To: Marion County Regional Planning Commission and Marion County Planning Commission Files

From: Renea Wilson

Date: April 9, 2024

Subject: Minutes for the March 12, 2024, Marion County Regional Planning Commission

Meeting held at 4:00 P.M., at the Lawson Building

The Marion County Regional Planning Commission meeting scheduled for Tuesday April 2, 2024 was moved to Tuesday, April 9, 2024 due to the potential for sever weather the afternoon of April 2nd.

**Members Present**

Mayor David Jackson, Marion County Mayor, Chairman

Robert Kelly

Chris Morrison, Marion County Commissioner, District 5, Seat C

Cory Pickett, Marion County Road Superintendent

Louise Powell, Secretary

Johnny Rogers

Jimmy Sneed

**Members Absent**

Keith Garth

Gene Hargis, Marion County Commissioner, District 2, Seat B, Co-Chairman

**Staff**

Chad Reese, Planning Director for Ashley Gates, Senior Planner, SETDD, Chattanooga

William ‘Billy’ Gouger, Marion County Attorney

**Other’s Present:**

**Surveyor:**  Jeff Elliott/Elliott Surveying

* Clarence Howard, SR. V.P. of Construction, Thunder Air Inc

**Surveyor:**  Danny and David Dancy/Tennessee Valley Surveying

Elliott Davenport, The Wings Group, LLC

Mike White

Paul Schafer, Marion County Commissioner, District 3, Seat C

June Schafer

Ruric Brandt, Marion County Commissioner, District 1, Seat A

Darlene Williamson

Mr. & Mrs. Sullivan

Hal North

John Thorton

Mayor Jackson, called the regular monthly Marion County Planning Commission meeting to order at 4:00 P.M.

* Invocation Mayor Jackson
* Pledge of Allegiance Commissioner Morrison
* Roll Call Renea Wilson

A motion was made to approve the February 6, 2024 Planning Commission Meeting Minutes as presented.

Motion By: Louise Powell

2nd: Commissioner Morrison

Vote: All MCRP members voting “Aye”

**Old Business**

**Building Permit Report**

**February 2024**

**46** Permits issued – Value - **$ 4,441,961.32**

* **four million four hundred forty-one thousand nine hundred sixty-one dollars and thirty-two cents**

*NOTE:* Currently as Building Permits are issued a Microsoft Works Database is used to collect data specific to that permit.

This database does not provide any functionality to produce any type reports or sort specific data. This database is used purely to manually enter the data and calculates the running total as data is manually entered in specific categories.

**Staff Approved Plats Report**

There was **1** Staff Approved Plat for **February 2024**

**Irrevocable Letters of Credit and/or Bonds Report**

Agenda items requesting replacement of the following:

03/12/2024 MCRP Meeting agenda item for release and surrender of Tower Community Bank - Franklin Irrevocable Standby Letter of Credit No. 10222876-45 dated 09/29/2023 in the amount of $1,125,000.00 (one million one hundred twenty-five thousand dollars). This Letter of Credit covers roads in River Gorge Ranch Phase 2-#1.

09/29/2023 09/30/2024

Thunder Air, Inc.

River Gorge Ranch **Phase 2 - #1**

Tower Community Bank $1,125,000.00

Roads

**Release and Surrender**

Motion By: Louise Powell

2nd: Johnny Rogers

Vote: All MCRP members voting “Aye”

03/12/2024 MCRP Meeting agenda item for approval of replacement letter of credit covering roads in River Gorge Ranch Phase 2-#1. Citizens Tri-County Bank Irrevocable Standby Letter of Credit No. 4123002220 dated 03/11/2024 in the amount of $1,125,000.00 (one million one hundred twenty-five thousand dollars). This Letter of Credit covers roads in River Gorge Ranch Phase 2-#1.

03/11/2024 03/11/2025

Allen F. Carter and George I Bock III

River Gorge Ranch **Phase 2 - #1**

Citizens Tri-County Bank $1,125,000.00

Roads

**Replacement Bond Approval**

Motion By: Louise Powell

2nd: Johnny Rogers

Vote: All MCRP members voting “Aye”

**New Business**

1. **Plat Title:**  **Preliminary** Plat Wohali Subdivision

***NOTE:***  Both a Preliminary and Final plat must be filed due to the number of lots.

* Preliminary plats require nine (9) hard copies with corrections in order to be registered if this plat is approved by the MCRP.

**Plat Title:**  Preliminary Plat Wohali Subdivision

**Surveyor:**  Roger Reimer/Asa Engineering & Consulting Inc.

**Property Owner(s):**  WOHALI NVYA LLC

**Property Address:**  170 Monarch Drive

**Parcel ID Number(s):**  127 010.00

**Analysis:**    This plat creates 15 lots off an existing, gated private road.  The lot appears to meet all dimensional requirements.  The applicant is requesting that the lots be recorded as recreation lots, with no water or septic approvals.  No permits for structures requiring water or wastewater may be issued until the lots are evaluated for a septic system.

The intent is to create lots that will have trails and access to a dock facility on the Tennessee River.

There are two flag lots, exceeding the maximum of 5% of lots being flag lots in a major subdivision.  Both flag lots meet the minimum width and maximum width requirements.

**DEFFERED with agreement from Elliott Davenport to the next monthly MCRP meeting 04/02/2024.**

**Elliott Davenport, The Wings Group, LLC**

Subdividing and creating HOA to get a dock permit from TVA. Mr. Davenport says he will abandon lots once he has obtained the TVA dock permit.

**Chad Reese, Planning Director for Ashley Gates, Senior Planner, SETDD, Chattanooga**

Explained that the Marion County, Tennessee Subdivision Regulations do not allow for lots under 5 acres to be approved without water. The existing water lines would need to be re-certified and would need septic approval for all lots under 5 acres.

Motion By: Commissioner Morrison

2nd: Louise Powell

Vote: All MCRP members voting “Aye”

1. **Plat Title:**  **Final** Plat Wohali Subdivision

***NOTE:***  Both a Preliminary and Final plat must be filed due to the number of lots.

* Final plats require eight (8) hard copies with corrections in order to be registered if this plat is approved by the MCRP.

**Plat Title:**  Final Plat Wohali Subdivision

**Surveyor:**  Roger Reimer/Asa Engineering & Consulting Inc.

**Property Owner(s):**  WOHALI NVYA LLC

**Property Address:**  170 Monarch Drive

**Parcel ID Number(s):**  127 010.00

**Analysis:**    This plat creates 15 lots off an existing, gated private road.  The lot appears to meet all dimensional requirements.  The applicant is requesting that the lots be recorded as recreation lots, with no water or septic approvals.  No permits for structures requiring water or wastewater may be issued until the lots are evaluated for a septic system.

The intent is to create lots that will have trails and access to a dock facility on the Tennessee River.

There are two flag lots, exceeding the maximum of 5% of lots being flag lots in a major subdivision.  Both flag lots meet the minimum width and maximum width requirements.

**No action taken on the Final Plat as the Preliminary Plat for same was not approved and deferred to the next monthly MCRP meeting 04/02/2024.**

**3. Plat Title:**  Final Plat for McNabb-Harris Subdivision Lots 6-C & 6-E

**Surveyor:**  Danny Dancy/Tennessee Valley Surveying

**Property Owner(s):**  John Hannah and Emily Belt

**Property Address:**  Mullins Cove Road

**Parcel ID Number(s):**  124 002.016 & 002.19

**Analysis:**    This plat adjusts the lot line between Lots 6-C and 6-E.  The new lot line appears to be within the septic easement area on the original lot 6-E.

Because the new lot line appears to divide the septic easement area and staff has not been able to verify that an existing septic system has been installed on Lot 6-E, staff requests Planning Commission review.

**DEFFERRED with agreement from Surveyor, Danny Dancy to the next monthly MCRP meeting 04/02/2024.**

Lot 6-E needs to be re-evaluated or re-certified by TDEC for septic since this change would make Lot 6-E smaller or require an easement onto Lot 6-C.

Motion By: Louise Powell

2nd: Cory Pickett

Vote: All MCRP members voting “Aye”

1. **Plat Title:**  Final Plat Lot 1 Fehr Subdivision

**Surveyor:**  Jeff Elliott/Elliott Land Surveying

**Property Owner(s):**  Duane and Wanda Fehr

**Property Address:**  6510 Francis Springs Road

**Parcel ID Number(s):**  082 061.01

**Analysis:**    This plat creates a 2.06-acre lot that is accessed by an existing private drive that connects to Francis Springs Road, a county-maintained road.

Water is said to be by individual well and sewage disposal is said to be by individual septic.

Staff could not locate a recorded plat or deed reference for the existing private drive.  Without such a reference, it must be treated as a new access easement.

The access easement must be labeled as an easement and the property owner of the easement area must sign the plat.

**Formerly WITHDRAWN by Surveyor, Jeff Elliott. Based on an updated version of the plat sent by the surveyor to SETD earlier today it was determined that this plat could be Staff Approved. The updated version indicates that the easement is not on this property or serving this lot and the lot has road frontage. Soil testing is underway.**

5. **Plat Title:**  Final Plat Lot 3 Drabbant Subdivision

**Surveyor:**  Jeff Elliott/Elliott Land Surveying

**Property Owner(s):**  James Drabbant

**Property Address:**  825 Tranquil Acres Road

**Parcel ID Number(s):**  084 005.23

**Analysis:**    This plat creates an additional lot (Lot 3) on the Drabbant parcel, leaving more than 25 acres remaining.  Access to Lot 3 will be by easement.  The easement connects to Tranquil Acres Road, which is a private road.  The Marion County Subdivision Regulations require that access easements connect to public roads.

The applicant is requesting that this lot be approved as an unbuildable lot without water or septic approval**.**  The lot is within 1,000 feet of a public water line.  There are no regulations allowing for unbuildable lots, but the Marion County Planning Commission has approved recreation-only lots in the past.  If this Planning Commission wishes to continue approving recreation-only lots, staff recommends that the Subdivision Regulations be amended to allow for these lots.

**DEFERRED with agreement from Mr. & Mrs. Sullivan as the property representatives to the next monthly MCRP meeting 04/02/2024.**

The waterline is approximately 900 feet away which should be extended. Mayor Jackson does not think the water line extension should be required. This lot will require septic approval and is being deferred to the next meeting to provide time for the septic approval to be completed.

Motion By: Louise Powell

2nd: Commissioner Morrison

Vote: All MCRP members voting “Aye”

**6. Plat Title:**  Final Plat Phase 2 Lots 2190-2203, 2116

**Surveyor:**  Jeff Elliott/Elliott Land Surveying

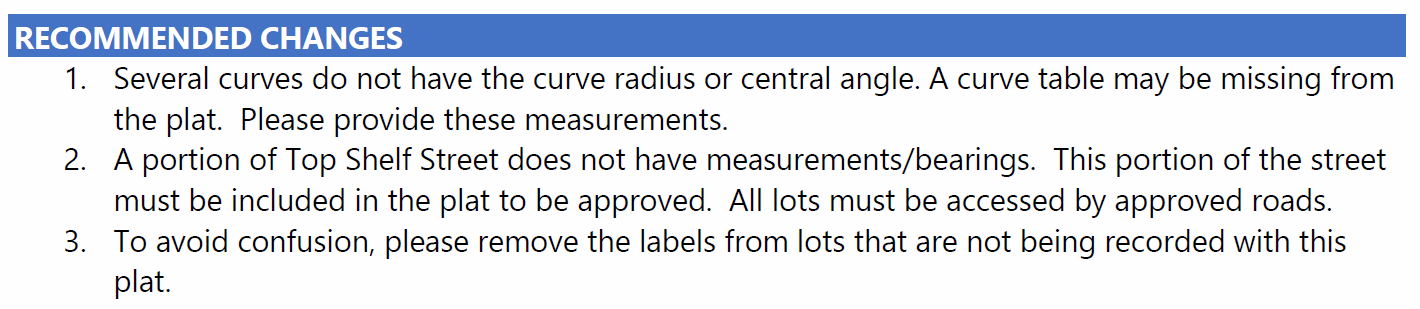
**Property Owner(s):**  Thunder Air, Inc.

**Property Address:**  Aetna Mountain Road

**Parcel ID Number(s):**  146 001.00

Ashley Gates, Senior Regional Planner, SETDD, Chattanooga recommends MCRP approval subject to certain conditions:

* All corrections as listed in review



**At the time the Preliminary Plat for these lots was approved the MCRP approved a variance on the road tangent.**

**As per SETD all of the other requested corrections appear to have been made.**

**Final Plat Approval**

***Subject to all signatures on all plat eight (8)copies***

Motion By: Louise Powell

2nd: Commissioner Morrison

Vote: All MCRP members voting “Aye”

**Other**

**Mayor Jackson:** Asked for any public comment to anything that was on this Meeting Agenda **only**? (Comments **must** pertain to an Agenda item) **None**

The next Marion County Regional Planning Commission meeting is Tuesday, April 2, 2024.

**Adjournment**

There was no further business to be presented or considered before this Commission, a motion was made to adjourn.

Motion By: Commissioner Morrison

2nd: Johnny Rogers

Vote: All MCRP members voting “Aye”