Hamblen County Planning Commission Agenda November 7, 2022

4:00 Workshop-

- 1. Call to order and approval of the minutes
- 2. Public Comments
- 3. Site Plan Approval
- a.) Russellville Whitesburg Utility-5908 Old Russellville Pike (03-019I-C-010.00 C-1)
- b.) Shari Winburn-1166 Pullen Road Whitesburg 37891 (04-027-034.00 A-1)
- 4. Other Business
- a.) 2023 Meeting Schedule
- b.) Refund Request-Charles/Renee Johnson
- 5. Adjournment

Hamblen County Board of Zoning Appeals Agenda November 7, 2022

- 1. Call to order and approval of the minutes
- 2. Public Comments
- 3. Administrative Interpretation
- a.) Don Johnson-Old Kentucky Road Morristown 37814 (03-017K-A-011.00 R-1) Mr. Johnson is requesting the board to grant approval for the existing Garage/Storage Building to change the use to a Residential House.
- 4. Other Business
- 5. Adjournment

Minutes

Hamblen County Board of Zoning Appeals October 3, 2022

Members Present

John Hofer, Chairman Charles Anderson, Vice Chairman Kyle Hale, Secretary Bill Hicks Edgar Gray

Staff

Josh Cole, City Planner
Tina Whitaker, Office Manager
Donna Massey, Administrative Assistant
Lindsey Horn, Clerical Assistant
Tommy McKinney, Codes Enforcement Officer
Darrell Chase, Building Inspector
Other guests (see attached record)

Call to and Approval of the Minutes

Mr. Hofer requested the new commissioners lay down their name plates as they are not voting members of this board, but are welcome to stay to be kept updated on what is going on Mr. Hofer then called the Board of Zoning Appeals meeting to order.

Mr. Hale made a motion to approve the September minutes. Mr. Hicks seconded. All were in favor; motion carried.

Variance Request

Mr. Rodney Cox – 1950 Turners Landing Rd. Russellville, TN 37860 (03-011D-A-010.00 A-1)

Mr. Cox represented this request and was sworn in. He purchased this property a couple years ago but has only started doing excavation a few months ago. He knew there would be some rock on the property, but there is far more than he expected. He is requesting a 5 ft. front setback variance due to the topography of the lot. The back right corner of the house has a one foot wall of solid rock. He stated that he cannot go back any further.

The board members have seen photos of the lot and agree that this would be a reason for granting a variance. Therefore, Mr. Anderson made a motion to grant the request of a 5 ft. front setback variance due to topography. Mr. Hale seconded the motions. All were in favor; motion carried.

Administrative Interpretation

Matt and Staci Wilson – 6600 Fish Hatchery Rd. (Nolichucky Vineyard) (04-044-015.02 A-1)

Ms. Staci Wilson represented this request and was sworn in. Tina supplied the board with more information due to some public comments that were made at the previous meeting regarding the Hold Harmless Agreement. Ms. Wilson stated that all she and her husband have done is purchase the property and would like to continue the business.

The board agreed. "It's new for you but not to us."

A Hold Harmless Agreement is the only option at this point. The board determined this as a lesson that permits are needed for agri-business; but they do not want to punish the new owner for the problems that was previously created. Hold Harmless Agreements have been used on other agri-businesses in the past.

Ms. Wilson informed the board that they were having issues getting engineers and surveyors because of the lack of Hold Harmless Agreement and/or permits. Mr. Anderson confirmed that the HHA will be attached to the deed. Ms. Wilson was fine with that as she, "Plans to die here."

Mr. Hale made a motion to accept the Hold Harmless Agreement for this property/business. Mr. Anderson seconded the motion. No discussion. All were in favor; motion carried.

Other Business

James Groves – 1104 Wooddale Rd. Morristown, TN. (02-047D-C-001.00 R-1)

Mr. Groves was not present as he lives out of state. Codes Enforcement Officer Tommy McKinney informed the board that Mr. Groves wants to store equipment on property as he is working on it and doesn't want to have to move equipment back and forth. The lot is currently vacant and the box would be placed in the back lot corner.

City Planner Josh Cole informed the board that conex boxes are not allowed in the city permanently. They can only be used for temporary storage. Tina confirmed that the Hamblen County Planning Dept. allows them for six months but Mr. Groves marked on his application "accessory building" so she believes he intends for it to be permanent.

After discussion about lot size, regulations, other factors about other similar approved variances (that had primary dwellings), and more debate on whether the board could regulate the color/appearance of the boxes, Mr. Cole read the definition in the county regulations concerning accessory buildings in R-1 zoning districts, which does not allow for an accessory building to be a primary residence, which it would be as there is no other dwelling on this property.

Based on this definition, Mr. Gray made a motion to deny the request. Mr. Hale seconded the motion. All were in favor; motion carried – request denied.

<u>Adjournment</u>

With no further business, Mr. Anderson voted to adjourn the meeting. Mr. Hale seconded. All were in favor; motion carried. Meeting adjourned.

ADMINISTRATIVE INTERPRETATION AND/OR VARIANCE REQUEST Meeting Location: Main Courthouse-3rd Floor-Large Courtroom Small Courtroo Date of Review: November 7, 2022 @ 4:30 p.m. Date: 0/3/00 Applicant: Don Mailing Address: 6631 Fishermor Telephone: (Home) 421-754-3634 (Other) PROPERTY IDENTIFICATION Property Address 3253 Old Kenticky Rd District O3 Tax Map 017 k Group A
Subdivision Cannon Helphs lot # D lot# PT Zone Required Setbacks: Front Sides/Rear_ REGULATIONS REFERENCE ARTICLE See attached regulations ADDITIONAL INFORMATION FOR REVIEW See attached request **DEED RESTRICTIONS** I understand that any approval granted by the Hamblen County Planning Commission does not release the referenced property from the requirements of private deed and/or subdivision restrictions. Amount Paid: \$\psi 50.00 Received By: 1)M Date of Public Notice on Website/Bulletin Board: Date sign was placed on the property: Date letters were sent to adjoining property owners: Action of the board:

Planning Commission Meeting - 11/7/22

RE:

Don Johnson

Property:

3253 Old Kentucky Rd.

Don Johnson built a residence on the property located at 3252 Old Kentucky Rd. Morristown, TN 37814. Hamblen County Planning and Zoning issued a permit to Mr. Johnson for the construction of an accessory structure. Approximately a 728 Square Foot residence was constructed on this property by Mr. Johnson.

Per Hamblen County Planning rules and regulations an accessory structure can only be built when a residence is on the property. Therefore, when an accessory structure permit was issued it was known or should have been known that a residence had to be constructed. Mr. Johnson is now seeking a permit for the residence built on this property. He is further requesting that he be able to sale and/or rent this residence.

Board of Zoning Appeals Meeting-November 7, 2022

Don Johnson 3253 Old Kentucky Road Morristown, TN. 37814 03-017K-A-011.00 R-1 (Residential) Zoning District Lot size 7,700 (+/-) square feet

Hamblen County Zoning Regulations

(6.11) Accessory Building Regulations-For property that have no structure, the accessory building shall be deemed the principal structure and shall meet all setback requirements of the principal structure.

(6.12) Habitation of Storage Buildings Prohibited-Permits can be issued on a vacant lot and are considered the primary miscellaneous structure.

Hamblen County Subdivision Regulations

(Article III, C, 2. B)-Minimum Lot Size

Map shows that the property is 61.95 x 200'/211'

Approximate lot size 7,700 sq. ft. and 61.95 wide

Hamblen County Permit Requirements

Original application was submitted for a 26x28 (728 sq. ft.) garage with no plumbing or mechanical with construction cost as \$12,000.00.

New application was submitted for a House (728 sq. ft.) with plumbing but no mechanical marked with construction cost as \$48,000.00.

New application also shows that they will be using an existing septic system but there are no records of a new or existing septic system per TDEC (Tennessee Department of Environment & Conservation).

No contractor's or plumbing licenses or Worker's Comp & Liability Insurance was submitted.

Hamblen County Zoning Resolution



Adopted: September 2, 1990

Amended Through: May 26, 2020

ARTICLE 1

<u>Title</u>: This resolution shall be known as the Zoning Resolution of Hamblen County, Tennessee, and the zoning map shall be referred to as the Zoning Map of Hamblen County, Tennessee.

ARTICLE 2

<u>Purpose</u>: The purpose of this zoning code is to protect the health and safety of the county's residents and their properties by providing a tool to insure safe and orderly growth.

ARTICLE 3

<u>Authority</u>: The authority to adopt zoning is provided by Tennessee Code Annotated Sections 13-7-101 through 13-7-115-119. The Hamblen County Private Act relating to planning and zoning also provides authority.

ARTICLE 4

Non-Conforming Uses: After the adoption of this Zoning Resolution and map, any new construction must be in conformance with this code. Existing structures will be allowed to remain as non-conforming with this code. Existing structures will be allowed to remain as non-conforming uses, subject to the limitations set out in Article 6, except any new extensions or expansions to non-conforming properties must be done in accordance with the Zoning Resolution.

ARTICLE 5

<u>**Definitions**</u>: Words and other terms used in this Zoning Resolution shall be interpreted with their commonly known definitions, EXCEPT for the following:

Accessory Building to Residential Dwellings: A detached building or structure the use of which is customarily incidental and subordinate to the property's use for residential purposes by the occupants of the principal dwelling and is situated on the same lot or premises as the residential dwelling. For regulations and restrictions relating to accessory buildings see Article 6, Sections 6.11 and 6.12. (Jan. 21, 2010)

<u>Cemetery:</u> Any land that is dedicated to, or used for, the internment of human, or animal remains including a burial park for earth interments, a mausoleum for vault or crypt internments, a columbarium for cinerary internments, or a combination thereof. A cemetery may contain any necessarily related office and maintenance buildings but, it shall not include a cremation facility. (July 24, 2014)

<u>Columbarium</u>: A place for public storage of cremated remains in funeral urns. A columbarium can be either free standing units or a part of a mausoleum or another building. (July 24, 2014)

- **6.7 Commercial/Industrial Access** No business or industrial use may have access through a residential area or utilize subdivision streets or private easements. All business or industrial uses must have direct access to a public thoroughfare road.
- **6.8** Access Permits Upon issuance of a Building Permit, an Access Permit form will be issued for review by the Hamblen County Highway Department to determine the need of any culvert and/or any potential drainage into the public roadway or surrounding properties. Access Permits will be filed at the Hamblen County Highway Department upon completion of their review.
- 6.9 Alcoholic Beverages The retail sale of beverages having an alcoholic content of less than five percent (5%) by weight and the retail sale of beverages having an alcoholic content of more than five percent (5%) by weight and requiring for their sale a license issued by the Tennessee Alcoholic Beverage Commission shall be permitted only in an A-1 or C-1 zoning district. No such sale, however, shall be permitted until all State laws have been complied with and the approval has been received from the Hamblen County Beer Board or other such board as designated by the Hamblen County Board of Commissioners. No such sale shall be permitted within 300 feet of a residential dwelling measured from building to building, provided the owner of the residential dwelling appears in person before the County Beer Board and objects to the issuance of such permit or license.

6.10 Private Permanent Easement-Replaced by the Uniform Street Naming and Addressing Policy-Adopted May 21, 2015 under Subdivision Regulations

6.11 Accessory Building Regulations/Restrictions (July 20, 2017)

All accessory buildings shall be located in the rear or side of the tract/lot unless **A**. the tract/lot is over three acres in which case the accessory building can be located anywhere on the lot. No accessory building on tracts/lots less than three acres shall be greater than 25 percent (25%) of the rear yard measured ten (10) feet from rear of existing structure, ten (10) feet from both sides and rear lot lines. For properties that have no structure, the accessory building shall be deemed the principle structure and shall meet all setback requirements of the principle structure. Location of utility lines and/or septic field and duplicate lines shall be the responsibility of the owner and submitted with the application for a building permit. No accessory buildings shall be placed over utility or field lines. A site plan shall be submitted for all accessory buildings; however, a site plan for an accessory building on a lot over three (3) acres shall be submitted to the planning commission for review and approval. No variances will be permitted on any accessory buildings regarding size of building, location or setbacks. (Resolution 17-15)

- D. Cargo trailers, inoperative motor vehicles, and other such similar type of objects or devices shall not be allowed to be used as an accessory building to a residential dwelling. Personal on-demand (POD) storage units and other types of large waste/material holding containers may be placed on a property and used temporarily (no longer than six months) without the need for a building permit otherwise, a permit must be obtained for its placement or the unit must be immediately removed from the property.
- 6.12 Habitation of Storage Buildings Prohibited. A storage building or structure, whether its use or character is that of an accessory building or as a primary miscellaneous structure, shall not be used as a place of human habitation. Storage facilities by their nature shall be constructed, equipped, and maintained so as not to constitute a fire or life safety hazard and, are designed to house inanimate objects and equipment only. (Jan. 21, 2010)

SUBDIVISION REGULATIONS

OF

HAMBLEN COUNTY, TENNESSEE

AS UPDATED THROUGH 2019

frontage on a public street or road and this width to be maintained continually from street upon reaching the building setback line.

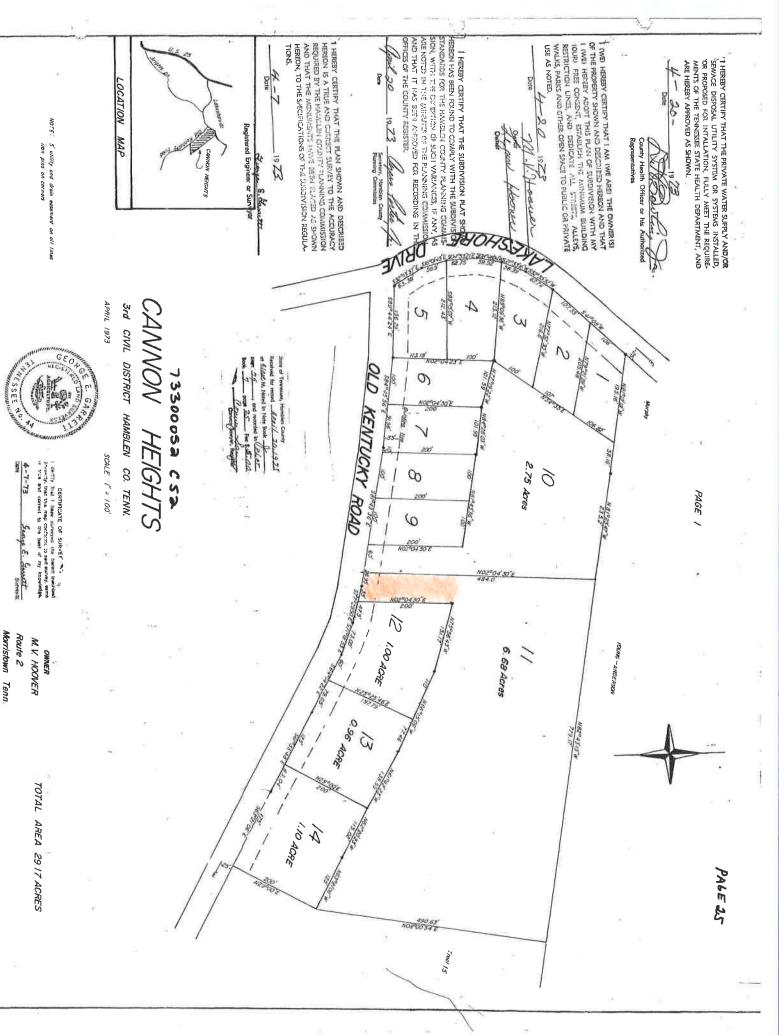
- 2. Minimum Size: The size, shape and orientation of lots shall be such as the Planning Commission deems appropriate for the type of development and use contemplated. Where public water and sanitary sewer systems are reasonably accessible, the sub divider shall connect with such systems and provide a connection or connections to each lot. Where a public sewer is not accessible, an alternate method of sewage disposal may be used, if it meets all applicable public health regulations. Where a public water supply is not accessible, a water well or other source may be used upon approval by the Planning Commission subject to the lot size requirements where water is not available. Under no circumstances shall more than one dwelling per lot be allowed.
 - a. Residential lots served by public water and sanitary sewer systems not be less than seventy-five (75) feet wide at the building setback line nor less than eleven thousand (11,000) square feet in area
 - b. Residential lots not served by sanitary sewer systems shall not be less than one hundred (100) feet wide at the building setback line or less than twenty-two thousand (22,000) square feet in area; provided, however, greater area may be required by the Planning Commission as indicated.
 - c. The minimum size of residential lots to be served by a private source of water supply shall be determined by the Planning Commission after investigations of soil conditions, proposed sewage system, and depth of ground water. The assistance of the Hamblen County Health Department and the Soil Conservation Service shall be sought in determining the appropriate size. In no case shall the minimum size be less than one (1) acre/or forty-three thousand, five hundred and sixty (43,560) square feet. Minimum frontage shall be no less than fifty (50) feet. (Amended November 2015)
 - d. Building Setback Lines: The minimum depth of building setback lines from the street right-of-way line shall conform to the requirements stated in the Zoning Resolutions.

In the case of electric transmission lines where easement widths are not definitely established, there shall be a minimum building setback line from the center of the transmission line as follows:

Voltage of Line	Minimum Building Setback
46 KV	37½ feet
69 DV	50 feet
161 KV & above	75 feet

e. Corner Lots: The minimum width of a side yard along an intersecting street shall be fifty percent (50%) greater than the minimum side yard requirements of the zoning district in which the lot is located.





Minutes Hamblen County Board of Zoning Appeals April 2, 2019

Members Present

Bill Hicks, Chairman Charles Anderson, Vice-Chairman Kyle Hale, Secretary John Hofer Edgar Gray

Staff

Tina Whitaker, Dept. Manager Darrell Chase, Building Inspector Peggy McCree, Secretary

(See Planning Commission for sign in sheet)
(Swearing in was done individually before their review)

Approval of the minutes

The minutes of the March 5, 2019 meeting were approved upon a motion by Kyle Hale and seconded by John Hofer. All voted in favor. Motion carried.

Administrative Interpretation

a.) Don Johnson -Bernie Circle, Fisherman Drive, & Old Kentucky Road (Sworn-in)

Mr. Johnson was present with his representative attorney Clint Anderson Chairman Hicks stated there were 3 different properties to review concerning the construction and use of the structures. He stated that the Planning Commission Office and TDEC received calls concerning the installation of illegal septic systems for these properties.

5854 Bernie Circle Talbott, TN. 37877

Mr. Johnson stated that he obtained a building permit for the structure and that all inspections had been conducted. Darrell Chase, Inspector, stated that at the time of inspection there were interior walls, that were consistent with a residential dwelling, and the he did require that the walls be removed before it would pass the final inspection.

Chairman Hicks asked Mr. Johnson if there was a septic system for this structure. Mr. Johnson stated he was not aware of a septic system and that the structure was going to be used as storage only.

John Hofer questions Mr. Johnson about the camper that is parked on the property and hooked to a power pole.

Mr. Johnson stated that the camper had been there for 2 years and that no one lives in it, he just stores it on the property.

6622 Fisherman Drive Talbott, TN. 37877

Chairman Hicks asked Mr. Johnson if he had a building permit for this structure. Mr. Johnson stated that he had been very sick, was in out of the hospital and wasn't sure if he had a permit for the structure. He stated that he used the foundation and material from the existing structure that was on the property when he purchased it and then he realized that he should have gotten a permit. Chairman Hicks asked if there was a septic system for this structure.

Mr. Johnson stated he was not aware of one and that it was going to be used for storage only. Chairman Hicks stated that he board could require that an engineer's report be required before a building permit could be issued due to no inspections being conducted on the structure. Mr. Johnson stated that he used part of the existing foundation and that he would not be able

Mr. Johnson stated that he used part of the existing foundation and that he would not be able to afford the report due to medical expenses.

Charles Anderson made a motion to double the permit fee for the structure (512 sq. ft. @ .50¢) and to have the county attorney draft a permit acknowledgement statement saying that the structure was to be used as a storage building only and have Mr. Johnson sign for both Bernie Circle and Fisherman Drive. Edgar Gray seconded. All were in favor. Motion carried.

Old Kentucky Road

Mr. Johnson stated that he did obtain a building permit and that a footer inspection had been conducted. Chairman Hicks asked about the issuance of the stop work order. Mr. Johnson stated that he was not aware of the order and that several sheriffs' deputies had been to the property and advised that it had been but they could not provide a copy of it.

Chairman Hicks advised Mr. Johnson that there was a stop work order issued February 26, 2019 for the construction on Old Kentucky Road and ask if he understood.

Mr. Johnson stated that he understood. Darrell Chase, Inspector, advised the board he posted the Stop Work Order on the property, after the office staff received several calls concerning the septic system and complaints of encroachment onto the adjoining property.

Chairman Hicks ask Mr. Johnson if there was a septic system for this location.

Mr. Johnson stated that he was not aware of a septic system on the property and the building was to be used for storage. Chris Capps, County Attorney, advised the board of the TDEC Field Activity Report stating that during the inspection Mr. Murphy, TDEC Representative, probed the ground in the area the pipe traveled and felt what he believed to be a concrete septic system. Capps also advised that the structure was not considered an accessory building due to the property being vacant. Staff advised the permit was written as an accessory building due to the use but the required setbacks for the structure were to meet the principal structure requirement. Doug & Tina Allison, adjoining property owners, addressed the board concerning the use of the structure, property line boundaries and required setbacks from their property line. Mrs. Allison stated that she was aware that the county did not enforce subdivision restrictions but Mr. Johnson was building a structure that did not meet the required building size requirements, he had encroached onto their vacant property and cut trees which required them and the other adjoining property owners to hire a surveyor to mark property line to confirm. Also, the appearance and construction methods are not consistent with an accessory

building. Mr. Allison stated that the reason for the Sheriff's Deputies visits to the property were due to the thief of his trail camera and Mr. Johnson trespassing onto their property. Charles Anderson made a motion that the Stop Work Order be continued due to questions of required setbacks and to have Mr. Johnson have his property surveyed, if he doesn't agree with the current survey and contact the office once the property lines are marked and the Inspector and board members will visit the property to check the required setbacks. Office staff will contact Mr. Anderson when the permit and permit acknowledgement statements are ready to be picked up. John Hofer seconded. All were in favor. Motion carried.

b.) Larry Sawyer-824 Bear Springs Road Morristown, TN. 37814 (Sworn-In)

Mr. Sawyer stated that he contacted the office seven (7) or (8) years ago and talked with office staff and was told that he didn't need a permit to convert the structure into an accessory building. He now wants to complete the structure and use as a man cave, on occasions, because he lives with his mother and somewhere to get away. Commission questioned Mr. Sawyer about the camper that is parked on the property. Mr. Sawyer states that the camper belongs to his brother and is for sale. He further stated that no one is living in it at this time.

Ralph Corless, 909 Mountain Laurel Road (Sworn-In) Mr. Corless, adjoining property owner, read the subdivision restrictions for Panther Lake Subdivision and voiced his concerns on the sue of the structure, lack of a septic system, 2 campers located on the property and building setbacks from the property located on Panther Creek Road.

Kelly Hinsley, 1090 Mountain Laurel Road (Sworn-In) Mr. Hinsley confirmed that the subdivision restrictions were indeed being violated and that he had concerns about the use of the structure. Tommy Sisson, 818 Bear Springs Road (Sworn-In) Mr. Sisson stated that there had been a lady living in the structure at one time. She was having problems with her car and it was parked in front of the property for some time.

Ed Horner, Sheriff's Department Deputy (Sworn-In) Officer Horner stated there had been several 911 calls concerning this property with a dispute between the owner and someone living in the structure. Darrell Chase, Building Inspector, stated that when the Stop Work Order was issued he questioned the contractors working on the building and was told they were working to convert into an apartment. Charles Anderson motion was made to uphold the Stop Work Order, that no one was to live in the structure and it was to be used for storage only and no one could stay overnight in the building. Kyle Hale seconded. All were in favor. Motion carried. Mr. Sawyer asked the board if he could come back and get approval at a later date to stay occasionally overnight in the structure. Board advised that the request would be denied.

Other Business

Adjournment

The meeting was adjourned by Hale seconded by Hofer.

Secretary			 Date	
Signed 4	approved	cobrh	on file	

Exemptions From The License Requirement

Board for Licensing Contractors

Exemptions From The License Requirement

Exemptions from the contractor's license requirement is outlined in the laws, rules and regulations, and applies to individual use, non-profit organizations, Department of Transportation's special let highway projects and federal projects. For example

- A homeowner of the residential property may perform work themselves (individual use), without a contractor's license, as long as the residential structure is not open to the public; or for sale, lease or rent).
 - Allowed one homeowner permit once every two (2) years.
 - Anyone hired by the property owner is required to be licensed if they perform \$25,000 or more of the work, as these contractors would be considered prime contractors since they are contracting directly with the owner.
- Members of a church may build a single residence for a preacher without a contractor's license; or they may construct a storage building for their individual use, as long as this structure is not open to the public, for sale, lease or rent.
 - Members of a church would not be allowed to construct a church building, when the total cost is \$25,000 or more, since the building is open to the public.
- A non-profit organization with a 501(c) federal exemption, may build single residences without a contractor's license.
 - They must follow local requirements for permits and inspections.
- Federal Projects A state license is not required for 100% federal projects (all federally funded and on federal land), unless required by the federal government awarding authority. <u>See AG opinion 92-39</u>.

To review all exemptions, see <u>T.C.A. § 62-6-102, 103 and Rule 0680-1-.22, 27</u>.

Help

Contractors

Board for Licensing Contractors

Who Is Required To Be Licensed

NOTICE! A Tennessee contractor's license is required BEFORE bidding or offering a price, for projects \$25,000 and up (includes materials and labor), as a prime (general) contractor; and also subcontractors performing electrical, mechanical, plumbing, HVAC, roofing and masonry are also required to be licensed as a contractor, when the total portion on the project is \$25,000 or more; masonry, when \$100,000 or more. In addition, a sub to a sub would need to be licensed whenever there are more than one (1) subcontractors on the project. Reciprocal agreements do NOT allow using another state's license in Tennessee, but provides a trade exam waiver, only. License issuance takes 4 to 6 weeks.

A Contractor's license is required prior to contracting (bidding, offering to engage, or negotiating a price) for projects \$25,000 or more, when acting as one of the following:

- Prime (General) Contractor Bidding or contracting directly with the "owner" of the project;
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 - Electrical, Mechanical, Plumbing, HVAC, and **Roofing; and
 - Masonry when *\$100,000 and up
- Construction Management When the value of the total project is \$25,000 or more.

*Masonry subcontractors must be licensed as a contractor when the project is \$100,000 or more.

**Roofing subcontractors must be licensed as a contractor, effective January 1, 2014, in addition to performing work currently as a prime, for projects \$25,000 or more.

The definition of contractor is found in the statute at T.C.A. § 62-6-102 and covers a very broad area, which includes construction, installation, movement, repair, etc.

All contractors licenses are assigned a monetary limit and also a classification, such as: Building (Residential, Commercial and Industrial); Electrical; Mechanical (Plumbing and HVAC); Heavy Construction; Highway, Railroad & Airport; Masonry; Municipal Utility; Environmental; and Specialties (landscaping, excavation, roofing, cell towers, solar panels, audio visual, etc.,). Contractor's must bid/contract in the exact name as licensed. See more information below in the "Summary of Contractor License R/ e the Law and Rules for legislative updates.

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- **Subcontractor** Contracting directly with any contractor (not to the owner) to perform projects when the total cost of that portion on the project is *\$25,000 or more, for the following (includes all materials, equipment, and labor):
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- Construction Management When the value of the total project is \$25,000 or more.

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Help

IN THE CHANCERY COURT FOR HAMBLEN COUNTY, TENNESSEE AT MORRISTOWN

HAMBLEN COUNTY, TEN UNKNOWN CITIZENS OF COUNTY, TENNESSEE,)		
	Petitioner,)		
VS.)	NO. 2020-CV-231	
DON E. JOHNSON,)	ENTERED IN MINUTE BOOK 2 PAGE 298-3 KATHERINE JONES	54 311 TERRY
	Respondent.)	BY Clerk & Maste	3/2022

JUDGMENT

This case came on to be heard on January 6, 2022, before the Honorable Douglas T. Jenkins, upon the petition filed by Hamblen County, answer of the Defendant, the testimony of the parties and witnesses and the record as a whole, from all of which the Court made the following findings of fact and delivered its findings and rulings in a teleconference with counsel and reporter on January 19, 2022:

(Here insert transcribed opinion of the Court)

These being the Court's findings of fact and ruling on the law it is **ORDERED and ADJUDGED**:

The Defendant Don Johnson is enjoined from and against the use of, renting of or sale of two buildings (accessory buildings) located at 3253 Old Kentucky Road and 5854 Bernie Circle, located in Hamblen County, Tennessee, for residential purposes, unless and until they are properly

LODGED

permitted by Hamblen County Planning Commission or Respondent acquires a waiver or makes arrangements with the governing bodies for these properties to be used for residential purposes.

- 2. The Petitioner's request for these properties to be condemned and ordered demolished is DENIED.
- 3. Each party shall bear their own attorney's fees.
- 4. Costs of this action are taxed to Don Johnson for which let execution issue.

ENTER: February 3, 2022

Chancellor Douglas T. Jenkins

APPROVED:

Christopher P. Capps – BPR #9 0403

Attorney for Petitioner Hamblen County Attorney 1004 W. 1st North Street Morristown, TN 37814

(423) 586-3083

Matthew B. Evans – BPR #028132

Attorney for Respondent

Evans & Beier

818 West First North Street

Morristown, TN 37814

(423) 587-2800

1	COURT'S OPINION	
2	January 19, 2022	
3	IN THE CHANCERY COURT FOR HAMBLEN COUNTY TENNESSEE,	
4	AT MORRISTOWN	
	HAMBLEN COUNTY) Case No.: 2020-CV-231	
	TENNESSEE, et al,	
	Plaintiff,) Court's Opinion	
	Vs.	
	DON E. JOHNSON,) CHANCERY COURT CLER	ek.
	Defendant.	
5	Appearances:	
6	HON. CHANCELLOR DOUGLAS JENKINS	4
7	For Plaintiffs: Christopher Capps	
8	For Defendant: Matthew Evans	
9		
10	The Court's Opinion was put on the record after the Court Proceeding heard in the	
. 1	above aforementioned matter in front of HON. CHANCELLOR DOUGLAS JENKINS on the 19 th	
.2	day of January, 2022, via conference call in Dandridege, Tennessee, by Lisa A. Ramey-	
.3	Charles, Licensed Certified Court Reporter/Notary Public at Large. All objections with	
.4	respect to errors or irregularities in the manner in which the transcript is prepared, signed,	
.5	certified, sealed, endorsed, filed or transmitted are waived. It is further stipulated that the	
.6	examination, reading and signing of the transcript by the Parties is waived, and that the	
.7	proceeding was recorded electronically and/or by shorthand and transcribed. The witnesses	
8.	were duly sworn, testimony was heard and the Court's Opinion was as follows:	

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1	proceeding was recorded electron	ically and/or by shorthand and tran	scribed. The witnesses
2		leard and the Court's Opinion was a	
3		APPEARANCES	
4			
5	HON. CH	ANCELLOR DOUGLAS	JENKINS
6			
7	ON BEHALF OF	THE Plaintiff :	
8		Christopher Capps	56
9		First North Street	EII ED OLEDW
10		Morristown, TN	CHANCERY COURT CLERK
11			JAN 27 2022
12	ON BEHALF O	F THE Defendant:	TIME HAMBLEN COUNTY
13		Matthew Evans	
14		First North Street	
15		Morristown, TN	
16			
17			
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22			
23		141	
24			

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	ADMINISTRATIVE SERVICES, I PO Box 316 RUTLEDGE, TN 37861 423-327-3513	INC.	

HON. CHANCELLOR DOUGLAS JENKINS:

2

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1

Alright. Let's go on the record in

<u>Hamblen County Tennessee, et al vs. Don E.</u>

<u>Johnson</u>, <u>2020-CV-231</u>.

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We had an evidentiary hearing on this matter, I believe on January 6th. The Court took the matter under advisement because of in Mr. Johnson's Pleadings and also in his testimony he indicated that he didn't understand why the County waited so long to tell him that he couldn't use these houses for residences so he could avoid spending a bunch of money on both of these places and that peaked the Court's interest and I wanted to look and see if there was some sort of a waiver or estoppel on this type of thing. But the Court does not believe that defense has merit for two (2) reasons. "A", I don't think it's recognized in the Law and "B", I don't believe that under the testimony that I heard from Mr. Johnson, which was marginally creditable, that he carried the burden of proof even if he could setup such a defense. In fact, I specifically credit the testimony of the young

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gentleman from the City who testified and I believe that his name was Darrell Chase.

Mr. Capps:

Yes.

HON. CHANCELLOR DOUGLAS JENKINS:

And Mr. Chase testified that they tried to work with Mr. Johnson through this process, that he was only permitted for auxiliary buildings, no residences because of the nature of the two (2) lots involved. And in fact, the paperwork that I saw bolstered that testimony and I believe he's correct.

And then Mr. Johnson indicated that he didn't understand they weren't telling him what he could do, you know, what he could do or couldn't do. He's been a builder for excess of thirty (30) years. I believe he probably understood it and if he didn't understand it, he certainly should have.

And then Mr. Chase also testified that he became concerned that these buildings were

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1	looking an awful lot like houses he was building,
2	not just out-buildings or storage. So at that
3	point he questioned and cautioned Mr. Johnson
4	about it. And Mr. Johnson, I think the City
5	believed, complied with their wishes that the
6	limits of the permitting but then found out a
7	couple years later that he had actually had
8	people move into these things and was renting
9	them or had listed one for sale as a residence.
10	And so the Courtor the CityI apologize
11	
12	Mr. Capps: Your Honor
13	might I interject
14	
15	HON. CHANCELLOR DOUGLAS JENKINS:
16	TOUR THE TENED OF
17	the County. I've been calling it the
18	mand dodney. I ve been calling it the
19	Mr. Capps: something
20	here?
21	
22	HON CHANCELLOR BOWLE
	HON. CHANCELLOR DOUGLAS JENKINS:
23	
24	the City but it's a
25	

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423-327-3513

1	Mr. Capps: Darrell Chase
2	is a County guy, Code Enforcement and Building
3	Inspector, Mr. Chase.
4	
5	HON. CHANCELLOR DOUGLAS JENKINS:
6	
7	Yes. Yes. And I've been saying "City", I
8	apologize for that, it's the County.
9	
10	Mr. Capps: Yes.
11	
12	HON. CHANCELLOR DOUGLAS JENKINS:
13	
.4	But it's the Governmental entity involved
1.5	suffice to say.
16	
17	But anyway, to carry on with my thinking
18	and my Ruling here, the City came to court and
.9	they asked the Court to restrain Don E. Johnson
20	from and permanently enjoin Don E. Johnson
21	from using or allowing others to use the subject
22	property for residential purposes.
23	
.4	And that is granted and the Petition
25	sustained in that respect with one caveat and

ADMINISTRATIVE SERVICES, INC. PO Box 316 RUTLEDGE, TN 37861 423-327-3513 that is, should Mr. Johnson procure, through the proper channels waivers or some other arrangement with the governing body with regard to these codes and things that he's in violation of and if they are in fact used for residences. If Mr. Johnson can make other arrangements legally then obviously I would not permanently restrain or enjoin him. I only permanently restrain or enjoin him from using the property as residential purposes if the permit stands as it is today and was at the time of trial.

So hopefully that's clear enough for Mr. Capps to draft the appropriate Order.

The next thing the County asked me to do was condemn and order the structures demolished because they are dangerous for human habitation.

The Court does not believe the County carried their burden of proof on that and in fact the Court thinks that that might be killing a gnat with a sledgehammer. Although, I know they're

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frustrated. But the Court is going to deny that 1 2 requested relief because I don't think these 3 structures are dangerous for human habitation I 4 just think they're out of code and I believe that 5 those codes are very much enforceable and so via this Order the County is enforcing them. 6 7 8 Now if Mr. Johnson, as the County believes 9 that he will, violates my Order then that would 10 be taken up at a different time and in a different 11 proceeding so that is the Order of the Court with 12 respect to the demolition aspect. 13 And I think both Parties should bear their 14 15 own Attorney fees and discretionary costs and 16 the cost of the cause should be taxed to Mr. Don 17 Johnson.

18

19

20

21

And I believe, and Counsel correct me if I'm wrong, but I believe that's a Final Order that you have there so type it up accordingly.

22 23

Mr. Capps:

Very well

24 Your Honor.

25

ADMINISTRATIVE SERVICES, INC. PO Box 316 RUTLEDGE, IN 37861

1	Mr. Evans: We will	
2	Judge.	
3		
4	Mr. Capps: Type it up.	
5		
6	HON. CHANCELLOR DOUGLAS JENKINS:	
7		
8	Mr. Capps, you prepare the Order and	
9	submit it for entry.	
10		
11	Thank you gentlemen.	
12		
13	Mr. Capps: Thank you	
14	Your Honor.	
15		
16	Mr. Evans: Thank you	
17	Judge.	
18		
19	HON. CHANCELLOR DOUGLAS JENKINS:	
20		
21	Alright.	
22		
23		
24		
25		

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RUTLEDGE, TN 37861
423-327-3513

1 CERTIFICATE 2 3 STATE OF TENNESSEE: 4 COUNTY OF HAMBLEN: 5 I, Lisa A. Ramey-Charles, Licensed Certified 6 7 Court Reporter and Notary Public for the State of Tennessee, do hereby certify that I reported in 8 machine shorthand the above proceedings and that 9 the foregoing pages constitute a true and accurate 10 11 record of the proceedings had and evidence 12 introduced in the captioned cause in the Chancery 13 Court for Hamblen County, Tennessee, on the 19th 14 day of January, 2022. 15 I further certify that I am not an attorney or counsel for any of the Parties, nor a relative or 16 17 employee of any attorney or counsel connected with the action, nor financially interested in the action. 18 19 Witness my hand and seal this 19th day of 20 January, 2022. 21 22 23 Lisa A. Ramey-Charles, ICCRVT-NNA 24 LCR # 286 (Expiration 6/30/2022) 25 My commission expires: November 23, 2024

ADMINISTRATIVE SERVICES, INC. PO Box 316 (COTLEDGE, TN 37884) 423-327-3513

1	CERTIFICATE OF SERVICE
2	
3	This is to certify that the foregoing
4	transcript has been mailed/delivered/emailed to:
5	
6	ORIGINAL:
7	HON. CHRISTOPHER CAPPS
8	First North Street
9	Morristown, TN
10	· ·
11	COPY:
12	HON. MATTHEW EVANS
13	First North Street
14	Morristown, TN
15	
16	
17	This 20th day of January, 2022.
18	\mathcal{L} \mathcal{L} \mathcal{L}
19	Mall amen Chyples
20	Lisa A. Ramey-Charles
21	Independent Certified Court Reporter
22	
23	
24	
25	

ADMINISTRATIVE SERVICES, INC., PO Box 316 RUTLEDGE, TN 37861 423-327-3512



Accessory / Deck / Pool
Building Permit Process Checklist:
☐ Building Permit Application (3 pages)
☐ Site Plan
☐ Pool Permit requires proof of pool alarm and barrier if required
□ Floor Plan
 Set Back Disclaimer (To be signed when permit is issued.)
 Personal Use Only Statement (Property owner must sign Statement)
 Accessory Building Regulation
☐ Storm Water Permit, if applicable
Home Owners picking up permits will need the following:
□ Signed Affidavit of Exemption (To be signed and notarized when permit is issued.)
Contractors picking up permits will need the following:
☐ Current copy of Contractor's License
 Proof of Worker's Comp & Liability Insurance or Exemption from TN
 Current copy of Plumber's License (minimum LLP)
*Under T.C.A. 62-6-402
*When you bring us this information, a file can be made and kept on record until the information expire. and has to be renewed.
unu nus to de l'eneweu.

*All above documentation must be provided prior to issuance of building permit.

Construction prior to the acquisition of a building permit will result in **permit fees** being **doubled**.

Additional fee of \$25 will be applied for a re-inspection after 2nd failure to pass.

*It is extremely important that you fill out the forms completely to avoid the need for our office requesting additional information and causing a delay in processing your request.

HAMBLEN COUNTY PLANNING COMMISSION ACCESSORY BUILDING / DECK / POOL PERMIT APPLICATION

Hamblen County

Phone: 423-581-1373 / Fax: 423-587-7089

		1/30/2019
Name of Applicant:		
Current Mailing	, ^	
Address: 6631 fistern en lollo		
Phone #: 423 - 454 - 3634	Cell #:	
Builder's Name:		
Builder's Mailing Address:		
Office Phone #:	Cell#:	>
Property Address: City, State, Zip: Old Bentuger 12d		
Subdivision Name:		
(Office will complete this section.)		***********
Lot(s) Number(s): Tax Map: Gro	oup: Parcel:	District:
Zone: Set Backs: Front: Left S	Side: Right Side:	Back:
Hell (Right Side:	Dack:
Building Type: Garage (Carport () Attached () De Open Deck () Gazebo () Cover for Porch, Deck, or Pa	tached () Storage Building (~ tio () In-Ground Pool () Ab	(Barn ()
	tached () Storage Building (~ tio () In-Ground Pool () Ab	(Barn ()
Building Type: Garage (Carport () Attached () De Open Deck () Gazebo () Cover for Porch, Deck, or Pa	tached () Storage Building (Litio () In-Ground Pool () Ab	Barn () ove-Ground Pool () SqFt: -67
Building Type: Garage (Carport () Attached () De Open Deck () Gazebo () Cover for Porch, Deck, or Pa Stick-Build on Site Pre-Built Wood Pre-Fab Metal Structure will be built on: Basement () Crawlspace (Will footings/foundation be constructed? (Yes) or (No)	tached () Storage Building (tio () In-Ground Pool () Ab Size (Dimensions): One Level Slab () One Level Slab () One Level	Barn () ove-Ground Pool () SqFt: 26 // () Two Levels ()
Building Type: Garage (Carport () Attached () De Open Deck () Gazebo () Cover for Porch, Deck, or Pa Stick-Build on Site Pre-Built Wood Pre-Fab Metal Structure will be built on: Basement () Crawlspace (Will footings/foundation be constructed? (Yes) or (No) Will there be land disturbance/excavating performed? (Yes) of Actual Construction (Labor and materials only: *Required for State Report \$ / ?	tached () Storage Building (tio () In-Ground Pool () Ab Size (Dimensions): One Level Slab () One Level Slab () One Level	Barn () ove-Ground Pool () SqFt: 26 // () Two Levels ()
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Page 1 of 3

Total: \$

2 First Inspection(s): Before any land disturbance activity takes place and during construction process, as cinceted. 2 1 First Inspection(s): After receavation work completed and seed or piping laid, but prior to pouring construction process, as cinceted. 3 2 Second Inspection(s): After fixtures and applicances are in abase and all work is completed. Final inspections MUST be performed and all work accepted prior to construction. 4 1 Final Inspection(s): After fixtures and applicances are in abase and all work is completed. Final inspections MUST be performed and all work accepted prior to construction. 5 Construction must begin within 6 months of the issuance of this permit; otherwise, this permit will be declared mill and void. Approval of this permit does not constitute conformity with any Subdivision Restrictive Covenants. (See Register of Deeds) 1 All easterness) located on property and scheck requirements from these easterness and public streets are measured from the right. 6 1 making application for this permit, the applicant man an intention of his/ner purt, such as might, if known, cause a refusal of this application or any alteration or change in plans made revocation of this permit. 7 All fees shall be paid by the person to whom the permit is issued (including supplemental fees) prior to a Certificate of Company being its state. 7 All fees shall be paid by the person to whom the permit is issued (including supplemental fees) prior to a Certificate of Company with applicable state and local rules and regulations regarding itensing. 7 In shall be duty of every contractor involved in construction, installation or repair of a building, plumbing, mechanical or gas system for which a permit is required, so comply with applicable state and local rules and regulations regarding itensing. 8 Refund Policy: 8 Any monetary fees paid to the Planning Commission office such as those for a permit, subdivision pale approval, erromensusly paid or collected or if a written request is made within 30 days of the payment	Total: \$	Type of Construction: House () Duplex () Addition () Modular () Commercial/Industrial () Total: \$ Basement () Crawlspace () Slab () Stories () Living Square Feet Manufactured/Mobile Home: Single Wide () Double Wide () Garage/Storage Building () detached or attached Square Feet Total: \$ 162.00 Signage () Remodel () Deck/Porch Cover () Square Feet Total: \$ 162.00 Deck/Porch () Carport () Pool () Moving () Tower () Total: \$	E-911 Address: E-911 Address: Contact Co	East-blen County Planning Commission, Morristown, TN 37814 Permit 1738 Phone: (423) 581-1373 Fax: (423) 587-7089 Receipt # Date Issued 1-30-19 Void Date 7-30-19 Permit Total \$ 169 00 183.00 Applicant Name: 000/ John500 Phone: 423-754-3234 Mailing Address: 123/ Fisher On An Dr. City/State/Zip: 79/bo7f-74/37877 Builder's Name: 52/ F Phone: 70/bo7f-74/37877
--	---	--	--	---

Hamblen County, Tennessee: Building, Stormwater, Plumbing, Mechanical, and Gas Permits

Failure to comply with this regulation could result in a Stop Work Order being issued by the Hamblen County Planning Commission, which would freeze all construction activity until approved for continuation by the Hamblen County Planning Commission, under a valid Tennessee Contractor's License.

INSPECTION SCHEDULE:

Stormwater Inspections: Before any land disturbance activity takes place, during construction and at the completion of project. All stormwater regulations must meet standards PRIOR to the issuance of the Certificate of Occupancy.

First Inspection(s): Underground-Footer/Piers/Piping & Slab - After excavation work completed and gravel, steel or piping laid, prior to the pouring of concrete or backfilling.

Second Inspection(s): Foundation - After block/concrete is completed, prior to backfill and any framing being placed.

Third Inspection(s): Rough-In Framing, Plumbing, and Mechanical/Gas - After all framing, plumbing, mechanical/gas are completed, prior to covering any framework or components with insulation, drywall, siding or other wall covering. Plumbing/Gas must be on test by air/water.

Fourth Inspection(s): Insulation - After walls/floor insulation has been installed, prior to covering. Blown in attic nsulation can be inspected after the drywall is installed.

Final Inspection(s): After fixtures/appliances are in place, egress/safety codes are met, yard/walks/patios/drives completed and all work is completed - A Final Inspection must be performed & all work accepted PRIOR to occupancy of the residence or the use of the structure.

The Inspector(s) are required to inspect at various levels of the construction process. It is imperative that all nspections be performed before advancing to the next stage. If a level of inspection is missed, it is possible that a etter from a Professional Engineer will be required that must approve that acceptable building practices were ised during the missed phase of construction.

Votes:

-) The inspection department must be notified a minimum of 24 hours in advance to schedule an inspection.
-) Any and all fees shall be paid by the applicant to whom the permit is issued (including supplemental fees) prior to a Certificate of Occupancy (CO) or a Certificate of Completion (CC) being issued.
-) It shall be the duty of every contractor who enters into contracts for the construction, installation, or repair of building, plumbing, mechanical, or gas system for which a permit is required, to comply with applicable state and local rules and regulations concerning licensing.
-) This permit shall expire by limitation and become null and void if the work authorized is not commenced within 180 days from the date of issuance, or is suspended or abandoned at any time after the work is commenced for a period of 180 days.
-) Before such work recommences, a new permit shall be first obtained and the fee, therefore, shall be one-half the amount required for a new permit, provided no changes have been or will be made, and further that such suspension or abandonment has not exceeded one year.
- An additional fee of \$25 will be applied for a re-inspection after 2nd failure to pass.

have read and do understand the above listed items and hereby agree to comply therewith under penalty of law.

Page 3 of 3



April 17, 2019

On this day I, Darrell Chase met with Planning Commission members Charles Anderson, Kyle Hale, John Hofer and Edgar Gray at Don Johnson's property located on Old Kentucky Rd. to follow up on a stop work order for an accessory building that was issued on February 26, 2019. The stop work order was issued due to the setback requirements possibly not being met and what the use of the structure was actually going to be. We did walk the property boundaries and did see corner pins on the side joining 3263 Old Kentucky Rd. that is in question for possibly not meeting the setback requirements. Mr. Johnson did have a string pulled from the front corner pin to the back corner pin. We did measure from the structure to the string and the measurement was 12' 9" which meets the setback requirement of 12'. He stated that the woman he purchased the property from had it surveyed and she had showed him where the pins were when he purchased the property. Mr. Johnson claimed that he did pay a surveyor to come out and re-spot the pins to make sure that they were correct and he was told that the pins were correct. The property owner of 3247 Old Kentucky Rd, Doug Allison did arrive and talk with the board members about his property line which was marked with stakes, he stated that the stakes were correct. The structure was approximately 19' from his property line which is well within the setback requirements. Mr. Johnson was questioned about how the trees got removed from Mr. Allison's property, Mr. Johnson stated that they were blown down by a storm and were partially laying on his property and he had them cleaned up. When questioned about a large pile of down trees in the corner of Mr. Allison's property, Mr. Johnson stated that he was in the hospital and when he returned the trees had been moved there and he did not know who had moved the trees. Mr. Johnson was also questioned by Mr. Hale about the use of the building and Mr. Johnson stated that the building was only an accessory building that he will only use for storage and that he understood that it was only permitted for such and the structure could not ever be used as a residential dwelling. Mr. Johnson requested that the stop work order be lifted so he could complete the walls and roof of the structure due to the weather damaging the existing lumber of the structure. After the board members consulted it was agreed that Mr. Johnson will need to submit a survey plat of his property with the structure setbacks documented on the plat, the survey will need to be submitted to the Planning Commission office by May 3, 2019 so the board members can review at the next May board meeting. Mr. Johnson agreed and he also stated that if he could resume work on the property, he would tear the structure down with a bulldozer if the structure did not meet the setback requirements. Mr. Hofer did state that he would be ok if he continued the construction of the building and everyone present was in agreement to lift the stop work order and allow Mr. Johnson to continue the construction of the building and after the survey if it was found to not meet the setbacks Mr. Johnson would have to come back in front of the board and the appropriate actions would be taken at that time.

Darrell Chase Hamblen County Planning Commission

Accessory Building Regulation/Restrictions

6.11 Accessory Building Regulations/Restrictions (July 20, 2017)

A. All accessory buildings shall be located in the rear or side of the tract/lot unless the tract/lot is over three acres in which case the accessory building can be located anywhere on the lot. No accessory building on tracts/lots less than three acres shall be greater than 25 percent (25%) of the rear yard measured ten feet from rear of existing structure, ten feet from both sides and rear lot lines. For properties that have no structure, the accessory building shall be deemed the principle structure and shall meet all setback requirements of the principle structure. Location of utility lines and/or septic field and duplicate lines shall be the responsibility of the owner and submitted with the application for a building permit. No accessory buildings shall be placed over utility or field lines. A site plan shall be submitted for all accessory buildings; however, a site plan for an accessory building on a lot over three (3) acres shall be submitted to the planning commission for review and approval. No variances will be permitted on any accessory buildings regarding size of building, location or setbacks. (Resolution 17-15)

Owner/Authorized Agent

NF

ate



Residential

Building Permit Process Checklist:	
☑ Building Permit Application (3 pages)	
TDEC Approval (Copy of Septic Permit to be attached to p	ermit.) **See Below for contact info
Site Plan	
Floor Plan	
☐ Set Back Disclaimer (To be signed when permit is	s issued.)
☐ Accessory Building Regulation	
☐ Storm Water Permit, if applicable	560
Home Owners picking up permits will need the fo	ollowing:

Contractors picking up permits will need the following:

Current copy of Contractor's License

☐ Signed Affidavit of Exemption (To be signed and notarized when permit is issued.)

Proof of Worker's Comp & Liability Insurance or Exemption from TN Plumber bring License (minimum LLP) and pick up Plumbing Permit**TDEC

*All above documentation must be provided prior to issuance of building permit.

Physical addresses will be assigned to the property with the issuance of the building permit. Construction prior to the acquisition of a building permit will result in permit fees being doubled. Additional fee of \$25 will be applied for a re-inspection after 2nd failure to pass.

* It is extremely important that you fill out the forms completely to avoid the need for our office requesting additional information and causing a delay in processing your request

**TDEC Representative: (septic)

Brian Murphy Cell phone: 423-736-2888 E-mail: brian.murphy@tn.gov **Knoxville Office: 865-594-6035**

For Septic Permit apply and pay online by selecting: Septic System Permits on following link:

https://www.tn.gov/environment/permits/water-permits.html

(for informational contact purposes only- we are in no way affiliated with TDEC)

^{*}When you bring us this information, a file can be made and kept on record until the information expires and has to be renewed.

HAMBLEN COUNTY PLANNING COMMISSION BUILDIN PERMIT APPLICATION: RESIDENTIAL Phone: 423-581-1373 / Fax: 423-587-7089



	Date: 8-29-20	22					
me of Homeowner:							
Current Mailing	Date of Birth: 3-22-63						
ddress: (663) lishaman de tallatt TN, 37877							
Phone #:	Cell#:						
ddress: (203) fishorman de tallatt TN, 37877 Cell #: 423-754-3634							
Builder's Name:							
For Jeknen							
Builder's Mailing Address: 6631 liskonman de talbo	TAL STORE						
Address: (663) fiskonman de talbo	0 111,37871						
ffice Phone #: Cell#: 423-754-3634							
Property Address:		7					
3253 ald Kantud	ex Rd Morrestawn TN. 378K	+					
City, State, Zip:	1 1000000000000000000000000000000000000						
	V						
Subdivision Name:							
Office will complete this section.)							
Lot(s) Number(s): Tax Map: Great	oup: Parcel: District:						
one: Set Backs: Front: Left	Side: Right Side: Back:						
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Total: \$

Númber PLUMBING	Item	Unit Fee	Unit Charge
1	Permit Issuance	\$10.00	
3.1	Water Closet (Commode)	\$ 5.00 each \/	
E A RECUPISION	Urinal	\$ 5.00 each	
	Lavatory (Bathroom Sink)	\$ 5.00 each	
	Tub (with or without shower)	\$ 5.00 each	
	Shower Stall Only	\$ 5.00 each	
	Bidet	\$ 5.00 each	
	Washing Machine	\$ 5.00 each	
se fill free thus	Laundry Tub	\$ 5.00 each	
	Drinking Fountain	\$ 5.00 each	
	Water Heater	\$ 5.00 each V	
	Outside Spigots (Hose Bibbs)-up to 5	\$ 5.00 total (1-5)	
	Over 5 Spigots (Hose Bibbs)	\$ 1.00 each	
	Floor Drain	\$ 5.00 each	
- Table (1977)	Vacuum Breakers - up to 5	\$ 5.00 each	
	Over 5 Vacuum Breakers	\$ 1.00 each	
Committee of	(RP Type) Backflow Preventer	\$ 10.00 each	
	Repair / Alteration of Drainage / Vent		
	Water Main Connection	\$ 5.00 each	8
	Sanitary Drainage Connection	\$ 10.00 each	
		\$ 10.00 each	
		TOTAL:	
Mechanical			To the second se
1	Permit Issuance	\$10.00	
TO THE REAL PROPERTY.	1-2 Ton Capacity	\$ 5.00 each	
	2-5 Ton Capacity	\$ 10.00 each	
STOR STAR	Over 5 Ton Capacity	\$ 15.00 each	
	Repairs, Alterations or Additions	\$ 10.00 each	
	property actions of Additions	TOTAL:	
		TOTAL	
GAS			
1	Permit Issuance	\$10.00	
HALLY STATE	Main Line Gas Piping Installation (1-4 outlets)	\$10.00	
	Additional Outlets over 4	\$ 2.50 each	
	First Appliance Hook-Up to Piping System	\$ 5.00	
	Each Additional Appliance Hook-Up	\$ 2.50 each	
	First Vent System Installation	\$ 5.00	A SUSSEMBLE OF THE PROPERTY OF
	Additional Vents	\$ 2.50 each	
		TOTAL:	
RMWATER	*Required for all new construction for a one	time fee	
1	Permit Issuance	\$100.00	
		TOTAL:	No. of the last of
e: Additiona	I fees may be applied if the following occurs:		THE SAME STATE OF THE SAME STATE OF
	Inspection Outside Normal Business Hours	\$ 2000 each	
	Re-Inspection after 2nd Failure to Pass	\$ 25.00 each	The state of the s
	Inspection (fee not specifically indicated)	\$ 10.00 each	
	Changes, Additions, or Alterations	\$ 10.00 each	
		ADD. FEE TOTAL:	
: Anyone b	eginnning work prior to being permitted will b	111	of total permit.
		Total from	
		this page:	
		Total from	
			1
		Tripor mana	
1	Total to be determined and completed	first page:	\$

Hamblen County, Tennessee: Building & Stormwater Permits-Modular

Failure to comply with this regulation could result in a Stop Work Order being issued by the Hamblen County Planning Commission, which would freeze all construction activity until approved for continuation by the Hamblen County Planning Commission, under a valid Tennessee Contractor's License.

Stormwater Inspections: Before any land disturbance activity takes place, during construction and at the completion of project. All stormwater regulations must meet standards PRIOR to the issuance of the Certificate of Occupancy.

First Inspection-Underground-Footer/Piers/Piping & Slab-After excavation work completed and gravel, steel or piping laid, prior to the pouring of concrete or backfilling.

Second Inspection-Foundation-After block/concrete is completed, prior to backfill and any framing being placed.

Final Inspection(s): After fixtures/appliances are in place, egress/safety codes are met, yard/walks/patios/drives completed and all work is completed – A Final Inspection must be performed & all work accepted PRIOR to occupancy of the residence or the use of the structure.

The Inspector(s) are required to inspect at various levels of the construction process. It is imperative that all inspections be performed before advancing to the next stage. If a level of inspection is missed, it is possible that a letter from a Professional Engineer will be required that must approve that acceptable building practices were used during the missed phase of construction.

Notes:

- 1) The inspection department must be notified a minimum of 24 hours in advance to schedule an inspection.
- 2) Any and all fees shall be paid by the applicant to whom the permit is issued (including supplemental fees) prior to a Certificate of Occupancy (CO) or a Certificate of Completion (CC) being issued.
- 3) It shall be the duty of every contractor who enters into contracts for the construction, installation, or repair of building, plumbing, mechanical, or gas system for which a permit is required, to comply with applicable state and local rules and regulations concerning licensing.
- 4) This permit shall expire by limitation and become null and void if the work authorized is not commenced within 180 days from the date of issuance, or is suspended or abandoned at any time after the work is commenced for a period of 180 days.
- 5) Before such work recommences, a new permit shall be first obtained and the fee, therefore, shall be one-half the amount required for a new permit, provided no changes have been or will be made, and further that such suspension or abandonment has not exceeded one year.
- 6) An additional fee of \$25 will be applied for a re-inspection after 2nd failure to pass.

I have read and do understand the above listed items and hereby agree to comply therewith under penalty of law.

Don Johnson
Owner/Authorized Agent

Date

8-29-2022

Date

LON-JOHNSON 403-754-3634 28世 Kitchen 3253 old Kentuder Rd Monistown TN 37814

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