

Carter County Planning Commission
Meeting Minutes
February 22, 2011

MEMBERS PRESENT

Members Absent

Ralph Watson, Chairman
Russell Kyte
Mary Ann Patton
Richard Winters
Bill Armstrong

Steve Pierce, Vice-Chairman
Steve Chambers
Dickie Renfro
Bob Lee Townsend
Jerry Smith

Jack Campbell
Pam Huber

STAFF MEMBERS PRESENT

Chris Schuettler, Director
Jim Church, Assistant Director
Justyn Markland, Codes Enforcement
Jack Hampton, Permits

County Officials Present

LOCAL PLANNING STAFF PRESENT

Charles Anderson

The Chairman called the meeting to order. Roll called & all guests were welcomed. Motion made to approve January meeting minutes by Mr. Kyte and seconded by Mr. Chambers. Motion to approve passed unanimously.

Public Comments/Unfinished Business:

- 1. Renee Whitaker.** Ms. Whitaker addressed the commission regarding a grievance she has regarding the R-1 zoning requirement of her property that required she put a double wide on her parcel. Ms. Whitaker is upset because her neighbor put a single wide in but his property is also zoned R-1. Mr. Schuettler explained that the property which had the single wide in question was a replacement of a mobile home (a single wide can be put back in place of a single wide within 6 months of moving the original one off of a lot even in areas zoned R-1). Ms. Whitaker's lot was a new parcel located in an R-1 zone and therefore the zoning required that it be a double-wide mobile home. Mr. Schuettler stated he would bring all evidence used in making the decision to allow the single-wide placement.
- 2. Mr & Mrs. Charles Middleton.** Mr. Schuettler read a prepared letter regarding buffer strip placement at Cove Ridge Campground. He passed copies of letter to all members in attendance and explained it.
- 3. Mr. Dabbondanza.** Mr. Jim Dabbondanza addressed the planning commission regarding the new building codes. Of concern to him is a requirement for all new

- single family dwellings to have a sprinkler system installed. Mr. Schuettler stated that sprinkler systems are not required in single family dwellings.*
4. **Mr. Jerry Bowers.** *Mr. Bowers expressed an opinion that zoning regulations are not enforced. "If you are not going to enforce rules, resign and get someone to enforce laws." He stated that the chickens are still in his residential neighborhood. Mr. Schuettler stated that Sullivan county is the only county that restricts agriculture/farm animals in "R" zoned areas of the county. This issue has never been challenged before. Mr. Steve Pierce stated we enforce only zoning restrictions and not subdivision restrictions. Subdivision restrictions are the responsibility of the developers/owners to see they are enforced. Miss Patton stated "Not doing anything, this problem has been brought up every month since I was put on this board...need to do something". Mrs. Billie Dabbondanza stated "(We) don't enforce anything." Mr. David Hyder stated "Enforce zoning. He was against zoning when it went into effect because he knew it would not be enforced. "*
 5. **Mrs. Brummitt.** *Mrs. Brummitt stated she had been trying for 31 years to get answers regarding a builder who has built 8 houses and not fixed road. Not kept up by the county, instead by 2 residents. Mr. Schuettler tried to explain roads are no longer accepted (since 1966) by any road superintendent. Mr. Schuettler stated he had researched going back to 1965 (Mr. Street was road superintendent at that time) looked under "acceptance", "Paduch", "in county commission meeting minutes", "highway committee minutes" and found no evidence that the road was ever accepted. During that time, George Dugger, County Attorney, said that the road was a dedicated county road (1966) and therefore cannot deny "building permit". Mr. Schuettler further stated he has spoken to Mr. Perkins to try and get this road accepted as a county gravel road. Mr. Chambers suggested the matter be taken to the highway committee and that it had been turned over to the county attorney for research. Requested that the county attorney be given time to render his determination. Attorney Bowers should have a decision at the next highway committee department. Mr. VonCannon stated "A road that has been used by the public, public transport, or mail carriers could be accepted by the highway department as a county road after 20 years."*
 6. **Ms. Thelma Pierce.** *Addressed the commission regarding a house and trailer on Lincoln Drive was still not cleaned up. According to Mr. Jerry Bowers the owners are in a tax fight. Justyn Markland and Tony Gouge will follow up on the complaint.*
 7. **Mr. Johnny Julian.** *Campground owned by John Paul Mathes has a "permanent" resident living in a RV camper. Mr. Schuettler will check into this and at the request of Mr. Jerry Smith, report back to the planning commission.*
 8. **Mrs. Dabbondanza.** *Mrs. Dabbondanza questioned how the new IBC (IRC) will be handled in Carter County. Mr. Schuettler explained the state mandated inspections and the fees the state requires. (See attached fee chart). He explained the county inspection fees and how much more money the county would be able to add to the county's general fund if we opt to do our own inspections.*
 9. **Jack Hampton's Report:** *Mr. Hampton reported a total of \$1,730.00 in fees was taken into the general fund through the sale of permits during the month of February and the yearly total was \$2,605.00 so far. Mr. Roy Livingston questioned*

the budget for fiscal year 2011-2012 submitted by the planning office and whether or not the amount was justified based on the amount of money being taken in through the sale of permits.

- 10. Codes Enforcement Officer's Report:** *Mr. Justyn Markland presented the report for February and presented a slide show of properties currently active and those that have been cleaned up and now in compliance.*
- 11. Animal Control Officer's Report:** *Mr. Schuettler stated that we are currently without an animal control officer and hopes to interview and hire one in the very near future.*
- 12. Director's Comments:** *a.) Mr. Schuettler stated the property of Mr. & Mrs. Leonard Hicks is located in the urban growth area of the city of Elizabethton and for that reason must be handled through the city planning office b.) Regarding animal control Mr. Schuettler stated that a good way to control animals in a residential zone may be through animal control office and an animal control ordinance. This matter was referred to the animal control committee for consideration. c.) Issuing Agent Application and letter sent to Mayor Humphrey regarding Mr. Schuetler's bringing the matter to the full planning commission for consideration prior to sending to state.*
- 13. Adjournment:** *Mr. Kyte made the motion to adjourn and Mr. Chambers seconded the motion. Meeting adjourned.*