

Memo

To: Blount County Planning Commission`
From: Building Commissioner
CC: Other commission members
Date: 11/15/2010
Re: Discussion on adding a use to section 7.10.

Background:

On September 20, 2010 I sent a stop work/use order to Mr. Jerry Deputy for the operation of a sandblasting business on Miser Station Road. This business was not approved by the BZA and it was not an existing nonconforming use.

After receiving the notice Mr. Deputy came to my office to inquire what permits he will have to have to operate his business in compliance with our zoning regulations. He is located in the R-1 zone and the only option would be to operate it as a family commercial enterprise as described in section 7.10. This section contains a list of uses that can be approved as a family commercial enterprise and it does not include a sandblasting business. It is my interpretation that this is a use that cannot be approved.

Mr. Deputy inquired how this use could be added to the list. I explained that it would take a zoning amendment and that the standard procedure is to go before the planning commission for discussion first. If the planning commission made a recommendation to add the use, then it would have to go before the county commission as an amendment to the zoning regulations. This memo is to stimulate discussion and possible action on this topic.

I have included section 7.10 in this memo for your review. I would like to point out that section 7.10-A, B, D, E, F and G would apply to any request to operate this type of business if it were to be added to the list of approvable uses.

Section 7.10. Family Commercial Enterprises. In addition to requirements for special exceptions, the following shall be requirements for family commercial enterprises:

- A. The family commercial enterprise shall be located and conducted in the principal dwelling or an accessory building. There shall be no storage of materials or equipment outside of the principal dwelling or accessory building.
- B. If the family commercial enterprise is to be located and conducted in an accessory building, the accessory building shall be no greater than 1,000 square feet in gross floor area, provided that the accessory building may be up to but no greater than 2,000 square feet in floor area on any lot or parcel greater than two acres in area.

C. Family commercial enterprises shall be limited to the following uses: rug cleaning and repair services; photographic services; beauty and barber services; apparel repair and alterations; shoe repair and alterations; nursery schools, family day care homes, group day care homes, and day care centers; window cleaning services; automobile repair services (including truck and farm machinery); radio and television repair services; watch, clock and jewelry repair services; gun repair services; legal services; surveying, engineering and architectural services; accounting, auditing, and bookkeeping services; office or studio of a physician, dentist, artist, musician, or other similar professional; plumbing, heating and air conditioning services; painting, paper hanging and decorating services; electrical services; masonry, stonework, tile setting, and plastering services; carpentry, wood flooring; cabinet making, roofing, guttering and siding services; machine shops; pet grooming; water drilling services; greenhouses; kilns and pottery making; computer and computer peripherals repair, computer programming, data processing, computer desk-top publishing, and other computer related services.

D. The principals engaged in the family commercial enterprise shall be owners and residents of a dwelling unit which also houses the proposed use or is on the same lot or parcel as any accessory building housing the proposed use. Up to two non-resident employees may be allowed to work on site for the family commercial enterprise.

E. The proposed use shall not constitute primary or incidental storage facilities for a business, industrial, or commercial activity located and conducted elsewhere.

F. No equipment or process shall be used in such enterprise or occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot or parcel housing the proposed use.

G. The commercial enterprise shall be subordinate to the residential use of the lot or parcel.