

PLANNING COMMISSION MINUTES

~ Special Meeting ~

March 15, 2018

City of Baneberry, Tennessee

Meeting location: Baneberry City Hall, 521 Harrison Ferry Rd., Baneberry, TN 37890

Call to Order: A special working session of the Planning Commission was called to order at 6:05 PM. Members present: Chairman Judy Keane, Vice Chairman Carl Kammann, Mayor Clint Hurley, Donna Renner, Building Inspector Tom Jones and Secretary Michael Harriss. Those present constituted a quorum.

Review and Approval of Minutes: NA

Reports: None

Old Business: None

New Business:

1. A special working session was called by Chairman Keane to further discuss a proposed amendment to the current Zoning Ordinance, 212-5 and the Building Permit Ordinance, 215-13. The amendment, if adopted by the Baneberry Board of Commissioners would change how front-line setbacks are determined.

A Power Point presentation was viewed that illustrated how subdivision platting and establishment of a public right-of-way is accomplishment. A previously viewed Power Point illustrated the error in the method of determining the front-line setback currently employed by the City of Baneberry.

City Building Official, Mr. Tom Jones stated that the current method results in inconsistent front line setback measurements on either side of the road.

A portion of a recent survey of the lower Stoneway Court loop area illustrates the extent to which roadways incorrectly positioned with regards to the platted public right-of-way.

Significant discussion resulted in the understanding that the platted right-of-way is “fixed” while the location of “the center” of the roadway is variable. Therefore, determining the front line setback from the center of the road results in a “variable” front-line setback location.

Mr. Jones supports determining front line setback by survey from the adjacent right-of-way which is also the front property line of each lot.

Mr. Jones stated that some properties may not be able to meet the front line setback requirement and that a caveat in the proposed amendment could consider an “average setback” of noncompliant properties within approximately 250 feet of the property in question to be the setback requirement. He also recommended that the City not grant variances.

Mr. Jones stated that corner lots in Jefferson City observe the front-line setback from both right-of-ways. This is not a practical consideration for the City of Baneberry due to the diminutive size of many Baneberry parcels.

The Planning Commission also discussed suspending roadway maintenance on Stoneway Court until the matter of the roadways being on private property is resolved.

The proposed setback amendments to the Zoning and Building ordinances will apply to future construction, only – not past construction. Current property owners with front-line setback errors would be grandfathered.

The proposed amendments will be vetted by the City Attorney and or MTAS, updated as applicable then forwarded to the City Council for consideration and action.

While in concurrence to support the proposed ordinance amendments, no motions was made.

2. A preliminary set of building plans was presented to the Planning Commission by Building Inspector Tom Jones for Alan Hale’s contractors to begin digging footers for a new construction on Kammann Cove.

Mr. Jones stated that the house plans meet the square footage requirements but that there is a slight discrepancy between the soil survey on file at Jefferson County Environmental Health Department and the survey Mr. Hale submitted to Tom Carter, Director, Jefferson County Environmental Health Dept. The survey submitted shows a possible infringement onto the lot adjacent the Hale’s property. Mr. Carter is investigating the discrepancy and will have the field lines redrawn on Hale’s property plat and placed on file. A septic permit will be issued at that time. (The septic permit was not issued based on the preliminary plans submitted.)

Mr. Jones assured the Commission that the setback requirements would be correct and that if there is an issue with the setbacks, he will stop the construction until the issue is resolved.

There was some general discussion about the setbacks on Kammann Cove and about the location of the primary and secondary drain field on the Hale property and pumping uphill.

Final plans will be submitted for approval at the next regularly scheduled meeting of the Planning Commission. Conditional approval was granted.

Announcements: None

Adjournment: The meeting was adjourned at 7:15 P.M.

Michael Harriss, Secretary

Judy Keane, Chairman

Date Approved