

Blount County Government

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: Thomas A. Lloyd, AICP 

DATE: February 15, 2017

SUBJECT: Rezoning request at 4608 HWY 411 South.

Attachments

- (1) Location Map
- (2) Aerial (site)
- (3) Tax map (w/ flood)
- (4) Official zoning map (hardcopy)
- (5) Survey

Applicant

Rodney Murphy

Surveyor: Blount Surveys, Inc. – Kevin Pitts

Land Use and Zoning

The subject property is zoned R-1. The existing land use is agricultural and it is developed with numerous farm structures.

Adjacent Land Uses

North– US411S, residential single family and mobile homes; Zoned R-1

East – residential-mobile home; Zoned R-1

South – residential-mobile home; Zoned R-1

West – residential & commercial; Zoned R-1

Summary

This request is for 7.34 acres of the property at 4608 HWY 411 South to be rezoned from R-1- (Rural District 1) to RAC- (Rural Arterial Commercial). The property is identified on tax map 089, parcel 105.00 and totals approximately 19.8 acres.

This property is located in a rural area of the county on HWY 411 South, which makes it eligible for a rezoning to RAC. Like all RAC rezoning requests, this rezoning will only be for the first 500 feet of the property. This parcel is more than 1200 feet deep on one side and more than 1300 feet deep on the other. As such, the majority of the tract (12.4+ acres) would remain in the R-1 zone.

Several maps have been attached for reference. The first is a smaller scale map to show the relative location of the subject property. The second is an aerial view of the property. The third is from the property assessor's online tax maps that also shows the Flood Hazard Areas. The final map is a copy of the original zoning map in hard copy form with the area to be rezoned hatched in red. The final attachment is the survey submitted with the application.

The property qualifies for possible rezoning into the district based on its location on 411S beyond the Maryville UGB and the requested depth of 500 feet. The text of the RAC – Rural Arterial Commercial District is included below:

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.
- 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.

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.

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.

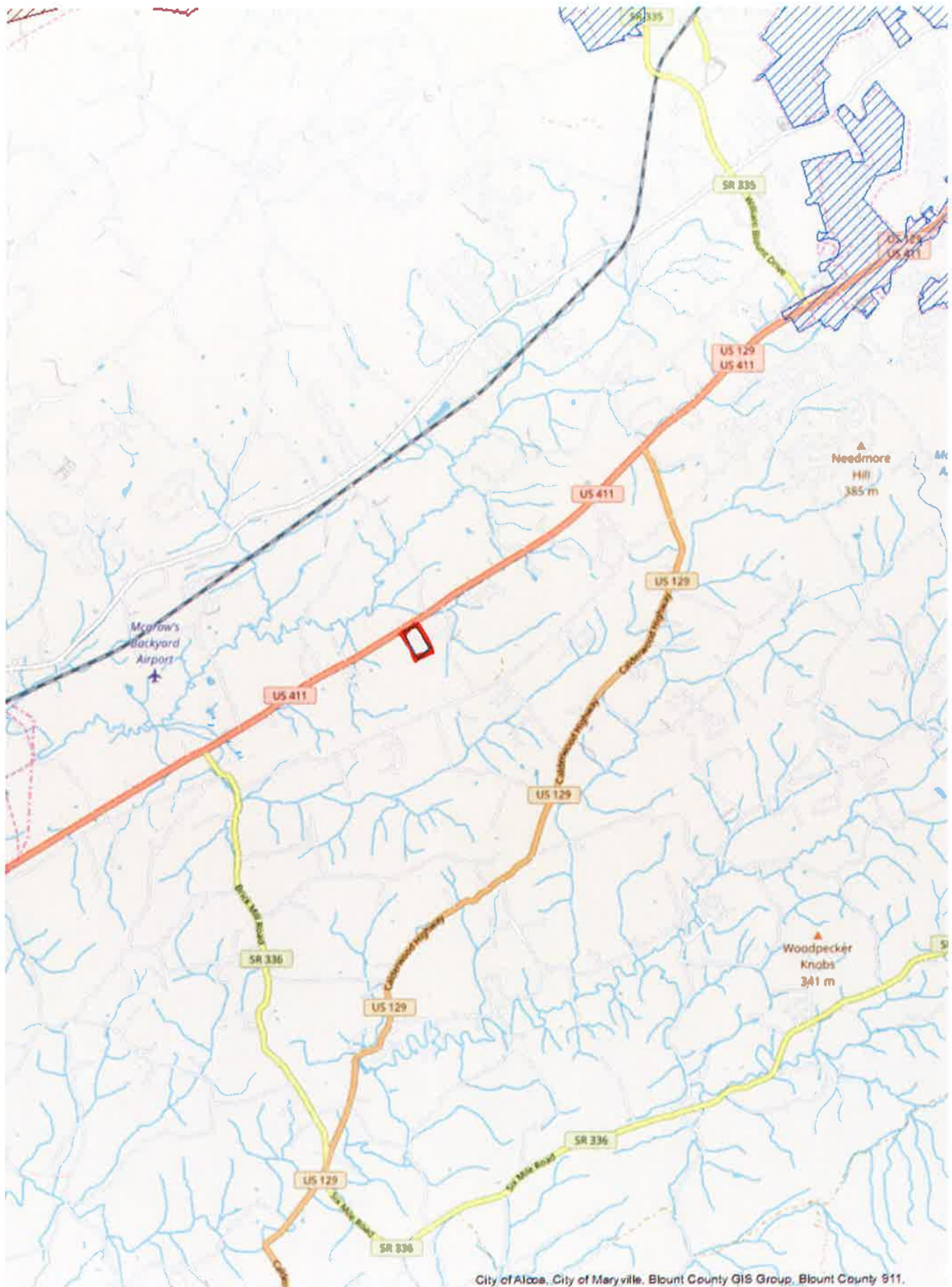
K. Review on change of use.

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.





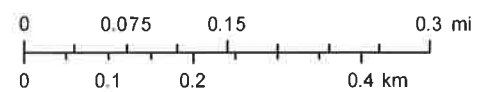
City of Pecos, City of Maryville, Blount County GIS Group, Blount County GIS, Blount County Property Assessors Office. Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNR/Air Force, USDA, USGS, AeroGRID, IGN, and the

Blount County - Parcel: 089 105.00

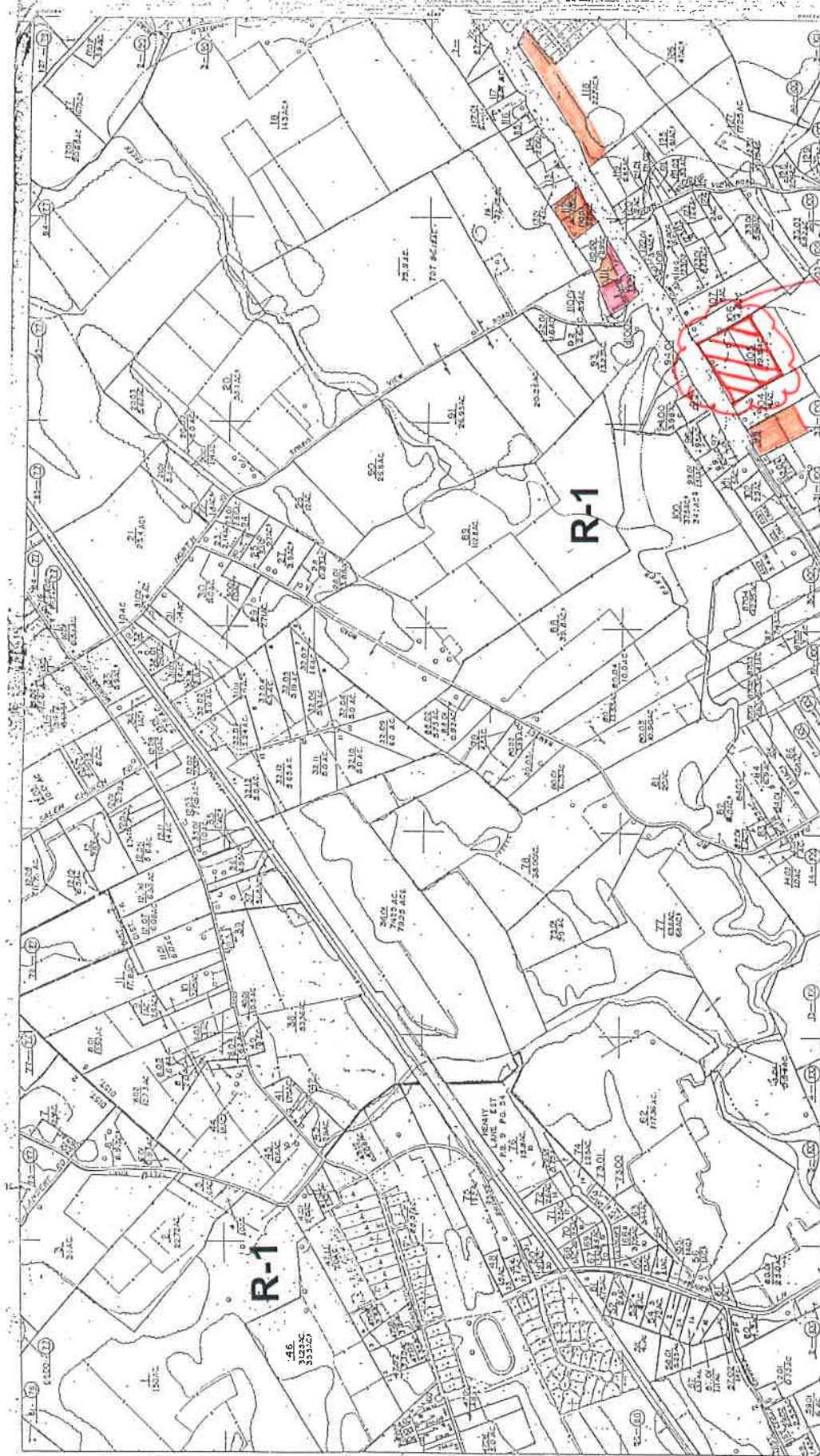


February 15, 2017

1:9,028



TN Comptroller - OLG
Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

[illegible]

東	南	西
北	中	南
東	南	西

COPY

AREA PROPOSED
FOR REZONE
TO RAC;
500' DEEP

NOTES:

1) EVERY DOCUMENT OF RECORD REVIEWED AND CONSIDERED AS A PART OF THIS SURVEY IS NOTED HEREON. NO ABSTRACT OF TITLE, NOR TITLE COMMITMENT, NOR RESULTS OF TITLE SEARCHES WERE FURNISHED THE SURVEYOR. THERE MAY EXIST OTHER DOCUMENTS OF RECORD THAT WOULD AFFECT THIS PARCEL.

N. SPRINGVIEW ->
ROAD

S. SPRINGVIEW
ROAD

U.S. HWY. 411 SOUTH

SITE

VICINITY MAP - NOT TO SCALE

U.S. HWY. 411 SOUTH

REQUESTED AREA TO BE RE-
ZONED TO RAC - 7.339 ACRES

REMAINING AREA TO STAY IN
R-1 ZONE - 12.472 ACRES

19.811 Ac.
TOTAL AREA

**SURVEY OF THE
RODNEY MURPHY PROPERTY**
DISTRICT 6, BLOUNT COUNTY, TENNESSEE
REF.: R.B. 2470-1959
TOTAL AREA = 19.811 Ac.
OWNER: RODNEY MURPHY
6570 LEE THOMPSON LANE
MARYVILLE, TN 37801
GRAPHIC SCALE



This is to certify that I have consulted the
Federal Insurance Administration's Flood Hazard
Boundary Maps and found that the above described
is not located within a special flood hazard area.

KEVIN EDGAR PITTS, RLS 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 ABOVE
DESCRIBED PROPERTY, THAT HAS BEEN CORRECTLY DEPICTED THE RESULTS OF
SAID SURVEY, THAT SAME IS TRUE AND CORRECT TO THE BEST OF MY KNOW-
LEDGE, INFORMATION AND BELIEF, AND THAT THE SURVEY MEETS THE QUALITY
AND ACCURACY SPECIFICATIONS, THE RATIO OF PRECISION OF THE UNADJUSTED
SURVEY IS 1:100,000. OR LESS THAN 1/100 OF A FOOT FOR EACH
ON SMALL LOTS.

BLOUNT SURVEYS, INC.
KEVIN EDGAR PITTS, RLS NO. 2324
1710 S. LAMAR ALEXANDER PARKWAY
MARYVILLE, TENNESSEE 37801
PHONE (888) 888-8484

LEGEND	TAX MAP	GROUP	PARCEL	GROUP	SCALE
ROAD - 1/2" = 100' (1/4" = 200')	89	195	195	195	1:155.7
POW - 1/2" = 100' (1/4" = 200')					
POW - 1/2" = 100' (1/4" = 200')					
POW - 1/2" = 100' (1/4" = 200')					

DATE: 01-31-12