

Blount County

Planning and Development Services

1221 McArthur Road


Maryville, TN 37804

Phone: 865-681-9301 Fax: 865-681-9502



MEMORANDUM

TO: Blount County Board of Zoning Appeals

FROM: Thomas A. Lloyd, AICP 
Director/Building Commissioner

DATE: February 27, 2019

SUBJECT: Special Exception Use Request for storage use at 235 S. Old Glory Road,
Maryville; Map 056, parcels 045.00 and 045.02

Attachments:

- A. Location/zoning map
- B. Site Plan
- C. Application

The site was formerly used for student training and logistics services (Vanquish Worldwide). The owner is proposing to use the property for rental storage and associated office space. Specifically, the proposal would include as many as 234 (per site plan) 20' x 40' storage containers rented monthly to clients for storage. Additionally, the site would include RV and boat storage inside the existing building. The property totals approximately 7.8 acres, is zoned Commercial (C) and is developed with two buildings and associated parking areas. The proposed storage use is not specifically allowed use in the district. Rather, Section 9.4.B provides for, "any other commercial activity not listed in subsection A above," subject to the issuance of a special exception by the Board of Zoning Appeals.

The shipping containers, as proposed, would meet setback requirements (with replat). No additional lighting is proposed as part of the project.

Even though the containers are not "buildings", per the Building Official, the applicant will need to secure building permit(s) for them. Specifically, an architect or engineer will have to demonstrate that the building code is met with regards to securing the containers. Staff will review for compliance with the applicable zoning sections prior to issuance of any permits.

The final site plan has been reviewed by staff through the development review process. There are no proposed changes to the existing building, fencing, etc., no new construction, and there is no additional impervious area being added (site is already mostly covered). As such, neither Environmental Health nor Stormwater had any comments on the project. Staff has found that the submitted site plan complies with all applicable sections of the zoning regulations and recommends approval subject to the issuance of all applicable permits and a replat of the two parcels to combine them should the Board find based on evidence and testimony that the request complies with the special exception provisions of Section 11.5.

Applicable code sections included below for reference:

Section 11.5. Special Exceptions. Application for a special exception in relation to a specific part, parcel or parcels of land may be made as provided in this Resolution by owners of the land or their specified agents, those who have contracted to purchase or hold an interest in the land, or those who in some other definitive way have the legal authority to take action in regards to plans for the special exception. The Building Commissioner may require evidence of such applicant criteria at his discretion. The following shall be the general conditions and procedures for application and consideration of a special exception.

- A. An application for a special exception shall include all information required by this Resolution, and shall be presented to the Building Commissioner at least fifteen working days prior to consideration by the Board. The Board may require additional information of the applicant in order to make a decision on the application.
- B. The Chairman of the Board shall set a date and time for hearing on the application no later than 60 days after submission of the application, or alternatively, the Board may consider the application at any appropriate regular meeting. The Building Commissioner shall publish notice of the application and hearing time, date and place in a newspaper of general circulation within the county at least five days prior to the hearing, as well as due notice to the applicant.
- C. The land or site of the special exception shall be posted by a sign set by the Building Commissioner along a fronting or adjacent public road notifying neighboring property owners of the application for special exception, date, time and place of hearing, and telephone number of the Building Commissioner for further information. Such sign shall be posted at least ten days prior to the date of the hearing.
- D. The Building Commissioner shall forward to the Board copies of all records relating to the application, along with his or her analysis and recommendation on the application.
- E. The Board shall act on the application within 60 days of the hearing, unless the applicant requests an extension of time. Upon hearing, any party or parties in interest may appear in person or by agent or attorney.

F. Subject to subsection G. below, the Board shall approve and permit the special exception unless it finds and concludes, based upon the information submitted in the application or provided at the hearing, that one or more of the following conditions holds:

1. the requested special exception is not within its authority under provisions of this Resolution;
2. the application is incomplete;
3. the proposed special exception if constructed or established will not comply with one or more requirements of this Resolution.

G. Notwithstanding findings under subsection F. above, the Board may deny the application for special exception if it finds and concludes, based on the information submitted in the application or provided at the hearing, that one or more of the following conditions holds or will hold:

1. construction or establishment of the special exception will materially endanger the public health or safety;
2. construction or establishment of the special exception will substantially injure the value of adjoining or abutting property;
3. construction or establishment of the special exception will not be in conformity with the purposes, intents or goals of this Resolution;
4. construction or establishment of the special exception will create impacts on public services or facilities which would endanger health, safety or property because of lack of or adverse effect on water supply, schools, proper drainage, good transportation, other public services or public funds for the supply or maintenance of such services, and which are beyond the immediate capacity of the County or any other governmental entity to address with public funds, particularly considering the following:

(a) In establishing the impacts of a proposed development of land on public infrastructure or the public health, safety and welfare, the Board shall require studies of such potential impact to establish a factual basis for decision, shall refer to expert opinion and professional standards for infrastructure service, shall require cost estimates for any needed improvements to overcome deficiencies, and shall establish a record for each decision under this section. The Board may require the applicant or developer to provide such studies and other information as part of special exception consideration. The following subsection(s) present specific criteria and procedures for consideration of special exceptions, but shall not limit consideration of other infrastructure issues under this section.

(b) Minimum off-site Road Standards as Criteria Precedent to Development. Except upon recommendation of the County Road Superintendent, a minimum off-site road of eighteen (18) feet of paved width with two (2) foot shoulders on either side shall be present from entrance to any proposed special exception development to intersection with any road with same standard or better, for consideration of any special exception which would generate expected traffic greater than 32 vehicle trips

per day. Traffic trip generation shall be determined by standards contained in Trip Generation, 7th Ed., by the Institute of Transportation Engineers, 2003, or other professionally recognized trip generation standards acceptable to the County Road Superintendent. In determining the status of a proposed special exception in relation to traffic trip generation, this section shall apply also to any combined phased development of the same property within one year of consideration of any special exception involving that property, and to overall development of any land in phases. For the purpose of determining paved width of roads, the roads list maintained by the Blount County Highway Department showing road pavement width shall be the basis for determination, provided that direct measurement showing roads of greater width than listed may be considered. For the purpose of this section, shoulder shall mean an area outside of two nine (9) foot paved travel lanes (18 foot total travel surface) with the following characteristics: i) two feet of unobstructed and well drained width at outside of travel lanes, ii) no more than eight (8) percent slope from outside edge of travel lanes, and in no instance more than seven (7) percent maximum algebraic difference in slope between travel lane and shoulder grades, and iii) surface treatment of hard pavement, gravel or compacted earth, flush with the surface of travel lanes. The Board may consider lesser pavement width and shoulder width upon submission of a traffic and roads condition study by the applicant or developer. The traffic and roads condition study shall be done by a qualified engineer licensed in the State of Tennessee and acceptable to the County Road Superintendent.

The traffic and roads condition study shall at a minimum contain present road and shoulder width of off-site roads measured at intervals of no greater than one-tenth (0.1) miles, present and expected future ADT (average daily traffic), and specific impact of the proposed special exception development on the safety of traffic on off-site roads. Upon determination and recommendation by the County Road Superintendent or his designee, the study shall also assess road geometry (vertical and horizontal curves, etc), sight distances, bridges, and roadside hazards as part of determining safe and acceptable road conditions.

The study shall also include estimates of cost to improve the existing roads to safe and acceptable conditions. The traffic and roads condition study shall assess whether or not existing road width and shoulder width and other design factors of off-site roads would be sufficient to protect the public health, safety and welfare of existing and future county residents in relation to additional traffic generated by a proposed special exception development. Engineering standards and practices acceptable to the County Road Superintendent or his designee shall be the basis for determining traffic generation from the proposed subdivision or development and assessing traffic impact and acceptable road conditions, such standards and practices to include: A Policy on Geometric Design of Highways and Streets, published by American Association of State Highway and Transportation Officials (AASHTO), 2001; and Designing Safer Roads: Practices for Resurfacing, Restoration and Rehabilitation, Special Report 214, by Transportation Research Board of the National Research Council, 1987.

In considering lesser pavement width and shoulder width under this subsection, the Board shall not approve a special exception development which has ingress and egress on offsite road(s) with pavement width less than sixteen (16) feet; provided that any such offsite road(s) with less than two hundred (200) ADT (average daily

traffic) may have distances of fifty (50) feet or less with pavement width between fourteen (14) and sixteen (16) feet if there are warning signs and adequate approach sight distances as approved by the County Road Superintendent or his designee. The Blount County Road Superintendent can increase minimum standards based on posted speed limits, ADT, usage, road characteristics, or reports as necessary.

H. The Board may condition any approval for a special exception with limits on duration of validity of the approval in the absence of actions to construct or establish the special exception. Where no action is taken to construct or establish the special exception within the time of such duration of validity, a new application shall be required.

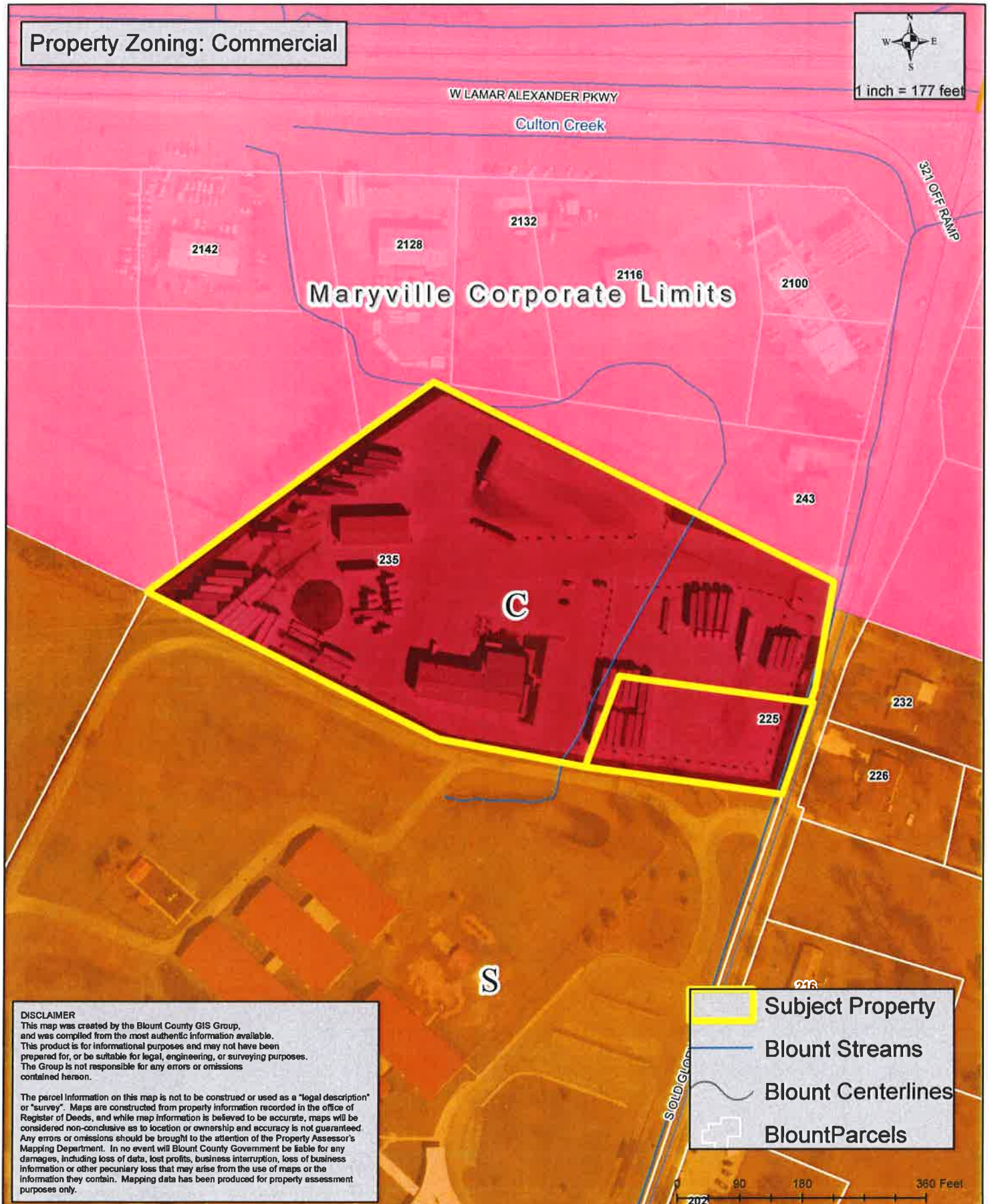
I. All conditions and requirements set by the Board shall be entered on the minutes of the hearing, and the Building Commissioner shall notify the applicant of such conditions and requirements by written letter. All conditions and requirements set by the Board shall be enforceable in the same manner and to the same extent as any other provision or requirement of this Resolution.

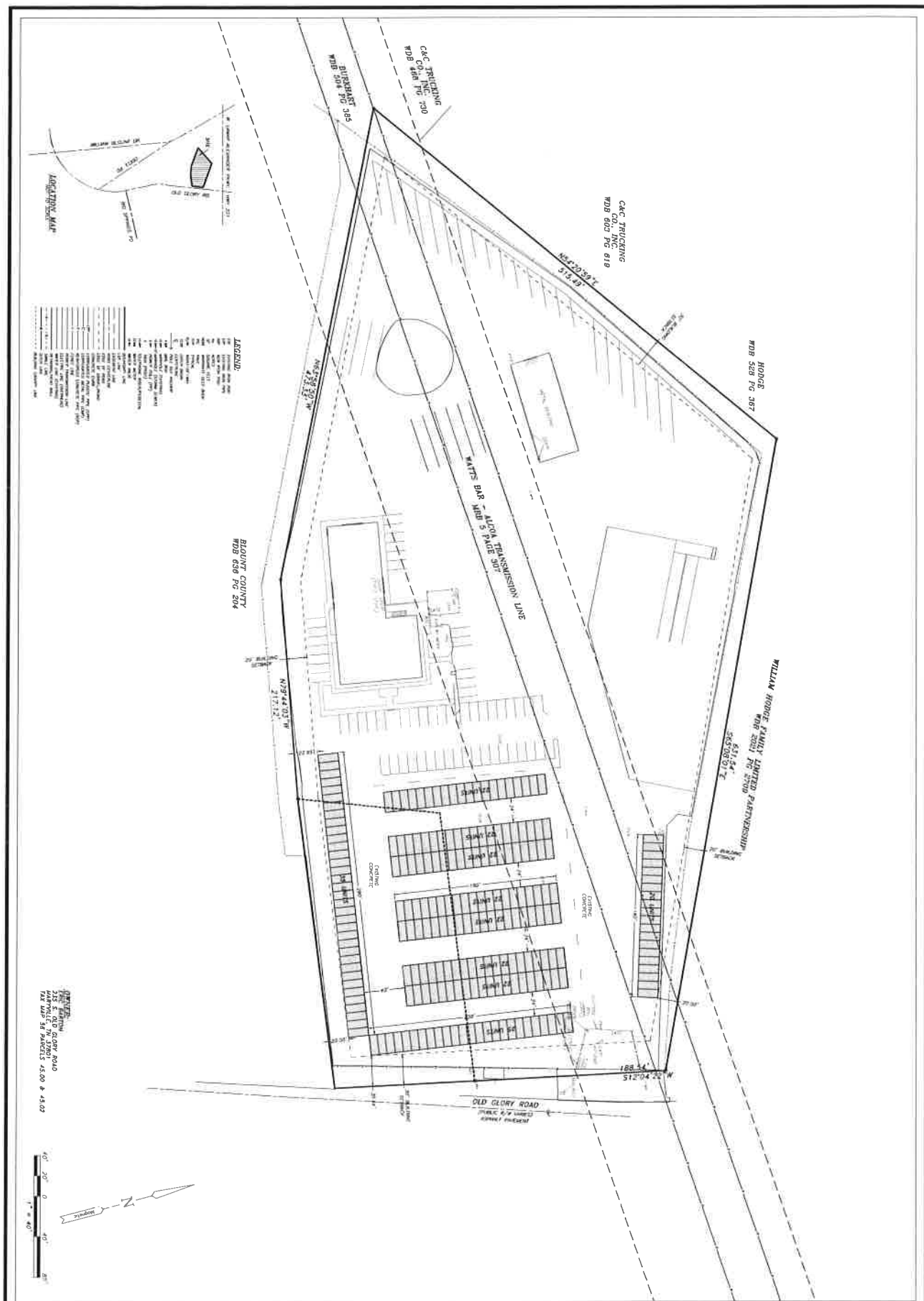
J. Approval of a special exception runs with the land and is transferable to new owners. However, so long as the land and/or structures or any portion thereof covered under an approval for special exception continues to be used as approved by the Board, then the following shall hold:

1. No person, including successors, assigns or designees of the person who obtained the approval for special exception, may make use of the land or structures covered under such approval for the purposes and use other than in accordance with all the terms, conditions and requirements of such approval.

2. The terms, conditions and requirement of an approval for a special exception apply to and restrict the use of land or structures covered under such approval, not only with respect to all persons having any interest in the property at the time of such approval, but also with respect to all persons who subsequently obtain any interest in all or part of the property covered by such approval.

Proposed Storage Facility
(Formerly Vanquish Worldwide)
235 S. Old Glory Road





	DATE	BY	REVISIONS	<div style="display: flex; justify-content: space-between;"> <div> <p>SITE PLAN FOR</p> <p>CONTAINER STORAGE</p> <p>FACILITY</p> <p>ERIC BARTON</p> </div> <div> <p>MARYVILLE, TN</p> </div> </div>
	2/27/18		Revised Submittal/Issued per Board County	
<div style="display: flex; justify-content: space-between;"> <div> <p>DATE</p> <p>BY</p> <p>REVISIONS</p> </div> <div> <p>2/27/18</p> <p></p> <p>Revised Submittal/Issued per Board County</p> </div> </div>				<div style="display: flex; justify-content: space-between;"> <div> <p>SITE PLAN FOR</p> <p>CONTAINER STORAGE</p> <p>FACILITY</p> <p>ERIC BARTON</p> </div> <div> <p>MARYVILLE, TN</p> </div> </div>
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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: 056/45945.02 Site Address: 235 S. OLD GLORY ROAD
Owner: ERIC BARTON Phone: _____
Mailing Address: 235 SOUTH OLD GLORY ROAD
MARYVILLE TN 37801
City State Zip Code

Type of Permit:

Appeal ___ Rezoning ☒ Special Exception ___ Variance ___ Co-Locate ___
Zone _____ Size of lot _____

Notes:

REQUEST IS FOR SPECIAL EXCEPTION TO ALLOW
CONTAINER STORAGE ON EXISTING CONCRETE. PROPOSED
CONTAINERS ARE NOT PERMANENT STRUCTURES AND HAVE
THE ABILITY TO BE MOVED.

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.

Eric W. Barton

Owner Signature

28 Jun 2019

Date

Fee: \$100

Receipt #: 259593

Approval Signature: _____

Date: _____

NARATIVE DESCRIPTION MEMORANDUM

TO: THOMAS LLOYD
FROM: ERIC BARTON
SUBJECT: NARRATIVE OF PROPOSED USE – 235 S. OLD GLORY ROAD, MARYVILLE, TN 37801
DATE: 04 FEBRUARY 2019
CC: DERICK JONES

Self-storage. There is a heavy demand for storage in the surrounding area. There are new apartment complexes, housing developments, an ever-increasing number of rental properties, and an increasing visitor population. My storage facility will help fill some of that demand, and provide a valuable service and convenience to local residents, neighbors, and businesses.

The facility will operate with an on-site manager. Tenants will access the facility through an electronic keypad gate. New tenants will view the property by appointment between the hours of 7am – 5 pm, Monday through Saturday.

The property will use new or like new 20' and 40' containers. The entire property is already entirely fenced and uses a 360 degree video surveillance system. There will be some limited storage of RV's, boats, trailers, and vehicles.

Shipping Container Benefits. Shipping containers are particularly good for storage facilities for a number of reasons:

- Containers are strong, secure, and waterproof
- They have strong, thick steel walls and easily accept bulky, heavy goods
- Unlike traditional facilities, containers are dustproof with tight seals around the doors to prevent rodents from entering
- Containers are secure, with both a lock on the door handle and a special lock box for additional security.
- Container doors fully open ensuring very large items can easily be stored. Even full size cars and trailers can be stored inside.

Architecture / site concept. The proposed site consists of existing parking lot with rolled compacted concrete (RCC) at 6" deep at 4,000 psi. The container storage will not impede the use of 19,000 square feet of office and building storage space already on site. The total parcel size is 7.70 acres; lot building coverage is 4.10% and total existing impervious is 85%; leaving 10.90% open/green space around the property perimeter. No new construction is required. The containers are delivered ready for use.

Respectfully,


Eric W. Barton