

## ***OFFICIAL MINUTES***

### **McKENZIE MUNICIPAL REGIONAL PLANNING COMMISSION MEETING**

**January 26, 2012**

**4:30 PM**

#### **I. Call to Order/Establishment of a Quorum**

Meeting was called to order by Chairperson Robb and a quorum was established.

All members of the Planning Commission were present except Commissioners Dillon and Mayor Holland.

Members of the Planning Commission are: Chairperson Dean Robb, Vice-Chairperson Ed Dillon, Secretary Keith Priestley, Commissioners Lisa Norris, Jessie Townes, Ken Mitchum and Mayor Jill Holland.

#### **II. Approval of Agenda**

Motion was made by Commissioner Norris, seconded by Commissioner Priestley to approve the agenda. The motion passed.

#### **III. Election of 2012 Officers**

Motion made by Commissioner Norris, seconded by Commissioner Priestley to elect Dean Robb as Chairperson. The motion passed.

Motion made by Commissioner Norris, seconded by Commissioner Mitchum to elect Keith Priestley as Vice-Chair. The motion passed.

Motion made by Commissioner Priestley, seconded by Commissioner Townes to elect Lisa Norris as Secretary. The motion passed.

#### **IV. Reading and Approval of the Minutes**

Motion was made by Commissioner Priestley, seconded by Commissioner Norris, to approve the minutes of the December 8th, 2011 meeting. The motion passed.

#### **V. Old Business**

##### **A. Review of the Revised USA Presbyterian Church Parking Lot Site Plan**

Shelton Merrell, Regional Planner reported, Vaughan Associates Architects Incorporated prepared a site plan which was presented by a representative

of the USA Presbyterian Church December 2012 MMRPC meeting. The revised site plan had been submitted in order to construct a parking lot facility. The site plan depicted six (6) regular parking spaces and four (4) handicapped parking spaces. More landscaping has been provided for on the submitted revised site plan along the periphery of the parking lot facility as well as within its proposed interior. The following tree schedule has been proposed for utilization:

- 1) Crepe Myrtles
- 2) Bradford Pear
- 3) Shrubs

The site plan also depicts curb inlets for water flow strategically placed between the church facility and the proposed parking lot. Adequate curbing has been provided for due to the advice given by Mr. Cliff Wheelock, Codes Enforcement Officer.

Shelton Merrell, Regional Planner recommends that the USA Presbyterian Church Parking lot site plan be approved. He concurs all issues have been revised to address all concerns previously held by various parties.

Motion was made by Commissioner Norris, seconded by Commissioner Townes to approve the USA Presbyterian Church Parking lot site plan. The motion passed.

**B. Review of the B-3 Central Business District (Apartment Location)**

This ordinance was forwarded to the McKenzie Board of Mayor and Council and is currently awaiting its second and final reading.

**C. Fence Requirements Discussion**

Shelton Merrell, Regional Planner reported that a proposed set of requirements apropos to fences had been forwarded to him during the month of December of the year 2011. The document contained the following language:

***FENCES:***

**Definition:** A fence is any barrier or screen of any nature or construction.

**Current City Ordinance:** If a fence is 4' or less, no permit is required. If the fence is 4' or more, a permit is required.

**Suggested Ordinance Change:** All fence construction requires a no fee permit.

*Note: Owners constructing fences within the Historic District must apply for and receive approval by the Historic Commission before installing a fence.*

**Acceptable Fencing Types include:**

- a) Chain Link- recommended for rear /back yard use. Generally inappropriate for front or visible side yards. If a portion of the rear fence is visible from the street it should be camouflaged with hedge or vine or other appropriate plantings.
- b) Privacy Wood
- c) White Vinyl Fencing
- d) Decorative Wrought Iron
- e) Picket Fence
- f) Vegetation/ or Earthen
- g) Brick
- h) Stone
- i) Decorative Concrete Blocks: textured, colored
- j) Masonry Fencing- requires compliance with the *City of McKenzie Minimum Standards*
- k) Combinations of the above as approved

**The Following Items Shall Be Prohibited:**

- a) The use of tarpaulins, chicken wire, grey concrete block that is exposed to public sight; all materials subject to permit approval.
- b) Barbed wire is prohibited as fencing; except in agricultural use.

**General Guidelines:**

- a) Care should be taken not to encroach upon your neighbor's property
- b) All commercial fences require permits; governed by Site Plan Review as per Chapter 11; National Building Codes.
- c) Adherence to subdivision covenants or deed restrictions should be followed.
- d) Always call 811 before digging to install any fencing. The call and location service is free.

- e) All fencing shall comply with General Fence Requirements as shown in Attachment A: *General Fence Requirements- City of McKenzie*.

Shelton Merrell, Regional Planner suggested that the reference pertaining to *National Building Codes* under General Guidelines (b), be changed to **International Building Codes**.

Chairperson Robb advised the commission to leave this item on the agenda for the February meeting.

**D. Bethel University MBA Sign Discussion**

Shelton Merrell, Regional Planner advised the commission the MBA sign issue has been resolved.

Codes Enforcer Wheelock reported that he and Mayor Holland met with Steve Prosser, Bethel Representative. Wheelock stated they have an understanding with issues going forward that proper procedures will be followed to get permits.

Chairperson Robb asked Wheelock has information been submitted to convey the understanding. Wheelock advised it was in letter form. Chairperson asked the letter be attached to minutes.

*(See attached)*

**E. Discussion on Temporary and Portable Signs**

Shelton Merrell reported the commission requested changes to amend the sign ordinance within the Zoning Ordinance of McKenzie, Tennessee in order to eliminate permit fees and certain requirements for “Temporary” and “Portable” signs. Merrell submitted the Ordinances for the commission to review and consideration for recommendation to the McKenzie Board of Mayor and Council:

**Portable Signs**

The current definition for portable signs found within the Zoning Ordinance of McKenzie, Tennessee has the following language:

***Portable Signs*** – *A sign not permanently attached to the ground or to a building or building surface.*

Section 11-1413.2 (4) (J) of the Zoning Ordinance of McKenzie, Tennessee states the following:

*Portable signs are prohibited except in the (B-2) Highway Business Districts. These signs are not to exceed 24 square feet and their illumination shall not be permitted to flash. Said signs are to be setback a minimum of 10 feet from the property line in which the sign will front. The wheels of such signs shall not be removed.*

Section 11-1413.2 (5) (C) (2) of the Zoning Ordinance of McKenzie, Tennessee states the following:

*Portable signs are allowed by sign permit only. The portable sign permit application and fee of \$50.00 are to be filed with the City Clerk/Recorder.*

With discussion and amendment recommendations Chairperson Robb advised commission to move Temporary Sign Ordinance and Portable Sign Ordinance to McKenzie City Council in February for the City of McKenzie's Board and Council recommendation/approval with changes requested from commission.

*Those amendments consisted of language changes from "permit" to "registration" and to allow applications by fax, telephone or in person.*

*No fees are to be associated with the portable or temporary signs except in the event that a temporary sign is not removed in timely fashion. Guidelines and forms are to be developed by Codes Officer Wheelock and reviewed by the Commission.*

Motion was made by Commissioner Mitchum, seconded by Commissioner Townes to send Temporary and Portable Sign Ordinances as advised with recommendations from commission to the City of McKenzie Board and Council with a positive recommendation from the Planning Commission for approval. The motion passed.

**F. Any other Properly Presented Business**

None.

## **VI. New Business**

### **A. Review of the Fortner Property Subdivision Plat**

Shelton Merrell, Regional Planner reported Stokes Surveying submitted an assemblage (combination) plat on behalf of Mary Ellen & J.L. Fortner as well as Donald & Sandra Drewry. The property has the zoning classification of R-1 (Low Density Residential) and does not appear to be in an area of one percent chance of periodic flooding. The properties are further described as Tax Parcels 019.00 (Drewry) and 024.00 (Fortner) Carroll County Tax Map 11.

The plat depicts 0.39 of an acre being subdivided from tax parcel 024.00 (Fortner) and being combined to tax parcel 019.00 (Drewry). This is a simple property combination subdivision plat. Merrell added the property meets the requirements of the McKenzie Municipal-Regional Subdivision Regulations and Zoning Ordinance of McKenzie, Tennessee and recommends the approval of the Fortner Property Assemblage Plat.

Motion was made by Commissioner Norris, seconded by Commissioner Priestly to approve the Fortner Property Subdivision Plat as presented. The motion passed.

***NOTE: Lisa Norris, Secretary signed plat as presented by Stokes Surveying.***

### **B. Review of the J&J Racing Rezoning Request**

Chairperson Robb advised commission that J&J Racing has requested to be re-zoned.

Shelton Merrell, Regional Planner advised the commission the issue has been resolved regarding J&J Racing. Merrell's recommendation regarding the Elam rezoning request would be to allow the existing "grandfathered" non-conforming J&J Racing establishment to expand without rezoning the subject property.

### **C. Review of the Amendment Ordinance Addressing Nomenclature**

## **Changes for Chapter 11 of the Zoning Ordinance of McKenzie, Tennessee**

As a result of the Historic Preservation Agenda Meeting held 12 January 2012, Shelton Merrell, Regional Planner recommends the nomenclature found for the Historic Preservation Commission and District be amended to which is found for such within Tennessee Code Annotated. Renee Tavares, State Historic Preservationist, stated during the meeting all references should mirror those found within Sections 13-7-401 through 13-7-410 of Tennessee Code Annotated. The references are as follows:

- 1) Historic Preservation Commission – **Historic Zoning Commission**
- 2) Preservation District – **Historic District**
- 3) Preservation Permit – **Certificate of Appropriateness**

Merrell prepared the attached amended ordinance.

Motion was made by Commissioner Norris, seconded by Commissioner Priestly to accept the Ordinance with amendments addressing Nomenclature changes for Chapter 11 of the Zoning Ordinance of McKenzie, Tennessee. The motion passed.

### **D. Any other properly presented business**

None.

## **VII. Other Business**

### **A. Discussion of the 2012 Program Year**

Shelton Merrell, Regional Planner and Commission discussed 2012 program year. Discussion was made on training for commission with Renee Tavares, SWTDD Historic Preservationist.

### **B. Any other properly presented business**

None.

#### **Agenda and Regular Meeting Schedules Dates**

Agenda meeting Thursday **February 9th at 2:30 P.M.**

Regular meeting Thursday **February 23rd at 4:30 P.M.**

**VIII. Adjournment**

Motion made by Commissioner Mitchum, seconded by Commissioner Townes, to adjourn. Motion passed.

Time ended **5:19 P.M**

February 8, 2012

Ms. Kelly Saunders-Kelley  
Bethel University  
Vice-President of the College of Professional Studies  
1035 Stonewall Street  
McKenzie, TN 38201

Re: Signage in Front Yard

Dear Ms. Saunders-Kelley,

It has come to my attention that a new freestanding sign has been erected in the front yard of the College of Professional Studies on 1035 Stonewall Street. According to the McKenzie Zoning Ordinance 407, Sign Regulations: a permit must be applied for, along with a fee paid of \$50.00 prior to the erection of any sign.

Zoning for the College of Professional Studies building is in the historic district which does not permit freestanding signs. In order for the property to be in compliance with the building and zoning codes of the City of McKenzie, please remove the signage within 14 days of the date of this letter. I will be happy to meet with you regarding the type of signage that is permitted in your zoning area.

In addition, the occupancy classification of the former residence has changed to a business classification. However, Bethel University has never requested a change in occupancy, has never obtained a building permit, nor has had fire and building inspections which ensure that the building is safe to occupy. It is within the jurisdiction of the city to require all occupants to vacate the building until permits are issued and the building is inspected, in order to issue a certificate of occupancy. However I am willing to work with you as long as you obtain the proper permits and allow inspections during normal business hours.

Your prompt cooperation in this matter is appreciated.

Sincerely,

Cliff Wheelock  
Codes Enforcement Officer  
City of McKenzie

cc: Steve Prosser, Assistant to the President, Infrastructure  
Keith Priestley, Assistant to the President for Financial Affairs