

Blount County

Planning and Development Services

1221 McArthur Road

Maryville, TN 37804

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January 23, 2026

LOWE JAMES E JR & MELISSA FAYE LOWE
2502 MONTVALE RD
MARYVILLE TN 37803

Mr. Lowe:

Please accept this letter in response to a submitted building permit application for a porch, dated December 23, 2025, for property located at 2502 Montvale Road, Maryville (080 020.00). This letter shall serve as a denial of the permit as specified below:

- I. The property is located within the S (Suburbanizing) district, and has been in the same since the establishment of zoning in the County (September 1, 2000).
- II. Tax records indicate that it is developed with a 1008 SF single family residential structure that was built ca. 1939.
- III. With the adoption of zoning, the structure did not conform to setbacks. In the S District, the front setback is 30 feet. *Front Setback: the minimum depth of the front setback shall be 30 feet from any road right-of-way or easement line, (Section 9.1.G.1)*
- IV. Pursuant to Section 5.1 of the County's Zoning Regulations, *"All uses and structures in existence at the effective date of this Resolution, which are not in conformity with regulations and provisions contained in the Resolution, shall be allowed to continue in operation and/or existence as prior to the effective date of this Resolution."*
- V. Further, Section 5.2 states that, *"In the event that a structure housing a non-conforming use is destroyed by accidental cause or natural calamity, or by other means outside the control of the owner, the following shall apply: A. Such structure may be rebuilt, and such use reestablished on the same site at the same scale of structure and operation as before it was destroyed, by process of direct permit; (and) B. Such rebuilding and reestablishment shall commence within two years of such destruction; otherwise, any such use shall be considered as discontinued and abandoned and may then not be rebuilt and reestablished unless it is in conformity with the regulations and provisions of this Resolution."*

- VI. In other words, the structure was “grandfathered” with respect to zoning. The house, and more specifically the encroaching front porch, was allowed to remain in the same footprint after September 1, 2000 as before. Further, anything constructed prior to the adoption of building codes was also “grandfathered” insofar as no permits were required, nor were any inspections made during their construction.
- VII. Satellite imagery indicates that, sometime between April 12, 2012 and November 10, 2013, the front porch was removed from the house.
- VIII. Since the two-year (24 month) period for reconstruction has lapsed, the old porch *shall be considered as discontinued and abandoned and may then not be rebuilt and reestablished unless it is in conformity with the regulations and provisions of this Resolution (5.2.B)*.
- IX. Please note that the items outlined herein are limited only to application of the County’s Zoning Regulations. This letter should not be construed as an exhaustive list of reasons for denial of the building permit. An approved permit would also be subject to review by Building Codes, Environmental Health, and Stormwater, each of which would likely require additional information for determination of compliance with their respective regulations.
- X. Pursuant to Section 11.4 of the Blount County Zoning Regulations, you have the right to an appeal of this decision. Such appeal must be made in writing within 90 days of the action appealed and shall specify the nature of the action being appealed, the grounds or reasons for the appeal, and any supporting information pertinent to the appeal. The Board may require additional information of the applicant in order to make a decision on the matter.

Sincerely,



Cameron Buckner
Senior Planner/Building Commissioner