

Memo

To: Blount County Planning Commission
From: Building Commissioner
CC: Other commission members
Date: 8/17/2011
Re: Site plan at 1471 W. Millers Cove Road.

Background:

This site plan is for an expansion of an existing commercial use at 1471 W. Millers Cove Road. The property is identified on tax map 082 and parcel 067.27, and is zoned R-1. The proposed structure is a 65' x 65' structure that will be used for storage to support Black Berry Farm's resort operations. Based on Article 6 of the Blount County Zoning Regulations, the planning commission must review a site plan to determine if there is reasonable amount of space for the proposed structure.

This structure will be placed on a 5+ acre tract of land that is located on the other side of W. Millers Cove Road that already houses other accessory structures for the resort. The proposed structure will meet the required setbacks. The only property line less than 100 feet away is the side property line, which the structure will be 40' away at the back of the building and 50' away from the front of the building. Our requirements are 20' from the side line. This structure will not be plumbed and will not require a septic permit. A building permit will be required if the site plan is approved. Below you will find Article 6 of the zoning regulations and a reduced copy of the site plan.

Article 6. EXPANSION AND RECONSTRUCTION OF EXISTING INDUSTRIAL, COMMERCIAL OR OTHER BUSINESS ESTABLISHMENTS.

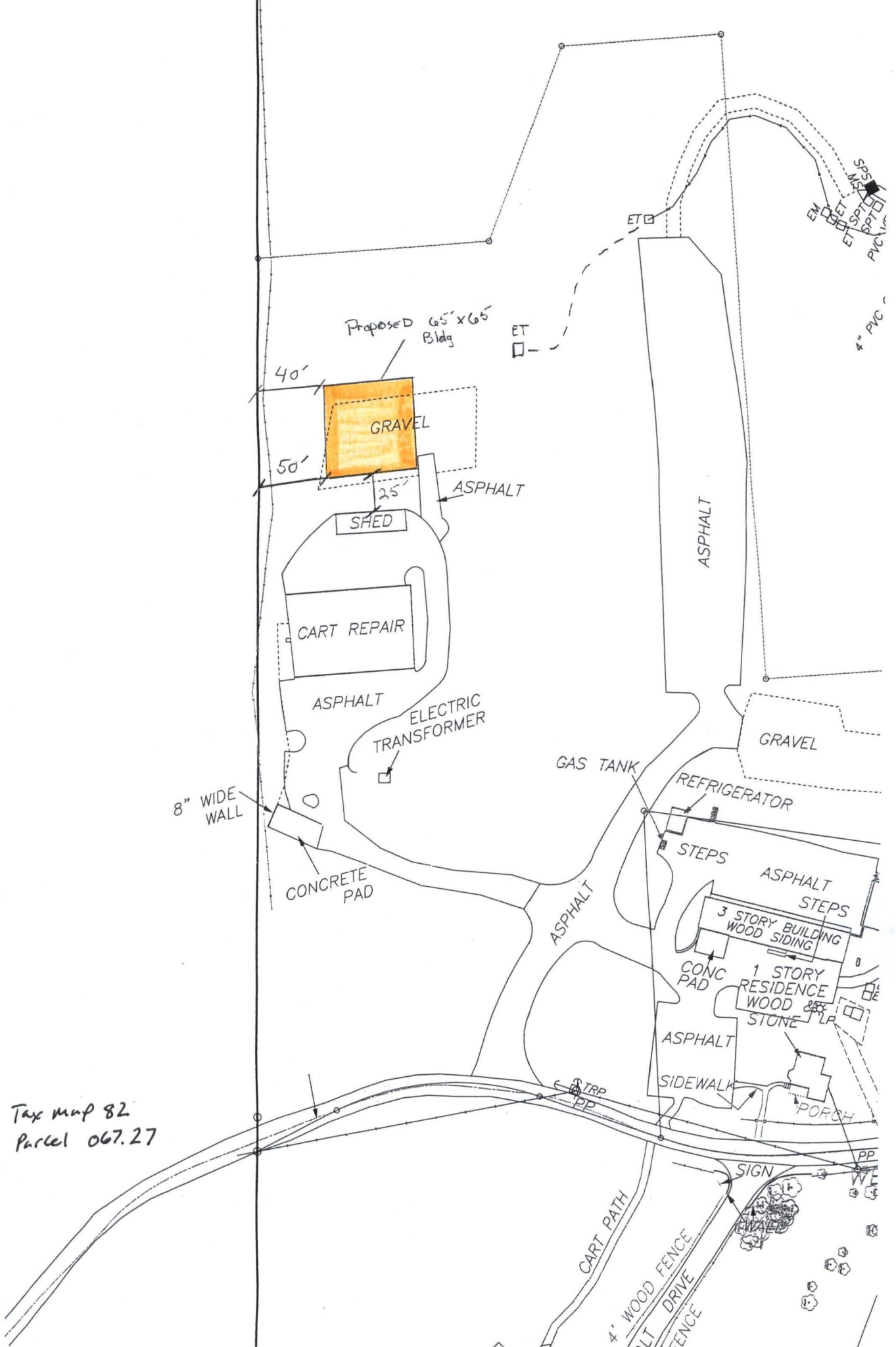
Section 6.1. Application of Tennessee Code Annotated Section 13-7-208. In conformity with Tennessee Code Annotated Section 13-7-208(b)-(e) inclusive, any industrial, commercial, or other business establishment in operation and permitted to operate immediately preceding the effective date of this Resolution or any amendment to this Resolution which has the effect of creating a non-conforming use shall (1) be allowed to expand operations and construct

additional facilities which involve an actual continuance and expansion of the activities of the industry or business which were permitted and being conducted prior to such effective date and (2) shall be allowed to destroy present facilities and reconstruct new facilities necessary to the conduct of such industry or business; provided that the following shall apply:

A. There is a reasonable amount of space for such expansion or reconstruction on the property owned by such industry or business prior to effective date of this Resolution, so as to avoid nuisances to adjoining land owners;

B. The Blount County Planning Commission shall determine whether there is a reasonable amount of space for any such expansion or reconstruction by application of dimensional regulations of this Resolution such as lot area, density, setback, and any other requirements affecting area required for site design generally applied for the applicable zone and use. Such determination shall be based upon consideration of a site plan submitted under Section 7.2 of this Resolution by the person or entity seeking to expand or reconstruct such facilities, and approval of such site plan by the Planning Commission pursuant to Section 10.4 of this Resolution shall constitute approval of a building permit for such site plan;

C. No destruction and rebuilding shall occur which shall act to change the use classification of the land on which such industry or business is located.



Tax map 82
Parcel 067.27