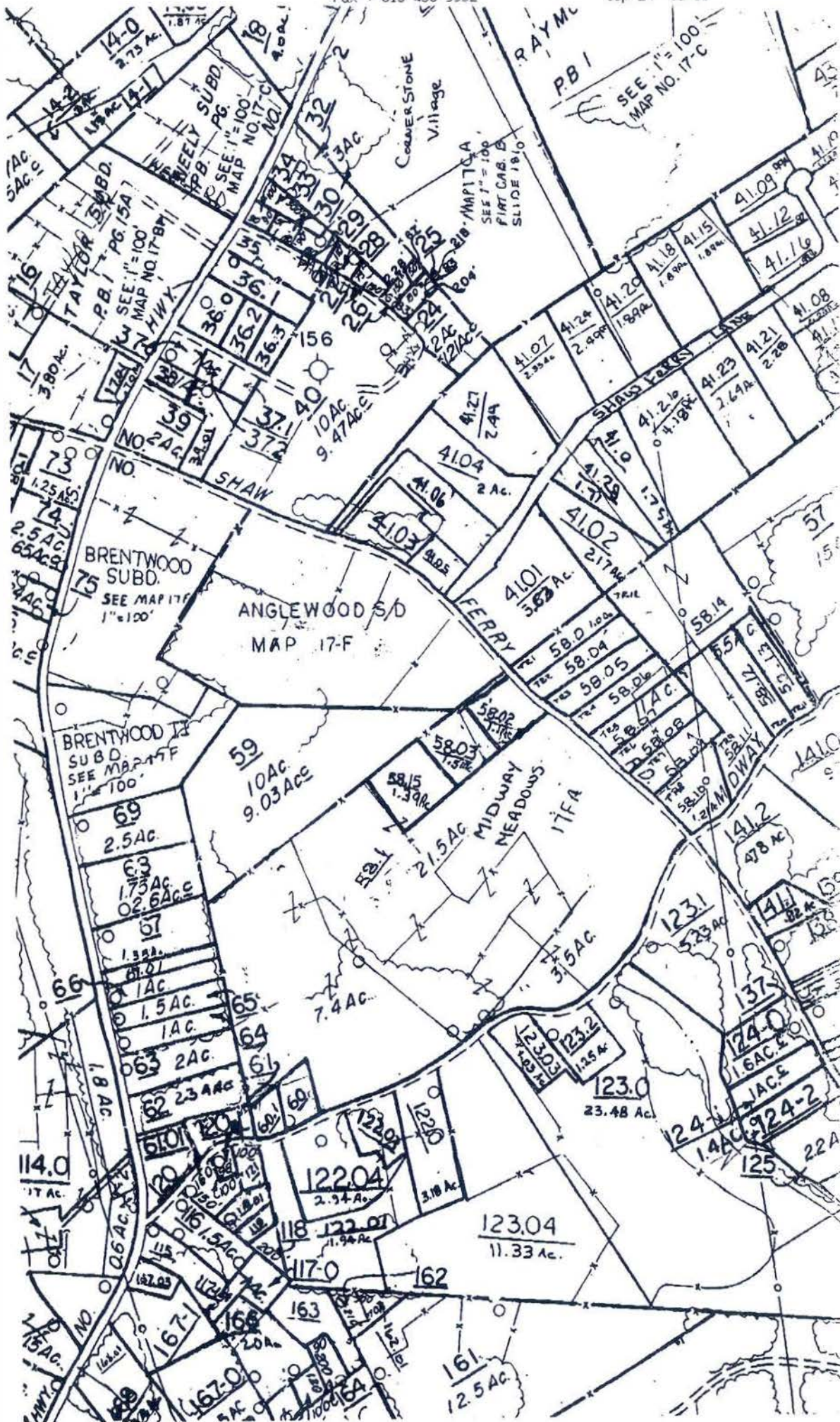
  
ATTEST: SECRETARY, LOUDON COUNTY  
PLANNING COMMISSION  
DATE: 10/15/96

96-9-88-RZ-CO

Exhibit A

251







RESOLUTION 11 496

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 PROPERTY ON HWY 321, LOCATED IN THE THIRD LEGISLATIVE DISTRICT, REFERENCED BY TAX MAP 30, PARCEL 21.09, FROM A-2, RURAL RESIDENTIAL DISTRICT, TO C-2, GENERAL COMMERCIAL DISTRICT

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 Commissions have forwarded 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:

1. That property on Hwy. 321, located in the Third Legislative District, referenced by Tax Map 30, Parcel 21.09, be rezoned from A-2, Rural Residential District, to C-2, General Commercial District, as represented on the attached map; said map being part of this Resolution.

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

  
ATTEST

LOUDON COUNTY CHAIRMAN  
DATE: \_\_\_\_\_

  
APPROVED: LOUDON COUNTY EXECUTIVE

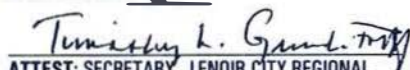
The vote on the question of approval of this Resolution by the Planning Commissions is as follows:

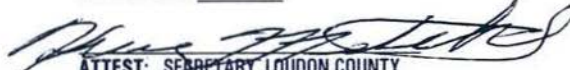
APPROVED: \_\_\_\_\_

APPROVED: 8

DISAPPROVED: 6

DISAPPROVED: \_\_\_\_\_

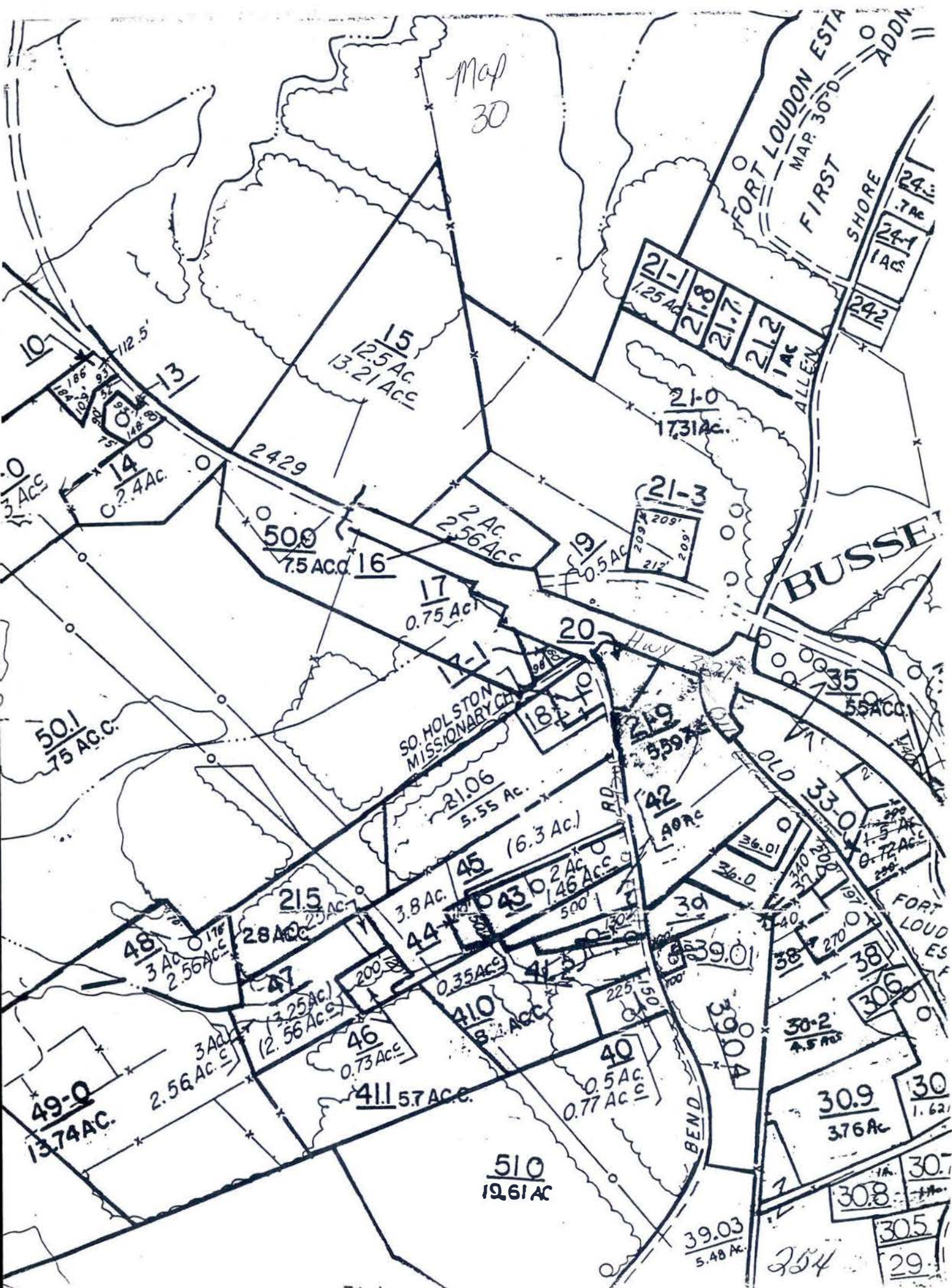
  
ATTEST: SECRETARY, LENOIR CITY REGIONAL  
PLANNING COMMISSION  
DATE: 8/6/96

  
ATTEST: SECRETARY, LOUDON COUNTY  
PLANNING COMMISSION  
DATE: ~~8/8/96~~ 10/15/96

96-7-64-RZ-CO









RESOLUTION NO. 11 496

A RESOLUTION AMENDING THE ZONING RESOLUTION OF LOUDON COUNTY, TENNESSEE, ARTICLE 4, SUPPLEMENTARY PROVISIONS APPLYING TO SPECIFIC DISTRICTS PURSUANT TO TENNESSEE CODE ANNOTATED 13-7-105 ADDING SECTION 4.190. WASTE DISPOSAL FACILITIES LOCATION AND DESIGN STANDARDS

WHEREAS, the disposal of waste is a necessary public service which benefits the residents and businesses of the County, and

WHEREAS, waste disposal operations/ sites can contribute to a decline in the quality of life, character of the community, and value of property in areas adjacent to landfill facilities, and

WHEREAS, certain standards for the location and design of waste disposal operations/ sites are necessary in order to maintain the integrity of rural Loudon County and the residential areas impacted by such land uses, and

WHEREAS, the Loudon County Regional Planning Commission has forwarded its recommendation regarding the amendment and the necessary public hearing called for and held.

NOW, THEREFORE, BE IT RESOLVED that the Loudon County Commission does hereby amend the Zoning Resolution of Loudon County, Tennessee, Article 4, Supplementary Provisions Applying to Specific Districts, adding Section 4.190. Waste Disposal Sites Location and Design Standards.

Section 4.190. Waste Disposal Facilities Location and Design Standards

- A. Purpose. These standards are established in order to maintain the integrity of rural Loudon County and preserve the health safety and general welfare of the community resulting from improper location and design of landfill operations. These standards apply to the location, buffering and design restrictions for any waste operation, including, but not limited to demolition, sanitary, or structural fill waste operations. No site shall be approved by the Loudon County Board of Zoning Appeals as a special exception unless the site and design complies with the minimum provisions outlined in this Section as well as those regulations of any state agency empowered to adopt provisions for the design and location of waste facility operations. Where discrepancies exist between the regulating entities, the stronger provision shall apply.
- B. Location and Site Design Standards. No site shall be approved for a waste disposal facility/ site unless said site complies with the following minimum standards, as well as any standard the Board of Zoning Appeals determines is necessary in order to maintain the character of the community and health, safety and welfare of the inhabitants of the area:
1. Site must have direct access to an arterial or collector road having a minimum pavement width of 24'.
  2. No site shall be approved unless properties surrounding the site are served by public utility water.
  3. Entrances into the landfill operation shall be paved and curbed from the connection of the road to the required entrance gate.
  4. Suitable left turn lanes, accel and decel lanes shall be provided at the entrance as determined by the board of zoning appeals.



5. An undisturbed buffer is required along the perimeter of the site. A 300' buffer shall be maintained on the front of the site and a 200' buffer along the remaining side and rear lot lines. The purpose of the buffer area is to visually screen the view of the operation from adjoining properties and public roads. If existing vegetative cover is not sufficient to adequately screen the operation than suitable nursery stock shall be required.
  6. The perimeter of the site shall be fenced which shall not be permitted in the buffer area.
  7. A gate house or weigh station shall not be visible to the road or other properties. An on-site tire cleaning system shall be installed and used during the hours of operation in order to insure that dirt or other accumulation of debris is not deposited on the public road from existing vehicles.
  8. No waste disposal site shall be approved if the site is located within 5 miles (air miles) of an existing operating waste disposal site. This requirement shall not prevent the expansion of an existing approved landfill operation.
  9. No waste disposal site shall be approved under this Resolution unless such site is devoted exclusively to the disposal of waste generated within Loudon County.
- C. Submittal of Site Plans. Prior to the review of any waste disposal operation by the Board of Zoning Appeals, a professionally prepared site plan shall accompany an application for a special exception. Plans shall show the following information:

- Property survey and adjacent land uses and roads
- Topographic information of the site and surrounding properties
- Location of all physical improvements
- Location of all landscaping, existing and proposed
- Location of water lines in the immediate area.

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

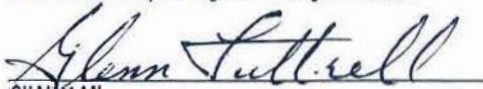
\_\_\_\_\_  
COUNTY EXECUTIVE

\_\_\_\_\_  
DATE

  
\_\_\_\_\_  
ATTEST

CERTIFICATION OF REVIEW

This is to certify that this amendment has been reviewed and a recommendation forwarded pursuant to the provisions of TCA 13-7-105 by the Regional Planning Commission.

  
\_\_\_\_\_  
CHAIRMAN

10-15-96  
\_\_\_\_\_  
DATE



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