Rutherford County Regional Planning Commission

Agenda – 11-10-14 – 6:00 PM

Historic County Courthouse – 2nd Floor

I. CALL TO ORDER

II. PRAYER/PLEDGE OF ALLEGIANCE

III. ROLL CALL/DETERMINATION OF QUORUM

IV. APPROVAL OF THE OCTOBER 27, 2014 MINUTES

V. ITEMS WITHDRAWN/DEFERRED

VI. SUBMITTED FOR PRELIMINARY PLAN APPROVAL

A. King's View at Franklin Road (14-1010) – 76 lots on 78.00 acres, zoned Residential Medium-Density (RM), located along the south side of Franklin Road, Dreamhomes Properties, Inc. applicant

VII. SUBMITTED FOR FINAL PLAT APPROVAL

A. Resubdivision of Tract 3 – William E. Eades and Mirtes H. Eades (14-2071) – 6 lots on 6.16 acres, zoned Residential Medium-Density (RM), located along Mona Road, Dickerson and Cook applicants. Includes a waiver to the fire hydrant regulations

VIII. SUBMITTED FOR SITE PLAN APPROVAL

A. Heatcraft, Inc. (14-3022) – Alternate Landscape Plan on 13.6 acres zoned Light Industrial (LI), located at 315 Murfreesboro Street, Robert Stroop applicant. This site plan was originally approved at the September 22, 2014 PC meeting

IX. REZONING REQUESTS/PUBLIC HEARINGS

A. South Haven Development (14-A013)
Location: Ocala Road
Commissioner: Trey Gooch
Size of Site: Approximately 262 acres
Tax Map: 94, Parcels: 1.01 and 34.00
77, Parcels: 62.00, 64.00 and 64.01 (portion)
76, Parcel: 39.03 and 39.02 (portion)
Existing Zoning: Residential Medium-Density (RM)
Proposed Zoning: Planned Unit Development (PUD)

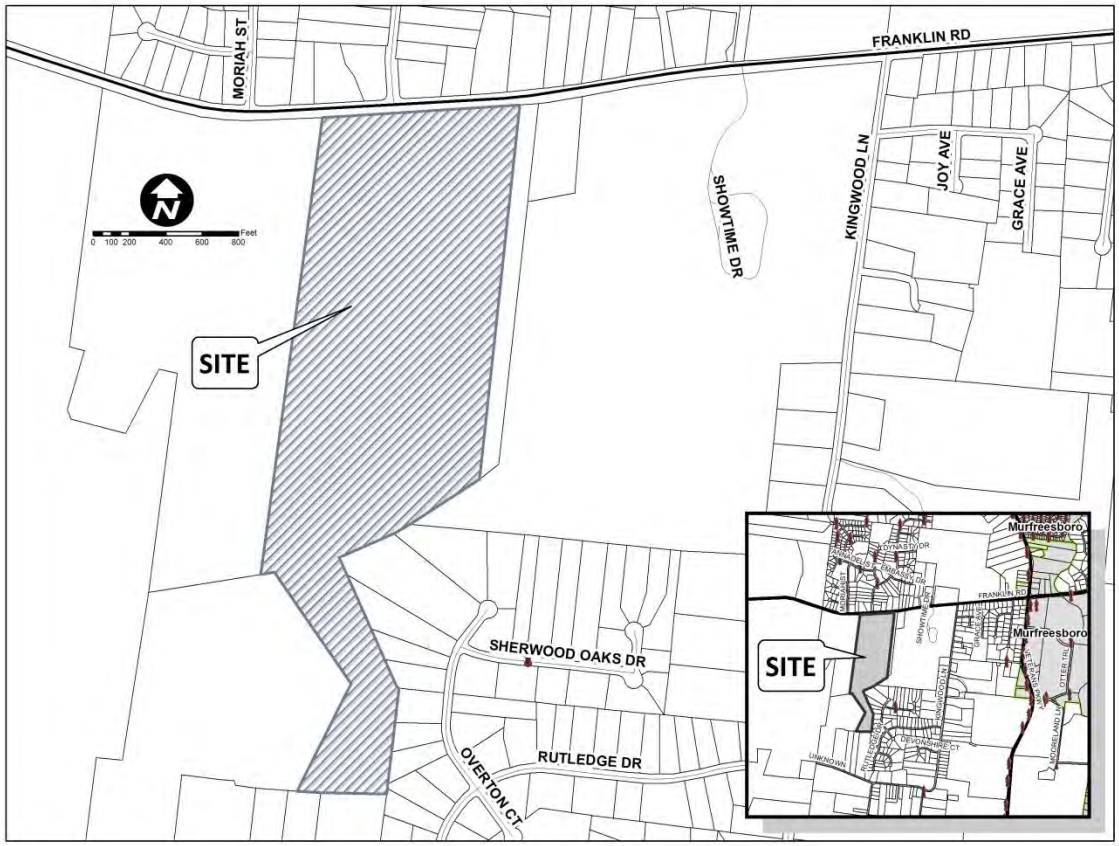
B. Various amendments to Section 1405 of the Zoning Ordinance pertaining to Rules and Procedures for the Board of Zoning Appeals (14-5004), Planning Staff applicant

X. STAFF REPORTS/OTHER BUSINESS

XI. ADJOURNMENT

Rutherford County Regional Planning Commission
November 10, 2014 Staff Comments

Plat/Plan Name: King's View at Franklin Road (14-1010)
Request: Preliminary Plan Approval
Site Details: 76 lots on 78.00 acres, Zoned Residential Medium Density (RM)
Developer: Dreamhomes Properties, Inc.
Property Location: Franklin Road



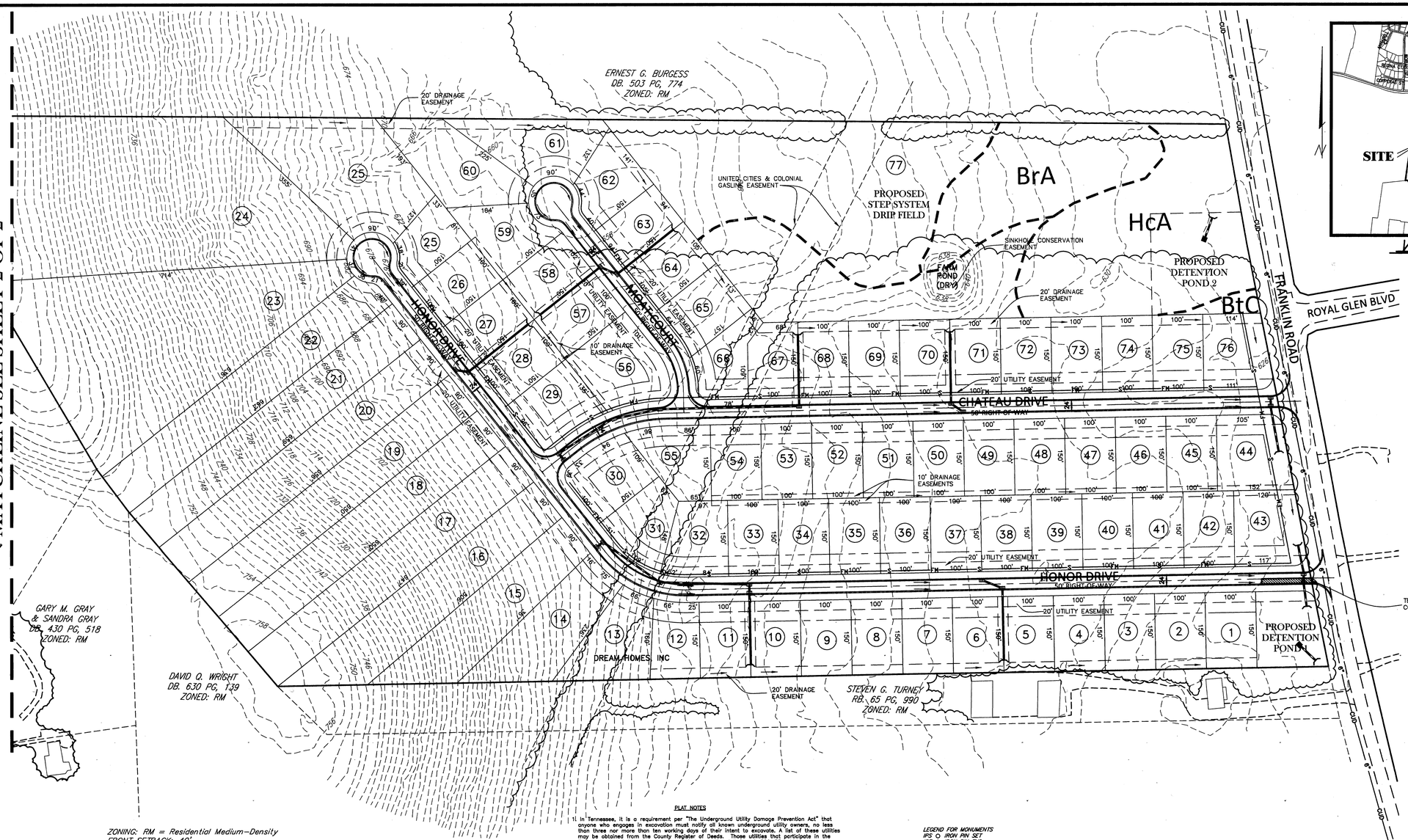
The subject property is located to the south side of Franklin Road. The applicants desire to develop 76 lots on the subject property.

Staff has a number of comments on this plan. One of the most critical to the design of the development is the alignment of Chateau Drive with Franklin Road and Royal Glen Boulevard. The Subdivision Regulations require a minimum 200-foot centerline separation. The separation between Chateau Drive and Royal Glen Boulevard does not meet this requirement and will need to be modified. Staff has also requested the applicant to provide information from TDOT regarding the possible need for turn lanes along Franklin Road.

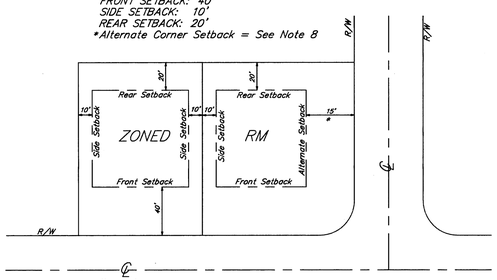
There is significant topography on this site that may impact the layout of several of the lots. Staff has requested that a number of the lots be marked as critical lots, which will require a surveyed plot plan of each lot prior to issuance of a building permit. Staff has also requested additional information on drainage for the development.

When these comments were written, Consolidated Utility District (CUD) was working on the Water Availability Request Form for this project. This analysis will determine the number of lots that can be accommodated as well as the potential for fire protection. If this form is not completed prior to the meeting, Staff will request that this item be removed from the agenda.

Any approval should be made subject to Staff Comments.



ZONING: RM = Residential Medium-Density
FRONT SETBACK: 40'
SIDE SETBACK: 10'
REAR SETBACK: 20'
*Alternate Corner Setback = See Note 8

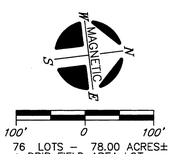


TYPICAL BUILDING SETBACK DETAIL
N.T.S.

PLAT NOTES

1. In Tennessee, it is a requirement per "The Underground Utility Damage Prevention Act" that anyone who engages in excavation must notify all known underground utility owners, no less than three nor more than ten working days of their intent to excavate. A list of these utilities may be obtained from the County Register of Deeds. Those utilities that participate in the Tennessee One Call system can be notified by calling toll free 1-800-351-1111.
2. Underground utilities shown were located using available above- ground evidence, and also from information obtained from the respective utility companies. The existence or non-existence of the utilities shown and any other utilities which may be present on this site or adjacent sites should be confirmed with the utility owner prior to commencing any work.
3. It is the responsibility of each residential builder to design and construct a suitable grading and drainage scheme which will convey surface water, without ponding in the lot or under the house, from his structure to the drainage system constructed by the subdivision developer.
4. Parcels may be subject to additional easements, and/or restrictions, by record or prescription, that a complete title search may reveal.
5. Public utility and drainage easements where shown hereon are intended to indicate an easement for construction, operation, and maintenance of public utilities and drainageways; including, but not limited to, sanitary sewers, forcemains, water lines, telephone signal conduits, electric conductors, drainage pipes, and natural gas lines. Easements in the subdivision may not have infrastructure constructed within them until some future time and there may be no notice or consultation with the individual lot Owners of this construction.
6. Subject property and all surrounding property are Zoned "RM" per the Rutherford County Regional Planning Commission.
7. All lots shall be served by a sewage system located on Lot 77. A sign notifying the public that this subdivision is serviced by a decentralized sewer system shall be placed and maintained as indicated on the plat by the developer until all homes are built & occupied. C.U.D. access to the septic tank shall be unencumbered by fencing or landscaping. A permanent access easement exists on each lot at the septic tank location. This easement is intended to assure service and repair access to the septic tank.
8. The applicable zoning ordinance allows for an alternate setback of 1½ times the required side yard setback (15') for one street frontage on corner lots provided a rear setback is provided opposite the normal front setback on the other street frontage.
9. Contact Consolidated Utility District for water line design, including water line sizes and fire hydrant locations. Water service, domestic and fire protection are provided by C.U.D. All main water line taps are to be made by C.U.D. The owner/developer for budget purposes should contact C.U.D. for related fees to project which may be substantial. Contact Jennifer Wood with C.U.D. (615-225-3311) for water meter specifications. The developer must post bond, $2,000 or $250 for each valve box (whichever is greater), whenever the subject project has valve boxes that are located within pavement upon completion of the proposed water system extension.
10. Any street in this subdivision may be extended into adjoining property at any time without additional notice or consultation. The streets identified on this plat may be constructed or reconstructed in the future without consultation or notice to the Owners of the lots in the subdivision.

LEGEND FOR MONUMENTS
IPS ○ IRON PIN SET
IPF ○ IRON PIN FND.
○ RAILROAD SPIKE
FENCE
● SURVEY POINT
△ NAIL
■ CONC. MARKER FND.



76 LOTS – 78.00 ACRES±
+ DRIP FIELD AREA LOT

DEVELOPER: DREAMHOMES PROPERTIES, INC
ATTENTION: MISCHA NEMETH
ADDRESS: 2696 BARFIELD ROAD
MURFREESBORO, TN 37128
TAX MAP: 100, PARCEL: 1.00
RECORD BOOK 1323, PG 1968
FLOOD MAP PANEL: 47149C0235H
FLOOD MAP DATED: JANUARY 5th, 2007
ZONES: X

LEGEND

- Power Pole
- Existing Fire Hydrant
- Proposed Fire Hydrant
- Reducer
- Proposed Gate Valve & Box
- Concrete Thrust Block
- —W— Existing Water Line
- —W— Proposed Water Line
- —S— Existing Sanitary Sewer Line
- —S— Proposed Sanitary Sewer Line
- Existing Manhole
- Proposed Manhole
- Sewer Line Check Dam
- Existing Contours
- Proposed Contours
- Existing Spot Elevations
- Proposed Spot Elevations
- Siltation Fence (to be installed before grading and left in place until a good stand of grass is established over all disturbed areas.)
- INIT. MEAS. Siltation Fence (Initial Measure)
- ONCE CONST. Siltation Fence (Once Constructed)
- Turf Reinforcement Mat
- Stone Check Dam

TOPOGRAPHIC INFORMATION SHOWN TAKEN FROM RUTHERFORD COUNTY GIS.

NO.	DATE	DESCRIPTION
1	10-24-14	ORIGINAL ISSUE

WILLIAM H. HUDDLESTON
REGISTERED ENGINEER
AGRICULTURE
COMMERCE
No. 102338
STATE OF TENNESSEE

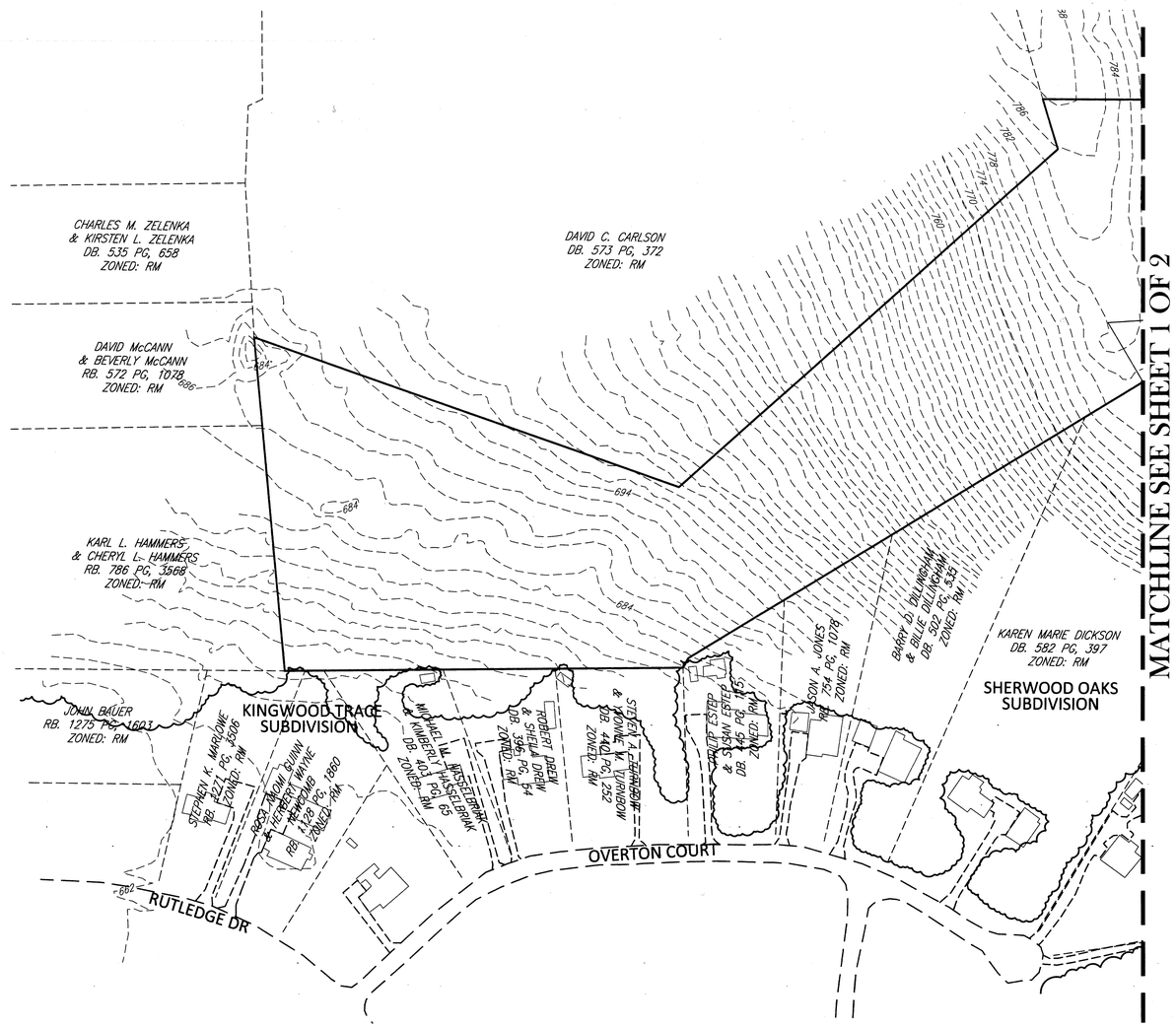
HUDDLESTON-STEELE ENGINEERING, INC.
2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
TELEPHONE : 893 – 4084, FAX: 893 – 0080

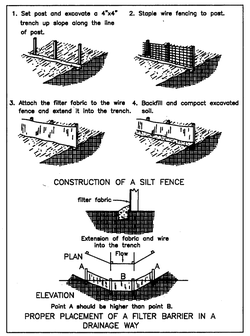
PRELIMINARY PLAN

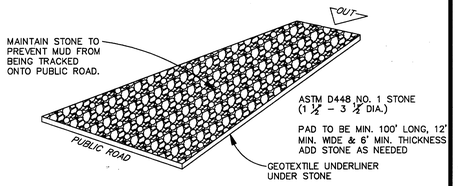
KING'S VIEW
AT FRANKLIN ROAD
MURFREESBORO, TN

7th CIVIL DISTRICT- RUTHERFORD COUNTY - TN.

DATE: OCTOBER, 2014 | SCALE: 1" = 100' | SH. 1 OF 2

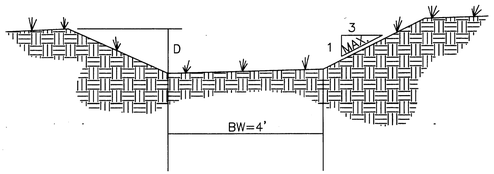






TEMPORARY CONSTRUCTION EXIT DETAIL

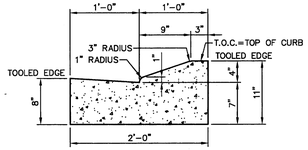
N.T.S.



TYPICAL SECTION
DRAINAGE DITCH

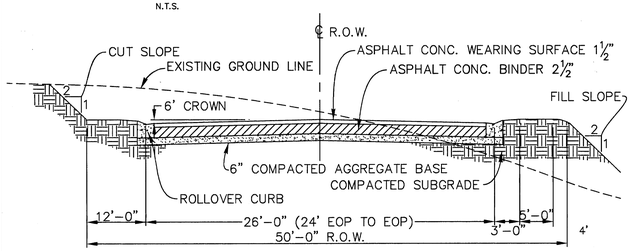
N.T.S.

NOTE: Ditch and slopes shall be seeded and strawed for stabilization.



ROLLOVER CURB WITH GUTTER

N.T.S.



TYPICAL STREET CROSS SECTIONS

N.T.S.

ZONING: RM = Residential Medium-Density
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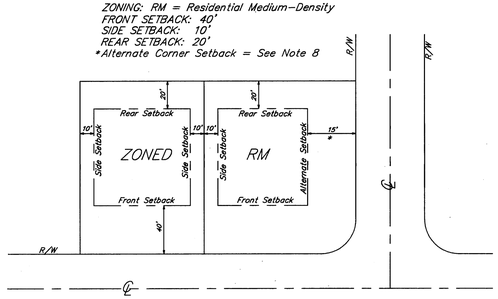
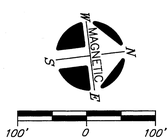


TYPICAL BUILDING SETBACK DETAIL

N.T.S.



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- —S— Proposed Sanitary Sewer Line
- Existing Manhole
- Proposed Manhole
- Sewer Line Check Dam
- —97— Existing Contours
- —95— Proposed Contours
- 99.0 Existing Spot Elevations
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- —SF— Siltation Fence (To be installed before grading and left in place until a good stand of grass is established over all disturbed areas.)
- —SF— INIT. MEAS. Siltation Fence (Initial Measure)
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WILLIAM H. HUDDLESTON IV
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AGRICULTURE
No. 15101
STATE OF TENNESSEE

HUDDLESTON-STEELE ENGINEERING, INC.
2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
TELEPHONE : 893 – 4084, FAX: 893 – 0080

PRELIMINARY PLAN

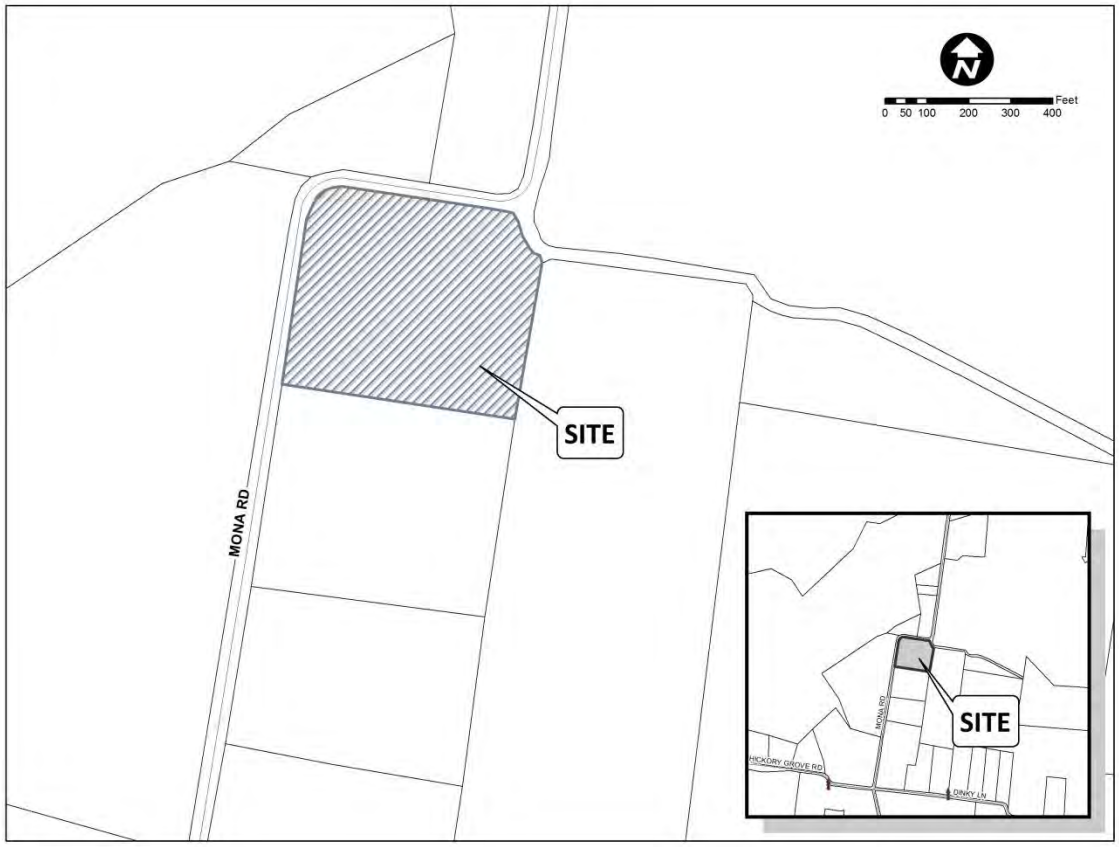
KING'S VIEW
AT FRANKLIN ROAD
MURFREESBORO, TN

7th CIVIL DISTRICT- RUTHERFORD COUNTY - TN.

DATE: OCTOBER, 2014 | SCALE: 1" = 100' | SH. 2 OF 2

Rutherford County Regional Planning Commission
November 10, 2014 Staff Comments

Plat/Plan Name:	**Resubdivision of Tract 3 – William E. Eades and Mirtes H. Eades (14-2071)**
Request:	**Final Plat Approval. Includes a waiver to the fire hydrant requirements**
Site Details:	**6 lot on 6.16 acres, zoned Residential Medium-Density (RM)**
Developer:	**Dickerson and Cook**
Property Location:	**Mona Road**



The subject property is located along Mona Road. The applicants would like to split the tract into six (6) lots. Staff has a number of comments on this plat. Some of the more significant comments were dedication of five (5) feet of right-of-way, showing the soil areas on the property and showing the location of the nearest fire hydrant. Staff also plans to meet with the Highway Superintendent to discuss possible upgrades to Mona Road in this area. Staff understands that the water line in this area will not support a fire hydrant. If approval of the plat is granted, it will need to be done with a waiver to the fire hydrant requirements and each home will be required to install a residential sprinkler system.

Any approval should be made subject to Staff Comments and the waiver being granted.

CERTIFICATION OF GENERAL APPROVAL FOR INSTALLATION OF SUBSURFACE SEWAGE DISPOSAL SYSTEMS WITH RESTRICTIONS

General approval is hereby granted for lot proposed hereon as being suitable for subsurface sewage disposal with the listed and/or attached restrictions.
Before the initiation of construction, the location of the house or other structure(s) and plans for the subsurface sewage disposal system shall be approved by the local health authority.

Date

TN Dept. of Environment & Conservation
Division of Ground Water Protection

TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION:

1. Any cutting or filling after _____ may render lots unsuitable for subsurface sewage disposal.
2. All Lots are approved for up to a 3 bedroom residence.
3. All shaded areas are to be reserved for subsurface sewage disposal systems. Keep all houses, utilities, & drives outside shaded areas.

75 MPI

≤60 MPI

PLAT NOTES

1. In Tennessee, it is a requirement per "The Underground Utility Damage Prevention Act" that anyone who engages in Excavation must notify all known underground utility owners, no less than three nor more than ten working days of their intent to excavate. A list of these utilities may be obtained from the County Register of Deeds. Those utilities that participate in the Tennessee One Call system can be notified by calling toll free 1-800-351-1111.
2. Underground utilities shown were located using available aboveground evidence, and also from information obtained from the respective utility companies. The existence or nonexistence of the utilities shown and any other utilities which may be Present on this site or adjacent sites should be confirmed with the utility owner prior to commencing any work.
3. It is the responsibility of each builder to design and construct a suitable grading and drainage scheme which will convey surface water, without ponding in the lot or under the structure, from his structure to the drainage system constructed by the subdivision developer.
4. Parcels may be subject to additional easements, and/or restrictions, by record or prescription, that a complete title search may reveal.
5. Public utility and drainage easements where shown hereon are intended to indicate an easement for construction, operation, And maintenance of public utilities and drainageways; including, but not limited to, sanitatory sewers, forcemains, water lines, Telephone signal conduits, electric conductors, drainage pipes, and natural gas lines.
6. The soil types and locations shown hereon are taken from soils maps provided by Randy Dickerson, dated _____. The local health authority maintains a copy of the soils maps and has reviewed this final plat for conformance with same. Huddleston-Steele Engineering, Inc., assumes no responsibility for the accuracy or completeness of the soils informaton provided hereon.
7. Permanent or temporary soil stabilization shall be applied to denuded areas within 15 days after final grade is reached on any portion of the site. Soil stabilization shall also be applied within 15 days to denuded areas which may not be at final grade, but will remain dormant (undisturbed) for longer than 60 days.
8. Properties adjacent to the site of land disturbance shall be protected from sediment deposition. This may be accomplished by preserving a well-vegetated buffer strip around the lower perimeter of the land disturbance; by installing perimeter controls such as sediment barriers, filters, or dikes, or sediment basins; or by a combination of such measures.
9. All surrounding parcels are zoned RM per the Rutherford County Regional Planning Commision (R.C.R.P.C.).
10. The applicable zoning ordinance allows for an alternate setback of 1½ times the required side yard setback (15') for one street frontage on corner lots provided a rear setback is provided opposite the normal front setback on the other street frontage.
11. The purpose of this plat is to divide Tract 3 of the Property of William E. Eades & Mirtes H. Eades into 6 Lots.
12. The recording of this plat voids, vacates and supersedes Tract 3 of the Property of William E. Eades & Mirtes H. Eades as recorded in Plat Book 18, Page 309, R.O.R.C.

LOCATION MAP
N.T.S.

CERTIFICATE OF OWNERSHIP AND DEDICATION
I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, parks and other open spaces to public or private use as noted.

Date

Deed Book 611, Page 351

Randall M. Elliott

Anna M. Elliott

CERTIFICATE OF ACCURACY
I hereby certify that the plan shown and described hereon is true and correct survey to the accuracy required by the Rutherford County, Tennessee, Planning Commission and that the monuments have been placed as shown hereon to the specifications of the County Engineer.

11-23-14
Date

Richard H. Stem, Jr., Tenn. RLS No. 1637

RECEIVED
OCT 27 2014
BY: .....

CERTIFICATE OF APPROVAL FOR RECORDING
I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations for Rutherford County, Tennessee with the exception of such variances, if any, as are noted in the minutes of the planning commission and that it has been approved for recording in the office of the County Registrar.

Date

SECRETARY, PLANNING COMMISSION

Date

CHAIRMAN, PLANNING COMMISSION

CERTIFICATE OF APPROVAL FOR ELECTRIC POWER
Middle Tennessee Electric Membership Corporation (MTEMC) will provide electric service to the subject property according to the normal operating practices of MTEMC as defined in the rules and regulations, bylaws, policy bulletins and operational bulletins of MTEMC, and in accordance with the plat approval checklist, tree planting guidelines and other regulations contained on the MTEMC website at www.mtemc.com (collectively the "Requirements"). No electric service will be provided until MTEMC's Requirements have been met and approved in writing by an authorized representative of MTEMC. Any approval is, at all times, contingent upon continuing compliance with MTEMC's requirements.

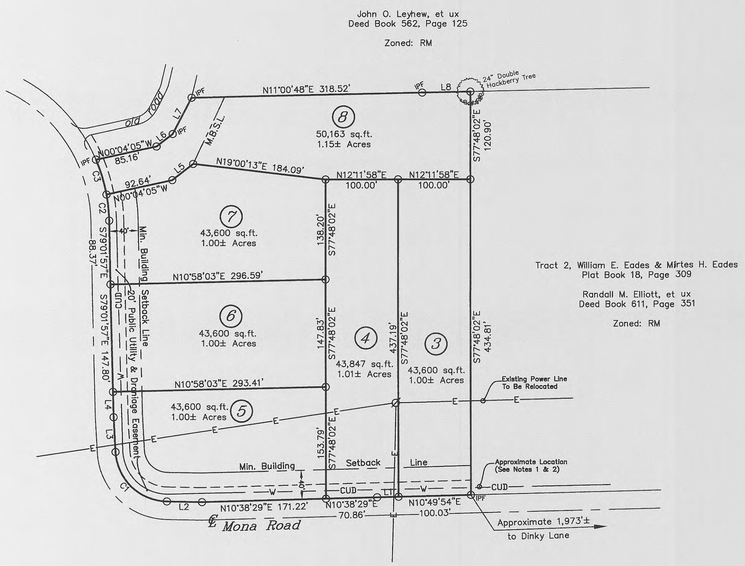
Date

MIDDLE TENNESSEE ELECTRIC
MEMBERSHIP CORPORATION

CERTIFICATE OF WATER
I hereby certify that the subdivision plat entitled "Resubdivision of Tract 3 of the Property of William E. Eades & Mirtes H. Eades" has been approved by the engineers for Consolidated Utility District of Rutherford County for water service, provided, however, that the lines, valves, and fittings must be installed in accordance with C.U.D. specifications as determined by its engineers. No water service will be provided until that certification has been made in writing.

Date

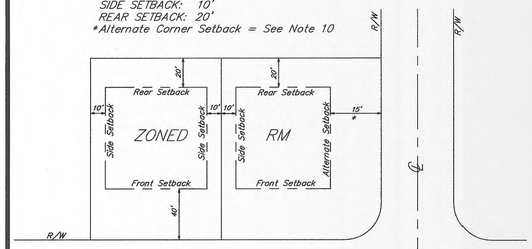
OFFICIAL, CONSOLIDATED UTILITY
DISTRICT OF RUTHERFORD COUNTY



CURVE TABLE					
CURVE	DELTA	RADIUS	ARC	CHORD	BEARING
C1	85°37'14"	72.16	107.83	98.08	S56°18'29"W
C2	9°07'18"	227.79	36.27	36.23	S83°35'35"E
C3	12°38'22"	227.79	50.25	50.15	N85°31'35"E

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N10°49'54"E	29.17
L2	N13°29'52"E	48.45
L3	S80°52'54"E	48.02
L4	S79°01'57"E	34.83
L5	N25°36'08"W	36.40
L6	N25°36'08"W	28.13
L7	N50°17'13"W	56.20
L8	N11°06'12"E	66.62

ZONING: RM = Medium Density Residential
FRONT SETBACK: 40'
SIDE SETBACK: 10'
REAR SETBACK: 20'
*Alternate Corner Setback = See Note 10



TYPICAL BUILDING SETBACK DETAIL
N.T.S.

6 Lots = 6.16± Acres

0 100' 200'

LEGEND FOR MONUMENTS
O IRON PIN SET (1/2" rebar: H-S ENGR)
IPF O IRON PIN FND.
O RAILROAD SPIKE
FENCE
● SURVEY POINT
△ NAIL
■ CONC. MARKER FND.

DEVELOPER: Dickerson & Cook
ADDRESS: 3108 North Thompson Lane
Murfreesboro, TN 37129

OWNER: Randall M. Elliott, et ux
Anna M. Elliott
ADDRESS: 9424 Mona Road
Murfreesboro, TN 37129

Tax Map 11, Parcel 21.02
Deed Book 611, Page 351

THIS PARCEL IS NOT INCLUDED IN AREAS DESIGNATED AS "SPECIAL FLOOD HAZARD" ON THE NATIONAL FLOOD INSURANCE PROGRAM COMMUNITY MAP 470165, PANEL NO. 0045-H, ZONE: X, DATED: JANUARY 05, 2007.

I hereby certify that this is a Category "I" survey and the ratio of precision of the unadjusted survey is 1:10,000 as shown hereon and that this survey was done in compliance with current Tennessee Minimum Standards of Practice for Land Surveyors.

RICHARD H. STEM
AGRICULTURE
COUNTY
TENNESSEE NO. 1637

HS HUDDLESTON-STEELE ENGINEERING, INC.
2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
SURVEYING : 893 - 4084, FAX: 893 - 0080

Previously Recorded in Plat Book 18, Page 309
DATE OF RECORDING:_____
TIME OF RECORDING:_____
PLAT BOOK:_____, PAGE:_____.

Resubdivision of Tract 3 of the Property of William E. Eades & Mirtes H. Eades

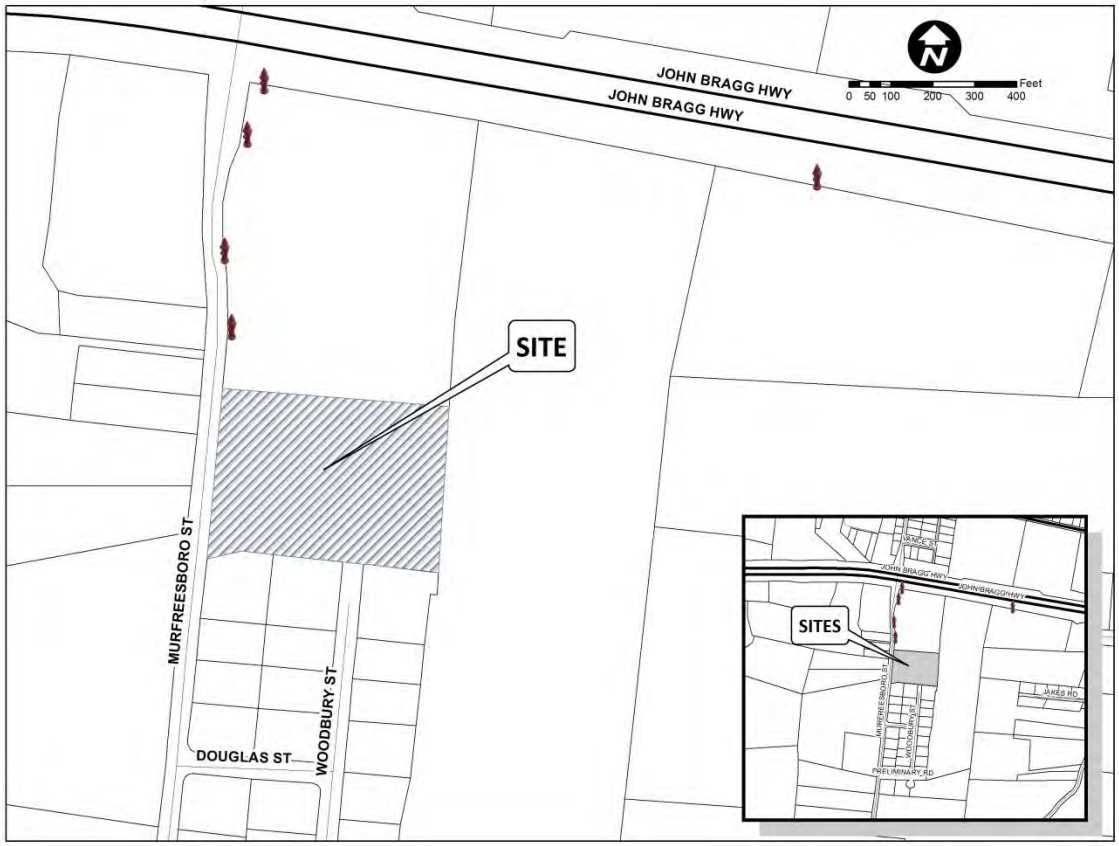
5th Civil District of Rutherford County, Tennessee

Date: October, 2014	Scale: 1"=100'	Sheet 1 of 1

C:\Land Projects 3\William Eades Property\dwg\Tract 3 Resub.dwg, FinalPlat, 10/23/2014 11:36:15 AM, ACAD009

Rutherford County Regional Planning Commission
November 10, 2014 Staff Comments

Plat/Plan Name: **Heatcraft, Inc. (14-3022)**
Request: **Alternative Landscape Plan Approval**
Site Details: **New construction of 20,000 square-foot warehouse/ manufacturing facility on 13.6 acres zoned Light Industrial (LI)**
Applicant: **Robert Stroop**
Property Location: **315 Murfreesboro Street**



The subject property is located at the intersection of John Bragg Highway and Murfreesboro Street. The applicant is proposing to construct a 20,000 square-foot building on the property to the south of the existing building. The Planning Commission approved this site plan at their September 22, 2014 meeting. Since that time, Staff has had a number of conversations with the applicant regarding the landscape plan. The southern portion of the property is encumbered by a TVA easement which makes creating a landscape plan more challenging. Section 1104I of the Zoning Ordinance gives the Planning Commission the authority to approve an alternative landscape plan scheme that meets the intent and purpose of the landscape regulations. Staff has

included the proposed alternative plan with your agenda materials. According to the Zoning Ordinance, the Planning Commission "should consider the unique features of the site; the land use classification of adjacent properties; the number of plantings, species, arrangement and coverage proposed; and the level of screening, height, spread, and canopy of the proposed plantings at maturity."

Staff will have additional comments at the meeting. Any approval should be made subject to Staff Comments.

HUDDLESTON-STEELE
ENGINEERING, INC.
2115 N.W. Broad Street • Murfreesboro, TN 37129 • Engineering 615-893-4084 • Surveying 615-890-0372 • Fax 615-893-0080

October 23, 2014

Mr. Doug Demosi, Planning Director
One Public Square South, Suite 200
Murfreesboro, Tennessee 37130

Re: Feed America First Alternate Landscape Plan

Dear Mr. Demosi:

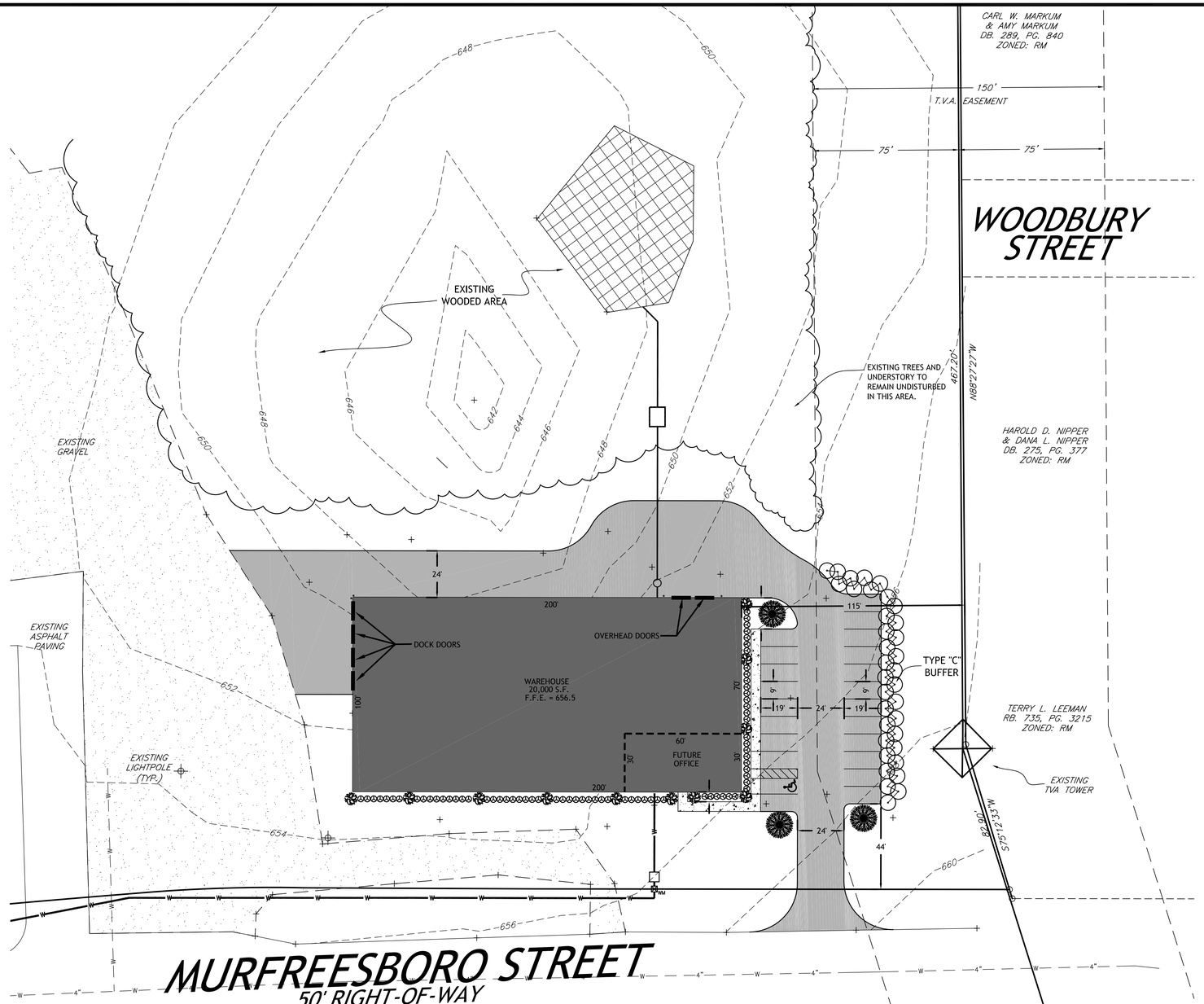
Thank you for taking the time to discuss the landscape buffer requirements for the Feed America First site. What we discussed was presenting an Alternative Landscape Plan for the site due to the relationship the buffer has with the TVA easement, and due to the fact that the rear portion of the property has a natural buffer that will not be disturbed by the new construction. Multiple pictures are included with this letter showing the density of the natural landscape along the TVA easement line at the rear of the property. We decided the natural buffer will be sufficient for the back portion to satisfy the buffer requirement. A type 'C' buffer will be required to screen the property on the front portion. The vegetation being used for the buffer will be within the TVA easement, therefore, the TVA will be responsible for approving the plant material selection.

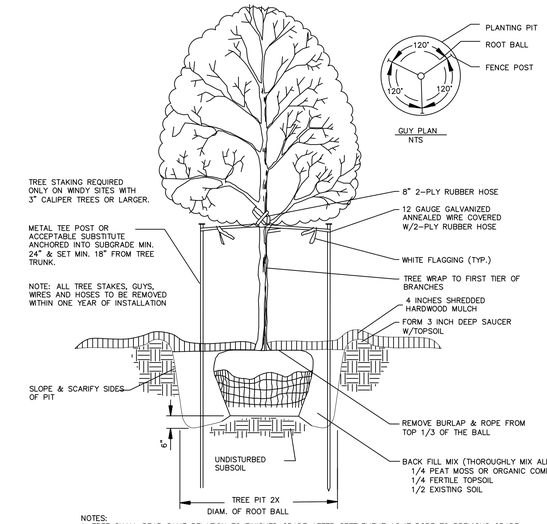
Thank you for passing this letter and the photographs on to the planning commission for their review and approval.

Sincerely,

HUDDLESTON-STEELE ENGINEERING, INC.

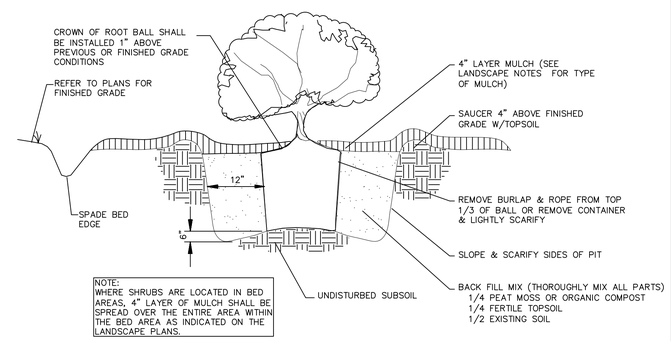
Clyde R. Rountree, RLA





NOTES:
1. TREE SHALL BEAR SAME RELATION TO FINISHED GRADE AFTER SETTLEMENT AS IT BORE TO PREVIOUS GRADE.
2. TREE SHALL STAND PLUMB.
3. DO NOT DAMAGE ROOTS OR DESTROY ROOT BALL WHEN INSTALLING TREE STAKE
4. STAKING GUY WIRE TO BE REMOVED AT THE END OF THE GUARANTEE PERIOD.

TREE PLANTING DETAIL
NTS



NOTE:
WHERE SHRUBS ARE LOCATED IN BED AREAS, 4" LAYER OF MULCH SHALL BE SPREAD OVER THE ENTIRE AREA WITHIN THE BED AREA AS INDICATED ON THE LANDSCAPE PLANS.

SHRUB PLANTING DETAIL
NTS

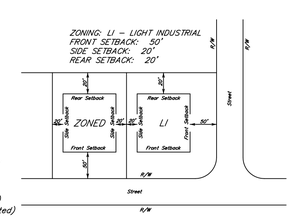
PLANT MATERIAL LIST

CANOPY AND ORNAMENTAL TREES						
QTY	KEY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	NOTES
3		Zelkova serrata	Zelkova	2 1/2"" CaL		5' Clear, Straight trunk, evenly branched, matched
11		Thuja occidentalis 'Emerald Green'	Emerald Green Arborvitea	6'tall at planting		Full, symetrical shape
35		Cryptomeria japnoica	Cryptomeria	6'tall at planting		Full, symetrical shape

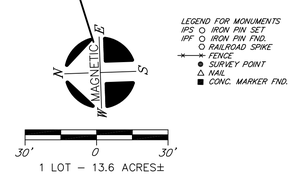
SHRUBS						
QTY		BOTANICAL NAME	COMMON NAME	SIZE	ROOT	
72		Buxus 'Green Velvet'	Boxwood 'Green Velvet'	24" Ht.	Cont	Full symmetrical shape

LEGEND

- Power Pole
- Existing Fire Hydrant
- Proposed Fire Hydrant
- Reducer
- Proposed Gate Valve & Box
- Concrete Thrust Block
- —W— Existing Water Line
- —W— Proposed Water Line
- —S— Existing Sanitary Sewer Line
- —S— Proposed Sanitary Sewer Line
- Existing Manhole
- Proposed Manhole
- Sewer Line Check Dam
- —450— Existing Contours
- —450— Proposed Contours
- 651.0 Existing Spot Elevations
- 651.0 Proposed Spot Elevations
- —SF— Siltation Fence (to be installed before grading and left in place until a good stand of grass is established over all disturbed areas.)
- INIT. MEAS. Siltation Fence (Initial Measure)
- ONCE CONST. Siltation Fence (Once Constructed)
- Turf Reinforcement Mat
- Stone Check Dam



TYPICAL BUILDING SETBACK DETAIL
N.T.S.



LEGEND FOR MONUMENTS
IPS IRON PIN SET
IPF IRON PIN FND.
RAILROAD SPIKE
FENCE
SURVEY POINT
NAIL
CONC. MARKER FND.

OWNER: ROBERT T. STROOP
ADDRESS: 1128 OLD LASCASSAS ROAD
MURFREESBORO, TN 37130
TAX MAP: 104, PARCELS: 1.00 & 206.00
DEED BOOK 584, PAGE 806

FLOOD MAP PANEL: 47149C0280H
FLOOD MAP DATED: JANUARY 5th, 2007
ZONES: X

THE SURVEY IS A TOPOGRAPHIC SURVEY FOR INFORMATION ONLY AND IS NOT A GENERAL PROPERTY SURVEY AS DEFINED UNDER RULE 0820-3-.07.

ROUNTREE & ASSOCIATES
LANDSCAPE ARCHITECTS
615 509 5030
928 Blackburn Street Lebanon, TN 37090
MASTER PLANNING - POOL DESIGN - FACADE ENHANCEMENT
SITE SELECTION - HARDSCAPE DESIGN - PLANTING DESIGN

NO.	DATE	DESCRIPTION
1	9-05-14	ORIGINAL ISSUE
2	9-17-14	ADDRESSED COUNTY PLANNING AND ENGINEERING COMMENTS
3	10-23-14	ADDRESSED COUNTY PLANNING AND ENGINEERING COMMENTS

CLYDE ROUNTREE
REGISTERED
LANDSCAPE ARCHITECT
STATE OF TENNESSEE
No. 101

HUDDLESTON-STEELE ENGINEERING, INC.
2115 N.W. BROAD STREET, MURFREESBORO, TN 37129
TELEPHONE : 893 - 4084, FAX: 893 - 0080

ALTERNATIVE LANDSCAPE PLAN

FEED AMERICA FIRST

315 MURFREESBORO STREET
MURFREESBORO, TN

18th CIVIL DISTRICT- RUTHERFORD COUNTY - TN.

DATE: SEPTEMBER, 2014	SCALE 1"=30'	SH. 3 OF 4

Rutherford County Regional Planning Commission Staff Report

Planning Commission Meeting Date: November 10, 2014

Case Number:	14-A013
Staff Recommendation:	**RECOMMENDATION RESERVED**
Request by:	South Haven Development
Property Address:	Ocala Road
Commission District:	20 – Trey Gooch
Urban Growth Boundary:	Smyrna UGB

Applicant Request

Rezoning from Residential Medium-Density (RM) to Planned Unit Development (PUD)

Purpose of District

The Planned Unit Development District (PUD) is a distinct zoning district which is intended to encourage innovative land planning and design and avoid the monotony sometimes associated with large developments. Further information on the purpose of this district can be found in Section 901 of the Rutherford County Zoning Ordinance.

Site Characteristics

Current Zoning: RM

Current Use: Vacant Land

Adjacent Uses: Residential of open on all sides. The property to the north is proposed for a subdivision (Stewart Creek Farms). State Route (SR) 840 is located directly south of Ocala Road

Adjacent Zoning: RM on all sides

Size of Tract: Approximately 262 acres

Comprehensive Plan

The Rutherford County Comprehensive Plan shows this location as being included within the Suburban Belt Character Area. Suburban Belt areas are recommended to include residential uses at densities of up to three (3) residential units per acre. The proposed density for the project is 2.36 units per acre. Portions of the property are also located within the Major Employment Center Activity Node, which recommends higher non-residential uses.

Proposal supported by Comprehensive Plan

Staff feels that the proposed development is consistent with the recommendations of the Comprehensive Plan. The applicants are using the PUD approach to allow for smaller lots but are conserving more open space and are providing amenities that aren't typically required in a conventionally zoned development.

Infrastructure

Roads: The properties have frontage along Ocala Road. Staff required the applicant to complete a traffic study due to the amount of traffic that this development could generate. The results of that study have been received by Staff and a synopsis has been included with these comments. The entire study has not been included with this report

but is available for inspection. Staff has visited the area and feels that improvements are needed to the entire portion of Old Shores Road that extends from Almaville Road to Ocala Road and not just the first 300 feet off of Almaville Road. It is a narrow road and Staff has concerns about the amount of traffic it can accommodate. Staff would also like to see additional traffic control measures at the intersection of Ocala Road and Old Shores Road. These concerns have been communicated to the applicant.

It also appears that the proposed stub-out to the north does not line up with the current plan for the future expansion of the Stewart Creek Farms Subdivision. Staff would also like to see a stub-out to the east.

There are no traffic counts along Ocala Road. The closest TDOT traffic count is located on Almaville Road on the south side of the interchange of Almaville Road and State Route SR 840, approximately 1 ½ miles away as the truck drives that shows a 2013 count of 1,830 trips per day.

Utilities: According to the Consolidated Utility District (CUD), there are no water lines along Ocala Road. The applicant has asked CUD to complete a feasibility study to determine what infrastructure upgrades would be necessary in order to develop the project with fire hydrants. Staff expects this study to be completed prior to the meeting.

The development will be served by a STEP system that would be owned, operated and maintained by CUD. The applicant has also provided a letter from MTEMC stating that they can serve the development.

Fire Protection: There is not a fire hydrant in close proximity to the properties. CUD is currently working on a feasibility study to determine what infrastructure upgrades would be necessary to develop the property with fire hydrants. If fire hydrants cannot be supported, the development would be required to provide residential sprinkler systems in all houses.

Stormwater: Portions of the subject properties are impacted by the 100-year floodplain, as delineated by the Federal Emergency Management Agency (FEMA). The applicant will need to work closely with Engineering staff to ensure that a stormwater management system is designed to provide water quality and quantity control. Staff has asked for more detailed information on the drainage plan for the proposed development.

Schools: The concept plan was sent to the Rutherford County Schools Central Office. Staff had not received any comments prior to these comments being distributed. Any comments will be relayed to the Planning Commission at the meeting.

Background/Proposal Details

Proposed Use: The subject properties are located on the north side of Ocala Road, to the east of Almaville Road and in very close proximity to SR 840. This development was originally

approved in October of 2007 and was known as Cedar Brook. The original development contained 434 lots and contained a mixture of single-family detached and attached structures. Although the development was approved, no subdivision plats were ever submitted, nor was any work completed on the property. The approval for this development has long since lapsed and the applicant is resubmitting the development using a different arrangement. The proposed development, South Haven, contains more property than the original development contained (218 acres as compared to 262 acres). The development proposes 618 lots and will be exclusively single-family detached dwellings.

There is also a significant amount of open space shown on the concept plan. Proposed amenities include walking trails, small pocket parks, a multi-purpose court, pool and playground/tot lot. The pattern book provides details as to how the amenities will be phased into the project.

Access & Parking: Access to the properties will be along Ocala Road. There is a proposed stub street on the north side of this project, although it does not appear to line up with the current plans for Stewart Creek Farms. Staff has also requested the applicant to provide a stub street along the east side of the property. Access and parking will have to meet the standards in the Zoning Ordinance and be shown on an engineered plat.

Landscaping: Since this is a residential development, there is no required screening from adjacent properties. The Planning Commission can recommend screening, but Staff does not see what practical benefit this would have since the Concept Plan shows a large amount of existing tree material to be preserved.

Performance Standards: Section 1106 of the Zoning Ordinance creates performance standards for noise, dust, odor and hazardous materials that commercial or industrial activities must be able to meet. Since this is a residential development, the performance standards should not be an issue.

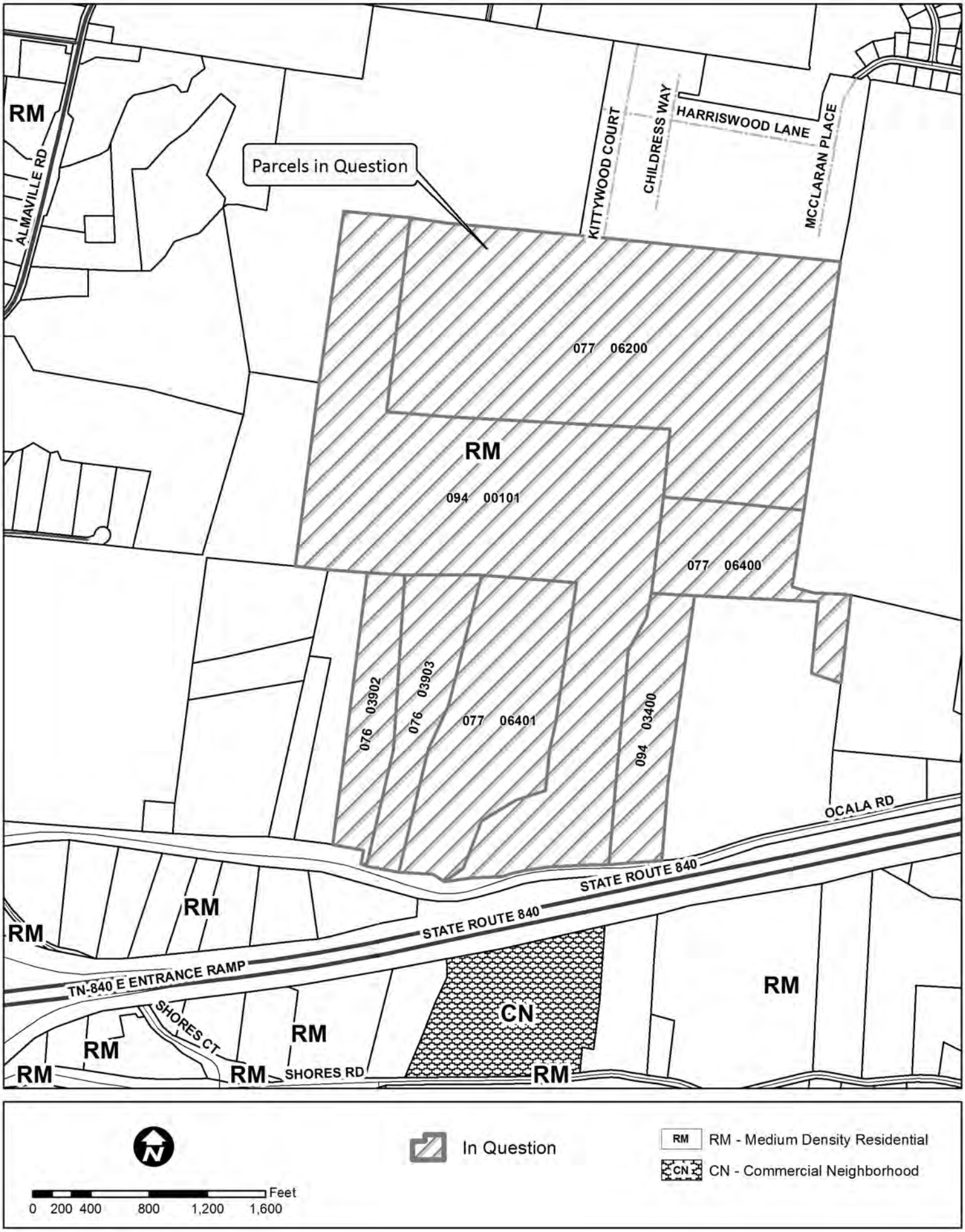
Staff Recommendation

Staff is reserving a final recommendation at this time. Staff's primary concerns include the condition of Old Shores Road and the needed traffic improvements to both the Old Shores/Almaville Road and Old Shores/Ocala Road intersections. Staff is also waiting to see the results from CUD's feasibility study. The results of that study could impact the design of the subdivision and Staff's recommendation on this application.

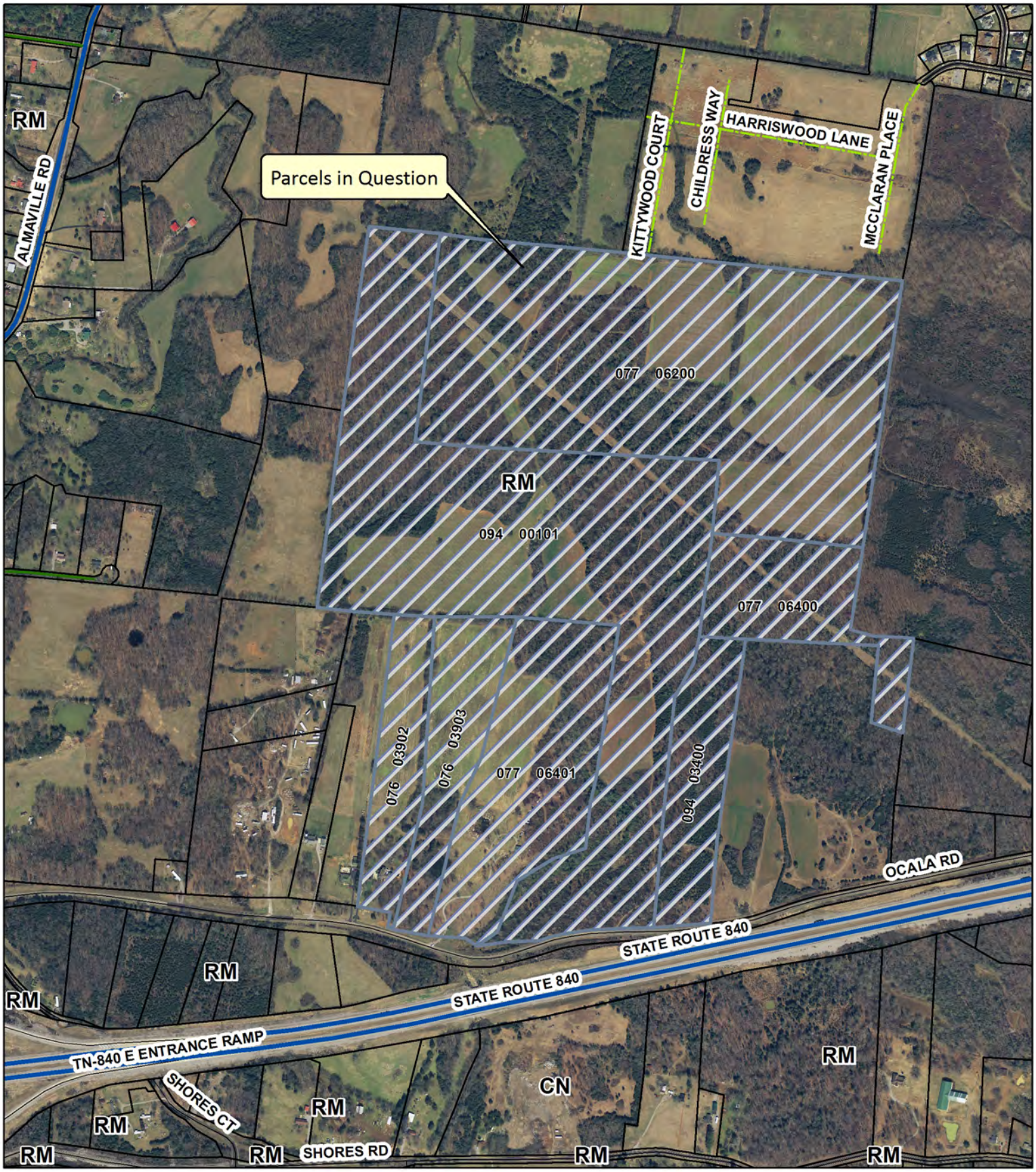
Attachments

Zoning Map
Aerial Map
CUD Water Lines Map
CUD Will Serve Letter
Traffic Study Synopsis
PUD Pattern Book (Separate Attachment)

14-A013


RM
ALMAVILLE RD
Parcels in Question
KITTYWOOD COURT
CHILDRESS WAY
HARRISWOOD LANE
MCCLARAN PLACE
077 06200
RM
094 00101
077 06400
076 03902
076 03903
077 06401
094 03400
OCALA RD
STATE ROUTE 840
STATE ROUTE 840
RM
RM
TN-840 E ENTRANCE RAMP
SHORES CT
RM
CN
RM
RM
RM
SHORES RD
RM
RM
In Question
RM - Medium Density Residential
CN - Commercial Neighborhood
Feet
0 200 400 800 1,200 1,600

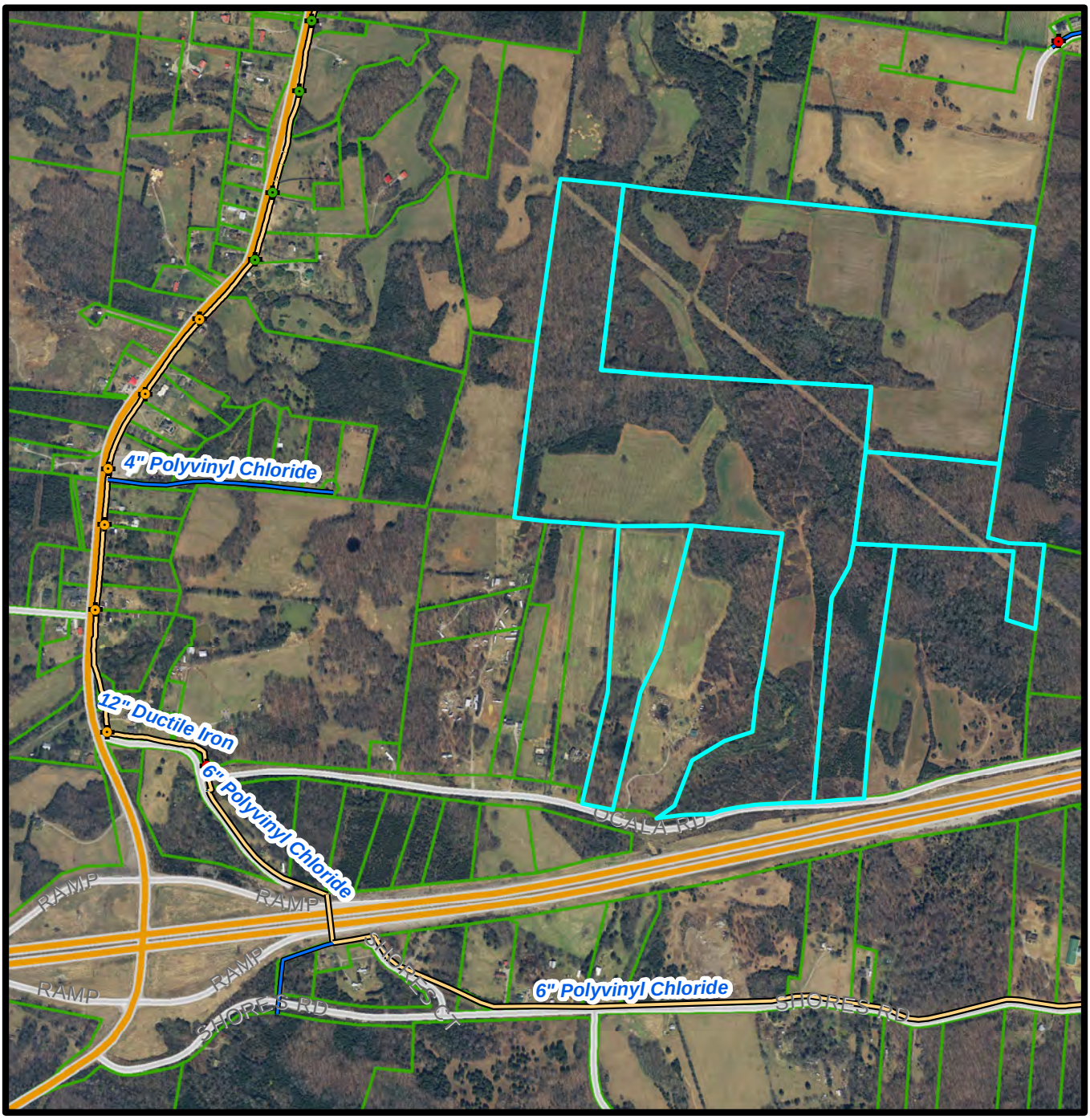
14-A013



In Question

0 200 400 800 1,200 1,600 Feet

CUD Line Location / Ocala Rd.
Proposed South Haven Development



All maps, flows, elevations, pipe sizes or any other hydraulic information is provided as a courtesy by CUDRC to the recipient and is for information use only. Since it may be inaccurate or incomplete, it should never be relied upon for design purposes or financial commitments without investigation and due diligence by the recipient.

Date: 10/21/2014

Prepared by: JLW

N
W E
S

N.T.S.

CONSOLIDATED UTILITY DISTRICT
Rutherford County, Tennessee

CONSOLIDATED UTILITY DISTRICT

Rutherford County, Tennessee

September 9, 2015

Mr. Jim Hysen
Land Venues
P.O. Box 682766
Franklin, TN 37068

Re: Saddle Creek Subdivision
Ocala Road, Murfreesboro, TN
Tax Map 76, Parcel 39.03 and Tax Map 77, Parcels 39.62, 64.00, and 64.01
Will Serve Letter – Water Only

Dear Mr. Hysen,

This "Will Serve Letter" is for the property identified as Saddle Creek Subdivision (hereafter "Developer) (Tax Map 76, Parcel 39.03 and Tax Map 77, Parcels 39.62, 64.00, and 64.01) located off Ocala Road in Murfreesboro, TN which lies within the water service area of Consolidated Utility District of Rutherford County (hereafter "the District"). Based on the request and plan provided to the District, the proposed development will create six hundred and fifty (650) residential lots in the proposed Saddle Creek Subdivision, each with a detached single-family residence to be completed in multiple phases.

No water main infrastructure currently exists down Ocala Road where the proposed development will be accessed. However, the District system currently has a twelve (12) inch water main along Almaville Road/Old Shores Road to the Ocala Road intersection which will serve as the main water connection point for the development. Prior to development of these properties, a water main shall be extended down Ocala Road which would serve as the main feed for the properties in question. Sizing will be determined by the District in the design phase.

Additionally, the current infrastructure is not adequate to serve both the domestic water demands and fire demands in the form of fire hydrants for all 650 single-family, residential lots as requested. However, the District has approved several options for the Developer to consider.

(1) The current infrastructure along Almaville Road/Old Shores Road can meet the domestic water and fire demands in the form of fire hydrants for no more than 400 single-family, residential lots.
(2) The current infrastructure along Almaville Road/Old Shores Road can meet the domestic water and fire demands in the form of residential fire sprinklers for no more than 650 single-family, residential lots.
(3) The Developer may additionally request a Facilities Improvement Determination (FID) study to be conducted to determine the required infrastructure upgrades the Developer would be responsible for installing in order to support the proposed development as requested. If the Developer requests to move forward with the FID, he/she must submit a request in writing along

with a $1,000 check made payable to Consolidated Utility District. FID documents will be sent within approximately two (2) calendar months following the receipt of request. If the Developer chooses at that time to move forward with the development based on the FID, that $1,000 will roll into the engineering fees due for the project. The fee will not be refunded should the Developer choose not to move forward after the FID has been conducted.

Fire demands are based on current requirements, and the Developer should verify with the appropriate local regulating body and what, if any, alternatives there are to this requirement. As a general note, the decentralized wastewater system (STEP) capacity and approvals should be verified separately with David Jones at the District.

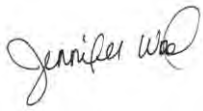
No public water improvements and/or extensions shall be approved or installed until all conditions are fulfilled as outlined in the District's Developer's Packet and are subject to payment by Developer of engineering and inspection fees. All water lines/facilities improvements needed to serve the property in question are to be installed by the Developer in accordance with the District's policies and procedures as outlined in the Technical Specifications of the District which can be found on our website or at our office.

This letter is specifically subject to the above conditions and such other terms and conditions as the District may require from time to time or at the time the water line improvements/upgrades are to be implemented and installed according to the District's requirements. This letter is intended only as a matter of "general information" and is not a contract between the parties. The letter shall not be considered an agreement or obligation of the District to provide water service to the Developer. In addition, there are or may be additional terms, requirements and conditions of the District to provide water service to the Developer which are not set forth or otherwise referred to in this letter.

In addition to the foregoing, if the Developer has not commenced development of the plans submitted to the District within one (1) year of the date of this letter, any approval(s) previously granted the Developer by the District shall automatically expire.

Please feel welcome to call or email if you have questions.

Sincerely,



Jennifer Wood, P.E.
Engineering Department Manager
Consolidated Utility District
PH: 615-225-3311
Fax: 615-225-3314
Email: jwood@cudrc.com

cc: Jamie Reed, SEC, Inc.
cc: Matt Taylor, SEC, Inc.

7. CONCLUSIONS AND RECOMMENDATIONS

The analyses presented in this study indicate that the following infrastructure improvements should be provided in order to accommodate the existing, background, and total projected traffic volumes with the completion of the proposed multi-family residential project:

?

1. Each of the project accesses on Ocala Road constructed to include one entering lane and one exiting lane.

2. As planned, future connectivity should be provided to future development on the properties north and west of the project site. What about the large tract to the east?

3. A southbound left turn lane should be constructed on Almaville Road at Old Shores Road. This turn lane should be 12 feet wide and include at least 125 feet of storage and should be designed and constructed according to AASHTO standards. Also, this turn lane should be designed and constructed so as to reduce the existing curvature on the east side of Almaville Road and increase the available sight distance for motorists on Old Shores Road.

   This improvement should be based on guidelines that are included in A Policy on Geometric Design of Highways and Streets, which is published by the American Association of State Highway and Transportation Officials (AASHTO) and commonly known as The Green Book. Specifically, The Green Book indicates that for a speed of 40 mph, the minimum stopping sight distance is 305 feet. This is the distance that a motorist on Almaville Road will need to come to a stop if a vehicle turning from Old Shores Road creates a conflict. Also, based on The Green Book, the minimum intersection sight distance is 445 feet. This is the distance that a motorist on Old Shores Road will need to safely complete a left turn onto southbound Almaville Road.

   This improvement should be constructed while initial site work is being completed on the project site. Specifically, because Old Shores Road and Ocala Road provide the only access to the project site, these improvements will be necessary to facilitate safe and efficient turning movements by construction vehicles at the intersection of Almaville Road and Old Shores Road.

4. A northbound right turn lane should be constructed on Almaville Road at Old Shores Road. This turn lane should be 12 feet wide and include at least 100 feet of storage and should be designed and constructed according to AASHTO standards.

   This improvement should be constructed while initial site work is being completed on the project site. Specifically, because Old Shores Road and Ocala Road provide the only access to the project site, these improvements will be necessary to facilitate safe and efficient turning movements by construction vehicles at the intersection of Almaville Road and Old Shores Road.

5. At the intersection with Almaville Road, Old Shores Road should be widened and improved to include one 12-foot eastbound lane and two 12-foot westbound lanes, striped as separate left and right turn lanes. Each of these turn lanes should include at least 300 feet of storage and should be designed and constructed according to AASHTO standards. Also, in conjunction with these improvements, the westernmost portion of Old Shores Road should intersect Almaville Road at a 90-degree angle.

   This improvement should be constructed while initial site work is being completed on the project site. Specifically, because Old Shores Road and Ocala Road provide the only access to the project site, these improvements will be necessary to facilitate safe and efficient turning movements by construction vehicles at the intersection of Almaville Road and Old Shores Road.

6. It is important to note that the total projected traffic volumes at the intersection of Almaville Road and Old Shores Road will not likely warrant the installation of a traffic signal at this location, particularly because the non-peak hour traffic volumes will likely be below the thresholds established by the Manual on Uniform Traffic Control Devices (MUTCD). However, in conjunction with the development of the South Haven residential project, traffic counts should be collected and traffic signal warrant analyses should be conducted for this intersection at 75% completion and 100% completion of the project.

Rutherford County Regional Planning Commission
November 10, 2014 Staff Comments

IX.B. Various amendments to Section 1405 of the Zoning Ordinance pertaining to Rules and Procedures for the Board of Zoning Appeals (14-5004), Planning Staff applicant

When the Zoning Ordinance was adopted in November of 2012 (Effective date January 1, 2013), most of the rules and procedures found in the Board of Zoning Appeals (BZA) Bylaws were codified in the new Ordinance. Staff recently reviewed the BZA bylaws and compared them to the rules and procedures found in Section 1405 of the Zoning Ordinance. We found that some of the wording in the Bylaws was not incorporated into Section 1405. These proposed amendments add these sections. There are also a few changes in wording that have been made. There are no proposed changes to the operation of the BZA. Staff considers these amendments housekeeping in nature.

Staff will be available for any questions at the meeting.

(New text is **bolded and underlined**. Omitted text is ~~struck through~~)

1405 The Board of Zoning Appeals

A. Creation of Board of Zoning Appeals

The Board of Zoning Appeals as created on October 20, 1972 shall continue in effect as appointed.

B. **Membership,** Vacancies and Removal

Members of the Board of Zoning Appeals must be citizens of Rutherford County. Vacancies of said Board shall be filled for the unexpired term of those members whose position has become vacant by appointment of the Board of Commissioners, consistent with Tennessee Code Annotated (TCA) 13-7-106. A member may be removed from such Board for continued absences or just cause by action of Board of Commissioners after proper hearing consistent with TCA 13-7-106.

C. Advisory Opinions

The Rutherford County Planning Department and/or the Planning Director may submit an advisory opinion to the Board of Zoning Appeals on any matter which may come before said Board. Such opinion shall be made a part of the official record of the Board.

D. Powers of the Board of Zoning Appeals

The Board is hereby vested with the powers to:

1. Hear and decide appeals where it is alleged in writing by the appellant that there is error in any order, requirement, permit, decision, or refusal made by the Director of Building Codes or other administrative official in carrying out or enforcement of any provision of this ordinance;

2. Hear and act upon applications for variances in accordance with TCA § 13-7-109) and Section 1407 of this chapter to alleviate hardships by virtue of the inability of the landowner to comply strictly with the provisions of this ordinance by reasons of exceptional narrowness, shallowness or shape of a specific piece of property at the time of enactment of the zoning regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, the strict application of any regulation would result in peculiar and exceptional practical difficulties to or undue hardship upon the owner of such property;

3. Hear and act upon applications for special exceptions in the manner and subject to the standards set out in Section 1408 of this chapter or for interpretations of the official zoning map;

4. Hear and decide all special questions or other matters referred to it on which it is required to act under this ordinance.

E. Election of Officers

The Board shall elect from its members its own chairman and vice-chairman, who shall serve for a two year term and may upon election serve succeeding terms.

The Board shall elect a secretary who may be a member or such other person from county staff as the Board and Mayor shall approve. It shall be the duty of the secretary to keep all records, conduct official correspondence, and supervise the clerical work of the Board. The Mayor may provide such other assistance as is necessary.

F. Conflict of Interest

Board members shall abide by The Code of Ethics for Rutherford County as adopted by the Rutherford County Board of Commissioners.

G. Meetings of the Board

Meetings shall be held at the call of the chairman and at such other times as the Board may determine. **The chairman may participate in all discussions and shall vote as a member of the board.** The chairman, or in his/her absence the vice-chairman, may administer oaths and compel the attendance of witnesses. **In the absence of the chairman and vice-chairman, and a quorum is present for a regular or special meeting, then a chairman pro-tem for such meeting shall be elected from those present by those members present.** All meetings shall be open to the public and proper public notice of such meetings shall be given.

H. Rules and Proceedings of the Board

The Board shall adhere to the following rules and may adopt additional rules for the conduct of its meetings:

1. The presence of three (3) members of the Board shall constitute a quorum. The concurring vote of at least three (3) members shall be necessary to deny or grant any application before the Board;

2. No action shall be taken by the Board on any application until after a public hearing and notice thereof. Said notice of public hearing shall be a legal notice published in a newspaper of general circulation before the date set for a public hearing and written notice to the applicant prior to the meeting at which the action is to be heard. No application shall be considered and heard by the Board unless such application shall have been filed within the schedule as established by Planning Department. Late submittals must be made to the Planning Department, and the Planning Director will determine if the submittal can be placed on the agenda and still meet public notice requirements;

3. The Board may call upon any other office or agency of the county government for information in the performance of its duties, and it shall be

the duty of such other agencies to render such information to the Board as may be reasonably required;

4. Any officer, agency, or department of the county or other aggrieved party may appeal any decision of the Board to a court of competent jurisdiction as provided for by state law;

5. **All matters voted on by the board shall be put in the form of a motion by one of the board members and seconded by another board member. A motion may be amended in accordance with Robert's Rules of Order. The chairman shall conduct the voting by asking for a either a roll call vote or voice vote, as deemed appropriate by the chairman.**

6. In any decision made by the Board on a variance, the Board shall:

   a. Indicate the specific section of this ordinance under which the variance is being considered, and shall state its findings beyond such generalities as "in the interest of public health, safety and general welfare";

   b. In applications pertaining to hardship, specifically identify the hardship warranting such action by the Board;

7. Any decision made by the Board on a special exception permit shall indicate the specific section of this ordinance under which the permit is being considered and shall state its findings beyond such generalities as "in the interest of public health, safety and general welfare" and shall state clearly the specific conditions imposed in granting such permit;

8. Applications will be assigned for hearing in the order in which they appear on the calendar thereof, except that applications may be advanced for hearing by order of the Board, good and sufficient cause being shown;

9. At the public hearing of the application before the Board, the applicant shall appear in his/her own behalf or be represented by counsel or agent. The applicant's side shall be heard first and those in attendance shall then be given opportunity to comment.

10. Re-hearings may be granted by a majority vote of the Board when it is alleged that there was error or mistake in the original facts or upon introduction of new information not available at the original hearing submitted within thirty (30) days of the original decision. A vote of the Board shall not be reversed on the same set of facts. If the request for a rehearing is granted, the case shall be put on the calendar for a rehearing. In all cases, the request for a rehearing shall be in writing, reciting the reasons for the request and shall be duly verified and accompanied by the necessary data and diagrams. The person requesting the rehearing shall be notified to appear before the Board on a date to be set by the Board.

11. The Board of Zoning Appeals shall keep official minutes of the proceedings showing all motions, votes and testimony as well as all official actions.

12. **When a parliamentary matter arises that is not covered by these by-laws, Robert's Rules of Order shall apply.**

13. **Deferral of the Public Hearing before the Board of Zoning Appeals. It is the policy of Board of Zoning Appeals that any requests to defer their consideration of an appeal/special exception/variance application be submitted to the Planning Director in writing prior to the scheduled public hearing. If a deferral request is granted, then notices of such deferral (if time permits) and of the next public hearing date will be mailed to those who received the original notice of the Public Hearing. Applicants requesting a deferral will be charged the cost of preparing and mailing new notices of public hearing. Applicant-initiated deferrals may not defer an application for a period exceeding three (3) months from the original Board of Zoning Appeals public hearing date of said application. Any application not considered before the three (3) month deferral timeframe will be required to submit a new application, along with any required fees, and will be subject to the regulations in effect at that time."**

I. Fee

Any application for a hearing before the Board shall be accompanied by a nonrefundable fee in an amount established by the Board of Commissioners to partially defray the cost of processing.

1406 Administrative Appeals

In exercising its powers, the Board of Zoning Appeals may hear administrative appeals

A. Application for Appeals, Notice of Hearing

1. Within five (5) days after the date of a written notice, requirement, decision, or determination by the Director of Building Codes or other administrative official responsible for carrying out or enforcement of any provision of this ordinance, an aggrieved person or entity shall file a notice of appeal.

2. A written application for an appeal shall be filed with the planning department by the property owner or his/her designated Attorney-in-Fact on forms provided by the Planning and Engineering Department, and the application shall contain information and exhibits as may be essential for determining whether the provisions of this ordinance are being observed.

3. No more than 60 days after the filing of the application, a hearing shall be held on the application, unless otherwise withdrawn or postponed by

written request by the applicant. Notice of hearing shall be in accordance with Subsection 1405 H.2.

4. No more than 90 days after the application is first considered by the Board, a final decision shall be made on the application. This provision may be waived by written request by the applicant or if the applicant does not object to an extension proposed by the Board.

B. Stay of Proceedings

An appeal shall stay all proceedings in furtherance of the action for which an appeal is made, unless the Director of Building Codes certifies to the Board, after such notice of appeal shall have been filed, that by reason of facts stated in the certificate such stay would cause imminent peril to life or property. In such instance the proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by a court of competent jurisdiction on application, on notice to the Director of Building Codes, and on due cause shown.

C. Final Decision

The final disposition of any appeal to the Board of Zoning Appeals shall be in the form of **an Order of Action** ~~**resolution**~~, which shall affirm, modify or reverse the decision of the Director of Building Codes or other administrative official responsible for carrying out or enforcement of any provision of this ordinance.