

# Think Quality - Think Future

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## Blount County Planning Department

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### MEMORANDUM

**TO:** Blount County Planning Commission

**FROM:** John Lamb

**DATE:** January 17, 2007

**SUBJECT:** Rezoning items for public hearing January 25, 2007.

The following two rezoning requests will be subject of public hearing at the January 25, 2007 meeting. The items are also open for action to recommend to the County Commission.

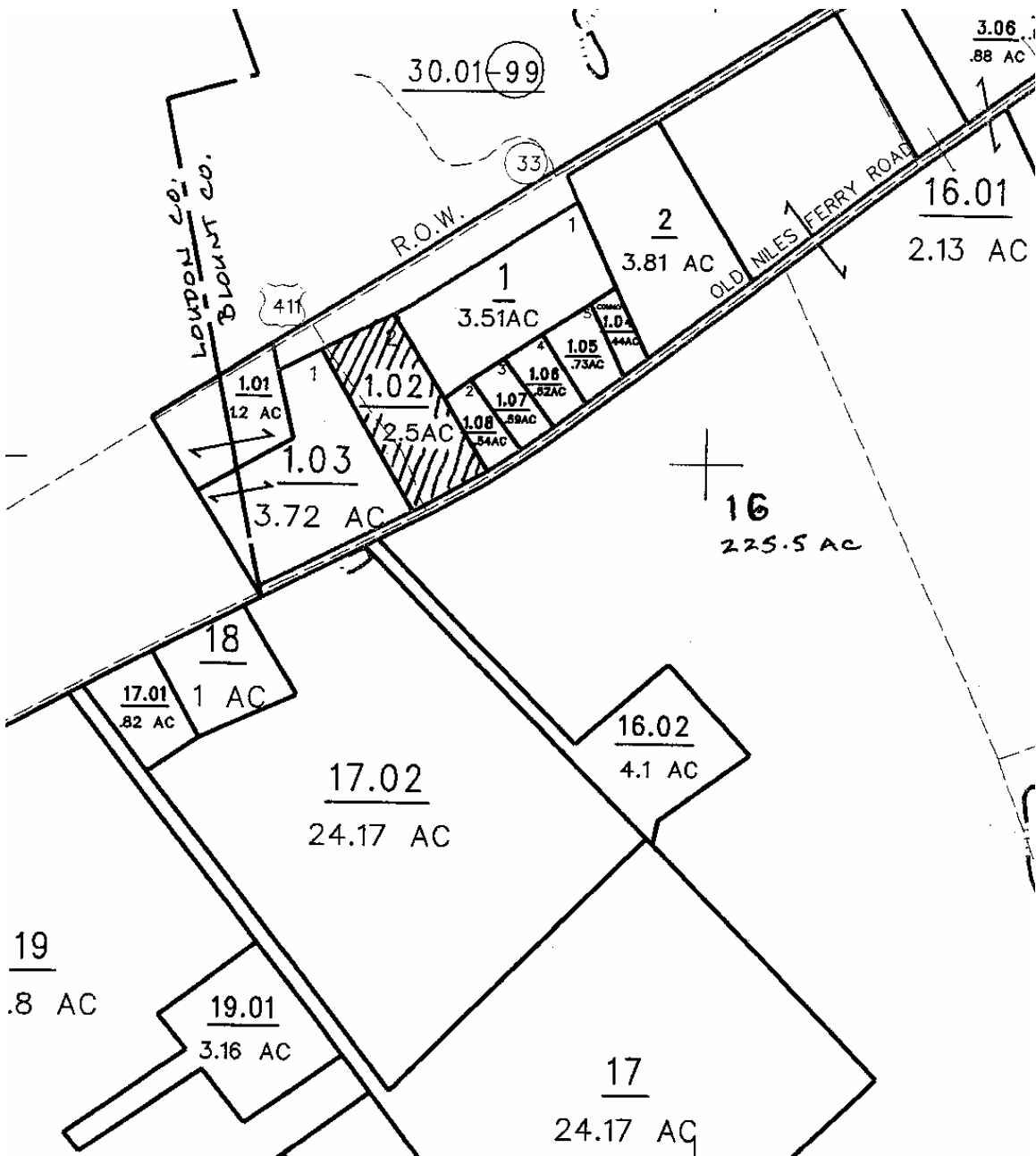
**1. Request by Barry Counts for rezoning from R-1-Rural District 1 to RAC-Rural Arterial Commercial for property located at 6130 Highway 411 South, being Parcel 1.02 of Tax Map 110, being a through lot of 470 feet of depth from Hwy 411 South to Old Niles Ferry Road.**

The owner of the parcel is Barry Counts, applicant. The parcel is located at 6130 (also 6128) Highway 411 South, and also has frontage on Old Niles Ferry Road as a through lot. The property is identified as Parcel 1.02 of Tax Map 110. Mr. Counts requests rezoning of the parcel from R-1 - Rural District 1 to RAC-Rural Arterial Commercial. See map on following page for location.

The parcel was subject of public hearing in August of 2006, with the applicant withdrawing the request. The Planning Commission thus took no action at the time. The following is staff report from the August 2006 meeting.

Subject parcel 1.02 contains 2.5 acres, with depth off of Hwy 411 S of 463 feet on one side and 470 on the other. The parcel fronts Hwy 411 S 235 feet.

The parcel is presently in commercial use, containing the business “Gymnastics Counts”, owned and operated by applicant, providing training in gymnastics, cheerleading, karate, and sports conditioning. The business is “grandfathered” by being an R-1 zone non-conforming use in existence prior to zoning in September 2000.



Adjacent parcels 1 and 1.03 along Hwy 411 are vacant, as is parcel 2. Beyond parcel 2 is a portion of a large farm on parcel 16 with part fronting

on Hwy 411. Parcel 1.01 is presently vacant, but contained a truck stop in the past and is occasionally set up to sell fire works in the Loudon County portion. Across Hwy 411 is a large farm on parcel 30.01 which also contains a business “D&H Farm Equipment”.

There are five small lots adjacent to subject parcel with frontage on Old Niles Ferry Road. Parcel 1.04 is a stormwater detention facility created as part of the subdivision of the other lots. Parcels 105 and 106 have residential structures under construction. Parcels 107 and 108 have houses in residential use.

Across Old Niles Ferry Road, parcel 16 is a large farm, parcel 17.02 is a small farm, and parcels 16.02, 17.01 and 18 are in residential use.

The overall character of uses in the vicinity of the subject parcel is residential and farming. All the land in the vicinity is zoned R-1.

The 1101 Growth Plan identifies the parcel and its vicinity as Rural Area with expected low to moderate density development. The Rural Area designation does not preclude commercial use. The Conceptual Land Use Plan identifies the area as Rural 1 - Medium to Low Density Development with expected limited commercial use along major roads such as Hwy 411 South. The RAC zone explicitly applies to Hwy 411 South with a limit to 500 feet of depth for rezonings. Commercial uses permitted in the RAC zone are the following:

- A. Permitted Uses: General retail sales and rental of goods and merchandise; Restaurants; bed and breakfast, 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.

Limited commercial use would thus not necessarily be inconsistent with present plans for the County and the intent of the RAC zone. Note that the gymnastic and sports training facility use on the parcel is not in the list of permitted uses for the RAC zone, but would continue to be “grandfathered”.

Being a through lot extending from Hwy 411 to Old Niles Ferry Road presents a possible issue of commercial traffic on Old Niles Ferry Road.

However, Old Niles Ferry Road is a collector road, and paved main access to the parcel is via Hwy 411.

Staff notes that past RAC rezoning requests in other areas along Hwy 411 South have generally been denied, reflecting unsettled issues of commercial zoning in the Rural Area of the county along major roads. The Blount County Growth Strategy (Hunter Interests study) indicated a need for further and more detailed planning along the major road corridors in the Rural Area. Such planning has not commenced. This would indicate that consideration of RAC rezoning at this time may be premature.

**Recommendation:** Staff recommends that the rezoning request be denied at this time as being premature without further advanced corridor planning.

**2. Request by Roger Lowe for rezoning from R-2-Rural District 2 to R-1-Rural District 1 for property located at 1042 Old Oliver Road, being Parcel 120.01 of Tax Map 50.**

The owner of the parcel is Roger Lowe, applicant. The parcel is located at 1042 Old Oliver Road, off of a common driveway. The parcel is identified as Parcel 120.01 of Tax Map 50. Mr. Lowe requests rezoning of the parcel from R-2-Rural District 2 to R-1-Rural District 1. See map on next page for location.

Subject parcel 120.01 contains 5.389 acres. The present boundary between R-1 and R-2 zone scaled to the tax map is shown by dashed line, and shows the entire parcel in the R-2 zone. However, scaling of the plat that created parcel 120.01 shows that a small portion of the parcel adjacent to Parcel 120.04 may be in the R-1 zone. The parcel is presently vacant.

The general land use in the area is residential. Old Oliver Road is a very narrow, generally one-lane road. The common driveway serving the parcel is partially improved in gravel surface, and is drivable.

The topography in the area is generally steep, with some shelves of land that have been developed into homesites. The subject parcel shows average slopes at or above 30 percent for most of the parcel area (measured from USGS topo map). The subject parcel is also cut by two drainage ways adding to the ruggedness of the terrain.

