

SMITH COUNTY PLANNING OFFICE

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Development Guide

This document is intended to help serve as a primer for developing property in the unincorporated areas of Smith County. First here are a few important definitions that need to be understood.

- **Adequate Fire Protection** Lots served by a standard fire hydrant within five hundred (500) feet of said lot and installed on a six (6) inch waterline that provides a minimum fire flow of five hundred (500) gallons per minute and twenty (20) psi residual pressure.
- **Building** Any structure having a roof supported by columns or by walls, including dining cars, mobile homes, or trailers, and similar structures whether stationary or movable.
- **Building, Main, or Principal** A building in which is conducted the principal use of the lot on which it is situated. In any residential district a dwelling shall be deemed to be a main building on the lot on which it is situated.
- **Building Setback Line** A line delineating the minimum allowable distance between the property line and a building on lots, within which no building or other structure shall be placed except as otherwise provided.
- **Lot** A piece, plot, or parcel of land in one ownership, which may include one or more lots or record, occupied or to be occupied by one or more principal buildings.
- **Lot of Record** A lot which is part of a subdivision recorded in the office of the county register of deeds, or a lot described by metes and bounds, the description of which has been recorded in the office of the county register of deeds prior to the effective date of this zoning resolution.
- **Subdivision**: The division of a tract or parcel of land into two (2) or more lots, sites, or other division requiring new road or utility construction, or any division of less than five (5) acres for the purpose, whether immediate or future, of sale or building development, and includes re-subdivision and when appropriate to the context, relates to the process of re-subdividing or to the land or area subdivided. Section 13-3-401 of Tennessee Code Annotated.
Second, the Smith County Zoning Resolution has some important requirements, especially for Residential development. These include:

Article IV-Section 2: **Only One (1) Principal Building On Any Lot**

Only one (1) principal building and its accessory structures may hereafter be erected on any zone lot. This provision shall not apply to planned unit buildings, group housing buildings, and manufactured home parks as permitted in this resolution.

Article IV-Section 3: **Lot Must Abut a Public Road**

No building shall be erected on a lot which does not abut at least one (1) **publicly maintained** road for at least fifty (50) feet. This section shall not apply to residential properties in a residential or agricultural district abutting a cul-de-sac, which shall be at least thirty (30) feet.

The following table shows the setback and lot width requirements for each zoning district.

Requirements for lots with Adequate Fire Protection as defined above:

	A-1	R-1	R-C	C-1	C-2	I-1
Front Setback	40 Feet	40 Feet	40 Feet	30 Feet	30 Feet	50 Feet
Rear Setback	15 Feet	15 Feet	15 Feet	15 Feet	15 Feet	30 Feet
Side Setback	15 Feet	15 Feet	15 Feet	15 Feet	15 Feet	20 Feet
Minimum Lot Width	125 Feet	100 Feet	100 Feet	None	None	None
Minimum Lot Area	1 acre	30000 ft ²	30000 ft ²	None	None	None

Requirements for lots without Adequate Fire Protection as defined above:

	A-1	R-1	R-C	C-1	C-2	I-1
Front Setback	40 Feet	40 Feet	40 Feet	N/A	N/A	N/A
Rear Setback	15 Feet	15 Feet	15 Feet	N/A	N/A	N/A
Side Setback	25 Feet	15 Feet	15 Feet	N/A	N/A	N/A
Minimum Lot Width	150 Feet	150 Feet	150 Feet	N/A	N/A	N/A
Minimum Lot Area	1 acres	1 acre	1 acre	N/A	N/A	N/A

Please note that the front setback does not begin at the edge of the roadbed. It starts at the edge of the right-of-way. If you are unsure as the amount of right-of-way a road has, a good “rule of thumb” is to measure 25 feet from the center of the road to determine the edge of right-of-way. Therefore, 25 feet from the center of the road plus the 40 foot front setback would mean a structure cannot be any closer than 65 feet from the center of the road.

The Following Page is a checklist that can be used to help determine what the appropriate steps are, and what step is next in the development process.

Check List for Development:

Check the Use against the zoning district

1. _____ Is the proposed use listed as a permitted use or use permitted on appeal in the zoning district?
 - If the used is a permitted use, proceed to building permit steps.
 - If the use is listed as a use permitted on appeal, then approval must be granted by the Board of Zoning Appeals. Please fill out the appropriate forms located in the Smith County Planning Office. The Board of Zoning Appeals will hold at least 1 public hearing with a minimum of 15 days public notice. If granted, proceed to building permit steps.
 - If the use is not listed, a zoning change can be requested. The Planning Commission reviews (and may hold public hearings on) all zoning change requests and recommends to the County Commission whether or not the change should be made. The County Commission will hold at least 1 public hearing with a minimum of 15 days public notice. If granted, proceed to building permit steps.

Building Permit Steps.

2. Is the land vacant, or are there existing principle/main buildings that meet the above definition?
 - If the land is vacant, then a building permit can be applied for.
 - A copy of the septic permit (or Certificate of Verification for an existing septic system on the lot) is required as part of the application. This can be obtained from Mark Webster, TDEC Groundwater Protection. His phone number is (615)735-3785.
 - The 911 address will be assigned before the permit is issued and will be noted on the permit.
 - If there are existing principle structure(s), for example an existing house, then the property must be subdivided, as allowed by state law and the Smith County Subdivision Regulations (if applicable).
 - For New Construction and for Decking on Mobile Homes, a state building permit is required. The permit is based on the value and square footage of the structure.

Subdivision Steps.

3. Can the parcel be split into tracts larger than 5 acres that meet the minimum road frontage requirements?
 - If yes, then the division can be accomplished by a deed transfer. This transfer can be from you to yourself, as the ownership does not have to change, we just have to have a new parcel.
 - If no, can the land be subdivided in accordance with the Subdivision Regulations and Zoning Resolution? A subdivision plat is required for divisions into tracts or lots of less than 5 acres in size. Dividing a tract into no more than 2 lots can be approved in-house, without being reviewed by the full Planning Commission. Divisions into more than 2 tracts must be approved by the full planning commission.
 - All Plat certifications can be found in the Smith County Subdivision Regulations, or from the Smith County Planning Office.
 - Please see the Smith County Subdivision Regulations for more information.

Erosion/Sedimentation Controls.

4. Erosion/Sedimentation Controls are now required for all Residential, Commercial, and Industrial Development.
 - Best Management Practices must be used to prevent erosion and sedimentation.
 - **Best Management Practices (BMP's)** are defined as follows: Schedule of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of storm water runoff. BMP's also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage of raw material storage..
 - Property owners shall be responsible upon completion of land disturbing activities to leave slopes so that they will not erode. Such methods could include re-vegetation, mulching, or rip-rapping. Regardless of the method used, the objective will be to leave the site as erosion-free and maintenance-free as practicable.
 - Permanent or temporary soil stabilization must be applied to disturbed areas to the extent feasible within seven (7) days on areas that will remain unfinished for more than thirty (30) calendar days. Permanent soil stabilization with perennial vegetation shall be applied immediately after final grading is reached on any portion of the site. Soil stabilization refers to measures which protect soil from the erosive forces of wind, raindrop impact and flowing water, and includes the growing of grass, sod, application of straw, mulch, fabric mats, and the early application of gravel base on areas to be paved.
 - A permanent vegetative cover shall be established on disturbed areas not otherwise permanently stabilized.
 - Neighboring persons and property shall be protected from damage or loss resulting from excessive storm water runoff, soil erosion or deposition upon private property or public streets of water transported silt and debris. Adjacent property owners shall be protected from land devaluation due to exposed bare banks.