

RESOLUTION NO. 08-24-09

**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;

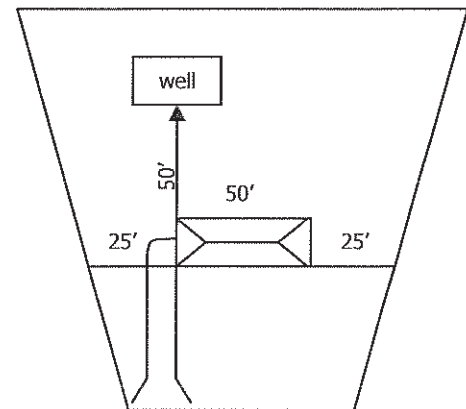
NOW, THEREFORE, BE IT RESOLVED BY THE MARYVILLE REGIONAL PLANNING COMMISSION as follows:

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 “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 generally calculated by drawing a rectangle or circle around the designated restricted item (s) as determined by the commission or county environmental officer. However, at all times the Blount County Environmental Department personnel shall determine the amount of square footage needed in the lot for the necessary operation and function of the septic system, including but not limited to the designated reserve area.

- (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 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 24th DAY OF AUGUST, 2009


 Maryville Regional Planning Commission, Chairman

RESOLUTION NO. 02-15-10

**A RESOLUTION AMENDING THE MARYVILLE
SUBDIVISION REGULATIONS PERTAINING TO
SINKHOLES AND CLOSED DEPRESSIONS.**

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 city council and planning commission rules and regulations pertaining to sinkholes and closed depressions that are common to the geology of the City of Maryville and Blount County; and,

WHEREAS, the Maryville Regional Planning Commission has the authority to amend the subdivision regulations of the city and its urban growth boundary under the provisions contained in Title 13 Chapter 3 and more specifically Section 13-3-403 of the Tennessee Code Annotated,

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

SECTION 1. That Article IX of the Maryville Subdivision Regulations is hereby amended by adding Section 7 to read as follows:

Article IX SECTION 7: DEVELOPMENTS IN OR NEAR SINKHOLES AND
CLOSED DEPRESSIONS

- (a) The City of Maryville has established a policy for land development within and adjacent to sinkhole areas. This policy is intended to minimize the risks associated with development in or near known or suspected sinkhole areas both within the corporate limits and the urban growth boundary. The city does not prohibit development in these areas, but such developments are discouraged. The city stipulates that certain provisions and requirements be satisfied when land development is to occur within or adjacent to sinkhole areas.
- (b) All developments both minor and major that are nearby a known or suspected sinkhole or closed depression shall be subject to those regulations found in the adopted Land Development and Public Works Standards section pertaining to sinkholes and closed depressions. These regulations and minimum standards outline processes that must be followed, observed, and maintained in building or developing both residential and nonresidential uses in or near sinkholes or closed depressions.

- (c) The city's Land Development and Public Works Standards section on sinkholes referenced herein also require that certain language shall be included on all plats, both preliminary and final. Depending on the findings of geotechnical studies of sinkholes and closed depressions, additional language may be required and can be found in the referenced document.

- (d) Specifications, processes, and studies required in the Maryville Land Development and Public Works Standards shall be enforced by the City's Engineering and Public Works Department.

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

ADOPTED THIS 15TH DAY OF FEBRUARY, 2010



Maryville Regional Planning Commission,
Chairman

ATTEST:

Maryville Regional Planning Commission,
Secretary