

Memo

To: Blount County Planning Commission
From: Building Commissioner
CC: Other Commission Members
Date: 1/18/2012
Re: Site plan 3330 Morganton Road.

Background:

The site plan is for the addition of a 30' x 20' canopy on the end of the existing building that houses an existing nonconforming use (Rain Scapes). The request is based on section 6.1 (below) and the site plan that has been submitted for review. The canopy will be used to support the existing business.

The site plan does indicate that all minimum setback requirements would be met by this addition. If the use were being established today as a 20' side setback would be required. We have recently had a site plan similar to this and the minimum setback was excepted because the use was existing prior to our zoning regulations being established. If approved, the applicant will have to obtain a building permit and approval from the Environmental Health Department prior to construction.

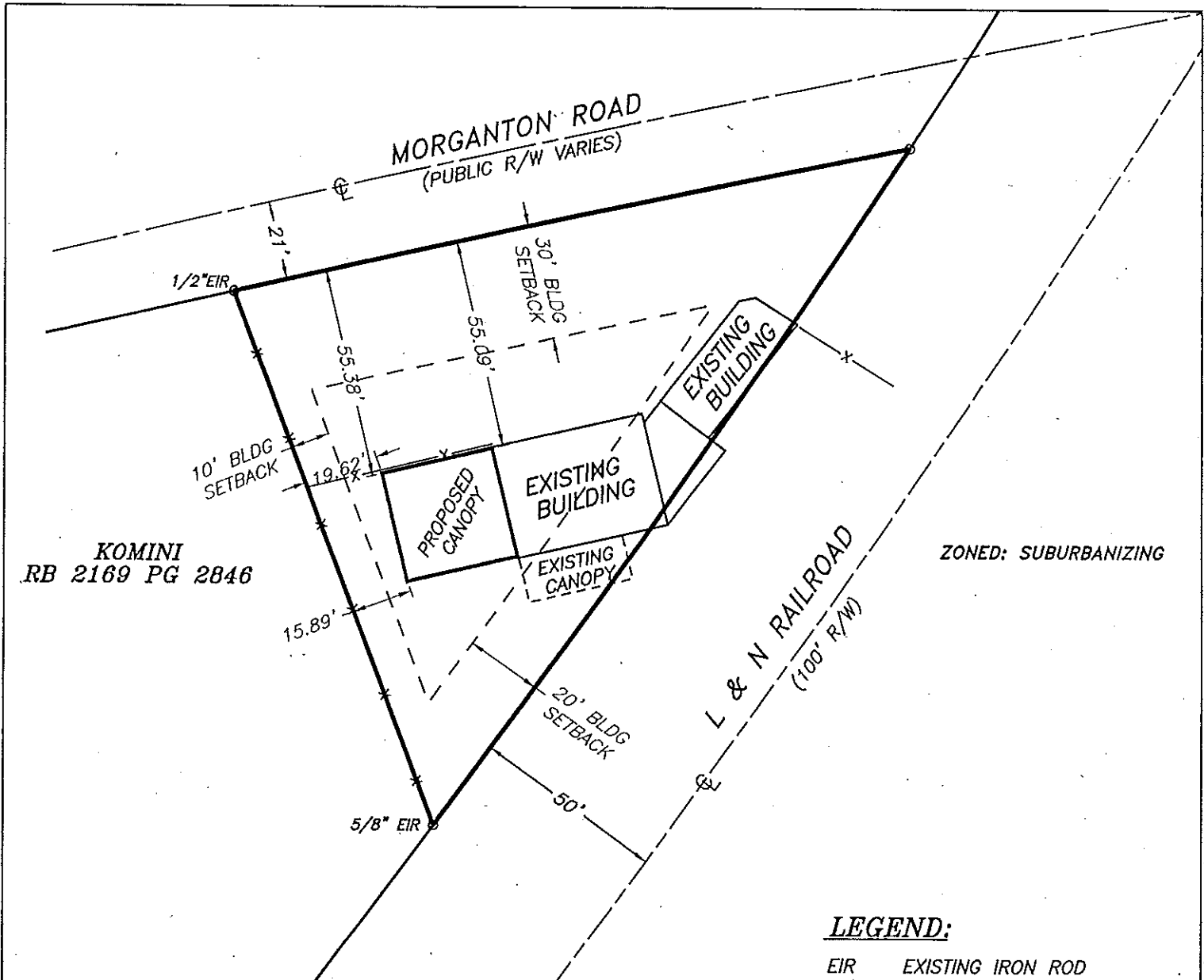
Section 6.1. Application of Tennessee Code Annotated Section 13-7-208. In conformity with Tennessee Code Annotated Section 13-7-208(b)-(e) inclusive, any industrial, commercial, or other business establishment in operation and permitted to operate immediately preceding the effective date of this Resolution 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.



KOMINI
RB 2169 PG 2846

ZONED: SUBURBANIZING

SURVEYOR'S NOTES:

1. No Instruments of Record reflecting easements, rights of way, and/or ownership were furnished to the Surveyor, except as shown hereon. The Surveyor has made no attempt to access the public records for any easements. Subject to any easements, regulations or restrictions in effect at the time of this survey. No title opinion is expressed or implied.
2. The Surveyor has made no attempt to locate underground utilities, underground foundations, underground encroachments or underground improvements, except as shown hereon. Actual location of all underground utilities should be verified through Tennessee 1 Call (1-800-351-1111) or the utility provider prior to any excavation or construction.
3. This drawing is not intended to represent a Boundary or General Property Survey as defined in Chapter 0820-3-.07 as set forth by the Tennessee Board of Land Surveyors pursuant to T.C.A. Title 62-18-106(c).
4. Several of the existing buildings shown hereon

LEGEND:

EIR	EXISTING IRON ROD
WDB	WARRANTY DEED BOOK
PG	PAGE
Ⓞ	CENTERLINE
—————	BOUNDARY LINE
—————	ROAD RIGHT-OF-WAY LINE
-----	BUILDING SETBACK LINE
—————	ROAD CENTERLINE
—x—x—	FENCE LINE
-----	BUILDING CANOPY LINE

OWNER:

CLINT ALLISON
3330 MORGANTON ROAD
MARYVILLE, TN 37801

PLOT PLAN
FOR
RAINSCAPES, INC.
DECEMBER 13, 2011 1"=40'

kas, \SDC\SAVIN 8035e RPCS, 1:1

KOMINI
RB 2169 PG 2846

ZONED: SUBURBANIZING

SURVEYOR'S NOTES:

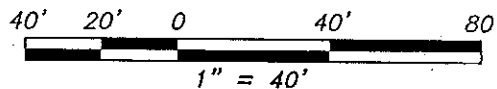
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4. Several of the existing buildings shown hereon are in violation of current building setback requirements. In the event that the buildings are removed or replaced, any new structures shall meet the setback requirements.

LEGEND:

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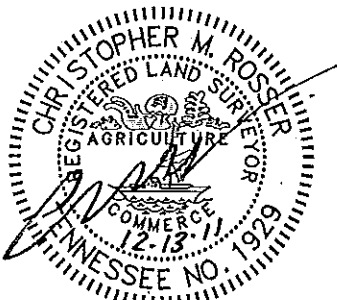
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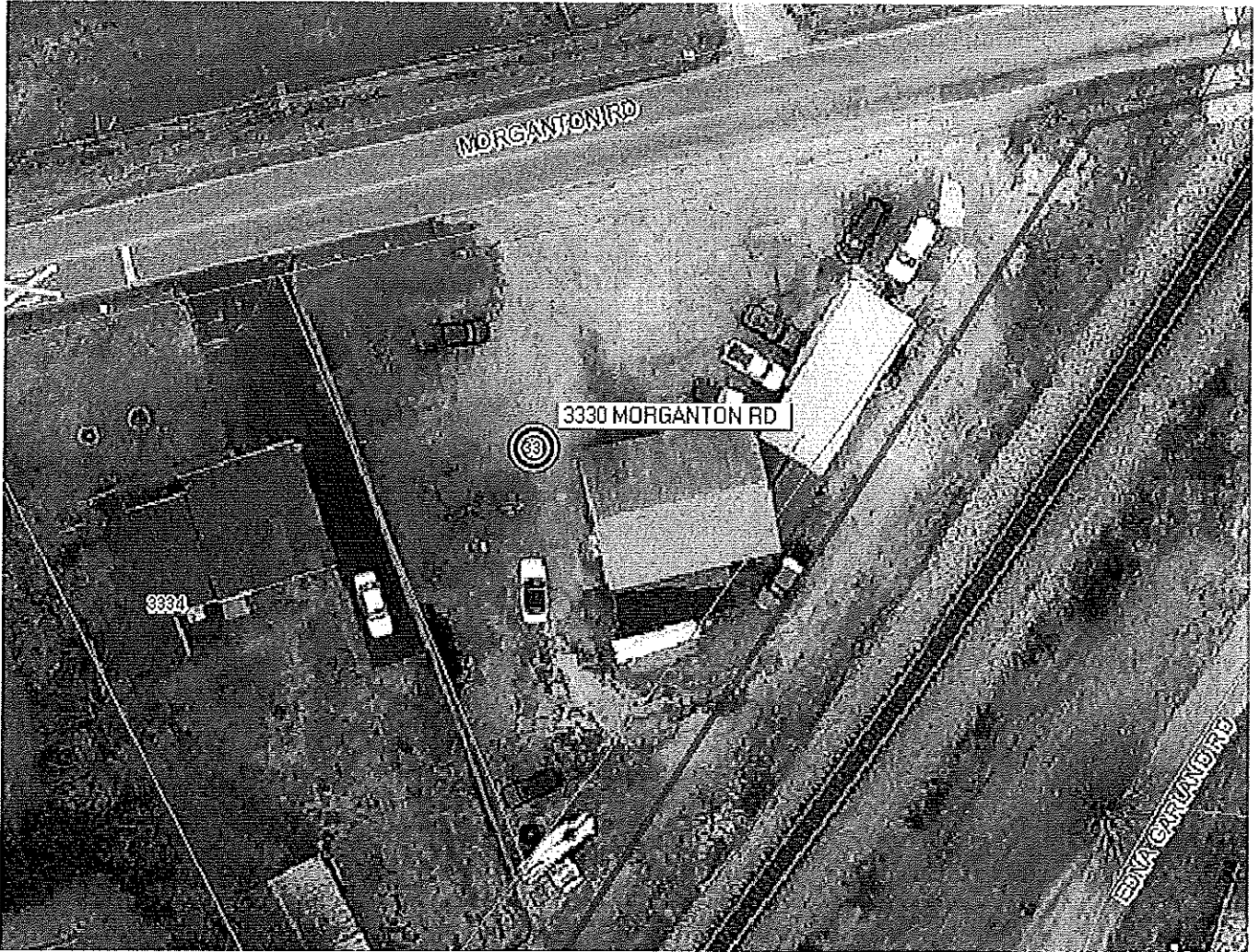
PLOT PLAN
FOR
RAINSCAPES, INC.
DECEMBER 13, 2011 1"=40'
DISTRICT 6, BLOUNT COUNTY
TENNESSEE
WARRANTY DEED BOOK 2149 PAGE 2562
TAX MAP 67 PARCEL 210.00



STERLING
ENGINEERING, INC.
LAND SURVEYING
CIVIL ENGINEERING, ARCHITECTURE & LAND PLANNING

1020 William Blount Drive, Maryville, Tennessee 37801 (VOL) 984-3905





Scale: 1 inch = 43 feet