

**SPRING CITY MUNICIPAL PLANNING
COMMISSION AGENDA
Thursday, October 10, 2024, 6:00 PM**

- Leon Locke, Chairman
- Jeromy Hixson, Vice-Chairman
- Lee Booker, Secretary
 - Tom Beaver
 - Sue Crockett

- A. CALL TO ORDER AND THE ESTABLISHMENT OF A QUORUM**
- B. APPROVAL OF MINUTES FROM THE PREVIOUS MEETING**
From the Meeting of Thursday, September 12, 2024.
- C. REPORTS OF OFFICERS, COMMITTEES, AND STAFF**
- D. OLD BUSINESS**
 - 1. Election of New Officers
 - 2. Any Properly Presented Business
- E. NEW BUSINESS**
 - 1. One Principal Structure on a Lot
 - 2. Any Properly Presented Business
- F. HEARING OF PERSONS HAVING BUSINESS BEFORE THE COMMISSION**
- G. ADJOURNMENT**

Next Regularly Scheduled Meeting: November 14, 2024

SPRING CITY PLANNING COMMISSION MEETING MINUTES

September 12th, 2024

The meeting was called to order by Chairman Leon Locke at 6:00 p.m.

Present:

Chairman: Leon Locke-Present

Vice-Chairman: Jeremy Hixson-Present

Secretary: Lee Booker-Present

Member: Sue Crockett-Absent

Southeast Tn Development Regional Planner– Jonathan Rush

Also in attendance was City Manager Stephania Motes, City Recorder Brenda Dodson and Building Inspector Jimmy Vincent.

Motion was made by Jeremy Hixson and seconded by Lee Booker to approve the May 9th, 2024, meeting minutes. **ALL AYES, MOTION CARRIED**

Motion was made by Jeremy Hixson, and seconded by Lee Booker to table a vote on the election of new officers. **ALL AYES, MOTION CARRIED**

REPORTS: No Reports

OLD BUSINESS:

No old business was presented to the board.

NEW BUSINESS:

Members of the Board heard from Jimmy Vincent- Rhea County Building Inspector and Jonathan Rush- Southeast Tennessee Regional Planner in regard to property located at 140 North Hillcrest. Citizens that live in that area voiced their concerns about the placement of the modular home. They are concerned that their property values will decline and that modular homes are not allowed within the area. Since this property was previously a part of the Kemmer Hill Pool Club and Mr. Kemmer did not have restrictions placed on the property, and that when the pool club sold the parcel of land (unrestricted) is concerning to them. Jonathan Rush with SETD provided information to the residents that the Town cannot take action because manufactured homes (doublewides) are a protected use under state law.

Motion was made by Lee Booker to adjourn the meeting at 8:00 p.m.

ARTICLE V. APPLICATION OF REGULATIONS

SECTION

- 5.01 USE**
- 5.02 HEIGHT AND DENSITY**
- 5.03 LOT AREA AND REDUCTION OF LOT SIZE**
- 5.04 YARDS**
- 5.05 ONE (1) PRINCIPAL BUILDING ON A LOT**
- 5.06 PUBLIC STREET FRONTAGE**
- 5.07 REQUIREMENT OF BUFFER STRIPS**

5.01 USE

No building or structure shall hereafter be erected and no existing building or structure or part thereof shall be reconstructed, moved, or altered; nor shall any land, structure, or building be used except in conformity with the regulations herein specified for the district in which it is located.

5.02 HEIGHT AND DENSITY

No building or structure shall hereafter be erected, constructed, reconstructed, or altered to:

1. Exceed the height limits;
2. House a greater number of families or occupy a smaller lot area per family than provided for in this ordinance; or,
3. Have a narrower or smaller front or side yards than are herein required.

5.03 LOT AREA AND REDUCTION OF LOT SIZE

No lot, even though it may consist of one (1) or more adjacent lots in the same ownership at the time of passage of this ordinance, shall be reduced in size so that the lot width, or size of yards, or lot area per family, or any other requirement of this ordinance, is not maintained. This section shall not apply when a portion of a lot is acquired for a public purpose.

5.04 YARDS

No part of a yard or the off-street parking or loading space required for any building for the purpose of complying with the provisions of this ordinance shall be included as a part of the yard or off-street parking or loading space required for another building except in the C-1 Central Business District.

5.05 ONE (1) PRINCIPAL BUILDING ON A LOT

Only one (1) principal building and its customary accessory buildings may hereafter be erected on any one (1) lot. (Refer to Section 10.07)

5.06 PUBLIC STREET FRONTAGE

No building shall be erected on a lot which does not abut for at least twenty-five (25) feet on a public street.

10.05 LOTS OF RECORD

The following provisions shall apply to all existing lots of record:

1. Where the owner of a lot consisting of one or more adjacent lots of official record at the time of the adoption of this ordinance does not own sufficient land to enable him to conform to the yard or other requirements of this ordinance, an application may be submitted to the Board of Zoning Appeals for a variance from the terms of this ordinance. Such lot may be used as a building site, provided, however, that the yard and other requirements of the district are complied with as closely as in the opinion of the Board of Zoning Appeals is possible. (Refer to Section 10.07)
2. No lot which is now or hereafter built upon shall be so reduced in area that the yards and open spaces will be smaller than prescribed by this ordinance and no yard, court, or open space provided around any building for the purpose of complying with the provisions hereof shall again be considered as a yard, court, or other open space for another building.
3. Where two or more lots of record with a continuous frontage are under the same ownership or where a substandard lot of record has continuous frontage with a larger tract under the same ownership, such lots shall be combined to form one or more building sites meeting the minimum requirements of the district in which they are located.

10.06 EXCEPTIONS TO FRONT SETBACK REQUIREMENTS

The front setback requirements of this ordinance for dwellings shall not apply to any lot where the average depth of existing setbacks on the developed lots located within one hundred (100) feet on each side of such lot is less than the minimum required front yard depth. In such cases the front yard setback may be less than required but not less than the average of the existing depth for front yards on developed lots within one hundred (100) feet on each side of the lot. In residential districts, however, the setback shall in no case be less than fifteen (15) feet from the street right-of-way line.

10.07 ABSOLUTE MINIMUM LOT SIZE

In no case shall the Board of Zoning Appeals permit a residence to be erected on a lot whose total lot area is less than seven thousand (7,000) square feet.

10.08 EXCEPTIONS TO SETBACK REQUIREMENTS

In the case of a structure that is to be used as a marina, boat launch, fishing pier, or other water-related structure that will require direct access to or over water, the setback requirements may be modified to the situation. This modification will be based upon a recommendation of the Planning Commission who shall take into account the situation, proposed purpose of the structure, et cetera.

In the case of a structure to be built close to, in, or above the water, that a determination be made by the Tennessee Valley Authority and the U. S. Corps of Engineers as to the safety of the structure including depth of pier poles, height of structure above the water's maximum pool elevation, actual construction materials of the proposed structure, and the first floor elevation of any adjoining structures on the shoreline property.

In any district, except the Floodway District, a Temporary Use Permit may be issued for any assembly such as an outdoor music, political rally, etc. Such permit shall be issued for not more than a seven (7) day period.

9.06 CUSTOMARY HOME OCCUPATIONS

A customary home occupation is a gainful occupation or profession conducted by members of a family residing on the premises and conducted entirely within the dwelling unit. In connection with a home occupation, no stock in trade shall be displayed outside the dwelling, and no alteration to any building shall indicate from the exterior that the building is being utilized in whole or in part for any purpose other than a residential unit, including permitted accessory buildings. When questions arise regarding the legality of specific home occupations the Board of Zoning Appeals shall determine whether said home occupation is in compliance with the district in which said home occupation is located. However, activities such as dancing instruction, band instrument instruction except piano instruction, tea rooms, tourist homes, convalescent homes, mortuaries, animal clinics, retail sales business, or any other activity deemed by the Board to be incompatible with the district or a potential nuisance to the surrounding area shall not constitute an acceptable home occupation.

9.07 GENERAL LOT RESTRICTIONS

The following general lot restrictions shall be complied with in all districts.

9.07A ONE (1) PRINCIPAL STRUCTURE FOR EACH LOT

1. Only one (1) principal building and its customary accessory building may be erected on any lot. This provision does not prohibit planned unit development complexes as permitted in the R-3 High Density Residential District as regulated by the Southern Building Code and this ordinance.
2. No building shall be erected on a lot which does not abut at least one (1) street for its entire frontage. No building shall be erected on a lot with less than twenty-five (25) foot frontage.

9.07B REDUCTIONS IN LOT AREA PROHIBITED

No lot, even though it may consist of one or more adjacent lots of record, shall be reduced in area so that yards, lot area per family, lot width, building area, or other requirements of this ordinance are not maintained. This section shall not apply when a portion of a lot is required for a public purpose

9.07C REAR YARD ABUTS A PUBLIC STREET

When the rear yard of a lot abuts a public street all structures built in that rear yard shall observe the same setback from the street line or property line as required for adjacent properties which front on that street. In addition, any structure located within twenty-five (25) feet of that setback line shall be no closer to any side property line than the distance required for side yards on adjoining properties fronting on that street.