

RESOLUTION NO. 25-01-014

SPONSORED BY: Commissioners Mike Akard, Nick Bright and Jessica Hannah

A RESOLUTION PROTECTING PROPERTY OWNERSHIP RIGHTS OF CITIZENS OF BLOUNT COUNTY.

WHEREAS, the Blount County Zoning Regulations are intended to provide clarity and guidance on land use and development within the county; and

WHEREAS, the absence of a specific prohibition or restriction in the Zoning Regulations should never be interpreted as grounds for denial of requests not specifically prohibited in Zoning Regulations; and

WHEREAS, the absence of a specific prohibition or restriction in the Zoning Regulations means all unlisted legal activities are actually permitted on private property and therefore should never be denied; and

WHEREAS, private property rights are fundamental to the freedoms enjoyed by the citizens of Blount County, and protecting those rights is a priority of this Commission; and

WHEREAS, transparency and accountability in the planning process are essential to maintaining public trust and ensuring fair application of zoning laws; and

WHEREAS, it is in the best interest of Blount County to ensure that all residents and property owners have clear, consistent, and equitable guidance from the Planning Department; and

WHEREAS, it is in the best interest of Blount County citizens for any/all denied permits to only be denied in writing and always citing the specific ordinance(s) prohibiting construction and/or activities applied for to ensure that all residents and property owners have clear, consistent, and equitable guidance from the Planning Department.

NOW, THEREFORE, BE IT RESOLVED BY THE BLOUNT COUNTY COMMISSION THAT:

Permissibility of Actions Not Specifically Prohibited

Any action, use, or request that is not expressly prohibited or regulated by the Blount County Zoning Regulations shall be considered permissible.

Requirement to Cite Pertinent Rules

When the Planning Department denies any application, request, or proposal, it must provide a written explanation explicitly citing the specific section(s) of the Zoning Regulations that form the basis of the denial.

Implementation and Enforcement

This resolution shall take effect immediately upon passage, and the Planning Department is directed to incorporate these provisions into their standard operating procedures to ensure compliance.

BE IT FURTHER RESOLVED that a copy of this resolution shall be provided to the Planning Department and made publicly available to promote awareness and understanding of this policy.

Adopted this ____ day of _____, 20__.

CERTIFICATION OF ACTION

ATTEST

Commission Chairman

County Clerk

County Mayor

Date

- ☐ Approved
- ☐ Vetoed