



City of Munford, Tennessee  
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Munford, TN 38058  
City Hall (901) 837-0171  
[www.munford.com](http://www.munford.com)  
Dwayne Cole, Mayor

**Munford Municipal-Regional Planning Commission**  
**November 14, 2017**

The regular monthly meeting of the Munford Municipal-Regional Planning Commission met on Tuesday, November 14, 2017 at 6:30 P.M. in the Munford Municipal building located at 70 College Street with the following:

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

**ABSENT:** Roy Meadors

**ALSO PRESENT:** Mickey Strickland, Planner Will Radford, and Recording Secretary Barbara Younger.

The meeting was called to order at 6:30 PM with a quorum present.

**I. APPROVAL OF MINUTES**

*There was a motion by Rick Wilson, seconded by Jerry Trobaugh to approve the minutes from October 10, 2017 as corrected.. Motion carried.*

**II. OLD BUSINESS**

**A. Thomas Tracey Rezoning Request**

Staff has been advised that the previously requested rezoning request has been withdrawn from the Board of Mayor and Aldermen agenda.

**III. NEW BUSINESS**

None

**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 August Planning Commission meeting, staff was asked to present new regulations regarding Swimming Pools regulating them separate from Accessory Buildings.

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

**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 front yard shall be the yard faced by the principal building.

**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, Side Street**: A yard between the street and the principal structure on a corner lot not faced by the principal building occupying that corner lot. The building setback for the principal structure on a side street yard will be the same as the front yard setback of the zoning district.

**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 corner lots, the rear yard shall be opposite the front yard.

**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 be located in the rear yard only and in side street yards when on corner lots and shall not be located closer than five (5) feet to any property line of the property in which it is located.

- (1) All outdoor swimming pools, including in-ground pools, above-ground pools or on-ground pools shall be surrounded by a barrier which will comply with the pool barrier requirements found in the currently adopted building code by the City of Munford.
- (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) 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.
- (4) 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.
- (5) 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:**

Current Language:

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

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

The current language in the Residential districts also states 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 one designated front yard. The front yard shall be the yard faced by the principal building. Corner Lots shall have one side yard, a side street yard, and a rear yard. The yard opposite the designated front yard shall be considered the rear yard, if applicable, and the remaining yard would be considered side 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** Accessory buildings shall be located in the rear yard only. 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 one designated front yard. The front yard shall be the yard faced by the principal building. Corner Lots shall have one side yard, a side street yard, and a rear yard. The yard opposite the designated front yard shall be considered the rear yard, if applicable, and the remaining yard would be considered side yard.

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

**R-3 District:**

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On corner lots there shall be one designated front yard. The front yard shall be the yard faced by the principal building. Corner Lots shall have one side yard, a side street yard, and a rear yard. The yard opposite the designated front yard shall be considered the rear yard, if applicable, and the remaining yard would be considered side yard.

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

**R-4 District:**

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On corner lots there shall be one designated front yard. The front yard shall be the yard faced by the principal building. Corner Lots shall have one side yard, a side street yard, and a rear yard. The yard opposite the designated front yard shall be considered the rear yard, if applicable, and the remaining yard would be considered side yard.

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

**64.91** Accessory buildings shall be located in the rear yard only. 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 one designated front yard. The front yard shall be the yard faced by the principal building. Corner Lots shall have one side yard, a side street yard, and a rear yard. The yard opposite the designated front yard shall be considered the rear yard, if applicable, and the remaining yard would be considered side yard.

**PVD District:**

**67.693 Yards on Corner Lots**

On corner lots there shall be one designated front yard. The front yard shall be the yard faced by the principal building. Corner Lots shall have one side yard, a side street yard, and a rear yard. The yard opposite the designated front yard shall be considered the rear yard, if applicable, and the remaining yard would be considered side yard.

**Section 40 Location of Accessory or Structure**

Accessory Buildings shall be located in rear yards only and no separate accessory use or building shall cover more than thirty percent (30%) of any required rear yard, and shall not be erected within five feet (5') from all lot lines or recorded easements and from any other building.

Discussion between Planning Commission members and Staff ensued regarding proposed definitions and Revisions. The Planning Commission would like to have a definition for Pergola added. Staff will make proposed changes and represent at the December Planning Commission meeting for approval.

*No action taken regarding this item.*

**V. Reports**

**Mayoral Comments and Issues**

- The Multi Modal project will begin in the Spring.

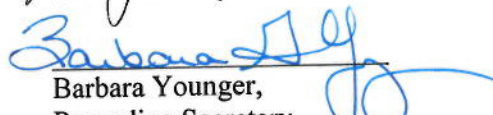
- The City of Munford Christmas Parade will be on December 2.
- Walker Meadows will begin development in the Spring on 2018
- The Mayor thanked all of the Planning Commission members for their time and commitment to the City and Commission.


**Building Inspector – Permitting and Enforcement Report**

*There was a motion by David Keeton, seconded by Sue Arthur 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 7:40 PM.

  
Chairman Gary Fodor

  
Barbara Younger,  
Recording Secretary

  
Sue Arthur, Secretary