

HIGHLIGHTS PROPOSED AMENDMENT TO THE MARYVILLE SUBDIVISION REGULATIONS

- Where it is determined development constraints exist, the commission and Blount County Environmental Department can require additional property.
- Development Constraints:
 - Sink holes, enclosed depressions
 - Easement for pedestrians, utilities or vehicle passage
 - Streams, ditch lines (natural or manmade)
 - Wetlands, floodways, ponds, or lakes
 - Areas within the thirty foot flag stem of a flag lot
 - Rock outcropping, or other topographical formation
 - Or, any other area identified by either Planning Commission or Gary's office
- Simply draw an area around the development constraint and calculate the square footage. It shall be added to the minimum lot size.
- The footprint of a dwelling shall not be counted. Other detached garages, sheds, storage facilities, guest houses or other structures may be considered a development restriction.
- Areas of fill, floodway or wetlands cannot be used for subsurface septic fields and shall not be calculated towards minimum.
- Lots served by private water (wells) shall have lots no less than 35,000 square feet
- Minimum lot width at the building setback line on lots where private water source is located shall be no less than 100 feet and minimum building distance from a private source shall be 50 feet.
- The minimum lot size for commercial/non residential lots in the urban growth boundary (without sanitary sewer) shall be determined by the intensity, frequency, and volume.

PROPOSED

RESOLUTION NO. 07-24-090

**A RESOLUTION AMENDING RESOLUTION
07-21-081, TITLED MARYVILLE
SUBDIVISION REGULATIONS PERTAINING
TO DEVELOPMENT DEALING WITH
SUBSURFACE SEWER SYSTEMS**

WHEREAS, the Maryville Regional Planning Commission has adopted subdivision regulations; and,

WHEREAS, the Maryville Regional Planning Commission desires to amend the Subdivision Regulations to be in accordance with commission policies pertaining to developments dealing with subsurface sewer systems;

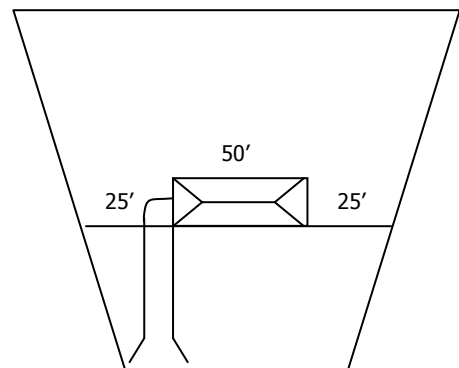
NOW, THEREFORE, BE IT RESOLVED BY THE MARYVILLE REGIONAL PLANNING COMMISSION as follows:

SECTION 1. That Section 7 is added to Article IX, Density and Dimensional Regulations, to read as follows:

**SECTION 7: MINIMUM LOT DIMENSIONS WHERE DEVELOPMENT CONSTRAINTS
EXIST**

- (a) As set forth in Section 2 of this Article all lots within both the incorporated area of Maryville and its urban growth region shall meet a minimum residential lot size requirement. These minimum lot size requirements are for lots that do not contain any development restrictions or hindrances that are physical, legal, or statutory in nature. Minimum lot sizes and dimensions where development constraints exist shall be set by the Maryville Regional Planning Commission and the Blount County Environmental Department.
- (b) Residential lots served by private subsurface septic systems and contain development constraints shall provide the minimum square footage requirements set forth in Section 2 of this Article plus the square footage of the area identified as a development restriction. Development constraints shall include but not be limited to any area surrounding a sink hole or enclosed depression, easements for pedestrians, utilities, or vehicle passage, streams, ditch lines (natural or manmade), wetlands, floodways, ponds or lakes, areas within the thirty (30) foot “flag stem” of a flag lot, areas geologically constrained by rock outcrops or any other geological formation, or areas of historical significance. Any other area deemed a development restriction by the Blount County Environmental Department or other governmental jurisdictions shall be excluded from the minimum lot size requirement and included as additional square footage in the lot necessary for development. The square footage of the development restrictions shall be calculated by drawing a rectangle or circle around the designated restricted item (s) as determined by the commission or county environmental officer.

- (c) Under normal conditions and development approval processes, the footprint of a dwelling shall not be included or considered a development restriction. However, other detached garages, sheds, storage facilities, guesthouses or other structures, may be considered a development restriction by the Maryville Regional Planning Commission or Blount County Environmental Department and subject to the provisions stated in sections (a) and (b) of this section.
- (d) Areas which have been filled or contain a designated floodway or wetland area cannot be used for subsurface septic fields and shall not be calculated towards the minimum lot area requirement for lots. The area of these development constraints shall be calculated and then added to the minimum requirements needed for a developable commercial or residential lot.
- (e) The minimum lot size for residential lots within the urban growth boundary that are served by a private water source (wells) shall be evaluated individually, but in no case shall be less than 35,000 square feet. After an investigation of the soil type, septic field depth, depth of ground water, topography, proximity to streams or other water sources, and other water-related factors, the Maryville Regional Planning Commission and Blount County Environmental Department may require additional square footage be added to a proposed lot if such a lot is to be consolidated or subdivided. The minimum lot width at the building setback line on lots where private water sources exist shall be no less than one hundred (100) feet, and the minimum building distance from any private source of water shall be fifty (50) feet. The setback requirements may be waived under the provisions found in Article V Section 4 (d) of this document if the commission finds practical application of this provision renders the lot unusable.
- (f) Lots for commercial or non-residential uses without sanitary sewer and within the urban growth boundary shall be sized by the Maryville Regional Planning Commission and Blount County Environmental Engineer's office. Development restrictions and constraints shall apply where identified; however, the intensity, frequency, and volume of the non-residential use shall also be considered when calculating the minimum lot size or the length of the field line needed in providing adequate subsurface sewer service to the operation or activity.



SECTION 2. This resolution shall be effective from and after its passage, the public welfare requiring it.

ADOPTED THIS ? DAY OF ?, 2009

Maryville Regional Planning Commission, Chairman