

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: May 23, 2024

SUBJECT: Rezoning request from R-1(Rural District 1) to RAC (Rural Arterial Commercial District) for a 3.33 acre tract of land located at 4422 US Hwy 411 S, Blount County, TN (Tax map 089 parcel 119.00)

Attachments

1. Application
2. Survey
3. Location/Zoning Map
4. Recorded Plat
5. Tax Map

Applicant/Owner

Randall J. Lamon and Karen P. Lamon

Land Use and Zoning

The subject property totals 3.3 acres and is zoned R-1 (Rural District 1). The existing land use is vacant.

Adjacent Land Uses

North— State right of way

East – R-1 (Non-conforming commercial use (089L A 025.00)

West – State right of way

South- Vacant 8 acre parcel and Zoned R-1 (089 125.00)

Summary

See maps and recorded plat attached. The current 3.3 acre tract was recently subdivided from the 6.2 acre parent tract. 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

RAC- Rural Arterial Commercial District (Section 9.10 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, a current zoning and location map, and the recorded plat are attached for reference. This property is not within a FEMA flood hazard area.

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 9.10. RAC – Rural Arterial Commercial District. It is the purpose and intent of this district to regulate commercial and other development of low to medium density adjacent to major four or more lane arterial roads in the county, 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. It is further the policy of the County Commission that the RAC district and this section should have applicability only to land adjacent to Highway 411 South outside the Maryville urban growth boundary, and to Highway 321 – East Lamar Alexander Parkway outside the Maryville urban growth to intersection with Foothills Parkway, and that amendments to the Zoning Map should extend no more than 500 feet away from the right-of-way lines of the above delineated highways. This section does not amend the Zoning Map, nor zone nor rezone any land to RAC, but only identifies limits to location for any land that may in the future be zoned RAC.

A. Permitted Uses: General retail sales and rental of goods and merchandise; Restaurants; bed and breakfast, office of a physician, dentist, or other similar medical professional; campgrounds; Golf driving ranges, miniature golf courses, and similar uses; Kennels and veterinarian services; Miscellaneous public and semi-public facilities including post offices; Commercial greenhouses; Churches, temples and similar places of worship with accessory structures, uses and cemeteries; Golf courses; Commercial cemeteries not associated with any on-site place of worship; any use permitted or listed as permissible as a special exception in Sections 9.2.A and 9.2.B, with any related commercial uses subject to site plan and design standards in Section 7.2; stand-alone uses not associated with a residential use (family commercial enterprise) as listed in Section 7.10.C and subject to full site plan requirements and commercial design standards in Sections 7.2 and 7.15.(Resolution 17-01-002)

B. Uses permitted as special exception: Motorcycle safety training facilities.

C. Uses permitted as special exception with specific limitations: None.

D. Uses Prohibited: In the RAC – Rural Arterial Commercial District: pain management clinics. All other uses are prohibited except those uses permitted or permitted as special exception specifically above. (Resolution 12-08-003)

E. Uses Requiring Site Plan Review: All uses 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 9.2.F. For all other uses: minimum lot size shall be one (1) acre, and maximum lot coverage of all buildings shall be no more twenty five (25) percent provided that both primary and duplicate area for septic field purposes are maintained unhindered by any structure, parking, drainage or other design element of the site which may impact septic functioning (Resolution 10-11-003)

G. Setback Requirements: All uses 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 60 feet from any road right-of-way or easement line.

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 for any non residential use 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 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, all structures shall be no greater than 35 feet higher than the highest natural grade immediately adjacent to the structure.

I. Additional Site Plan Requirements: In addition to site plan requirements in Section 7.2, site plans for any commercial use permit under this Section shall be drawn by a qualified professional, and shall include front elevation of any proposed structure.

J. Additional design requirements: All site plans shall be accompanied by a stormwater drainage plan prepared by a qualified engineer, and shall address the need for detention, if necessary, and pollution control. All uses permitted under this Section shall provide a vegetative landscape buffer, to be determined by the Planning Commission during site plan review, between the use/buildings on the commercial site, and any parcel or lot zoned other than RAC or C. Such buffering shall apply to rear lot lines of the commercial site, and also to side lot lines behind the minimum front building setback lines, except where there is an immediately adjacent residential use that would require screening within the minimum front building setback line. All uses permitted under this Section shall provide a front building elevation that meets the design requirements in Section 7.15-C-3 . All external lighting shall

be directed away from or screened from land zoned other than RAC or C, and away from any public right-of-way. Where noise is determined to be a probable off-site impact of a proposed use, a noise mitigation barrier of solid structure or earth berm, in addition to vegetative buffer, shall be designed as part of the site plan and constructed. (Resolution 10-10-011).

K. Review on change of use.

1. For any change of use to special exception use under provisions for change of use requiring Board of Zoning Appeals approval, the Board of Zoning Appeals shall have permit and review authority under provisions of these regulations.

2. For other change of use, excluding change to uses allowed in Section 9.2.A, a permit application for zoning compliance shall be submitted, to be reviewed by the Building Commissioner for conformity to requirements for the zone and any previously approved site plan. The Building Commissioner shall require information on the application sufficient for determination of zoning compliance, and certification of zoning compliance in writing shall be considered as approval of the permit for change of use.

3. Notwithstanding subsection 2 above, upon determination by the Building Commissioner that a use will be of greater impact or will require new or changed site design elements upon change of use, the Building Commissioner shall require a new permit application and site plan to be reviewed by the Planning Commission as a new permit for that change of use.

4. All changes of use under this subsection shall require new permit application and charged fees as such.

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: 89 / 119.00 Site Address: 4422 US Hwy 411S - Maryville, TN 37801

Owner: Randal J. Lamon & Karen P. Lamon Phone: 865-983-0059

Mailing Address: 1124 Oxford Hills Drive
Maryville TN 37803
City State Zip Code

Type of Permit:

Appeal ☐ Rezoning ☒ Special Exception ☐ Variance ☐ Co-Locate ☐ Tower ☐

Zone ☐ Size of lot 3.333 Acres

Notes:

Rezone to R.A.C

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.


Owner Signature

5/7/24
Date

Fee: \$1,000.00

Receipt #: 24-000837

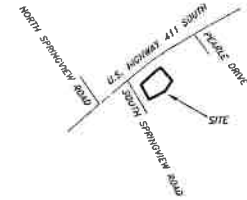
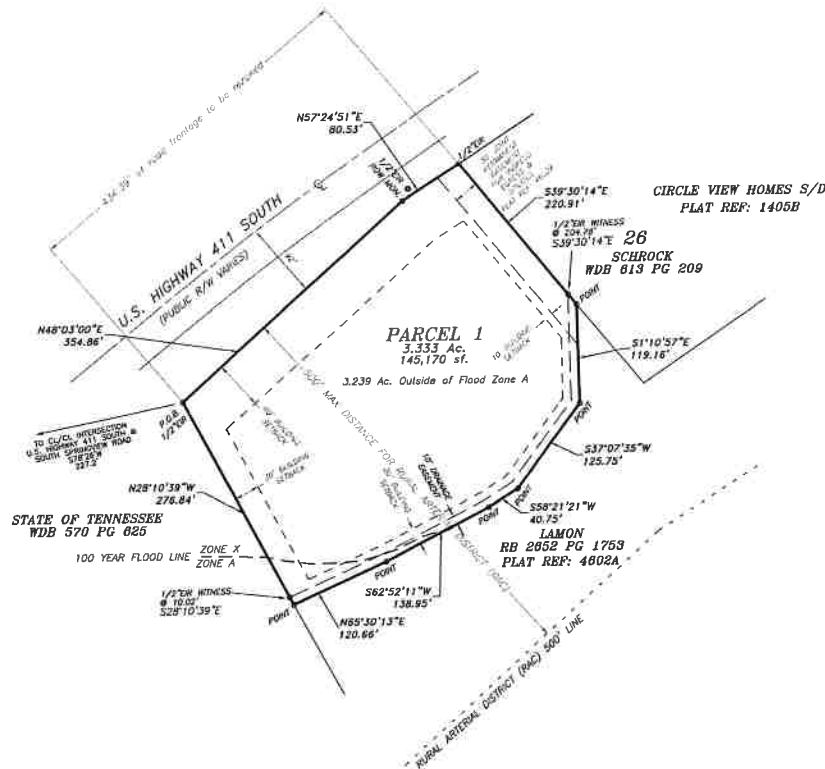
Approval Signature: _____

Date: 5/07/24

check
#1719

LEGEND:

- EIR EXISTING IRON ROD
- Ac. ACRES
- SF SQUARE FEET
- WDB WARRANTY DEED BOOK
- MRB MISC. RECORD BOOK
- PG PAGE
- TYP TYPICAL
- R/W RIGHT-OF-WAY
- P.O.B. POINT OF BEGINNING
- BOUNDARY LINE
- ROAD RIGHT-OF-WAY LINE
- BUILDING SETBACK LINE
- ROAD CENTERLINE
- EDGE OF ROAD
- 100 YEAR FLOOD LINE



LOCATION MAP
NOT TO SCALE

SURVEYOR'S NOTES:

1. Drainage and utility easements shall be 5 feet on each side of all interior lot lines and 10 feet on the inside of all exterior lot lines and street rights of way. There shall also be easements 5 feet on each side of all as-built water utility lines, and 10 feet on each side of all as-built sewer utility lines.
2. Front Building setback shall be 30 feet from all street rights-of-way and joint permit easements, unless otherwise noted in restrictions. All other Setbacks shall be in accordance with the Zoning Ordinances.
3. No Instruments of Record reflecting easements, rights of way, and/or ownership were furnished to the Surveyor, except as shown hereon. The Surveyor has made no attempt to access the public records for any easements. Subject to any easements, regulations or restrictions in effect at the time of this survey. No title opinion is expressed or implied.
4. The Surveyor has made no attempt to locate underground utilities, underground foundations, underground encroachments or underground improvements, except as shown hereon. Actual location of all underground utilities should be verified through Tennessee 1 Call (1-800-351-1111) or the utility provider prior to any excavation or construction.
5. Located in Flood Zone "X" (area of minimal flood hazard) & Flood Zone "A" (area subject to inundation by the 1-percent-annual-flood event), according to Flood Insurance Rate Map 47099C0250G, dated September 9, 2007.
6. There is a 10' setback on either side of the Joint Permanent Easement for Ingress, Egress and Utilities.
7. Current Zoning: Blount County Zoning Rural District (R-1)
8. Purpose of this Exhibit is to show the property (Parcel 1 - Lamon Property) that is under consideration for rezoning.

LEGAL DESCRIPTION:

SITUATED in District 6, Blount County, Tennessee, and being a portion of that tract of land as described in Record Book 2652 Page 1753 and as shown on Map File Number 4602A, as recorded in the Blount County Register of Deeds Office and being more particularly described as follows:

BEGINNING on an existing iron rod in the western right of way of U.S. Highway 411 South in the line of State of Tennessee (WDB 570 PG 025), said point being N 78°-26' E, 227.2 feet from the centerline intersection of U.S. Highway 411 South and South Springview Road; thence from said POINT OF BEGINNING the following (9) calls: 1) following the right of way U.S. Highway 411 South N 48°-03'-00" E, 354.86 feet to an existing iron rod at a right of way concrete monument; 2) along the right of way U.S. Highway 411 South to the line of Schrock (WDB 613 PG 209) being lot 26 of Circle View Homes Subdivision (Plat Ref. 1405B), N 57°-24'-51" E, 80.53 feet; 3) along the line of Schrock to an intersecting point of Schrock and Lamon (RB 2652 PG 1753) and as shown on Map File Number 4602A S 39°-30'-14" E, 220.91 feet to a point passing a 1/2 inch iron rod witness at 204.78 feet; 4) thence with Lamon to a point S 01°-10'-57" E, 119.16 feet; 5) then with Lamon to a point S 37°-07'-35" W, 125.75 feet; 6) thence with Lamon to a point S 58°-21'-21" W, 40.75 feet; 7) thence with Lamon to a point S 62°-52'-11" W, 138.95 feet; 8) thence with Lamon to the intersecting point of Lamon and State of Tennessee N 28°-10'-39" W, 276.84 feet passing a 1/2 inch iron rod witness at 10.02 feet to the POINT OF BEGINNING containing 3.333 Acres, (145,170 S.F.), more or less, as described by Christopher M. Rosser, TN RLS#1929 of Sterling Engineering, Inc. 1029 William Blount Drive, Maryville, TN, 37801.

OWNER OF RECORD:

RANDAL J. LAMON & KAREN P. LAMON
1124 OXFORD HILLS DRIVE
MARYVILLE, TN 37803

1 LOTS ±3.33 AC.
DISTRICT 6, BLOUNT COUNTY
RB 2652 PG 1753
PORTION OF TAX MAP 89 PARCEL 119.00
PLAT REF: 4602A

CLIENT:

LAMON & MCDANIEL BUILDERS
P.O. BOX 4639
MARYVILLE, TN 37802



STERLING ENGINEERING INC. LAND SURVEYING CIVIL ENGINEERING CONSULTING LAND PLANNING

1020 WILLIAM BLOUNT DRIVE
MARYVILLE, TENNESSEE
37802-8401
P.O. BOX 4878
MARYVILLE, TENNESSEE
37802-4878
PHONE: 865-984-3905
FAX: 865-981-2815
www.sterling.us.com

REZONING OF PARCEL 1 EXHIBIT

LAMON PROPERTY

4418 HIGHWAY 411 S, MARYVILLE, TN 37801



SHEET

EX

DESIGNED:	SDC
DRAWN:	CMR
CHECKED:	
DATE:	05/06/2024
SCALE:	1" = 100'
DRAWING:	3993A-EX
PROJECT NO:	SEI#3993A

LEGAL DESCRIPTION:

SITUATED in District 6, Blount County, Tennessee, and being a portion of that tract of land as described in Record Book 2652 Page 1753 and as shown on Map File Number 4602A, as recorded in the Blount County Register of Deeds Office and being more particularly described as follows:

BEGINNING on an existing iron rod in the western right of way of U.S. Highway 411 South in the line of State of Tennessee (WDB 570 PG 625), said point being N 78-26 E, 227.2 feet from the centerline intersection of U.S. Highway 411 South and South Springview Road; thence from said POINT OF BEGINNING the following (9) calls: 1) following the right of way U.S. Highway 411 South N 48-03-00 E, 354.86 feet to an existing iron rod at a right of way concrete monument; 2) along the right of way U.S. Highway 411 South to the line of Schrock (WDB 613 PG 209) being lot 26 of Circle View Homes Subdivision (Plat Ref. 1405B), N 57-24-51 E, 80.53 feet; 3) along the line of Schrock to an intersecting point of Schrock and Lamon (RB 2652 PG 1753) and as shown on Map File Number 4602A S 39-30-14 E, 220.91 feet to a point passing a 1/2 inch iron rod witness at 204.78 feet; 4) thence with Lamon to a point S 01-10-57 E, 119.16 feet; 5) then with Lamon to a point S 37-07-35 W, 125.75 feet; 6) thence with Lamon to a point S 58-21-21 W, 40.75 feet; 7) thence with Lamon to a point S 62-52-11 W, 138.95 feet; 8) thence with Lamon to the intersecting point of Lamon and State of Tennessee S 65-30-13 W, 120.66 feet; 9) thence along the line of State of Tennessee N 28-10-39 W, 276.84 feet passing a 1/2 inch iron rod witness at 10.02 feet to the POINT OF BEGINNING containing 3.333 Acres, (145,170 S.F.), more or less, as described by Christopher M. Rosser, TN RLS#1929 of Sterling Engineering, Inc. 1020 William Blount Drive, Maryville, TN., 37801.



BLOUNT COUNTY, TENNESSEE**CERTIFICATE OF APPROVAL FOR RECORDING**

I hereby certify that the subdivision plat herein has been found in compliance with the Subdivision Regulations for the Blount County Regional Planning Commission and that the measurements have been placed as shown herein to the specifications of the Blount County Regional Subdivision Regulations.

3-26-24
4-9-24

Registered Land Surveyor
3-26-24
DATE

CERTIFICATION OF OWNERSHIP AND DEDICATION

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described herein and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and establish all rights-of-way, streets, ditches, easements, ponds, and other open spaces to public or private use as noted.

4-2-24
4-2-24
DATE

CERTIFICATION OF THE APPROVAL OF WATER UTILITIES

I hereby certify that the water improvements have been installed in an acceptable manner and according to the specifications of the Blount County Subdivision Regulations, except as noted herein; or proper provisions have been made for their installation.

4-5-24
DATE

CERTIFICATION OF THE APPROVAL OF SANITARY SEWER UTILITIES

I hereby certify that the sanitary sewer improvements have been installed in an acceptable manner and according to the specifications of the Blount County Subdivision Regulations, except as noted herein; or proper provisions have been made for their installation.

4-5-24
DATE

CERTIFICATION OF THE APPROVAL OF ELECTRICAL UTILITY SERVICE

The property shown on this subdivision plat is within the service area of the _____ utility.

The following condition(s) apply:
✓ Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 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Blount County - Parcel: 089 119.00



Date: April 3, 2024

County: Blount
Owner: LAMON J RANDAL & KAREN P
Address: HWY 411 S 4418 4420
Parcel Number: 089 119.00
Deeded Acreage: 6.81
Calculated Acreage: 0



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