

Blount County

Planning and Development Services

1221 McArthur Road
Maryville, TN 37804
Phone: 865-681-9301 Fax: 865-681-9502



MEMORANDUM

TO: Blount County Planning Commission

FROM: Cameron Buckner, Senior Planner

DATE: September 26, 2024

SUBJECT: Rezoning request from S-Suburbanizing to C-Commercial for a 2.96 acre parcel located at 3013 E Lamar Alexander Pkwy, Blount County, TN (Tax map 059 parcel 041.00)

Attachments

1. Application
2. Survey
3. Legal Description
4. Tax Map
5. Zoning Map
6. Draft Resolution

Applicant/Owner

HUNTER BAILEY

Land Use and Zoning

The subject property totals 2.96 acres and is zoned S-Suburbanizing. The existing land use is vacant.

Adjacent Land Uses

North– S-Suburbanizing (map 048, parcel 054.00)
East – C-Commercial (map 059 , parcel 042.00)
West – S-Suburbanizing (map 059, parcel 040.00)
South- C-Commercial (map 059, parcel 045.06)

Summary

Please see attachments. The entirety of the 2.96 acre parcel is requested to be rezoned to the C-Commercial district. It immediately adjoins commercially developed property to the east which is already within the C district and is owned by the applicant. As with all rezoning

requests, the commission must review this request on its own merits, with no specific development plan in mind by considering all potential uses in the C-Commercial District (Section 9.4.C. included below). Any future commercial development would be subject to review and approval by either the planning commission for a site plan or the Board of Zoning appeals for special exception, as appropriate.

The signed application, survey, legal description, tax map and zoning map are attached for reference. This property is not within a FEMA flood hazard area.

The County's Land Use Plan notes that, "commercial land use is expected to be concentrated in and around the two larger cities of Alcoa and Maryville, particularly along the major road corridors of Highway 321, Alcoa Highway, Old Knoxville Highway, Highway 411 South, and William Blount Drive." Since this parcel fronts the commercially zoned Highway 321 corridor, this request could be found consistent with the current land use plan.

The commission should review the proposal and, by way of a motion, forward this request to the County Commission with a recommendation for approval or denial.

Applicable code sections regarding the district are included below for reference:

Section 9.4 C – Commercial District. It is the purpose and intent of this district to regulate commercial and other development of high to medium density around the cities of Alcoa and Maryville, consistent with the overall purposes of this Resolution contained in Article 3, consistent with provisions in Public Chapter 1101 of 1998 (Tennessee Code Annotated Section 6-58-101, et seq), and consistent with plans adopted by Blount County.

A. Permitted Uses: General retail sales and rental of goods, merchandise, and equipment; Restaurants, taverns, drinking establishments, and nightclubs; Medical and general offices, e.g., dentists, physicians, attorneys, real estate, insurance, etc.; Automotive and marine craft sales and services; Hotels, motels, rooming and boarding houses, bed and breakfast, campgrounds; Social and fraternal clubs and lodges, union halls, and similar uses; Golf driving ranges, miniature golf courses, and similar uses; Service stations, motor vehicle repair and body shops; Convenience stores with vehicle fuel sales; Mobile home sales; Kennels and veterinary services; Miscellaneous public and semi-public facilities including post offices; Dry cleaners and laundromats; Commercial greenhouses; Manufacturing, processing, creating, repairing, and assembly of goods, where all activities are conducted within a fully enclosed building; Hospitals, clinics, and other medical facilities; Churches, temples and similar places of worship with accessory structures, uses and cemeteries; Bowling alleys, skating rinks, indoor tennis and racquet ball courts, billiard halls, indoor athletic facilities; Public and private recreational activities conducted primarily outside enclosed buildings; Commercial cemeteries not associated with any on-site place of worship; any use permitted or listed as permissible as a special exception in Sections 9.1.A and 9.1.B; adult oriented establishment as defined in TCA 7-51-1101 et seq., subject to requirements in Section 7.12.

B Uses Permitted as Special Exceptions: Scrap materials salvage and recycling, salvage yards, junkyards, automobile graveyards; any other commercial activity not listed in subsection A above. Indoor Sport Shooting Range (subject to provisions and requirements in Section 7.13)

C. Uses Permitted as Special Exceptions with Specific Limitations: 43 (a) Pain Management Clinics, with the following requirements: clinic shall meet and maintain all licensing and permit requirements of the State of Tennessee, including but not limited to those in TCA 63-1-301, et seq.; clinic location shall be 1000 feet from any school, day care facility, park, or church measured from property line to property line; clinic location shall be 500 feet from any residential structure; clinic property abutting an S-Suburbanizing or R-1-Rural District 1 zoned property (not a public right-of-way) shall be secured from access across such abutting property lines by a fence no less than 6 feet in height; clinic location and access shall be on an arterial street as shown on the Major Road Plan for Blount County. (Resolution 12-08-003)

D. Uses Prohibited: In the C – Commercial District, all uses are prohibited except those uses permitted specifically or by special exception by the Board of Zoning Appeals.

E. Uses Requiring Site Plan Review: All uses permitted as special exception in subsections B and C above, and customary accessory structures. Permitted uses in subsection A above and customary accessory structures, except one or two single family or manufactured home dwelling on a single lot, duplex dwelling on separate lot, and customary accessory structures to such excepted uses. F. Minimum Lot Size and Density: For residential structures as required in Section 9.1.

F. All commercial lots shall be adequately sized to accommodate necessary parking requirements, setbacks, buffering, and soils requirements for any on-site septic disposal.

G. Setback Requirements: All uses permitted or permitted as special exception shall comply with the following setback requirements, except as otherwise provided for in Articles 3 and 5 for lots of record and nonconforming situations. 1. Front Setback: the minimum depth of the front building setback shall be 30 feet from any road right-of-way or easement line, with the following exceptions: (a) the lot fronts on an arterial road as shown on the Major Road Plan of Blount County, in which case the front setback shall be 60 feet for principal arterial roads and 40 feet for major arterial roads, and (b) the lot has been previously platted on a plat registered with the Blount County Register of Deeds prior to the enactment of this Resolution in which case the minimum shall be no less than 20 feet or the platted setback, whichever is greater. 2. Rear Setback: the minimum building setback from the rear property line shall be 20 feet for the principal structure, and five feet for any accessory structure, provided that the rear setback shall be 40 feet, or greater as may be required by the Board of Zoning Appeals, for any non residential use or special exception with a rear property line abutting a residential use lot, or abutting a lot in the S, R-1 or R-2 zone. 3. Side Setback: For any commercial use under Permitted Uses abutting another commercial use or land zoned C-Commercial or I-Industrial or RAC-Rural Arterial Commercial, the minimum building setback from the side property line shall be ten (10) feet. For any commercial use under Permitted Uses abutting a residential lot or land zoned S, R-1 or R-2, the minimum building setback from the side property line shall be 20 feet. For any special exception, the minimum building setback from the side property line shall be 20 feet, or greater as may be required by the Board of Zoning Appeals. For 44 any residential use the minimum building setback from the side property line shall be ten (10) feet.

H) Maximum Height of Structures: Unless otherwise explicitly allowed in other articles of this Resolution, the maximum height of structures shall be no greater than: 1) 35 feet for single family and duplex residential structures; 2) 40 feet to eave and 50 feet to ridge for hip and gable roofs for other primary use structures; and 3) 40 feet for all other types of roofs for other primary use structures. All accessory structures shall be no greater than 35 feet in height. Notwithstanding the above, along highways designated as Scenic Highway under provisions of TCA 54-17-101 to 116, the maximum height of buildings shall be controlled by TCA 54-17-115, up to the maximum allowed in this subsection.

Zoning Request Application

Under the Blount County Zoning Regulations



Department of Development Services
1221 McArthur Road Maryville, TN 37804
Phone: 865-681-9301 Fax: 865-681-9502

Tax Map/Parcel: 59/41 Site Address: 3013 E. Lamar Alexander Pkwy
Owner: Hunter Bailey Phone: 865-237-7423
Mailing Address: 3017 E Lamar Alexander Pkwy
City Maryville State TN Zip Code 37804

Type of Permit:

Appeal Rezoning Special Exception Variance Co-Locate Tower

Zone commercial Size of lot 2.962 acres

15

Notes:

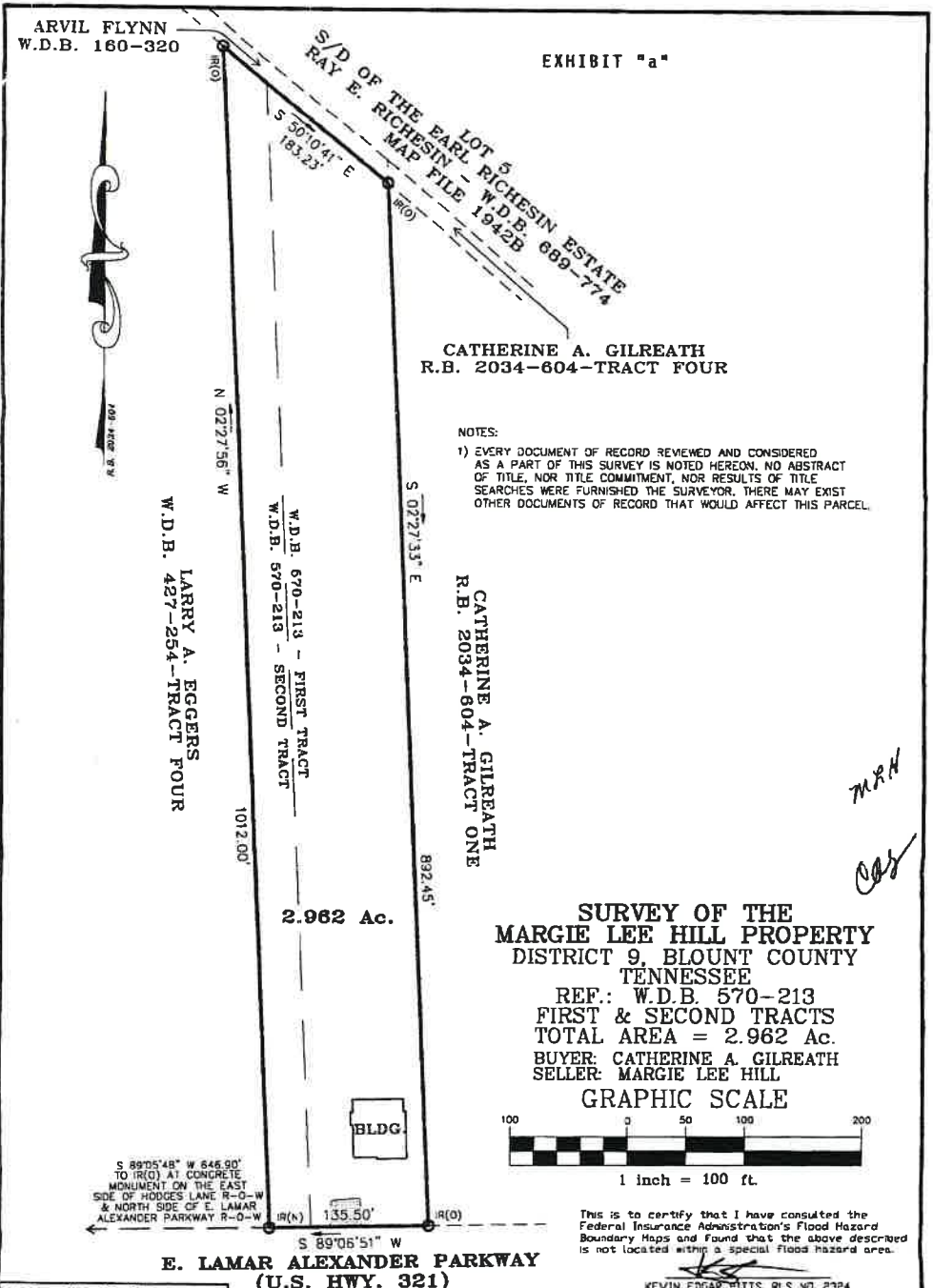
Rezoning to C Commercial

I, the undersigned being the owner of the property described above, affirm the accuracy of the above information about the property and any proposed structures and uses described. I further acknowledge that it is my responsibility to ensure that such requirements are met during construction of any proposed structure. By my signature, I also give permission for inspection of the property by an authorized agent of Blount County Government for the purpose of enforcing the Zoning Regulations set forth by the Blount County Commission.

Hunter Bailey
Owner Signature

8-9-24
Date

Fee: <u>1000.-</u>	Receipt #: <u>24-001440</u>
Approval Signature: _____	Date: <u>8/13/24</u>



DATE: 08-02-05

KEVIN EDGAR PITTS
REGISTERED LAND SURVEYOR
XVI
COMMERCIAL
1992-95
TENNESSEE NO. 2324

CERTIFICATE

I HEREBY CERTIFY THAT I AM A SURVEYOR LICENSED TO DO SURVEYING UNDER THE LAWS OF THE STATE OF TENNESSEE. THAT I HAVE SURVEYED THE HEREON DESCRIBED PROPERTY. THAT THIS PLAT CORRECTLY DEPICTS THE RESULTS OF SAID SURVEY. THAT SAME IS TRUE AND CORRECT TO THE BEST OF MY INFORMATION, KNOWLEDGE, AND BELIEF, AND THAT THE SURVEY MEETS CATASTROPHIC ACCURACY SPECIFICATIONS, THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1: 20,000 OR LESS THAN 1/10 OF A FOOT PER CORNER ON SMALL LOTS.

BLOUNT SURVEYS, INC.
KEVIN EDGAR PITTS, RLS NO. 2324
1710 W. LAMAR ALEXANDER PARKWAY
P.O. BOX 4355, PHONE (865) 983-8404
MARYVILLE, TENN 37802-4355
FAX # (865) 984-8132

LEGEND	
IR(O)	= OLD IRON ROD (FOUND)
IP(O)	= OLD IRON PIPE (FOUND)
IR(N)	= NEW IRON ROD (SET)
M.B.S.L.	= MINIMUM BUILDING SETBACK LINE

TAX MAP	59	DRAWN BY:	SHEET:
GROUP		KP	1 OF 1
PARCEL	41	FIELD WORK BY:	SCALE:
CENSUS NO.		TH	1"=100'
		MAP CHECK BY:	JOB NO.
		KP	9301

—The above space left blank intentionally for TN recording purposes—
THIS INSTRUMENT PREPARED BY COSTNER GREENE, PLLC., 315 HIGH STREET, MARYVILLE,
TENNESSEE 37804 BY: STEVEN J. GREENE BT-2400235 CLT# 059-041.00 KS

SPECIAL WARRANTY DEED

THIS INDENTURE, made this 30th day of July, 2024, between

East Tennessee Supporting Foundation, a Tennessee Non-Profit Corporation with it's principal office in Knox County, Tennessee of Knox County, Tennessee, First Party and

**Hunter M. Bailey, married,
of Blount County, Tennessee, Second Party,**

WITNESSETH: that said First Party, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable considerations, to us in hand paid by Second Party, the receipt of which is hereby acknowledged, have granted, bargained, sold and conveyed, and do hereby grant, bargain, sell and convey unto the said Second Party all their right, title, interest, claim and demand in and to the following described premises, to-wit:

SITUATED in District No. (9) of Blount County, Tennessee, and being more particularly described as follows:

BEING all of the First and Second Tracts of the Margie Lee Hill Property, and being more particularly described as follows:

BEGINNING at a point on the Northwestern right-of-way line of E. Lamar Alexander Parkway (U. S. Hwy. 321), said beginning point being S. 89-05-48 W. 646.90 ft. to an iron rod at concrete marker on the East side of Hodges Lane right-of-way and North side of E. Lamar Alexander Parkway; thence from said beginning point N. 02-27-56 W. 1012.00 ft. to a point, then S. 50-10-41 E. 183.23 ft. to a point; thence S. 02-27-33 E. 892.45 ft. to a point in the Northwestern right-of-way line of E. Lamar Alexander Parkway; thence continuing along said right-of-way line S. 89-06-51 W. 135.50 ft. to the point of BEGINNING, and containing 2.962 acres, more or less, all according to the survey of Kevin Edgar Pitts, RLS NO. 2324, said surveyors principal business address being 1710 W. Lamar Alexander Parkway, Maryville, TN 37802, dated 08/02/2005 and bearing Job No. 9301.

NO NEW BOUNDARY SURVEY WAS MADE AT THE TIME OF THIS CONVEYANCE

THIS conveyance is made subject to any applicable restrictions, easements, conditions, including, but not limited to, those of record in the Register's Office for Blount County, Tennessee.

For source of title see deed of record in Record Book 2750, Page 1071, in the Register's Office for Blount County, Tennessee.

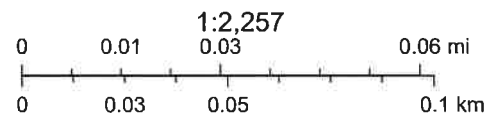
Phyllis Lee Crisp, Register
Blount County Tennessee
Rec #: 663329
Rec'd: 15.00 Instrument #: 990533
State: 980.50
Clerk: 1.00 Recorded
Other: 2.00 8/2/2024 at 2:00 PM
Total: 998.50 in
Record Book 2782 Pgs 1388-1390

Blount County - Parcel: 059 041.00



Date: August 13, 2024

County: Blount
Owner: EAST TENNESSEE SUPPORTING FOUNDATION
Address: E LAMAR ALEX PKWY 3013
Parcel Number: 059 041.00
Deeded Acreage: 2.96
Calculated Acreage: 0



State of Tennessee, Comptroller of the Treasury, Division of Property Assessments (DPA), Esri Community Maps Contributors, Great Smoky Mountains Natl Park, Tennessee STS GIS, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

The property lines are compiled from information maintained by your local

Blount County Development Services

