



City of Munford, Tennessee
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Dwayne Cole, Mayor

Munford Municipal-Regional Planning Commission
September 12, 2017

The regular monthly meeting of the Munford Municipal-Regional Planning Commission met on Tuesday, September 12, 2017 at 7:50 P.M. in the Munford Municipal building located at 70 College Street with the following:

PRESENT: Chairman Gary Fodor, Vice-Chairman Rick Wilson, Secretary Sue Arthur, Jerry Trobaugh, David Keeton, Mayor Dwayne Cole and Roy Meadors.

ABSENT: None.

ALSO PRESENT: Thomas Tracey, Lisa Tracey, Pete Parker, Brent Colbert, Wayne Boulter, Crystal Durham, Planner Will Radford, Code Enforcement/Building Inspector Glenn Stringfellow and Recording Secretary Barbara Younger.

The meeting was called to order at 6:40 PM with a quorum present.

I. APPROVAL OF MINUTES

There was a motion by David Keeton, seconded by Sue Arthur to approve the minutes from August 8, 2017 as distributed. Motion carried.

II. OLD BUSINESS

A. Walker Meadows – Revised Drainage Plan

Background

A Construction Plat for a Planned Residential Development (PRD) was submitted on behalf of Charles Walker Residuary Trust and Munford Development Company for properties along Doctor Drive and McLaughlin Drive and approved at the July, 2017 Planning Commission meeting. A revision to the drainage plan of the approved Construction Plat has been submitted for approval by the Planning Commission. The properties can be further identified as Parcels 2.00, 9.00 and 11.02 on Tipton County Tax Map 111 and Parcel 12.01 on Tipton County Tax Map 111B, Group A. The properties do not appear to be located in a federally identified flood hazard area according to FIRM # 47167C0310F, effective on 12/19/2006.

Analysis

The revised drainage plan has been approved by the City Engineer.

Approval of construction plans does not constitute approval of a final plat. A final plat is still to be submitted and approved at a later date.

After installation of improvements, staff recommends the City Engineer inspect the installed improvements to determine the bonding amount that is necessary to cover any uninstalled infrastructure (final wearing surface) and an appropriate warranty period.

City Staff has requested a development contract be entered into with the development and the City prior to final plat approval.

Recommendation

Staff recommends approval of the revised drainage plan.

There was a motion by Jerry Trobaugh, seconded by Rick Wilson to approve as presented the Walker Meadows – Revised Drainage Plan for the Planned Residential Development (PRD). Motion carried, all present voting aye.

III. NEW BUSINESS

A. Farm Bureau Master Signage Plan

Background

A Master Signage Plan has been submitted on behalf of Parker Properties South, LLC for the signage at the previously approved Farm Bureau Insurance Office. The property is located near McLaughlin Avenue and Highway 51 in Munford, TN. The property can be further identified as Parcel 2.00 on Tipton County Tax Map 111C, Group C. The property is zoned P-B (Planned Business) in the Munford Municipal Zoning District. The property does not appear to be located in a federally identified flood hazard area according to FIRM #47167C0310F, effective on 12/19/2006.

Analysis

The signage plan is proposing one freestanding sign supported by two brick columns.

The sign appears to meet the setback, height, and area requirements of the P-B (Planned Business) District.

Recommendation

Staff recommends approval of the Master Signage Plan.

There was a motion by David Keeton, seconded by Sue Arthur to approve the Farm Bureau Master Signage Plan as presented. Motion carried, all present voting aye.

B. Discussion regarding future rezoning/annexation of Simmons Road Property (Parcels 6.00 and 7.00 Tipton County Tax Map 145 E, Group B) (Parcel 7.01 Tipton county Tax Map 145 E, Group B) and (Parcel 13.00 Tipton County Tax Map 145 E, Group B)

Staff has been asked to discuss with the Planning Commission issues surrounding a potential future rezoning request and/or annexation of the above-mentioned parcels.

Staff explained to the Planning Commission why this has been requested and the steps that the Planning Commission, the Board of Mayor and Aldermen and the Owners of the property would have

to take in order to rezone/annex this property on Simmons Road into the City of Munford. This would involve at a minimum:

- a petition from the property owners to be annexed into the city limits of Munford
- a Resolution requesting to be annexed
- a Plan of Services
- a Public Hearing
- An Ordinance to be rezoned.

IV. Other Business

A. Munford Municipal Zoning Ordinance

Staff will update the Planning Commission on the progress of the Municipal Zoning Ordinance and receive feedback from the Planning Commission towards current updates.

At the last Planning Commission meeting, staff was asked to present new regulations regarding Swimming Pools.

The Following are current definitions for Yards and Swimming Pools in the Municipal Zoning Ordinance for review by the Planning Commission:

Yard: An open space on the same lot with a principal building open, unoccupied and unobstructed by buildings from the ground to the sky except as otherwise provided in this Ordinance. The measure of a yard shall be the minimum horizontal distance between any part of the principal building and lot or street right-of-way lines.

Yard, Front: The yard extending across the entire width of the lot between the front lot line and the nearest part of the principal building. On corner lots, the yards adjacent to both streets shall be front yards.

Yard, Side: A yard between the main building and the side line of the lot, and extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot line and the side building line.

Yard, Rear: A yard extending across the rear of a lot between the side lot lines and being the required minimum horizontal distance between the rear lot line and the rear building line. On all lots except corner lots, the rear yard shall be opposite the front yard. On corner lots, the rear yard shall be defined at the time the building permit is issued.

Zero Lot Line: the location of a building on a lot in such a manner that one or more of the building sides rest directly on a lot line.

Pools (Swimming), Hot Tubs and Spas:

- **Private Swimming Pool:** Any structure that contains water over twenty four inches (24") in depth and which is used or intended to be used for swimming or recreational bathing, which is available only to the family and guests of the householder. This includes in-ground, and on-ground swimming pools, hot tubs and spas.
- **Private Swimming Pool, Indoor:** Any private swimming pool that is totally contained within a private structure and surrounded on all four sides by walls of said structure.
- **Private Swimming Pool, Outdoor:** Any private swimming pool that is not an indoor pool.

- **Public Swimming Pool:** Any swimming pool other than a private swimming pool.

Staff is proposing the following language for Swimming Pools to be added in a new section in the General Provisions:

Section 53. Private Swimming Pools in Residential Areas

- A. A Pool is not to be operated as a business or private club in residential districts.
- B. A Pool shall not be located closer than five (5) feet to any property line of the property in which it is located.
- (1) For an in-ground or surface swimming pool, the pool or the property upon which said pool is located shall be enclosed by a fence of a type which effectively controls the entrance by children to the pool area. The fence must be at least five feet in height. Wooden fences with boards placed vertically shall not have any opening wider than four inches per opening and wooden fences with boards placed horizontally shall not have any opening wider than one inch per opening.
 - (2) Gates installed for access to the property or pool area shall be equipped with an automatic closing and latching device to protect against uncontrolled access to the property.
 - (3) For an above ground swimming pool, the pool shall be equipped with an automatically retractable type ladder, a retractable ladder, a removable ladder or shall be fenced in. The ladder must be removed or retracted when the pool is not be attended.
 - (4) If access to the pool is via a deck or a porch, then no access from the ground is permitted to the deck area unless the property or the ground access to the deck is fenced in.
 - (5) It shall be the responsibility of the property owner where said pool is located to maintain all pool covers, fences, gates and closure devices in good operating condition.
 - (6) Failure to maintain pool covers, fences, failure to have gates closed or failure to remove or retract the ladder access to the pool shall constitute a violation of the Zoning Ordinance and is subject to the penalties provided therefore.
- C. Enclosed pools that are separate buildings shall be regulated as accessory structures pursuant to Section 40 of this Ordinance. Enclosed Pools attached to the principal structure shall be considered part of the principal building.

The next sections delete the word "Pool" from appearing in any accessory use regulation. Staff is also proposing deleting the following language in every residential district:

"Accessory buildings and uses on corner lots shall conform to front yard setbacks for both intersecting streets".

This section goes against the sections that prohibit accessory uses in the front yard.

Currently language in the Residential districts state the following:

"On corner lots, there shall be a minimum required front yard abutting each of the intersecting streets. The remaining yards shall be considered side yards".

This is inconsistent with the definition of "Rear Yard", therefore staff is proposing a change to those sections below:

R-1 District:

61.63 Yards on Corner Lots

On corner lots, there shall be a minimum required front yard abutting each of the intersecting streets. Corner lots shall have at least one side and rear yard.

61.9 Accessory Buildings and Uses

Accessory buildings and uses shall include private garages, carports and other accessory uses customarily incidental to the previously permitted uses.

61.91 No accessory building or use shall be erected in any front or side yard. Accessory buildings or uses shall not cover more than thirty percent (30%) of any rear yard and shall be at least five feet (5') feet from all lot lines, recorded easements or other buildings on the same lot.

61.92 No accessory building or use shall exceed two (2) stories or twenty-five feet (25') in height.

R-2 District:

62.63 Yards on Corner Lots

On corner lots, there shall be a minimum required front yard abutting each of the intersecting streets. Corner lots shall have at least one side and rear yard.

62.9 Accessory Buildings and Uses

Accessory buildings and uses shall include private garages, carports and other accessory uses customarily incidental to the previously permitted uses.

62.91 No accessory building or use shall be erected in any front or side yard. Accessory buildings or uses shall not cover more than thirty percent (30%) of any rear yard and shall be at least five feet (5') from all lot lines, recorded easements or other buildings on the same lot.

62.92 No accessory building or use shall exceed two (2) stories or twenty-five feet (25') in height.

R-3 District:

63.63 Yards on Corner Lots

On corner lots, there shall be a minimum required front yard abutting each of the intersecting streets. Corner lots shall have at least one side and rear yard.

63.9 Accessory Buildings and Uses

Accessory buildings and uses shall include private garages, carports and other accessory uses customarily incidental to the previously permitted uses.

63.91 No accessory building or use shall be erected in any front or side yard. Accessory buildings or uses shall not cover more than thirty percent (30%) of any rear yard and shall be at least five feet (5') from all lot lines, recorded easements or other buildings on the same lot.

63.92 No accessory building or use shall exceed two stories (2) or twenty-five feet (25') in height.

R-4 District:

64.63 Yards on Corner Lots

On corner lots, there shall be a minimum required front yard abutting each of the intersecting streets. Corner lots shall have at least one side and rear yard.

64.9 Accessory Buildings and Uses

Accessory buildings and uses shall include private garages, carports and other accessory uses customarily incidental to the previously permitted uses.

64.91 No accessory building or use shall be erected in any front or side yard. Accessory buildings or uses shall not cover more than thirty percent (30%) of any rear yard and shall be at least five feet (5') from all lot lines, recorded easements or other buildings on the same lot.

64.92 No accessory building or use shall exceed two stories (2) or twenty-five feet (25') in height.

R-5 District:

65.53 Yards on Corner Lots

On corner lots, there shall be a minimum required front yard abutting each of the intersecting streets. Corner lots shall have at least one side and rear yard.

PVD District:

67.693 Yards on Corner Lots

On corner lots, there shall be a minimum required front yard abutting each of the intersecting streets. Corner lots shall have at least one side and rear yard.

Discussion between Planning Commission members and Staff ensued regarding proposed definitions and revisions to parts of other Sections where inconsistencies exist regarding accessory buildings and uses. Members also reviewed proposed separate swimming pool regulation. Staff will check another municipality Yard definition language and present during the October meeting.

No action taken regarding this item.

Reports

Mayoral Comments and Issues

- Celebrate will be held on Saturday September 16, 2017
- The new Pierce fire truck has been delivered
- The Fire Department will be selling 2 of their trucks.
- The side-walk project bid opening was held on 9-12-2017

Building Inspector – Permitting and Enforcement Report

There was a motion by Rick Wilson, seconded by David Keeton to accept the Building Inspector-Permitting and Enforcement Report as presented. Motion carried, all present voting aye.

There being no further business, the meeting was adjourned at 8:06 PM.

Chairman Gary Fodor

Sue Arthur, Secretary

Barbara Younger,
Recording Secretary