



Municipal-Regional Planning Commission

Meeting Agenda

Atoka Town Hall
334 Atoka-Munford Avenue

Tuesday, January 17, 2023
6:00 p.m.

I. Call to Order & Establishment of a Quorum

II. Approval of the Minutes

1. Regular Commission Meeting: September 15, 2022

III. Reports

1. Code Enforcement Monthly Activity Report
2. Administrative Plat Approvals
 - a. Stroud/Turner Plat

IV. Old Business

V. New Business

1. Election of Officers
2. Recommendation to amend Title 14, Section 101 of the Atoka Municipal Code regarding creation and membership of the Municipal-Regional Planning Commission.
3. Recommendation to Reinstate Planning Commission and Board of Zoning Appeals training requirements.

VI. Miscellaneous Items from the Planning Commission

VII. Citizen Concerns

VIII. Adjourn



Municipal-Regional Planning Commission

Atoka Town Hall
334 Atoka-Munford Avenue

Thursday September 15, 2022
6:30pm

Meeting – Minutes

The **Atoka Municipal/Regional Planning Commission** met with the following members present:

Keith Moore
John Harber

Michael Smith
Stephen Shopher

Vicki Shipley

Absent: Brett Giannini

Also attending: Amanda Faurbo, Assistant to the Town Administrator

Marc Woerner, Town Administrator

*Attached Sign In sheet

Chair Shopher called the meeting to order at 6:30pm and established a quorum.

Approval of the August 18, 2022, Minutes- Commissioner Harber made a motion to approve the August 18, 2022, minutes as presented. Commissioner Shipley seconded. All Approved. Motion carried.

Reports- Code Official, Mark Daugherty presented the Monthly Code Report. Chair Shopher questioned about a property on Rogers that was burned years ago and a property on Kimbrough with tarps on the roof. Commissioner Harber asked about a property on Tracy Rd behind the Dollar General. Mr. Daugherty gave a status on each property.

Old Business-None

New Business - Amendment to the by-laws of the Atoka Municipal-Regional Planning Commission- Commissioner Harber made a motion **to** approve the amendment to the Atoka Municipal-Regional Planning Commission By-Laws with the changes that were discussed this evening. Commissioner Moore seconded the motion. All Approved. Motion Carried.

Miscellaneous Items from the Planning Commission- Commissioner Harber asked for some regulations for accessory structures.

Citizens' Concerns

Commissioner Harber made a motion to adjourn the meeting at 7:04 pm. Commissioner Moore seconded.

Stephen Shopher, Chair

Amanda Faurbo, Clerk

TOWN OF ATOKA, TENNESSEE

Staff Report



TO: Amanda Faurbo, Assistant to the Town Administrator

FROM: Jim Atkinson, AICP
Interim Town Planner

REPORT DATE: November 8, 2022

SUBJECT: Stroud Turner Minor Plat

APPLICANT: Pittman Surveying

DESCRIPTION

The applicant has requested approval of a minor plat for property located on the northeast corner of Rosemark Road and Cedar Ridge Cove within the Town of Atoka Municipal boundary. The proposed plat would remove a portion of one lot and add it to the adjacent lot.

According to the Atoka Zoning Ordinance, the minimum lot size in the Residential Zoning District is one acre. Therefore, the proposed lot complies with the Residential Zoning District.

STAFF RECOMMENDATION

Request a revised plat that addresses the following comments:

1. Please provide 5 copies of the plat.
2. Please provide the application fee of \$300 + \$25 per lot.

Once these items are provided, the plat will be ready for recording.

FINDINGS

1. This plat is considered a Minor Plat per the Subdivision Regulations, Article 3, Section A:
 - PROCEDURE Whenever a proposed subdivision containing less than 5 lots fronting on an existing public way; not involving any new or improved public way, the extension of public facilities or the creation of any public improvements, and not in conflict with any provision of the adopted general plan, major road plan, zoning ordinance, or these regulations, this procedure for review and approval of the subdivision may apply.
2. This plat also qualifies for Administrative Review per Article 3, Section A.4 of the Subdivision Regulations:

TOWN OF ATOKA, TENNESSEE

Staff Report



- Whenever subdivision meets the criteria described below, the Secretary of the Atoka Municipal-Regional Planning Commission may approve a subdivided plat without the approval of the planning commission.
 - a. The divided tract involves no more than two (2) lots;
 - b. The planning staff of the planning commission certifies that the subdivision meets all the regulations adopted by the planning commission;
 - c. No request for variance from the adopted regulations of the planning commission has been made; and
 - d. Re-subdivision involving no more than 2 (two) lots or establishing new or additional utility easements.
- 3. The property is zoned R-1 (Low Density Residential). The minimum lot size in the R-1 district is 10,000 square feet. According to the plat, the proposed lots would be greater than the minimum lot size required, complying with the zoning ordinance requirement.
- 4. Lot 14 of the Cedar Ridge Estates Subdivision would be modified to include more area than currently exists. This would also modify the boundary of the Cedar Ridge Estates plat, as the additional area is not currently included within the Cedar Ridge Estates subdivision. The Atoka Subdivision Regulations do not include a process for amending a plat that has been recorded. TCA also does not specify the detailed process on amending an approved plat, other than requiring that an amendment follow the subdivision process of the local subdivision regulations. Approving this plat using the minor plat process is consistent with the provisions found in TCA.

OWNER'S CERTIFICATE

I, _____ the undersigned owner of the property shown hereon, hereby adopt this as my plan of subdivision and dedicate streets, easements, right-of-ways, rights of access as shown and all utilities to the City of Atoka forever, and hereby certify that I am the owner in fee simple, duly authorized so to act, and that said property is unencumbered by any taxes that have become due and payable.

_____, 20____ Date _____ Owner _____

NOTARY'S CERTIFICATION

State of _____
County of _____

Before me, the undersigned, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared _____, with whom I am personally acquainted and who upon their oath acknowledged themselves to be owners of the property, the within named bargainers and that they executed the foregoing instrument for the purpose therein contained. In witness whereof, I have hereunto set my hand and affixed my notarial seal this ____ day of _____, 20____

Notary Public _____

My Commission Expires: _____
(Note: Notary seal must be affixed to plat)

OWNER'S CERTIFICATE

I, _____ the undersigned owner of the property shown hereon, hereby adopt this as my plan of subdivision and dedicate streets, easements, right-of-ways, rights of access as shown and all utilities to the City of Atoka forever, and hereby certify that I am the owner in fee simple, duly authorized so to act, and that said property is unencumbered by any taxes that have become due and payable.

_____, 20____ Date _____ Owner _____

NOTARY'S CERTIFICATION

State of _____
County of _____

Before me, the undersigned, a Notary Public in and for said State and County, duly commissioned and qualified, personally appeared _____, with whom I am personally acquainted and who upon their oath acknowledged themselves to be owners of the property, the within named bargainers and that they executed the foregoing instrument for the purpose therein contained. In witness whereof, I have hereunto set my hand and affixed my notarial seal this ____ day of _____, 20____

Notary Public _____

My Commission Expires: _____
(Note: Notary seal must be affixed to plat)

CERTIFICATE OF SURVEY

I, Raymond E. Pittman do hereby certify that I am a registered Land Surveyor, and that I have surveyed the lands embraced within the plat or map designated as the STROUD TURNER SUBDIVISION subdivision lying within the Region of Atoka, Tennessee, said plat or map is a true and correct plat or map with the Region of Atoka Survey, showing the subdivision thereof in accordance with the Regional Survey Regulations. Replaced within said plat or map, I further certify that segments of the lands embraced within said plat or map have been correctly monumented in accordance with the Regional Subdivision Regulations of Atoka, Tennessee.

In witness whereof, I, Raymond E. Pittman the said Registered Land Surveyor, hereunto set my hand and affix my seal this _____ day of _____, 20____

Registered Land Surveyor
State of Tennessee
Certificate No. 1414

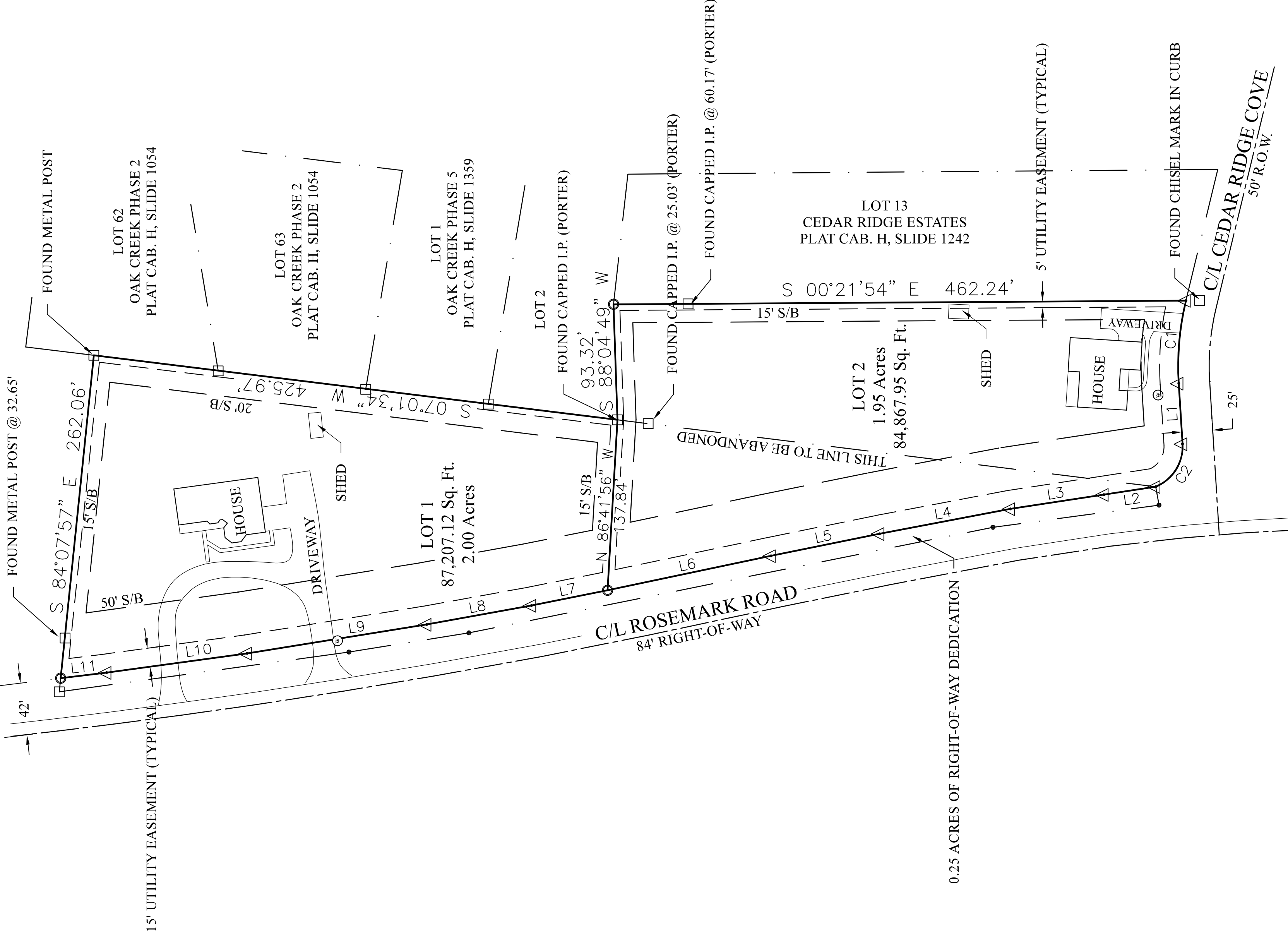
PLANNING COMMISSION CERTIFICATE OF APPROVAL OF THE FINAL PLAT

I, _____ do hereby certify that the Atoka Municipal/Regional Planning Commission has approved this Final Plat of Subdivision for recording.

_____, 20____ Date _____
Secretary, Atoka Municipal/Regional Planning Commission

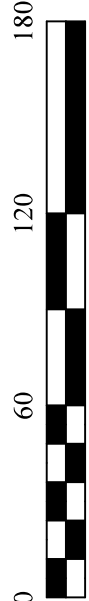
LOT 103

BLAYDES ESTATES SEC. F
PLAT CAB. C, SLIDE 43

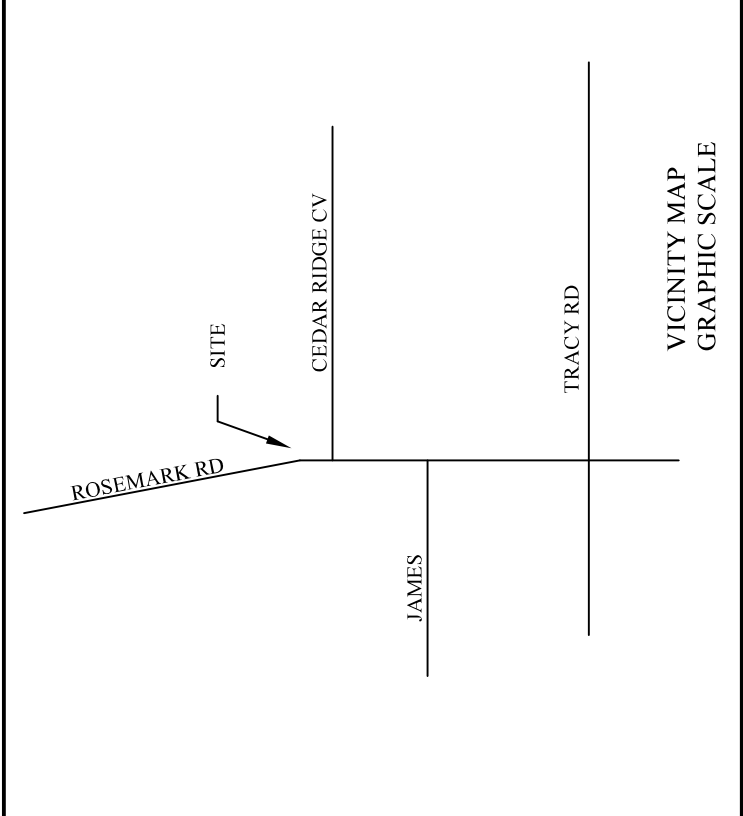


CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	225.00'	67.28"	67.03'	N 85°00'16" W	17°08'02"
C2	35.00'	143.54"	40.79'	N 57°56'40" W	71°17'00"

- LEGEND
- CAPED 1/2" REBAR SET
 - OLD MONUMENT FOUND
 - x— FENCE
 - ⊙ WATER METER
 - △ ANGLE POINT
 - ∧ LINE STAKE SET
 - ⊠ FENCE CORNER



LINE	BEARING	DISTANCE
L1	S 86°25'57" W	48.95'
L2	N 08°39'52" W	42.35'
L3	N 08°40'30" W	76.42'
L4	N 10°45'08" W	107.45'
L5	N 11°30'35" W	89.46'
L6	N 11°54'03" W	134.87'
L7	N 11°18'23" W	62.68'
L8	N 10°16'26" W	85.95'
L9	N 09°08'25" W	146.89'
L10	N 07°45'58" W	114.47'
L11	N 06°59'30" W	57.43'



NOTES
OWNERS: CHRISTOPHER D. STROUD and wife, DAPHNE W. STROUD
RECORD BOOK 728, PAGE 263
TAX MAP 143 PARCEL 14.15
OWNERS: JAMES M. TURNER and ANGIE C. TURNER
RECORD BOOK 1845, PAGE 78
TAX MAP 143D GROUP D PARCEL 14.00
2 LOTS SUBDIVIDED
3.95 ACRES TOTAL
ZONED: R-1
MIN FRONT YARD ROSEMARK ROAD — 50 FT
MIN FRONT YARD CEDAR RIDGE COVE — 30 FT
MIN. SIDE YARD — 15 FT
MIN. REAR YARD — 20 FT
CONSULT THE ATOKA MUNICIPAL ZONING ORDINANCE FOR FURTHER RESTRICTIONS WHICH MAY APPLY.
THE PURPOSE OF THIS PLAT IS TO PARTITION OFF THE SOUTHERN PORTION OF PARCEL 14.15 AND ADD IT TO PARCEL 14.00

I HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1:10,000 OR GREATER AS SHOWN HEREON.	NORTH AS INDICATED ON THIS PLAT IS RELATIVE TO STATE PLANE COORDINATES OBTAINED FROM TDOT DATA USING GPS ROVER.	FINAL PLAT MINOR SUBDIVISION
THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AND IS SUBJECT TO FLOODING AS PER FLOOD LINES ESTABLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY WITH A FLOOD INSURANCE RATE MAP NO. 47167C0320G, MAP REVISED 5/4/2009.		PITTMAN SURVEYING P.O. BOX 1218 MUNFORD, TN 38058 901/837-0282 TN R.L.S. #1414
	DRAWING FILE: 1716 ROSEMARK ROAD	STROUD TURNER SUBDIVISION
7th CIVIL DISTRICT OF TIPTON COUNTY, TENNESSEE	TOWN ENGINEER _____ DATE APPROVED _____ ADDRESS: 1716 ROSEMARK ROAD 22 CEDAR RIDGE CV, ATOKA, TN SCALE: 1"= 60' JOB# 2022073 SHEET 1 OF 1	

TOWN OF ATOKA, TENNESSEE

Staff Report



TO: Atoka Municipal-Regional Planning Commission

FROM: Jim Atkinson, AICP
Interim Town Planner

REPORT DATE: January 12, 2023

SUBJECT: Recommendation to amend Title 14, Section 101 of the Atoka Municipal Code regarding creation and membership of the Municipal-Regional Planning Commission.

RECOMMENDATION

Recommend approval of the attached ordinance to the Board of Mayor and Aldermen

BACKGROUND

The Planning Commission recently amended the Commission's bylaws to be consistent with current operational practices and clarify areas where conflicts may have existed. A portion of the amendment focused on the creation and membership of the Commission, which also is addressed both in the Municipal Code and Tennessee Code Annotated (TCA).

After review of all three documents, it was determined that two minor amendments should be made to the Municipal Code to promote consistency with TCA and the bylaws.

DISCUSSION

The first proposed amendment removes the requirement that the Mayor must designate an Alderman to serve in his/her place on the planning Commission if the Mayor chooses not to serve on the Commission. The amendment would allow the Mayor to designate any citizen of Atoka to serve in that role.

The second proposed amendment changes the terms from five (5) years to four (4) years to be consistent with the requirements of TCA.

The proposed amendments are as follows:

14-101. Creation and membership.

Pursuant to the provisions of Tennessee Code Annotated, section 13-4-101 there is hereby created a municipal planning commission, hereinafter referred to as the planning commission. The planning commission shall consist of seven (7) members; two (2) of these

TOWN OF ATOKA, TENNESSEE

Staff Report



shall be the mayor or ~~an alderman of his/her designation~~ a person designated by the Mayor and another member of the board of mayor and aldermen selected by the board of mayor and aldermen; the other five (5) members shall be appointed by the mayor. Pursuant to T.C.A. 13- 3-101(d) members of the planning commission shall receive such compensation as may be ordained by the Board of Mayor and Aldermen. Except for the initial appointments, the terms of the five (5) members appointed by the mayor shall be for ~~five (5)~~ four (4) years each. The three (3) members first appointed shall be appointed for terms of one (1), two (2), and three (3) years respectively so that the term of one (1) member expires each year. The terms of the mayor or his/her designee and the member selected by the board of mayor and aldermen shall run concurrently with their terms of office. Any vacancy in an appointive or designated membership shall be filled for the unexpired term by the mayor, who shall also have the authority to remove any appointive or designated member at his/her will and pleasure.

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND TITLE 14, SECTION 101 OF THE TOWN OF ATOKA'S
MUNICIPAL CODE REGARDING THE CREATION AND MAKEUP OF THE ATOKA
MUNICIPAL-REGIONAL PLANNING COMMISSION**

WHEREAS, the Town of Atoka has an active Municipal-Regional Planning Commission with authority and duties pursuant to Tennessee Code Annotated; and,

WHEREAS, the Town of Atoka Municipal Code regulates the creation and membership of the Town's Municipal-Regional Planning Commission in a consistent manner with Tennessee Code Annotated; and,

WHEREAS, the Atoka Municipal-Regional Planning Commission has recommended that the following amendments be made to the Town of Atoka Municipal Code to promote consistency with Tennessee Code Annotated; and,

WHEREAS, a public hearing was held before the Atoka Board of Mayor and Aldermen pursuant to Section 13-7-203, Tennessee Code Annotated, the time and place was published with fifteen days advance notice.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF
THE TOWN OF ATOKA:**

SECTION 1. The following section of the Atoka Municipal Code shall be amended as described below (~~struck~~ text shall be deleted; underlined text shall be added):

14-101. Creation and membership.

Pursuant to the provisions of Tennessee Code Annotated, section 13-4-101 there is hereby created a municipal planning commission, hereinafter referred to as the planning commission. The planning commission shall consist of seven (7) members; two (2) of these shall be the mayor or ~~an alderman of his/her designation~~ a person designated by the Mayor and another member of the board of mayor and aldermen selected by the board of mayor and aldermen; the other five (5) members shall be appointed by the mayor. Pursuant to T.C.A. 13- 3-101(d) members of the planning commission shall receive such compensation as may be ordained by the Board of Mayor and Aldermen. Except for the initial appointments, the terms of the five (5) members appointed by the mayor shall be for ~~five (5)~~ four (4) years each. The three (3) members first appointed shall be appointed for terms of one (1), two (2), and three (3) years respectively so that the term of one (1) member expires each year. The terms of the mayor or his/her designee and the member selected by the board of mayor and aldermen shall run concurrently with their terms of office. Any vacancy in an appointive or designated membership shall be filled for the unexpired term by the mayor, who shall also have the authority to remove any appointive or designated member at his/her will and pleasure. (Ord. dated November 18, 1986, as amended by Ord. #13-03-01, March 2013)

SECTION 2. This Ordinance shall become effective immediately upon its final passage, the public welfare requiring it.

PASSED on the First Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the _____ day of _____, 2023.

PUBLIC HEARING held by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the _____ day of _____, 2023.

PASSED on the Second Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the _____ day of _____, 2023.

Mayor

ATTEST:

Town Recorder

TOWN OF ATOKA, TENNESSEE

Staff Report



TO: Atoka Municipal-Regional Planning Commission

FROM: Jim Atkinson, AICP
Interim Town Planner

REPORT DATE: January 12, 2023

SUBJECT: Recommendation to Reinstate Planning Commission and Board of Zoning Appeals training requirements.

RECOMMENDATION

Recommend approval of the attached ordinance to the Board of Mayor and Aldermen.

BACKGROUND

Tennessee Code Annotated (TCA) requires that members of municipal planning commissions and board of zoning appeals obtain four hours of training each year that they serve on their respective board or commission. TCA also allows cities and towns to opt out of the training requirement, which the Town of Atoka did by adopting ordinance 03-12-02 in 2004. Since the adoption of the ordinance, members of the Planning Commission and Board of Appeals have not been required to obtain training.

The Town wishes to reinstate the training requirement, and can do so by passing an ordinance that would activate the provisions of TCA for the training requirements. Adoption of the attached ordinance would reinstate the training requirements.

ORDINANCE NO. _____

AN ORDINANCE TO REINSTATE THE TRAINING REQUIREMENT FOR MUNICIPAL-REGIONAL PLANNING COMMISSION AND BOARD OF ZONING APPEALS MEMBERS AS DESCRIBED IN TENNESSEE CODE ANNOTATED 13-4-101, 13-3-101, AND 13-7-205

WHEREAS, Tennessee Code Annotated requires Municipal and Regional Planning Commission and Board of Zoning Appeals members to obtain formal training each calendar year; and,

WHEREAS, Tennessee Code Annotated dictates the type and amount of training required by Municipal and Regional Planning Commission and Board of Appeals members; and,

WHEREAS, Tennessee Code Annotated allows municipalities to opt out of the training requirement by ordinance; and,

WHEREAS, the Town of Atoka opted out of the training requirement by Ordinance 3-12-02; and,

WHEREAS, the Town of Atoka wishes to reinstate the training requirement for all Municipal-Regional Planning Commission members and Board of Appeals members as described in Tennessee Code Annotated 13-4-101, 13-3-101, and 13-7-205; and,

WHEREAS, a public hearing was held before the Atoka Board of Mayor and Aldermen pursuant to Section 13-7-203, Tennessee Code Annotated, the time and place was published with fifteen days advance notice.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF ATOKA:

SECTION 1. The Town of Atoka shall reinstate the training requirements described in Section 13-4-101 of Tennessee Code Annotated.

SECTION 2. This Ordinance shall become effective immediately upon its final passage, the public welfare requiring it.

PASSED on the First Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the _____ day of _____, 2023.

PUBLIC HEARING held by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the _____ day of _____, 2023.

PASSED on the Second Consideration by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee on the _____ day of _____, 2023.

Mayor

ATTEST:

Town Recorder

ORDINANCE 03-12-02

WHEREAS, Sections 13-3-101, 13-4-101 and 13-7-205, Tennessee Code, were amended by Public Chapter 862 dated 2002; and

WHEREAS, Public Chapter 862 mandates that Planning Commissions and Boards of Zoning Appeals receive four (4) hours of training and continuing education annually on planning and zoning related topics; and

WHEREAS, Public Chapter 862 also states that the legislative body of a municipality may, at any time, opt out of the required training and continuing education by passage of an ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Atoka Mayor and Board of Alderman that the required four (4) hours of training and continuing education, mandated to the Planning Commission and the Board of Zoning Appeals, be opted out of in accordance with the Tennessee Code, Sections 13-3-101, 13-4-101 and 13-7-205; and

BE IT FURTHER ORDAINED that this Ordinance shall become effective upon final reading and publication in a newspaper of general circulation, the public welfare so requiring it.

Approved and adopted by the Atoka Mayor and Board of Alderman, Atoka, Tennessee.

1st Reading December 2, 2003

2nd Reading January 6, 2004

Public Notice Date January 6, 2004

Attest

Charles L. Walker
Mayor

Laura L. Bellinger
Town Recorder

The Covington Leader's Affidavit of Publication

State of Tennessee, } Personally appeared before me, Dee Lockett, a
Tipton County. } Notary Public, in and for said County and State,
Jay Albrecht, Publisher of The Covington Leader, a
newspaper published in Covington, Tipton County, Tennessee, who made
oath in due form of law that the hereto attached copy of notice was pub-
lished for one consecutive weeks in said newspaper, the
first insertion being published in said Covington Leader in its edition of
December 10, 2003,

and the last insertion being published and was
in its edition of December 10, 2003.

Signed Jay Albrecht
Publisher, The Covington Leader

Subscribed and sworn to before me, this the
17th day of December, 2003.

Dee Lockett
Notary Public.

MY COMMISSION EXPIRES 10-18-2006

NOTICE OF PUBLIC HEARING

The Town of Atoka Board of Mayor and Aldermen do hereby give notice of a public hearing to be held Tuesday, January 6, 2004 at 6:40 p.m. at Atoka City Hall. The purpose of the public hearing is to receive community input on an ordinance to opt out of required training for members of the Planning Commission and members of the Board of Zoning Appeals. State law allows for communities to opt out of this requirement and to later opt back in.

A copy of the ordinance can be viewed at Town Hall during regular business hours. All interested persons are invited to attend.