

# 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:** Cameron Buckner  
Senior Planner

**DATE:** January 2, 2019

**SUBJECT:** Site Plan review for Special Exception with specific limitations at 2428 Airbase Road, Map 026A D, Parcel 024.00, by Harbours Gate

#### Attachments

1. Location/Zoning Map
2. Site Plan
3. Plat providing access
4. Applicant Description
5. Application

#### Project Description

The subject property is 2.6 acres and is zoned S-Suburbanizing. The property, formally Mentor Community Park, is privately owned and was acquired by the applicant, Harbours Gate, in 2019. The parcel is currently occupied with a 1,400 square foot non-residential structure, as well as an additional sports field that is to be utilized for recreation. The proposed use is that of a community center and new residential caretaker's facility, with the residential addition being the only proposed new construction. The applicant has provided a description of some of the proposed areas of service and outreach that will be provided at the community center. Additionally, the Site Plan shows that parking will be installed to provide for 27 spaces, which has been determined to be adequate for the specified use. The use is an allowed use in the S-Suburbanizing district subject to the issuance of a special exception with specific limitations by the BZA, via section 9.1.C. The proposed development will meet the following specific limitations, per the zoning ordinance:

- Frontage on and access to an arterial or collector status road.
- The use shall be conducted on a lot of at least 1 acre.

- Any such use shall be housed in a structure with footprint no greater than 4,000 square feet and no greater than 2 stories.
- Buffering of the use from surrounding residential shall be constructed and maintained.

## **I. Conformance with Applicable Zoning Regulations**

### **Section 9.1. S- Suburbanizing District**

#### **B. Uses Permitted as Special Exceptions**

Per the zoning ordinance, the use is permitted as a “special exception with specific limitations” under section 9.1.C and section 9.4A. The use has been determined to be of similar use and impact as those listed in section 9.4A, particularly “social clubs, lodges, and other similar uses,” as well as “public and private recreational facilities.” A site plan is required for all uses permitted in sub-sections B and C of section 9.1.

#### **Section 7.15. Design Requirements for Commercial and Industrial Developments**

Design requirements are not applicable to the re-purposing of the property as the only new construction will be the residential dwelling.

#### **Landscaping**

A landscape buffer will be required between the existing property and residential properties to the east and south. The proposed buffer is shown on the Site Plan.

#### **Lighting**

The applicant is not proposing any additional lighting with this request. If additional lighting is proposed with any future request, it will be revisited and evaluated for compliance at that time.

## **II. Environmental Health**

Per the Environmental Health Manager, the applicant will be required to submit a soils map and be approved for septic prior to the issuance of a building permit for the residential structure.

## **III. Stormwater**

No County or TDEC grading permit will be required, per the Stormwater Supervisor. It is the applicant’s responsibility to address on site erosion control.

#### IV. Recommendation

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 State and County permits if the Board finds based on evidence and testimony that the request complies with the special exception provisions of Section 11.5. Any motion made will need to reference that section.

[...]

*Applicable code sections included below for reference*

**Section 9.1 S – Suburbanizing District.** It is the purpose and intent of this district to regulate suburbanizing development of expected high to moderate density around the cities of Alcoa and Maryville, 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.

C. Uses Permitted as Special Exceptions with Specific Limitations: Indoor Sport Shooting Range (subject to provisions and requirements in Section 7.13); ***commercial campgrounds and recreational vehicle parks (see also section 7.18)***; Any commercial activity not specifically identified in sub-sections A or B above and which is allowed as a permitted use in the Commercial District in Section 9.4.A, provided that any such use shall be located only with access and frontage on an arterial or collector status road as specified on the Major Road Plan of any regional planning commission within the county as registered with the Register of Deeds office, and provided that any such use shall be conducted on a lot or tract of at least one acre, that any such use shall be housed in a structure with footprint no greater than 4,000 square feet and no greater than two stories, and that buffering of the use from surrounding residential land shall be constructed and maintained.

A. Permitted Uses: General retail sales and rental of goods, merchandise, and equipment; Restaurants, taverns, drinking establishments, and nightclubs; Medical and general offices, e.g., dentists, physicians, attorneys, real estate, insurance, etc.; Automotive and marine craft sales and services; Hotels, motels, rooming and boarding houses, bed and breakfast, campgrounds; Social and fraternal clubs and lodges, union halls, and similar uses; Golf driving ranges, miniature golf courses, and similar uses; Service stations, motor vehicle repair and body shops; Convenience stores with vehicle fuel sales; Mobile home sales; Kennels and veterinarian services; Miscellaneous public and semi-public facilities including post offices; Dry cleaners and laundromats; Commercial greenhouses; Manufacturing, processing, creating, repairing, and assembly of goods, where all activities are conducted within a fully enclosed building; Hospitals, clinics, and other medical facilities; Churches, temples and similar places of worship with accessory structures, uses and cemeteries; Bowling alleys, skating rinks, indoor tennis and racquet ball courts, billiard halls, indoor athletic facilities; Public and private recreational activities conducted primarily outside enclosed buildings; Commercial cemeteries not associated with any on-site place of worship; any use permitted or listed as permissible as a special exception in Sections 9.1.A and 9.1.B; adult oriented establishment as defined in TCA 7-51-1101 *et seq.*, subject to requirements in Section 7.12.

**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.

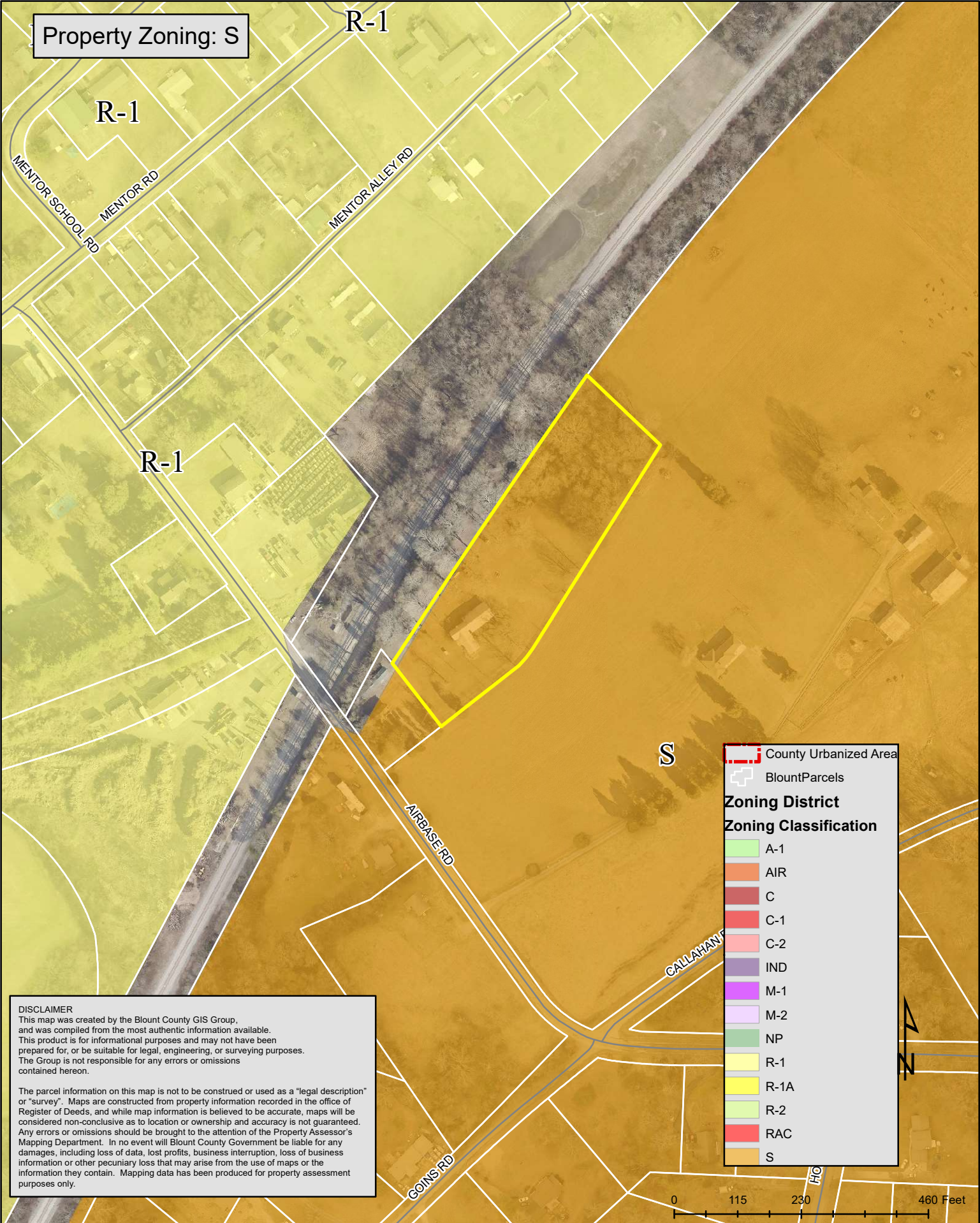
J. Approval of a special exception runs with the land and is transferable to new owners. However, so long as the land and/or structures or any portion thereof covered under an approval for special exception continues to be used as approved by the Board, then the following shall hold:

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.

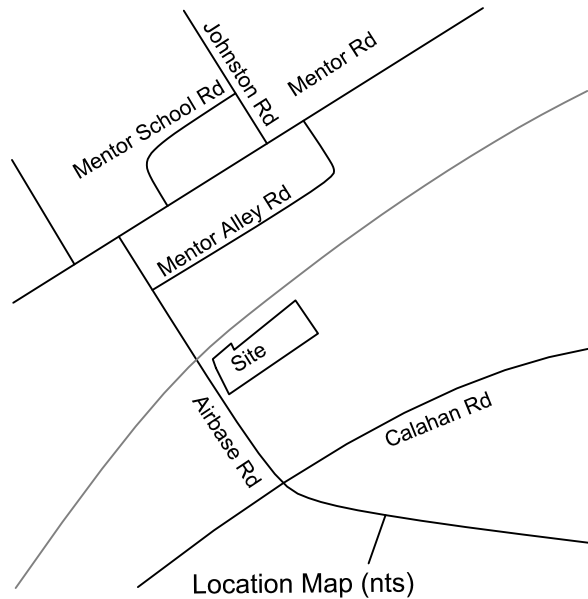
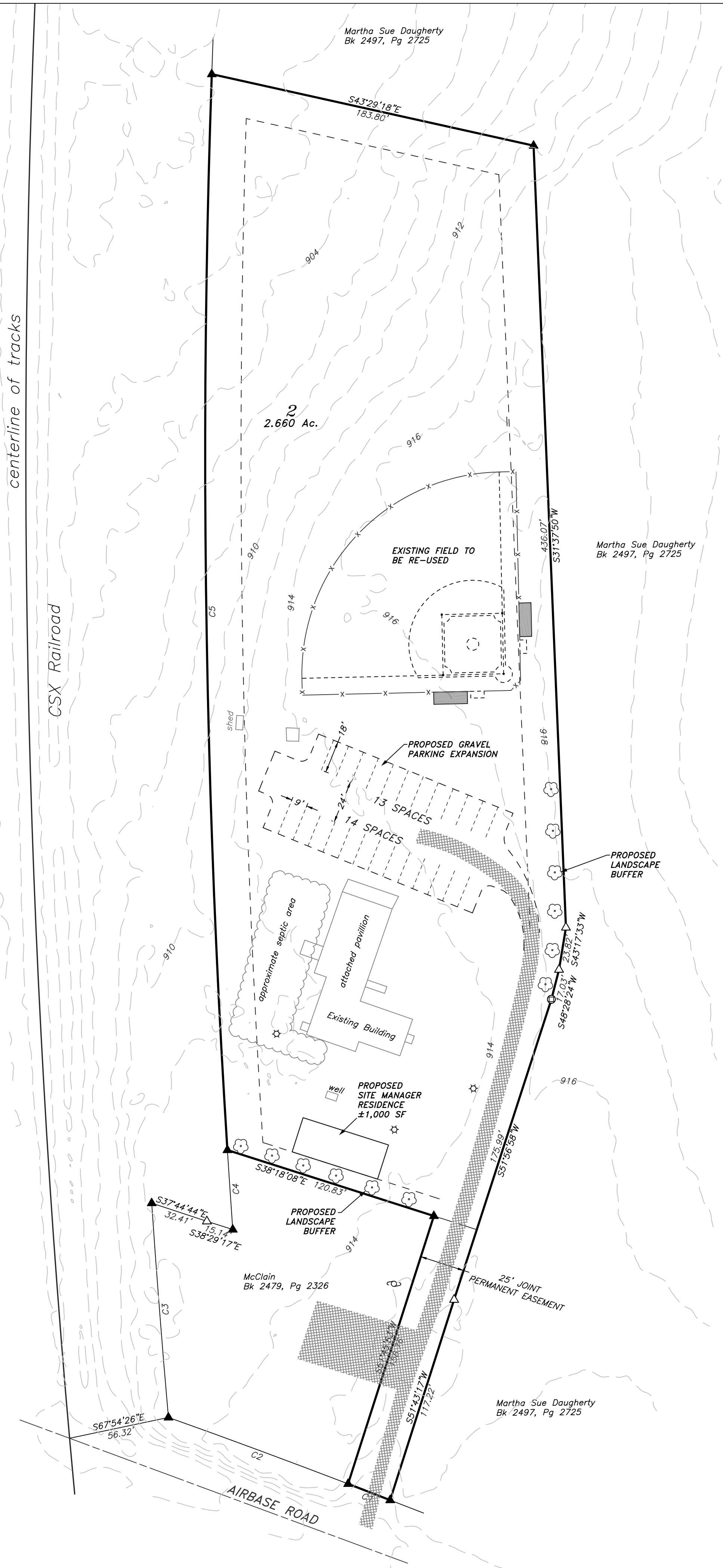
2. The terms, conditions and requirement of an approval for a special exception apply to and restrict the use of land or structures covered under such approval, not only with respect to all persons having any interest in the property at the time of such approval, but also with respect to all persons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



2428 Airbase Rd, Louisville, TN



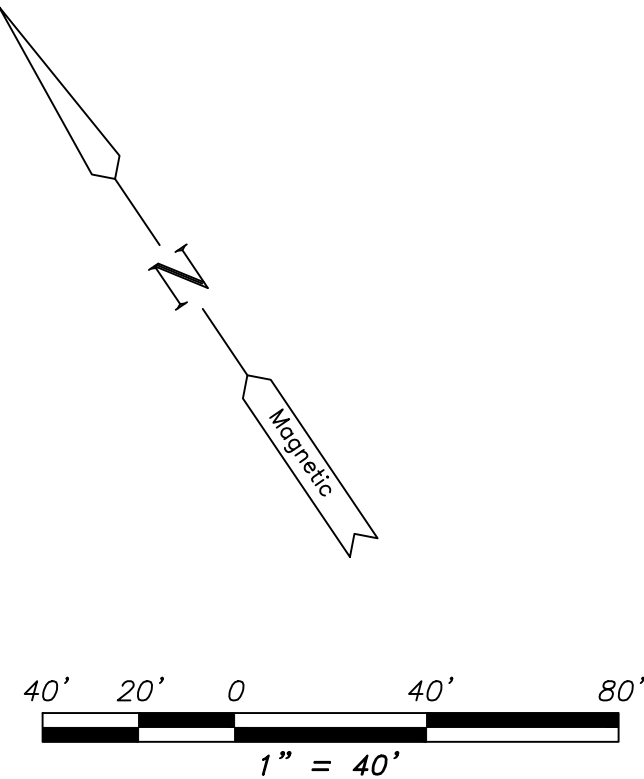
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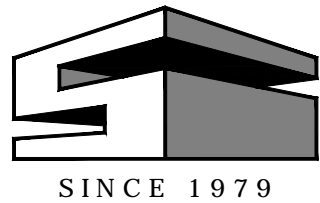
**GENERAL NOTES:**

1. Topographic Survey based on photogrammetric data provided by others. 2 foot Contour Interval shown.
2. Survey information taken from survey by Timothy Howell on 06-27-19.
3. The proposed improvements will not provide greater than a 10 percent increase in impervious area.

**OWNER:**  
HARBOURS GATE  
P.O. BOX 1110  
LOUISVILLE, TN 37777  
865-679-8610  
DISTRICT 10, BLOUNT COUNTY  
WDB 2543 PG 2134  
TAX MAP 26A "D" PARCEL 24.00



NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	0°19'49"	25.13'	4358.65'	N34°51'19"W	25.13'
C2	1°24'14"	106.79'	4358.65'	N35°43'21"W	106.79'
C3	1°07'11"	119.80'	6129.19'	N29°31'54"E	119.79'
C4	0°25'04"	44.38'	6085.11'	N30°08'00"E	44.38'
C5	5°38'52"	599.82'	6085.11'	N33°09'58"E	599.58'



**STERLING**  
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PHONE: 865-984-3905  
FAX: 865-981-2815  
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SITE PLAN

**HARBOURS GATE**

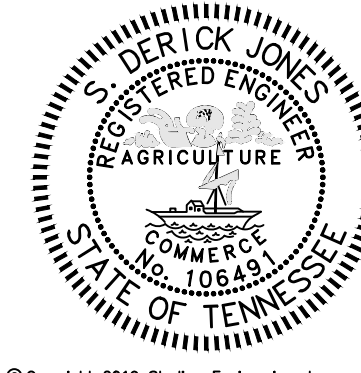
THOMAS GARNER

BLOUNT COUNTY, TN

REVISIONS

BY

DATE



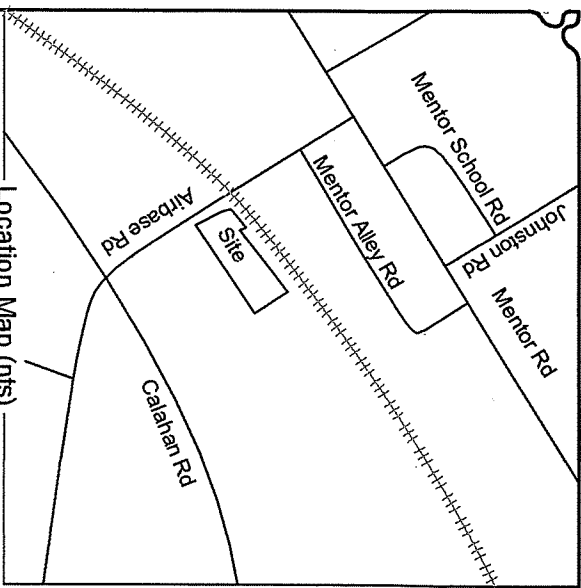
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SHEET

**CP**

DESIGNED: **SDJ**  
DRAWN: **SDJ**  
CHECKED:  
DATE: **11/18/19**  
SCALE: **1" = 40'**  
DRAWING:  
**6915-CP**  
PROJECT NO:  
**SEI#6915**





Certification of Ownership and Dedication  
I (We) hereby certify that I am (We are) the owner(s) of the property shown and described hereon and that I (We) hereby adopt this plan of subdivision with my (our) free consent, establish the minimum building restriction lines, and dedicate all streets, alleys, walks, parks, and other open space to public use as noted.

Date 10/31/19 Owner Martha Sue Daugherty, Tom Ann E.D.  
Tom Ann E.D.

Date 10/31/19 Owner Tom Ann E.D.

Certification of the Approval of Utilities - Water  
I hereby certify that water improvements have been installed in an acceptable manner and in compliance with all local, state and federal regulations, or provisions have been made for the installations, in the subdivision shown hereon.

Date 9/25/2019 City of Alcoa Approving Agent, Electric Shirley

Certification of the Approval of Electric  
I hereby certify that electric improvements have been installed in an acceptable manner and in compliance with all local, state and federal regulations, or provisions have been made for the installations, in the subdivision shown hereon.

Certification of Street Names  
I hereby certify that (1) the names of existing public roads shown on this subdivision plat in the subdivision shown hereon are correct; (2) the names of any new road, whether public or private, do not duplicate any existing names and said names are approved; and (3) the property numbers of the lots shown on this plat are in conformance with E-511 system.

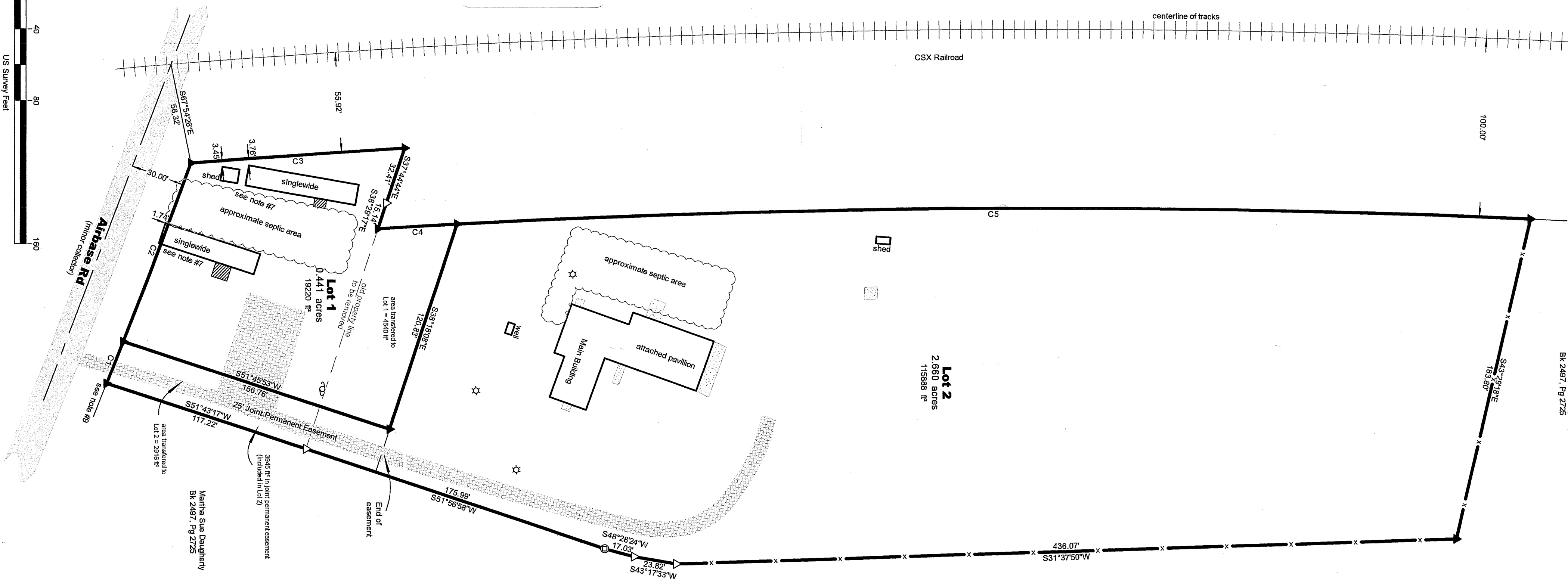
Certification of the Approval of Streets  
I hereby certify that street improvements have been installed in an acceptable manner and in compliance with all local, state and federal regulations, or provisions have been made for the installations, in the subdivision shown hereon.

Certification of Approval for Recording  
I hereby certify that the subdivision plat shown here has been found to comply with the Subdivision Regulations for Alcoa, Tennessee, with the exception of such variances, if any, as are noted in the minutes of the Alcoa Municipal/Regional Planning Commission and that it has been approved for recording in the Office of the Blount County Register of Deeds.

In accordance with the policies of the Tennessee Department of Environmental and Conservation, the Blount County Health Department has not evaluated the existing subsurface sewage disposal system (SSD) on the property represented by this plat. The Blount County Environmental Health Department makes no representation as to the performance of the existing SSD system, or its future operation.

Certificate of Accuracy  
I hereby certify that the plan shown and described hereon is a true and correct survey to the accuracy required by the Alcoa Municipal/Regional Planning Commission and that the monuments have been placed as shown hereon, to the specification of the Subdivision Regulations for Alcoa, Tennessee. This is a Category 1 Land Survey and the ratio of precision of the undisturbed survey is equal to or greater than 1:10,000.

6/27/2019 Timothy J. Howell RLS #2263



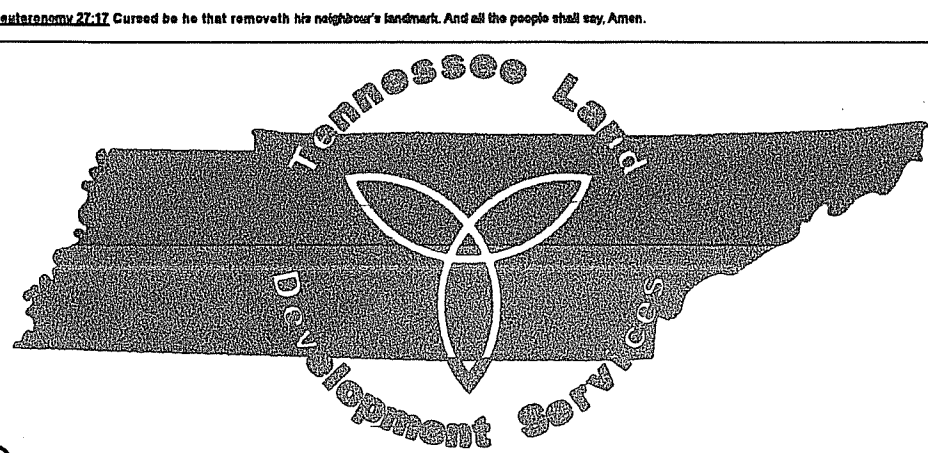
- Notes:
1. Zoning per Blount County Zoning = "S"
  2. Suburbanizing Building Setbacks
  3. 30' Front
  4. 10' Sides
  5. 20' Rear
  6. Drainage, construction and utilities easements shall be ten feet on the inside of all exterior lot lines perimeter to this subdivision and along street rights-of-way, and five feet on each side of the interior lot line. There shall be easements per utility provider's specifications for all as-built utilities, unless otherwise noted.
  7. 3.101 acres into 2 lots
  8. The purpose of this plat is to reflect improving nonconforming conditions (ie. public street access) for Lot 2.
  9. The net change to Lot 1 is +287 sq. ft. There are non-conforming structures (Residence/Shed) located on Lot 1 and at such time a non-conforming structure is either removed, destroyed or replaced all required setbacks shall be met in conformance with Blount County requirements.
  10. 25' joint permanent easement establishment and maintenance found in Book 2497, Page 2351
  11. No further division of Lot 2 shall occur until such time additional public street frontage is acquired which shall be in keeping with the adopted subdivision regulations.
  12. All new utilities shall be installed underground at time of redevelopment or expansion, unless otherwise approved.
  13. Albese Road is classified as a Minor Collector on the City of Alcoa's Thoroughfare Plan, which requires a dedication of the roadway.
  14. Easements, if any, following former lot lines are hereby released upon recording of this plat, unless otherwise noted.
  15. Title opinion not provided. Other easements, encroachments, etc. may exist and not be shown.

Martha Sue Daugherty  
BK 2497, Pg 2725

Phyllis Lee Crisp, Register  
Blount County Tennessee  
Rec #: 559615  
Rec'd: 15.00 Instrument #: 857427  
State: 0.00  
Clerk: 0.00 Recorded  
Other: 2.00 10/14/2019 at 12:10 PM  
Total: 17.00 in  
Map File FILE Pgs 3894A-3894A

NUM	DELTA	ARC	RADIUS	BEARING	DISTANCE
C1	0°19'49"	25.13'	4358.65'	N34°51'19"W	25.13'
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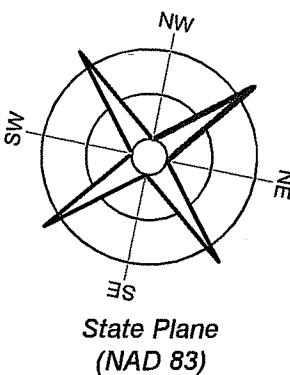
3894A



Timothy J. Howell, RLS 2263  
(865) 742-2557  
1707 N Ridge Ct  
Sevierville, TN 37862  
tim@tnlds.com

Final Plat of  
**McLain**  
and  
**Harbour's Gate**

- Legend:
- Existing Iron Pin
  - Set 1/2" Iron Pin
  - Existing Metal Post
  - Tree
  - Calculated Point
  - Well
  - Manhole
  - Utility Pole
  - Water Meter
  - Gravel
  - Pavement
  - Concrete
  - Decking
  - fence



Owner: Lot 1  
William & Debrah McLain  
1313 Woodland Trace  
Maryville, TN 37803  
(865) 984-4444

Owner:  
Harbours Gate  
1941 Mentor Rd, Lot 1  
Louisville, Tn 37777  
(865) 679-8610

Showing property of same  
Located in the 10th civil district of Blount County, Tennessee.  
For source of title, see Wdb. 2479 & 2543, Pg. 2326 & 2134  
Tax Map 26A Group D Parcels 23.00 & 24.00  
June 27, 2019 Scale: 1" = 40'

Project:  
OHW

Drawing:  
Airbase 2428

## **Harbours Gate 501(c) 3**

2428 Airbase Rd Louisville, TN 37777

Harbours Gate was gifted the former Mentor Community Park in March of 2019. Our organization has been active in this area operating out of a mobile home park on Mentor Rd for nearly 10 years. Having grown and out of room for expansion we were blessed to have received this property via Warranty Deed from the prior 501 (c) 3 which had been in possession for many years. Mentor itself had once been a thriving and flourishing village with this Community Park serving as the hub for all neighboring schools, churches, clubs and churches. Having been dormant for nearly 20 years it is our goal to restore, refurbish and reactivate this site as an important Community Learning Center and life recovery resource for North Blount County. We have been asked by many living here to 'bring our village back.'

The approval from Blount County Planning Commission will enable us to restore/repair the existing structure for use as meeting hall, classrooms, community events. Our current programs include after school tutoring/life skills for locals youths in the Blount County School System; addiction prevention/counseling; educational classes for adults including budgeting/employment resources; on site job fairs; pro-bona legal assistance and mental health care. This will also be a wonderful venue to host other events/seminars to benefit Blount County as a whole.

Harbours Gate mission statement includes; 'Triage/Prevention/Community.' We are available for local emergency needs; provide ways to prevent constant reoccurrence of same; and restoration into each individual becoming an important part of the growth of the local community. Everyone will have a voice. All will find a purpose. Neighboring 101.

For further history and background visit [www.harboursgate.org](http://www.harboursgate.org)



# 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: 26A "D" 24.00 Site Address: 2428 AIRBASE ROAD  
Owner: HARBOURS GATE Phone: 865-679-8610  
Mailing Address: P.O. Box 1110  
LOUISVILLE, TN 37777  
City State Zip Code

### Type of Permit:

Appeal \_\_\_ Rezoning \_\_\_ Special Exception ☒ Variance \_\_\_ Co-Locate \_\_\_ Tower \_\_\_  
Zone \_\_\_ Size of lot \_\_\_

### Notes:

SPECIAL EXCEPTION REQUEST FOR USE IN SUBURBANIZING  
ZONE. PLAN IS FOR RESTORATION OF EXISTING COMMUNITY  
CENTER AND ADDITION OF OTHER COMMUNITY ORIENTED FACILITIES.

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.

[Signature]  
Owner Signature

11/18/19  
Date

Fee: 100.00

Receipt #: 261073

Approval Signature: \_\_\_\_\_

Date: 11/18/2019