

BOARD OF ZONING APPEALS

AGENDA-MARCH 6, 2023

PUBLIC COMMENT

APPROVAL OF THE FEBRUARY 6, 2023 MEETING MINUTES

ADMINISTRATIVE INTERPRETATION

- A.) Doyle Whitmill-1265 Greenbriar Road Talbott, TN. 37877 (02-046-035.14 A-1 Zone)
Request to construct an apartment to the existing single wide mobile home. Single wide was placed on a basement foundation and has had some renovation/additions by the previous owners.
- B.) Robert/Linda Stetson-3660 Everett Road Morristown 37813 (05-040-084.02 A-1 Zone)
Mr. Stetson is requesting a time limit to remove the existing single wide mobile home after the placement of a new double wide mobile home.

NON-CONFORMING REVIEW

- A.) Milton Rodriguez-1301 Kidwell Ridge Road Morristown, TN. 37814 (02-032-081.00 R-1 Zone)
New property owner is requesting to open/reopen a non-conforming business (Auto Repair) previously E.C. Long's Repair Shop
- B.) Montepeq (Buyer) Knight (Property Owner)-1947/2005 Joe Stephens Road 37814 (02-032-075.00 R-1)
Buyer is requesting a zoning review and approval of the double wide mobile home (second structure) as Grandfathered/non-conforming use as he plans to use the property as a rental investment.

OTHER BUSINESS

ADJOURNMENT

Minutes
Hamblen County Board of Zoning Appeals
February 6, 2023

Members Present

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

Staff

Tina Whitaker, Office Manager
Donna Massey, administrative Asst.
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. Charles Anderson called the meeting to order.

Mr. Kyle Hale made a motion to approve the January minutes. Mr. Edgar Gray seconded the motion. All in favor; motion carried.

Administrative Interpretation

- A.) Silas Taylor-8063 Whetsel Road Whitesburg 37891 (04-020-066.00 A-1 Zone)

Mr. Silas Taylor, Property owner, represented the request and was sworn in. Mr. Taylor is requesting to reside in the existing home until his new double wide home is placed on the property. At that time, he will have the older home removed. Mr. Hicks discussed about a timeframe and asked Mr. Taylor if six months would be enough time to move the old mobile home. Ms. Whitaker advised after Taylor receives his C/O (Certificate of Occupancy) we could give him the six months. Mr. Hale made a motion to approve and give six months to remove the old mobile home after receiving his certificate of occupancy. Mr. Hicks seconded the motion. All in favor; motion carried.

- B.) Donald Rhodes-8091 E. Andrew Johnson Hwy Whitesburg 37891 (03-0130-A-010.00 A-1 Zone)

Mr. Donald Rhodes, Property owner, represented the request and was sworn in. Mr. Rhodes is requesting to place a single wide mobile home on the property and remove an older home that sits in the front of the property. Mr. Hale made a motion to approve six months to remove the older home from the time of placing the new single wide mobile home and receiving his certificate of occupancy. Mr. Hicks seconded. All in favor; motion carried.

Other Business

None

Adjournment

With no further business, Mr. Anderson made a motion to adjourn the meeting. Mr. Gray seconded. All in favor; motion carried. Meeting adjourned.

HAMBLEN COUNTY BOARD OF ZONING APPEALS
ADMINISTRATIVE INTERPRETATION AND/OR VARIANCE REQUEST
Meeting Location: Main Courthouse-3rd Floor-Large Courtroom Small Courtroom
Date of Review: MARCH 6, 2023 @ 4:30 p.m.

Date: Feb. 9, 23
Applicant: Doyle/Kathy Whitmill
Mailing Address: 775 S. Bellwood Rd M'town TN. 37813
Telephone: (Home) _____ (Other) 423-748-1718

PROPERTY IDENTIFICATION

Property Address 1265 Greenbriar Rd. Talbott, TN. 37817
District 02 Tax Map 046 Group - Parcel 035.14
Subdivision MARY MOSER Prop lot # 1A+
Zone A-1 Required Setbacks: Front 30 Sides/Rear 10

REGULATIONS REFERENCE

ZONING: ☒ ARTICLE: Change the use + classification of
SUB. REGS _____ ARTICLE: existing single wide mobile home

ADDITIONAL INFORMATION FOR REVIEW

See variance request (over) →

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.

on file
Applicant Signature

Received By: <u>DM</u>	Amount Paid: <u>\$50.00</u>
Date of Public Notice on Website/ Bulletin Board:	
Date sign was placed on the property: <u>2/21/23</u>	
Date letters were sent to adjoining property owners:	
Action of the board:	

Variance Request for 1265 Greenbriar Rd, Talbott, TN 37877

Current:

3 bedroom septic system

2 bedroom mobile home with stick built roof

Large roofed carport & porch

12" block foundation basement under mobile home/carport area all under roof with 4" concrete slab floor

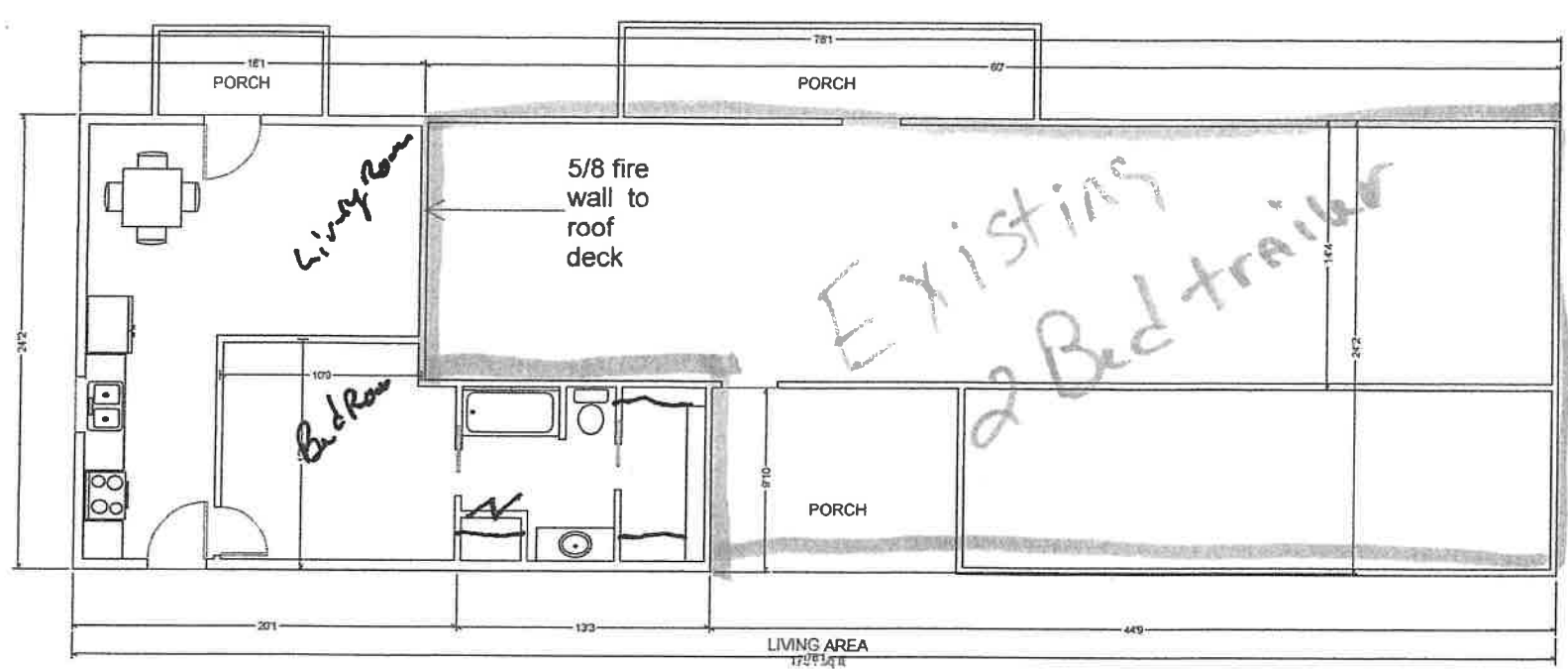
Proposed change:

1 bedroom apartment to be built under existing roof on existing slab with a firewall between units to the roofline

Vinyl siding added

2 front porches will be added to right side of home looking from street

↑ Greenbriar Rd



PERMIT FOR CONSTRUCTION OF SUBSURFACE SEWAGE DISPOSAL SYSTEM

135266

Issued to: Moore, James
Owner, Developer, Contractor, Installer, Etc.

To be constructed by Pratt, G.W.
(Installer)

Construction of a subsurface sewage disposal system is hereby authorized at:

Greenbriar Rd
(No. and street; Subdivision name and lot no.)

Such a system shall consist of a septic tank of 900 gals.
with 198 linear feet in 2 trenches,
94 inches wide, and 24-36 deep
or _____

REGION <u>2</u>	COUNTY <u>32</u>	ID-NUMBER <u>moore J</u>	DATE <u>02/25/88</u>
STAFF <u>347</u>	INSTALLATION: <input checked="" type="checkbox"/> 1. New Installation <input type="checkbox"/> 2. Repair to Existing System		
Type of System: <input checked="" type="checkbox"/> 1. Standard <input type="checkbox"/> 3. Chapter 301 <input type="checkbox"/> 2. Alternating <input type="checkbox"/> 4. Chapter 212 <input type="checkbox"/> 5. Other			
For: <input checked="" type="checkbox"/> 1. Residential: No. B/R <u>3</u> <input type="checkbox"/> 2. Commercial/Industrial; Gal/Day: _____			
Evaluation based Upon: <input type="checkbox"/> 1. Soil Typing by Soil Scientist <input type="checkbox"/> 2. Soil Percolation Tests <input checked="" type="checkbox"/> 3. Other			
Permeability Rate _____			

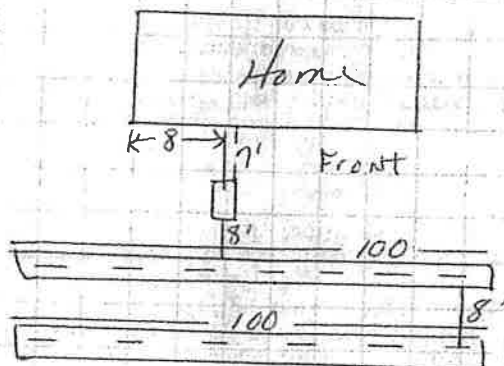
The recipient of this permit agrees to construct or have constructed the system in accordance with the rules and regulations under the authority of TCA 53-2054. The recipient must notify the local health authority when the system is ready for inspection. If any part of system is covered before being inspected and approved, it shall be uncovered by the recipient of the permit at the direction of the local health authority.

(Signature of Recipient-Owner, Developer, Contractor, Etc.) _____

Date _____

Issued at _____, Tennessee in the County of _____

By _____
(Local Health Authority) _____ Date _____



----- Field Line
----- Solid Line
0 Depth in in.

Inspected By Shaw, Walt
Local Health Authority

Date 02/25/88

Construction Approval: ☒ 1. Yes ☐ 2. No

0 25

No. of Visits: 2

Time

ADMINISTRATIVE INTERPRETATION AND/OR VARIANCE REQUEST

Meeting Location: Main Courthouse-3rd Floor-Large Courtroom Small Courtroom
Date of Review: March 6, 2023 @ 4:30 p.m.

Date: 2/17/23

Applicant: Robert/Linda Stetson

Mailing Address: 737 W. 3rd North Street Mt. town 37814

Telephone: (Home)

(Other) 423-748-7544

PROPERTY IDENTIFICATION

Property Address 3660 Everett Rd. Mt. town 37813
District 05 Tax Map 040 Group - Parcel 084.02
Subdivision Viola Sue Everett Est lot # 2
Zone A-1 Required Setbacks: Front _____ Sides/Rear _____

REGULATIONS REFERENCE

ZONING: ☒ ARTICLE: 6.3 One principal bldg on any lot
~~SUB. RECS~~ ARTICLE: 6.11 (D) Accessory bldg. Req's

ADDITIONAL INFORMATION FOR REVIEW

A building permit has been issued for the placement of a new double wide mobile home w/ the understanding that the existing single wide must be removed from the property

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.

on file
Applicant Signature

Received By: <u>DM</u>	Amount Paid: <u>\$50.00</u>
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:	

The City of Morristown

Community Development & Planning



TO: Hamblen County Planning Commission
FROM: Josh Cole, City of Morristown Senior Planner
DATE: March 6th, 2023
SUBJECT: Nonconforming Reviews

Hamblen County Planning Staff has received numerous requests regarding the ability to operate non-conforming uses, that is, uses that do not conform to the existing zoning requirements. Hamblen County Zoning Ordinance discusses non-conforming uses under section 6.2 ("Non-conforming/Continuance of Non-conforming Uses") and the State under Tennessee Code Annotated, § 13-7-208.

Per Hamblen County Zoning Ordinance, a legal non-conforming use is allowed to continue into the future; however, there are some exceptions.

- First, the use would have to be approved and legal at some point.
- Second, if a non-conforming building has been "damaged to the extent of more than seventy percent (70%) of the fair market cash value," then the use must meet the current requirements.
- Third, if the non-conforming use has ceased to exist for a period of twelve (12) months, it shall not be re-established and must meet the current requirements. However, I will caution that under Tennessee Code Annotated, § 13-7-208, the time period is thirty (30) months.

Additionally, some other key points from TCA 13-7-208:

- Codified as municipal, it applies to both municipal and county governments by virtue of the case law.
- Right to continue activities runs with the land; is not specific to the individual; rights pass to a new owner.
- It only applies to properties that were in ownership of the nonconforming business at the time the code or zoning changed. Thus, you cannot expand a non-conforming use onto additional parcel.
- Industrial, commercial, or other business establishments has the right to rebuild or even expand their current operations. However, as noted above, it must be on the original parcel(s) of the operation.
- Multi-family establishments may be rebuilt but must meet the original height, density, setback, or square-footage of the original facilities if they were to be destroyed by fire, wind, or other natural disaster.
- Single-family residential is not protected by this law.
- As noted above, if the owner ceases to operate for 30 months then it must meet all current requirements. Also, if the owner abandoned the use such as changing the use, then it cannot revert back to the non-conforming use.

In conclusion, the zoning ordinance for Hamblen County was originally adopted in 1990, so there may be several uses that were approved prior to this and is currently legal non-conforming as it has continued to exist. If this is the case, then this use is protected under the above and has the ability to continue. However, if the use ceased to exist for 30 months or the owner abandoned the use, then any new use of the property has to conform with all current zoning requirements.

ADMINISTRATIVE INTERPRETATION AND/OR VARIANCE REQUEST

Meeting Location: Main Courthouse-3rd Floor-Large Courtroom Small Courtroom
Date of Review: MARCH 6, 2023 @ 4:30 p.m.

Date: Feb. 9, 23
Applicant: Milton Rodriguez (owner) Raymond Rodriguez
Mailing Address: 1300 Kidwell Ridge Rd. M'town 37814
Telephone: (Home) 325-439-9422 (Other) 423-671-7111

PROPERTY IDENTIFICATION

Property Address 1301 Kidwell Ridge Rd. M'town 37814
District 02 Tax Map 032 Group - Parcel 081.00
Subdivision - lot # -
Zone R-1 Required Setbacks: Front - Sides/Rear -

REGULATIONS REFERENCE

ZONING: ☒ ARTICLE: 6.2 Non-conforming
SUB. REGS. - ARTICLE: -

ADDITIONAL INFORMATION FOR REVIEW

New property owner is requesting to open/re-open
a non-conforming business previously E.C. Long
Repair Shop - See business plan.

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.

on file
Applicant Signature

Received By: <u>DM</u>	Amount Paid: <u>\$50.00</u>
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:	

Rodriguez's Honest Auto Business Plan

Sole Proprietor: Milton J. Rodriguez

Cell Phone: 325-439-9422

Business Phone: 423-671-7111

Business Email: honestauto1300@gmail.com

Business Address: 1300 Kidwell Ridge Rd. Morristown, TN
37814

Mission Statement

Being in the industry for 9 years I have witnessed people being taken advantage of or being lied to when it come to repairing their vehicle. I want to change that in Hamblen County and the surrounding areas. Honest Auto is going to bring a change to the industry by setting an example on how to serve the community with honest auto repairs.

Employment

When I get established I will hire some employees who will help me accomplish our mission. They will be paid based on their experience, skills, and tools. Honest Auto will help train them to become the best version of them self's in the work place and outside of the work place. We plan to invest knowledge and skills into our employees. Helping them further their career in the industry.

Services

When I open I will be equipped to do a lot of repairs such as.

- Full vehicle inspections
- Fluid exchanges
- Diagnostic
- Tune ups
- Brakes
- Suspension
- Engine work
- Transmission work

Cost

Service cost is based on what job is being performed. We will charge customers by the job our labor rate will be eighty dollars an hour.

Goals

Our goal is to open in April. Before that happens we are going to clean the garage up so it stays organized and clean.

After one year of business I am planning to purchase an alignment rack to further our services.

After two years of business I am planning to install bigger garage doors so we can further our services to work vans and trucks. So we can help our local contractors.

After three years of business I am planning to replace the gravel with asphalt to make the driveway more professional. Professionalism and cleanliness is one of our many priorities.

Growth

The industry is always changing that's why we must stay ahead of the curve. Honest Auto will always be looking to see how we can improve our self's. We will accomplish that by constantly searching for courses that can further our knowledge about auto repairs. We will be searching how we can improve our equipment and tools to better serve our community. We will never stop learning or improving.

Advertisement

We plan to advertise in many ways we understand that is a key to a successful business.

- Word of mouth, many customers will be happy with service spreading their experience they had with us and sharing business cards.
- We will partner with local business to exchange business cards to display in our businesses.
- When we open we will put an ad in the paper.
- We are going to become a member of the Chamber of Commerce.
- We will get a website on social media so we can reach clients.

Honest Auto
423-671-7111
1300 Kidwell Ridge Rd.
Morristown, TN 37814
Sole Proprietor:
Milton J. Rodriguez

Rodriguez's Honest Auto Reference List

1. Adam Cooper 423-312-8030
1106 Forest Dr, Morristown, TN 37814
Relationship: Pastor
2. Angel Leon 423-312-1777
2824 Combs Ln, Morristown, TN 37814
Relationship: Client
3. Brian Strand 865-318-6922
0669 Kidwell Ridge Rd, Morristown, TN 37814
Relationship: Client
4. Brent Cooper 423-231-1441
326 Ladysmith Ln, Morristown, TN 37814
Relationship: Client

5. Edna Greene 423-581-6805
4981 Cameron Rd, Morristown, Tn 37814
Relationship: Tax Accountant
6. Javier Serna 423-736-9353
1285 Kidwell Ridge Rd, Morristown, Tn 37814
Relationship: Client
7. Mario Lara 423-273-5352
1730 Wiley Blount Dr, Morristown, Tn 37814
Relationship: Client
8. Marry Elizabeth 423-736-9599
647 Harvey Dr, Russellville, Tn 37860
Relationship: Friend of E C Long (previous owner)
9. Niel Johnson 423-839-0661
7520 Evolene Circle, Talbott, Tn 37877
Relationship: Client
10. Sanford Cooper 423-312-6902
370 Lochmere Dr, Morristown, Tn 37814
Relationship: Pastor

Hamblen (032)

Tax Year 2023 | Reappraisal 2020

Jan 1 Owner

RODRIGUEZ RAYMOND & EUNICE

1300 KIDWELL RIDGE RD

MORRISTOWN TN 37814

Current Owner

1300 KIDWELL RIDGE RD

MORRISTOWN TN 37814

KIDWELL RIDGE RD 1310

Ctrl Map: 032

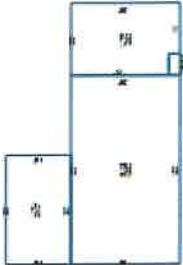
Group: 081.00

Parcel: 001

SI: 001

PI:

Value Information			Commercial Building #: 1		
Land Market Value:	\$14,800		Improvement Type:	41 - GARAGE	Actual Year Built:
Improvement Value:	\$32,500		Quality:	0 - - BELOW AVERAGE -	1975
Total Market Appraisal:	\$47,300		Foundation:	02 - CONTINUOUS FOOTING	Business Living Area:
Assessment Percentage:	40%		Roof Framing:	02 - GABLE/HIP	1560
Assessment:	\$18,920		Cabinet/Millwork:	02 - BELOW AVG	Floor System:
Additional Information			Interior Finish:	00 - NONE	01 - SLAB ON GRADE
General Information			Bath Tiles:	00 - NONE	Roof Cover/Deck:
Class: 08 - Commercial			Shape:	01 - RECTANGLE	03 - COMPOSITION SHINGLE
City #:			Heat and AC:	00 - NONE	Floor Finish:
Special Service District 1: 000					01 - CONCRETE FINISH
District: 02					Paint/Decor:
Number of Buildings: 1					02 - BELOW AVERAGE
Utilities - Water/Sewer: 03 - PUBLIC / INDIVIDUAL					Electrical:
Utilities - Gas/Gas Type: 03 - PRIVATE - NATURAL					03 - AVERAGE
GAS					Structural Frame:
					00 - NONE
					Plumbing Fixtures:
					2
Outbuildings & Yard Items					
Building #	Type	Description	Units	Square Feet	
Sale Information			Exterior Wall		
Long Sale Information list on subsequent pages			Type	Feet	
Land Information			41 -	1,560	10 - CONC
Deed Acres: 0.46	Calculated Acres: 0	Total Land Units: 0.46	GARAGE		BLOCK/BRICK
Land Code	Soil Class	Units	Commercial Features		
11 - COM RURAL		0.46	Type	Units	
			UTU - UTILITY UNFINISHED	540 X 1	
			OPF - OPEN PORCH FINISHED	18 X 1	
			UTF - UTILITY FINISHED	582 X 1	



HAMBLLEN COUNTY BOARD OF ZONING APPEALS
ADMINISTRATIVE INTERPRETATION AND/OR VARIANCE REQUEST

Meeting Location: Main Courthouse-3rd Floor-Large Courtroom Small Courtroom
Date of Review: March 6, 2023 @ 4:30 p.m.

Date: Feb. 7, 23

Applicant: Noel Montepaque (buyer) Harold/Pamela Knight (property owners)

Mailing Address: P.O. Box 86 M'town TN. 37815/0086

Telephone: (Home) (Other) 423-273-2663

PROPERTY IDENTIFICATION

Property Address 1947 + 2005 Joe Stephens Rd. M'town TN. 37814
District 02 Tax Map 032 Group - Parcel 075.00
Subdivision N/A lot # N/A
Zone R-1 Required Setbacks: Front Sides/Rear

REGULATIONS REFERENCE

ZONING: ☒ ARTICLE: 6.2 non-conforming/continuance of non-conforming use
SUB. REGS ARTICLE:

ADDITIONAL INFORMATION FOR REVIEW

Buyer is wanting a zoning review and approval of the double-wide mobile home as grandfathered/non-conforming (second structure) as he plans to use the property for rental. - (OVER) →

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.

on file
Applicant Signature

Received By: <u>DM</u>	Amount Paid: <u>\$50.00</u>
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:	

* 2/23/23- Field review was conducted and both structures were found to be uninhabitable at this time.

February 7, 2023

Noel Montepeque

To Whom It May Concern

**RE: 1947/2005 Joe Stephens Road-Zoning Compliance Question
Non-conforming or grandfathered status of the structures on the property**

Our office has researched your request for a zoning verify on the above mentioned property.

There are no building permits issued for either structure due to the year that each structure was placed on the property per the tax records (Residential Home 1941/DWMH 1986). Building permits were not required at that time.

There are no septic system records for either structure per the Tennessee Department of Environment & Conservation (TDEC) office. *a septic permit was issued for 1947 Joe Stephens which is the address for the house built in 1941*

Also, during our research it was determined that a deeded easement for ingress and egress for the DWMH was recorded in 2018 but there was not a prior easement to the DWMH which should have been recorded with the placement of the home in 1986.

We have also contacted Appalachian Electric and they have confirmed that there has not been electricity service to either structure for some time now. *no electric to either structure since 2018 per Appalachian Electric*

The Hamblen County Zoning Regulations 6.2-C Non-Conforming/Continuance of Non-conforming Uses and 6.3 One Principal Building on any lot -states:

6.2 (C) When a non-conforming use of any building, structure or land has ceased for a period of twelve months, it shall not be re-established or changed to any use not in conformity with the provisions of this Resolution.

6.3 One Principal Building on any lot: Only one (1) structure shall be permitted per lot. The principal structure is considered the main or primary purpose for which the land is used.

Your request will need to go before the Board of Zoning Appeals for approval of the Non-conforming status. You will need to provide that both structures have septic systems, approved by TDEC, and that both are structurally sound for human occupancy.

Please see the attached zoning regulations, warranty deed, and property assessment data.

We have also included a meeting schedule, with the deadline date for submittal of your request.

Hamblen County Planning Commission Staff



(1 of 2)



Parcel ID: 032032 07500

Property Owner: KNIGHT HAROLD E &

PAMELA KAY

Subdivision:

Lot:

Acreage: 3.34

Mailing Address: 2918 AMESBURY DR,
MORRISTOWN, TN, 37814

[View Property Card](#)

[Zoom to](#)



368 36.223 Degrees

PERMIT FOR CONSTRUCTION OF SUBSURFACE SEWAGE DISPOSAL SYSTEM

116806

Issued to: <u>BAXLEY, Linda 586-6226</u> <small>Owner, Developer, Contractor, Installer, Etc.</small>	REGION <u>2</u>	COUNTY <u>32</u>	ID-NUMBER <u>1947JO</u>	DATE
To be constructed by <u>Any licensed</u> <small>(Installer)</small>	STAFF	INSTALLATION: <input checked="" type="checkbox"/> 1. New Installation <input type="checkbox"/> 2. Repair to Existing System		
Construction of a subsurface sewage disposal system is hereby authorized at: <u>1947 Joe Stevens Rd.</u> <small>(No. and street; Subdivision name and lot no.)</small>	Type of System: <input checked="" type="checkbox"/> 1. Standard <input type="checkbox"/> 3. Chapter 391 <input type="checkbox"/> 5. Other <input type="checkbox"/> 2. Alternating <input type="checkbox"/> 4. Chapter 212			
Such a system shall consist of a septic tank of <u>900</u> gals. with <u>198</u> linear feet in <u>2</u> trenches. <u>96</u> inches wide, and <u>24-48"</u> deep <u>ON CONTOUR</u>	For: <input checked="" type="checkbox"/> 1. Residential No. B/R <input type="checkbox"/> 2. Commercial Industrial; Gal/Day			
Evaluation based Upon: <input type="checkbox"/> 1. Soil Typing by Soil Scientist <input type="checkbox"/> 2. Soil Percolation Tests <input checked="" type="checkbox"/> 3. Other Permeability Rate <u>6.0 mpi</u>				

The recipient of this permit agrees to construct or have constructed the system in accordance with the rules and regulations under the authority of TCA 53-2054. The recipient must notify the local health authority when the system is ready for inspection. If any part of system is covered before being inspected and approved, it shall be uncovered by the recipient of the permit at the direction of the local health authority.

(Signature of Recipient-Owner, Developer, Contractor, Etc.)

Date

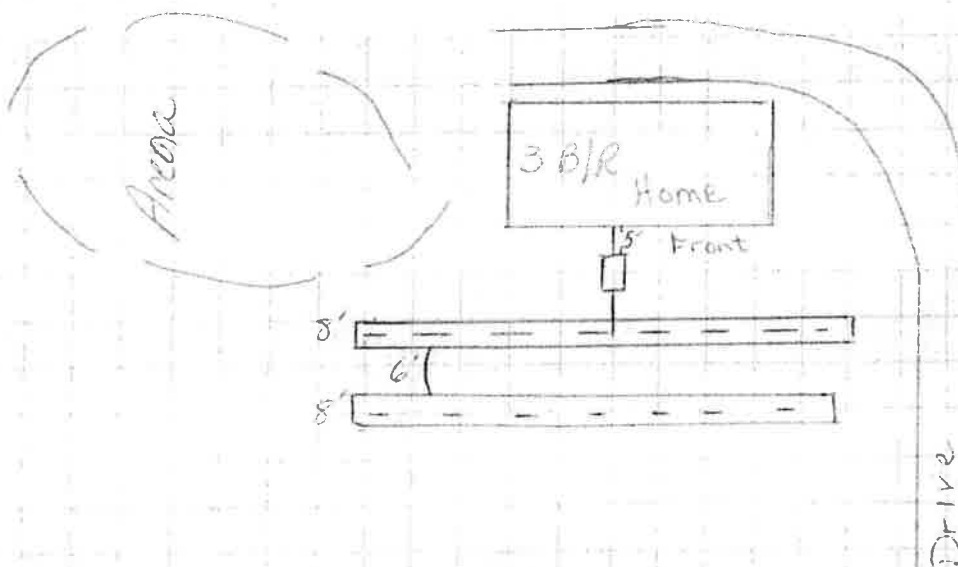
Issued at MORRISTOWN, Tennessee in the County of Hamblen
By Shari Watt Date 07/03/86
(Local Health Authority)

Call 586-6431

between 8:00-8:45am
for final inspection

*Stay 10' from
water lines +
10' from property
lines.

*install lines
on ground
contour



..... Field Line
——— Solid Line
0 Depth in in.

Joe Stevens Rd.

Inspected By _____
Local Health Authority

Construction Approval: ☐ 1. Yes ☐ 2. No

--	--	--

Date _____

No. of Visits: _____

Time

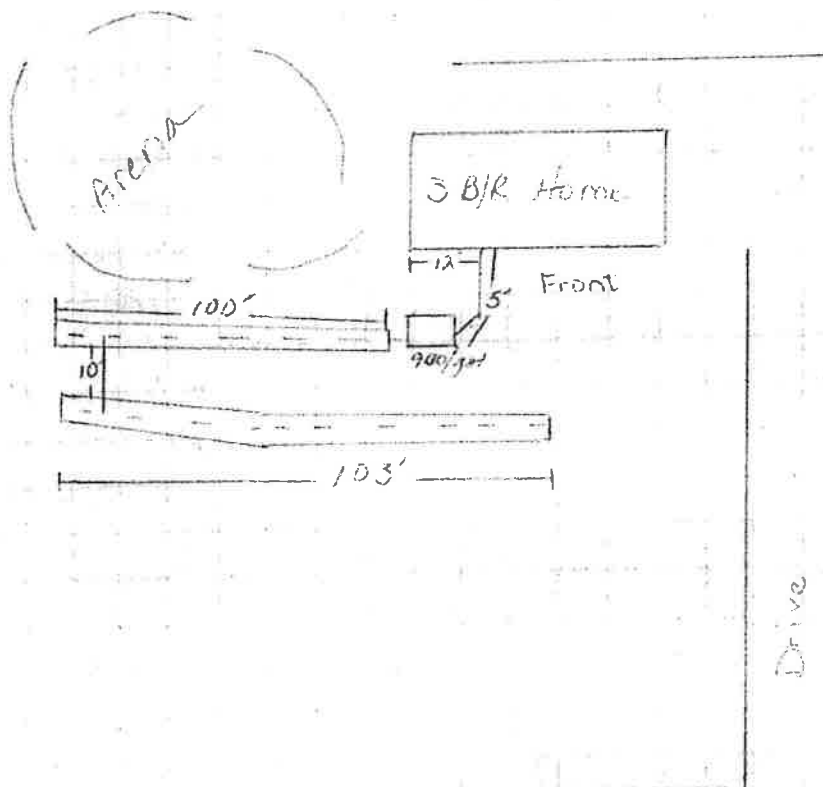
116822

PERMIT FOR CONSTRUCTION OF SUBSURFACE SEWAGE DISPOSAL SYSTEM

Issued to: <u>Baxley, Linda 586-6226</u> (Owner, Developer, Contractor, Installer, Etc)	REGION <u>2</u>	COUNTY <u>32</u>	ID-NUMBER <u>1947JO</u>	DATE <u>07/24/86</u>
To be constructed by: <u>Rines, Ernest</u> (Installer)	STAFF <u>103</u>	INSTALLATION: <input checked="" type="checkbox"/> 1. New Installation <input type="checkbox"/> 2. Repair to Existing System		
Construction of a subsurface sewage disposal system is hereby authorized at:				
<u>1947 Joe Stevens Rd.</u> (No. and street, Subdivision name and lot no.)				
Each system shall consist of a septic tank of <u>900</u> gals. with <u>198</u> linear feet in <u>2</u> trenches, <u>96</u> inches wide, and <u>24-48"</u> deep <u>ON Contour</u>				
Type of System: <input checked="" type="checkbox"/> 1. Standard <input type="checkbox"/> 3. Chapter 301 <input type="checkbox"/> 5. Other <input type="checkbox"/> 2. Alternating <input type="checkbox"/> 4. Chapter 212				
For: <input checked="" type="checkbox"/> 1. Residential: No. B/R <u>3</u> <input type="checkbox"/> 2. Commercial/Industrial: Gal./Day _____				
Evaluation based Upon: <input type="checkbox"/> 1. Soil Typing by Soil Scientist <input type="checkbox"/> 2. Soil Percolation Tests <input checked="" type="checkbox"/> 3. Other				
Permeability Rate <u>60 mpi</u>				

The recipient of this permit agrees to construct or have constructed the system in accordance with the rules and regulations under the authority of TCA 53-2054. The recipient must notify the local health authority when the system is ready for inspection. If any part of system is covered before being inspected and approved, it shall be uncovered by the recipient of the permit at the direction of the local health authority.

(Signature of Recipient-Owner, Developer, Contractor, Etc.) <u>MARRISTOWN</u>	Date _____
Issued at: <u>Shari Watt</u> (Local Health Authority)	Tennessee in the County of <u>HAMBLET</u> Date <u>07/03/86</u>



..... Field Line
——— Solid Line
0 Depth in ft.

Inspected By: <u>Shari Watt</u> Local Health Authority	Date: <u>07/24/86</u>
---	-----------------------

Construction Approval: ☒ 1. Yes ☐ 2. No

0 3 0

No. of Visits 3

Time

ARTICLE 6 GENERAL PROVISIONS

6.1 Zoning Affects Every Building & Use: After this code is adopted, all new construction shall conform to the requirements in this code. This shall include new buildings or any additions to existing buildings.

6.2 Non-conforming/Continuance of Non-conforming Uses: Any lawful use of any building or land existing at the time of the enactment of this Resolution or whenever a district is changed by an amendment thereafter may be continued although such use does not conform with the provisions of this Resolution, with the following limitations:

- A. No building or land containing a non-conforming use shall hereafter be expanded or extended unless such expansions or extensions shall conform to the provisions of this Resolution for the district in which it is located, except as specifically set out in this Article 6.2.
- B. Any non-conforming building, which has been damaged by fire or other causes, may be repaired and used as before, unless it is determined by the building commissioner that the building is damaged to the extent of more than seventy percent (70%) of the fair market cash value of the structure, in which case any repair or reconstruction shall meet all the requirements of the zone in which it is located.
- C. When a non-conforming use of any building, structure or land has ceased for a period of twelve (12) months, it shall not be re-established or changed to any use not in conformity with the provisions of this Resolution.
- D. Any building containing a non-conforming use shall not be changed to another non-conforming use unless it is determined by the Board of Zoning Appeals that such use is similar or less noxious than the previous use.
- E. All lots and property previously subdivided prior to September 2, 1990's adoption of the Hamblen County Zoning Resolution will be allowed to be utilized for construction if the lot is less than the requirements of this Resolution, unless setback lines and road frontage requirements cannot be met.
- F. Non-conforming Mobile Home – A mobile home deemed to be a legal non-conforming use at the time of the adoption of this Resolution and located on a single lot may be replaced under the following conditions:
 - 1. Provided that it is replaced within twelve (12) months of the removal or partial destruction (less than 70%) of the previous mobile home:

2. Provided that the replacement mobile home is of structural quality equal to or exceeding that of the previous mobile home in the opinion of the building commissioner.
 3. Provided that it meets the front, side and rear yard setback requirements of the district in which it is located: and
 4. Lots which have more than one (1) mobile home at the time of the adoption of zoning are not permitted to replace each mobile home unless each mobile home meets the minimum square footage required for single family residential dwelling or unless the mobile homes are located in a non-conforming mobile home park of records, which has not ceased to operate for more than twelve (12) months.
- G. Except as hereinafter set out, a non-conforming commercial or industrial use may be expanded or extended, provided that said expansion or extension is approved by the Hamblen County Planning Commission. Before any expansion or extension is begun, however, a Site Plan as set out in Article 6.6 showing existing development and the proposed expansion or extension shall be presented to the Planning Commission for review and approval along with any other documentation or information required under the terms of this Zoning Resolution. A non-conforming use, by its nature, is not in character with its surrounding neighborhood, and therefore, any effort shall be made to maintain the aesthetic characteristics of the neighborhood in order to protect the safety and welfare of citizens and to protect property values. No expansions or extensions shall be approved unless the Planning Commission determines the result of the proposed expansion or extension has a positive net effect on the surrounding neighborhood. Since noise, visual pollution and traffic congestion are the primary sources of incompatibility of land uses, efforts should be made to minimize their effect.

6.3 One Principal Building on any lot: Only one (1) structure shall be permitted per lot. The principal structure is considered the main or primary purpose for which the land is used. Accessory uses are permitted on the same lot, the use of which is incidental and supportive of the primary use of the principal building. For purposes of this zoning code, a lot is considered to be 11,000 square feet if located on public sewer, 22,000 square feet if located on public water with no public sewer, and 43,560 square feet if there is no public sewer or water. A lot, for the purpose of this code, will also include anything referred to as a tract, parcel, plat or lot. For determination of compliance with one (1) principal building per lot, the Hamblen County Tax Map or any subsequent survey produced by the owner will be used to determine the lot, tract, plat or parcel and the number of building located therein.

This Instrument Was Prepared By:
The Law Office of Kelley Hinsley
518 West Third Street
Morristown, TN 37814

EASEMENT AGREEMENT

WHEREAS, Emma Jean Baxley ("Grantor") is the owner of a certain tract of real property located in Hamblen County, Tennessee, being more particularly described in deed of record in Book 98, page 276, in the Register's Office for Hamblen County, Tennessee; and

WHEREAS, Lyndsey Coffey ("Grantee"), devisee under the Last Will and Testament of Stevan Alan Baxley, Hamblen County Chancery Court Case No. 2017-PR-71, is the owner of a certain tract of real property located in Hamblen County, Tennessee, being more particularly described in deed of record in Book 451, page 166, in the Register's Office for Hamblen County, Tennessee.

WHEREAS, there exists a gravel driveway along the northern boundary of Grantor's property which has been used for ingress and egress to Grantee's property for many years;

WHEREAS, Grantor and Grantee desire to execute this agreement to reflect the conveyance of the long-standing easement and to have the easement clearly recorded.

NOW, THEREFORE, Grantor and Grantee do hereby establish a twenty (20) foot wide easement for ingress and egress along the northern boundary of Grantor's property, providing access to and from Grantee's property described in Deed book 451, page 166, to the public roadway known as Joe Stephens Road, and by the execution of this Easement Agreement, Grantor and Grantee acknowledge that their respective properties are subject to the said easement, to-wit:

SITUATED in the Second (2nd) Civil District of Hamblen County, Tennessee, to-wit:

BEING a twenty (20) foot wide easement for ingress and egress from certain real property identified as Hamblen County Tax Map 032, Parcel 075.00, comprised of 3.32 acres, more or less, to the public road known as Joe Stephens Road, and being more particularly described as follows:

BEGINNING at a point in the western right-of-way boundary of Joe Stephens Road, corner to Regina Ayers (Book 1725, page 587), thence with said western right-of-way boundary of Joe Stephens Road South 03 deg. 41 min. 26 sec. East 22.34 feet to a point, thence South 59 deg. 49 min. 41 sec. West 201.42 feet to a point in Baxley's eastern boundary, thence North 03 deg. 28 min. 02 sec. West 22.39 feet to a point in the southern boundary of Ayers, thence with said southern boundary North 59 deg. 49 min. 41 sec. East 201.32 feet to a point in the western right-of-way boundary of Joe Stephens Road, the point of BEGINNING. Being shown on survey of Charles T. Johnson Jr., RLS# 2405, entitled Record Survey 19457 Joe Stephens Road, dated August 21, 2018.

BEING a portion of the same property conveyed to Grantor, Emma Jean Baxley, and husband, Pat James Baxley, in deed of record in Book 98, page 276, in the Register's Office of Hamblen County, Tennessee. Pat James Baxley is deceased.

For and in consideration of the sum of One Dollar (\$1.00), cash in hand paid, and other good and valuable consideration, the parties each further covenant and agree that:

- (a) Grantor and Grantee shall have common use of said easement.
- (b) Said easement shall run with the land.
- (c) Neither Grantor nor Grantee shall destroy or damage the driveway, or park or impair the use thereof by parking or permitting any person to park, within the easement itself; and the easement shall not be gated, unless by the mutual agreement of Grantor and Grantee.
- (d) This instrument, and the provisions and requirements herein contained, shall be binding upon, and inure to the benefit of, the parties and their respective heirs and assigns.

IN WITNESS WHEREOF, this instrument has been executed on the 24th day of September, 2018.

GRANTOR:

Emma J Baxley

Emma Jean Baxley

9 24 18
Date

BK/PG: 1768/799-801

18006885

3 PGS:AL-EASEMENT	
LCLEMENT BATCH: 122819	
09/26/2018 - 09:38 AM	
VALUE	0.00
MORTGAGE TAX	0.00
TRANSFER TAX	0.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	0.00
TOTAL AMOUNT	17.00

GRANTEE:

Lyndsey Coffey

Lyndsey Coffey

9.24.18
Date

STATE OF TENNESSEE, HAMBLLEN COUNTY
JIM CLAWSON
REGISTER OF DEEDS

STATE OF TENNESSEE

COUNTY OF Hamblen

J. Keith Ely
PT 2 MAP 32 GR POL 25.00

Personally appeared before me, a Notary Public in and for the state and county aforesaid, the within bargainer, **Emma Jean Baxley**, with whom I am personally acquainted (or who proved to me on the basis of satisfactory evidence to be the person that executed the foregoing instrument), and who acknowledged that she executed the foregoing instrument for the purpose therein contained and expressed.

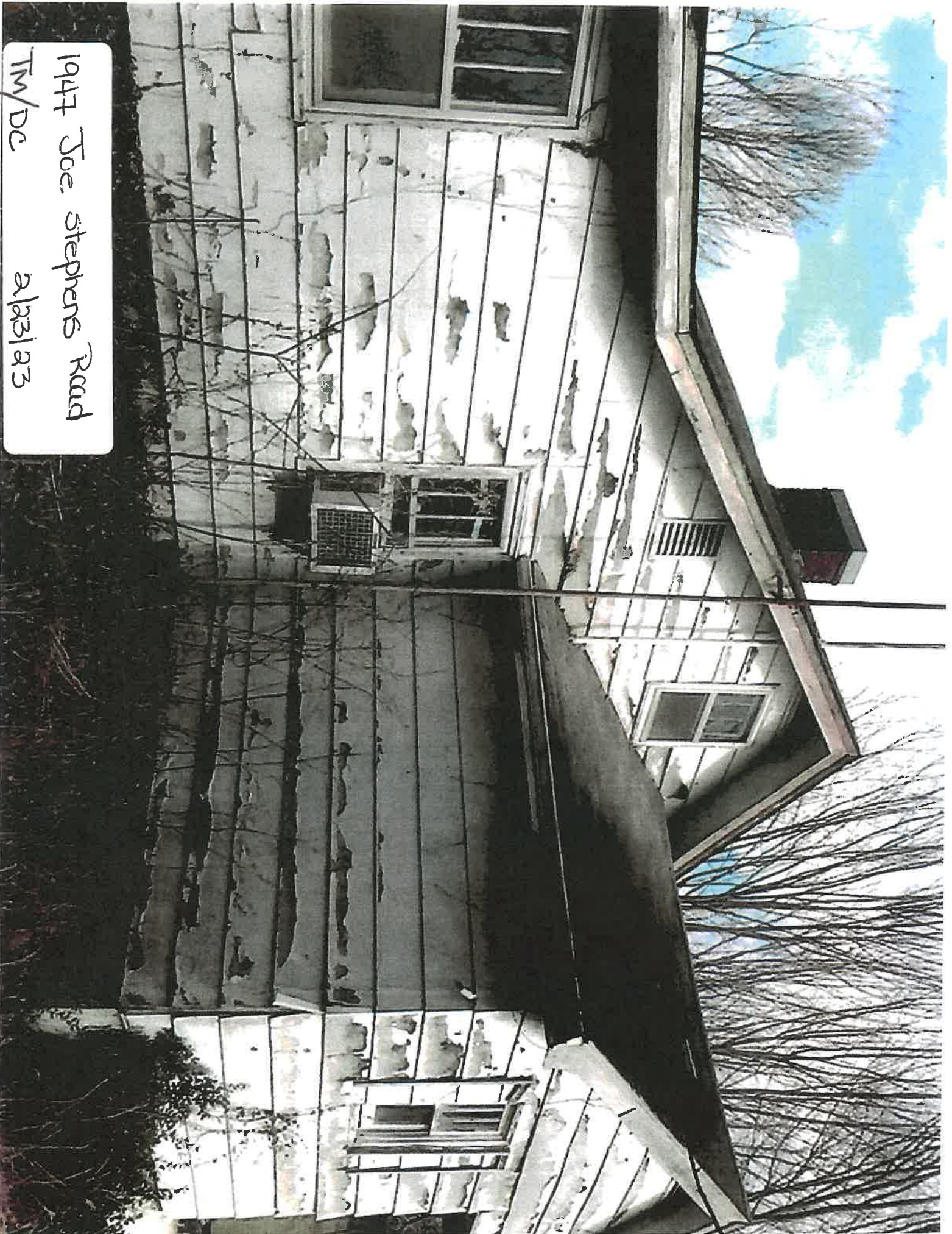
Witness my hand and seal this 24th day of September, 2018.

My commission expires: 3-2-21

Tyla Williams
Notary Public



1947 Joe Stephens Road
TM/DC 2/23/23





1947 Joe Stephens Rd.

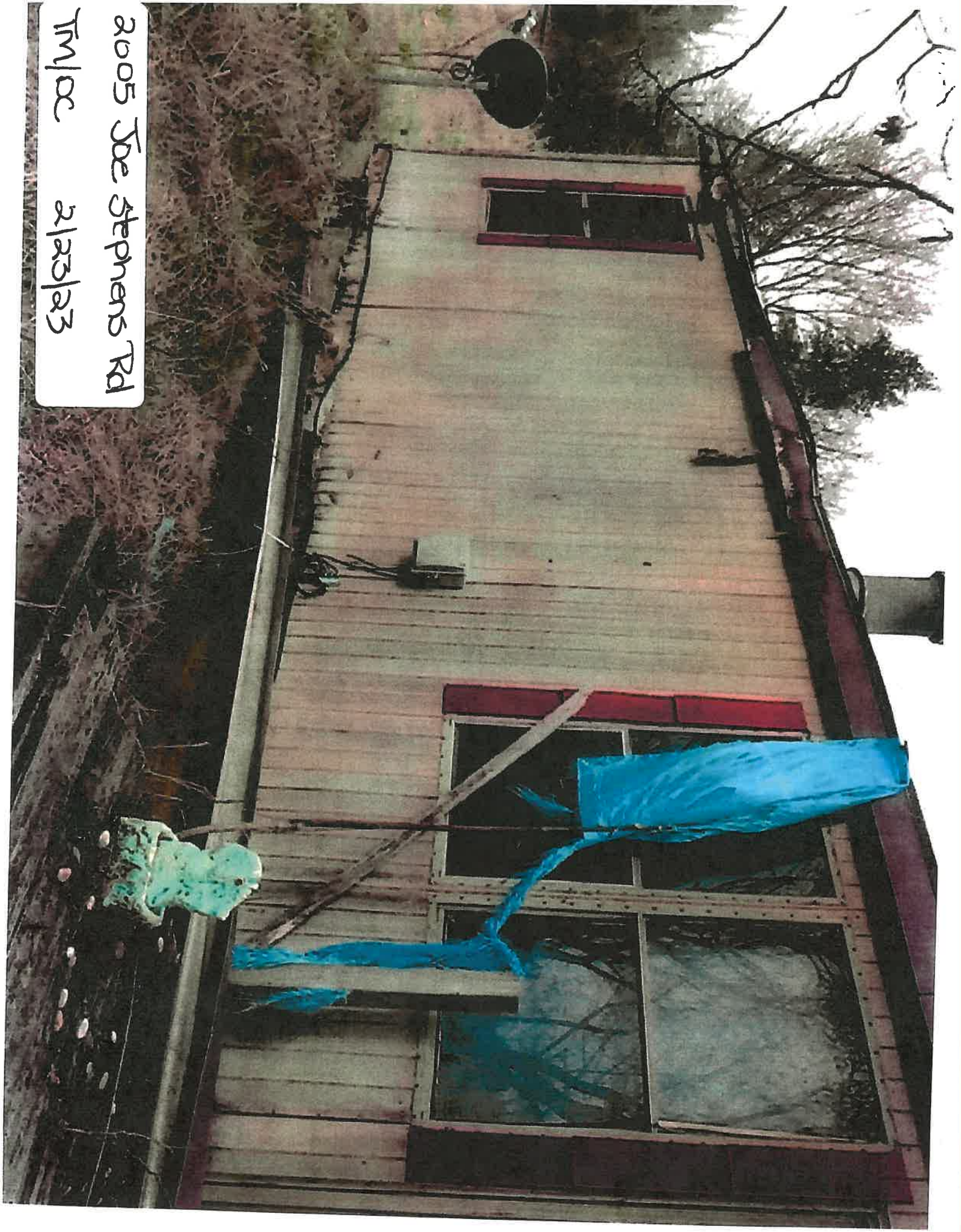
TM/DC

2/23/23



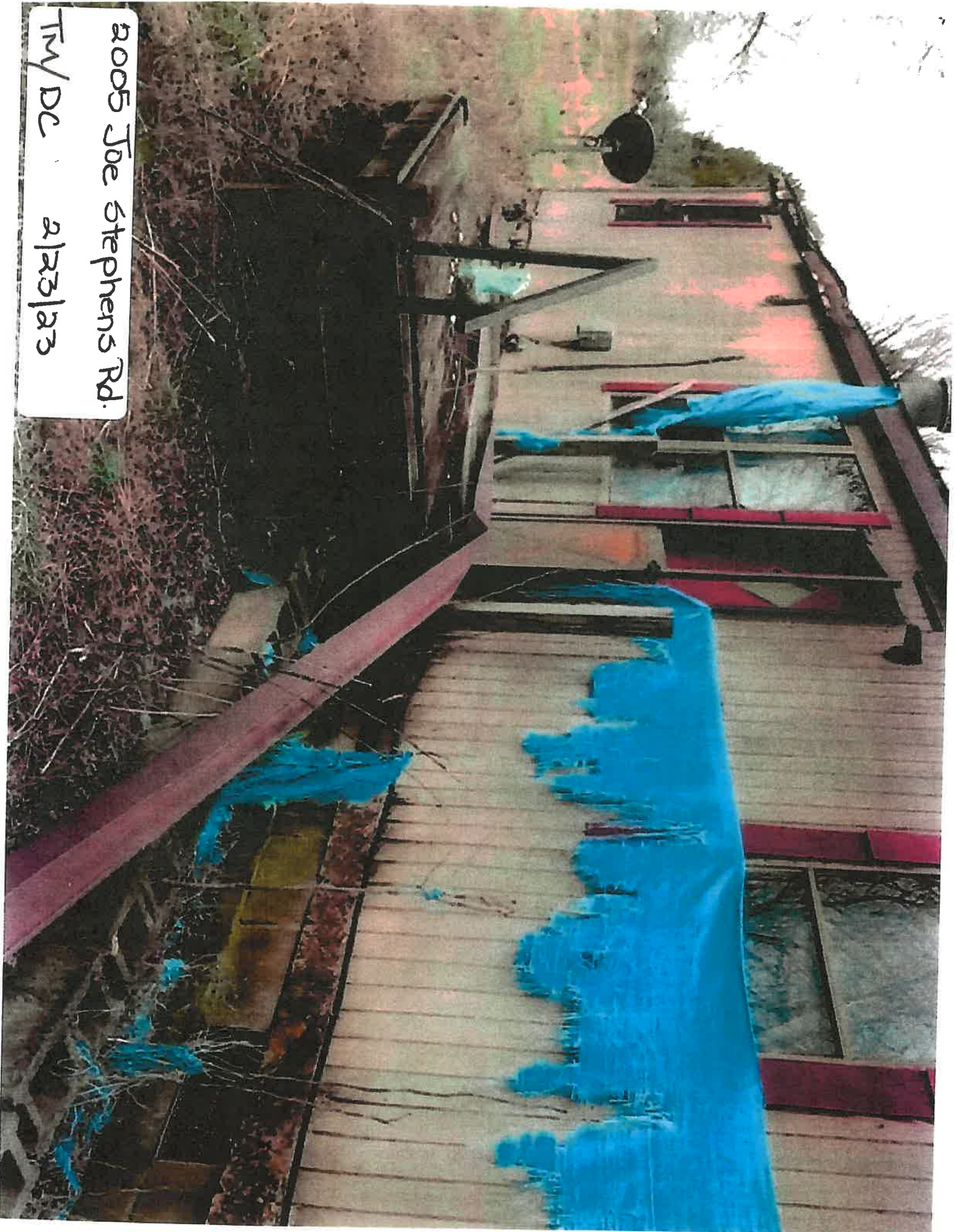
1947 Joe Stephens Rd.
TM/DC . 2/23/23

2005 Joe Stephens Rd
Tm/oc 2/23/23



2005 Joe Stephens Rd.

TM/DC 2/23/23



connection has been made without approval. The code official shall notify the serving utility and, whenever possible, the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the owner or occupant of the building structure or service system shall be notified in writing as soon as practical thereafter.

107.2.2 Condemnation of Property - The code official may pursue condemning a structure if it is found to be unsafe, unfit for human occupancy or is found unlawful pursuant to the provisions of this code.

If the code official determines that a structure under consideration is unfit for human occupancy or use, he shall state in writing his finding of fact in support of such determination and shall issue and cause to be served upon the owner and parties in interest (ex: lienholders) a notice of violation:

- a) If the repair, alteration or improvement of the structure can be made at a reasonable cost to relation to the value of the structure (defined as less than 50% of the appraised value on the records of the Assessor of Property), the code official can require the owner during the time specified in the notice of violation to repair, alter or improve such structure to rend it fit for human occupancy or use, or to vacate and close the structure for human occupancy or use; or,
- b) If the repair, alteration or improvement of said structure cannot be made at a reasonable cost in relation to the value of the structure (defined as more than 50% of the appraised value on the records of the Assessor of Property), the code official can require the owner within the time specified in the order, to remove or demolish such structure.

The property owner or parties in interest can appeal the order within ten (10) days after receipt of the notice of violation to the PMB.

If the order is not followed by the property owner or parties in interest and they do not appeal, the code official issues a citation (with fine, court costs and attorney's fees) and the case is sent to General Sessions Court for prosecution/enforcement.

107.3 Notice-Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall also be placed on the condemned equipment. The notice shall be in the form prescribed in Section 107.2

107.4 Placarding-Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.