

**HAMBLLEN COUNTY BOARD OF ZONING APPEALS**  
**AGENDA**  
**MAY 6, 2024**



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**Call to Order**

**Public Comments**

**Approval of the April 1, 2024, minutes**

**Variance of Road Frontage**

(BZA 009-24) Livingood-5383 Old White Pine Road 37813 (04-057-123.01 A-1)

**Administrative Interpretation**

(BZA-010-24) Lopez-2595 Three Springs Road 37860 (03-006-019.01 A-1)

(BZA-011-24) Poe-2084 Ruthena Circle 37813 (04-0350-D-001.00 A-1)

(BZA-012-24) Moore-1545 River Road 37813 (04-063-014.00 A-1)

(BZA-013-24) Miller-1653 Cross Drive 37814 (02-024D-B-016.00 R-1)

**Other Business-None**

**Adjournment**

The next meeting of the Hamblen County Planning Commission is scheduled for June 3, 2024.  
The deadline to submit applications for the meeting is May 10, 2024

**Minutes**  
**Hamblen County Board of Zoning Appeals**  
**April 1, 2024**

**Members Present**

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

**Staff**

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

Lori Matthews-City Planner (absent)

**Call to and Approval of the Minutes**

Mr. John Hofer called the meeting to order. Charles Anderson made a motion to approve the March 4, 2024, minutes. Edgar Gray seconded the motion. All in favor; motion carried.

**Public Comments**-None

**Customary Home Occupation Review**

**A.) Travis Trent-8250 Grove St.37891 (04-013-033.00 A-1) (BZA-006-24)**

Travis Trent, the property owner, represented the request and was sworn in. The request was for a CHO. Mr. Trent had his property rezoned last month to allow the business to be operated in the existing detached garage using one bay for his metal working business. Charles Anderson made a motion to approve the CHO. Edgar Gray seconded the motion. All in favor; motion carried.

**Administrative Interpretation**

**A.) James/Brandi Blankenship-6021 Panther Creek Rd 37814 (02-039-023.00 A-1) (BZA-007-24)**

James Blankenship, property owner, represented the request and was sworn in. Mr. Blankenship explained that he recently purchased the property and there was a burnt house, that has been leveled and he wants to clean up the area, pour a concrete pad (20x40) to place a camper for his daughter and family to use. She will not live there but use it for recreational purposes and to have a place to store the camper. In the future she may decide to build a house on the property and will pull a building permit. Bill Hicks commented, there's a septic system and water, but you're just wanting to put the camper there to store. Mr. Blankenship commented, my daughter may pull it off and go places and another family member may pull theirs in and visit the park. Tina Whitaker, Office Manager, stated in an A-1 zone campers are not listed as allowed use. John Hofer, Chairman, restated what Ms. Whitaker quoted, concerning zoning and the allowed uses. Rodney Long, Non- Board Member, made the statement, he didn't see how we could justify this with all the camper letters that were just mailed out. After much discussion, Edgar Gray made a motion to deny the request as presented and wait until a permit was issued for a residential home and then the camper would be allowed while the home was under construction. Bill Hicks seconded the motion. All in favor; motion carried.

**Administrative Interpretation-Agricultural Use**

**B.) Kristy Dalton-Dalton Tree Service-3460 Warrensburg Rd 37891 (04-045-007.00 A-1) (BZA-008-24)**

Kristy Dalton, property owner, was sworn in. Ms. Dalton is requesting a business license, which she had at her previous address (1839 Hinkle). Since the Daltons moved to the above address of thirty-four acres, with a small parcel of land in Hamblen County that provides access to the property and the rest of their property is in Greene County, they have not been able to get a business license from either county. Per Mrs. Dalton, Greene County states that since the driveway and address are through Hamblen County they cannot issue the license. Also, the planning department has denied the request due to the business and residence being located in Greene County and the land in Hamble County is vacant. Ms. Dalton commented that she was behind on her Hamblen Co business taxes and shouldn't have to pay if can't get the license. Tina Whitaker told Ms. Dalton she would have to speak with Scotty Long, Trustee, concerning business taxes. Charles Anderson asked her if you call 911 who answers? Mrs. Dalton answered both. Tina Whitaker stated I brought Ms. Dalton to the Board for any suggestions or help. Edgar Gray made a motion to deny request for a business license and staff to provide a letter to Mrs. Dalton explaining the reason for denial. Bill Hicks seconded the motion. All in favor; motion carried.

**Other Business**

None

**Adjournment**

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

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Signature

Date

# Board of Zoning Appeals

A **quasi-judicial body** is a non-judicial body which can interpret law. It is an entity such as an arbitration panel or tribunal board, which can be a public administrative agency but also a contract- or private law entity, which has been given powers and procedures resembling those of a court of law or judge and which is obliged to objectively determine facts and draw conclusions from them so as to provide the basis of an official action. Such actions are able to remedy a situation or impose legal penalties, and they may affect the legal rights, duties, or privileges of specific parties



# BZA 009-24

# Board of Zoning Appeals Application

Prior to the request being placed on the BZA agenda, the applicant must furnish the following information for review.

Date: 4/2/24

Name of Property Owner: Randolph and Vivian Livingood (Jeremy Livingood, Son – 304-785-2865)  
 Mailing Address: P.O. Box 1715 City/State/Zip: Dandridge, TN 37725  
 Telephone: (Home) \_\_\_\_\_ (Business) \_\_\_\_\_ (Cell): 304-784-8051  
 E-Mail Address: vivianlivingood@outlook.com

Name of Applicant: Same  
 Mailing Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_  
 Telephone: (Home) \_\_\_\_\_ (Business) \_\_\_\_\_ (Cell) \_\_\_\_\_  
 E-Mail Address: \_\_\_\_\_

### Property Information:

Street Address: 5383 Old White Pine Rd.  
 District: 04 County Tax Map: 057 Group: \_\_\_\_\_ Parcel(s): 123.01  
 Parcel Size: 13+ City/U.G.B. \_\_\_\_\_ Current Zoning A-1  
 Existing Use: \_\_\_\_\_ Proposed Use: \_\_\_\_\_

### Nature of Request: (please check)

- Setback Requirement Variance: \_\_\_\_\_
- Customary Home Occupation: Business Name: \_\_\_\_\_ CHO# \_\_\_\_\_
- Administrative Interpretation: \_\_\_\_\_
- Other Request: Variance of Road Frontage

### Regulations Reference

Zoning: X Article: 6.2 (E) Non-Conforming / 6.5 Public Road Frontage Required  
 Sub. Regs. \_\_\_\_\_ Article: \_\_\_\_\_

Applicant Signature: Signature on File Date: 4/2/24

Request review date: \_\_\_\_\_ Planner: Lori Matthews

Meeting date: May 6, 2024 Fee Paid: \$50.00

Date sign placed on the property: Friday, April 19, 2024

Action of the Board: \_\_\_\_\_ Approved \_\_\_\_\_ Denied \_\_\_\_\_ Revoked (Minutes attached)

# The City of Morristown

## Community Development & Planning



TO: Mrs. Tina Whitaker, Planning Director  
Hamblen County Planning Commission and/or Board of Zoning Appeals  
FROM: Lori Matthews  
DATE: April 15<sup>th</sup>, 2024  
RE: Right of Access

Tina –

With regard to the Livingood property which lies along the north right-of-way line of Interstate 81, it appears from my research that a deed exists (attached) that describes a permanent right-of-way easement for ingress and egress to the property.

It would be prudent of the property owner to have a surveyor survey where that easement is and, to ensure that no other documentation overrides it; but, based on this alone, I would recommend the Planning Commission grant a variance to the public street frontage normally required.

A handwritten signature in cursive script, appearing to read "Lori Matthews".

Lori Matthews  
Senior Planner  
City of Morristown



**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 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 seventy (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) principal 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 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, 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 buildings located therein.

**6.4 Modified Site Plans Required.** When specifically required by Section 6.6 of this Article, or as directed by other articles, sections, or subsections of this Resolution, the owner/agent of any proposed industrial, commercial, and certain residential uses to be constructed, modified, or otherwise created shall be required to submit a site plan to the Planning Commission for approval. The required site plan elements are fully set forth in Section 6.6. In some instances, however, a modified type of site plan may be allowed. When allowed, a modified site plan shall consist of the following minimum requirements:

- A. Be drawn at a scale of 1" =20' for small tracts, and 1" =50' for large tracts.
- B. Identify areas subject to flooding and show existing drainage ways and devices.
- C. Indicate, dimensions of all property lines, scale, north point, acreage, or square footage, and include a vicinity map.
- D. Locate and give dimensions of all existing and proposed structures showing their relation to property lines and street rights-of-way.
- E. Provide any other relevant information concerning the site, such as: septic system location, utilities, easements, signs, parking areas, driveways, etc., as may be required or requested. (Jan. 21, 2010)

**6.5 Public Road Frontage Required:** No construction may be permitted on a lot or tract, which does not abut a public road for a minimum of fifty (50) feet. In the event that a tract or parcel of land has been subdivided pursuant to Article III C.1 of the Hamblen County Subdivision Regulations which under certain circumstances will permit the creation of two (2) lots out of one (1) parcel, each with a minimum of forty (40) feet frontage on a public street or road, maintaining this width from street or road continually upon reaching the building setback line, and is therefore incapable of being further subdivided under Article III C.1 of the Hamblen County Subdivision Regulations, then and in that event, construction may be permitted on such lots having a minimum of forty (40) feet frontage on such public road or street. Subdivided property must meet the requirements of the Hamblen County Subdivision Regulations. (Feb. 21, 2002)



Assessor of Property

J. Keith Ely

Dist 04 Map 057 GR PG 123.01

Name and Address of New Owner:  
Randolph J. Livingood and Vivian Livingood  
P.O. Box 1715  
Dandridge, TN 37725

Send Tax Bills To:  
Randolph J. Livingood and Vivian Livingood  
P.O. Box 1715  
Dandridge, TN 37725

This Instrument Prepared By:  
Amanda Beckner  
Jefferson Title, Inc.  
706 Justice Center Drive  
Dandridge, TN 37725

Map & Parcel No: 057-123.01

BK/PG: 2058/804-806  
23031442

3 PGS:AL-WARRANTY DEED	
JANET BATCH: 173667	
11/08/2023 - 09:39 AM	
VALUE	180000.00
MORTGAGE TAX	0.00
TRANSFER TAX	666.00
RECORDING FEE	15.00
DP FEE	2.00
REGISTER'S FEE	1.00
TOTAL AMOUNT	684.00
STATE OF TENNESSEE, HAMBLEN COUNTY	
JIM CLAWSON	
REGISTER OF DEEDS	

**WARRANTY DEED**

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt and legal sufficiency of which are hereby irrevocably acknowledged, **Alec Tacoma Bowen, and Emily Mae Campbell, a married couple,** "the Grantor," has this day bargained and sold and by these presents does hereby sell, give, transfer and convey unto **Randolph J. Livingood and Vivian Livingood, husband and wife,** "the Grantees," the following described real estate in Hamblen County, Tennessee:

Situate in **Hamblen** County, Tennessee and being more particularly described as follows:

Being a tract containing **13.83 acres of the Boundary Survey of the Ronnie Lynn Long Estate,** as shown by plat of same prepared by Corbin R. Stewart, Surveyor, dated November 21, 2022, said plat being found of record in the Register's Office for Hamblen County, Tennessee, in Plat Cabinet O, Slide 42, to which reference is here made for a more complete description.

Being the same property conveyed to Alec Tacoma Bowen and Emily Mae Campbell, as joint tenants in common with the right of survivorship, by Warranty Deed from Scott A. Hodge, Administrator of the Estate of Ronnie Lynn Long, deceased, of record in Book 2020, Page 10, Register's Office for Hamblen County, Tennessee, dated February 17, 2023 and recorded on February 17, 2023.

SUBJECT TO all matters shown on the Plan of record in Plat Cabinet O, Slide 42, Register's Office for Hamblen County, Tennessee.

SUBJECT TO Deed Conveying Utility Easement of record in Book 1725, Page 382, in the Register's Office for Hamblen County, Tennessee.

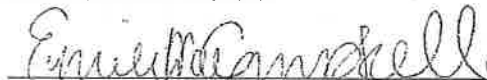
TO HAVE AND TO HOLD said real estate unto the Grantees, and the Grantees' successors, heirs and assigns, forever in fee simple.

Grantor covenants that it is lawfully seized and possessed of said real estate, has good right and lawful authority to convey the same, that the title thereto is clear, free and unencumbered (except as hereinbefore specifically set out), and will forever warrant and defend said title against any and all lawful claims of all persons.

IN WITNESS WHEREOF, Grantor has caused this Warranty Deed to be executed on the 6th day of November, 2023.

 (SEAL)

Alec Tacoma Bowen

 (SEAL)

Emily Mae Campbell

STATE OF TENNESSEE  
COUNTY OF JEFFERSON

On this 6th day of November, 2023, before me personally appeared Alec Tacoma Bowen and Emily Mae Campbell, to me known to be the person (or persons) described in and who executed the foregoing instrument, and acknowledged that such person (or persons) executed the same as such person's (or persons') free act and deed.

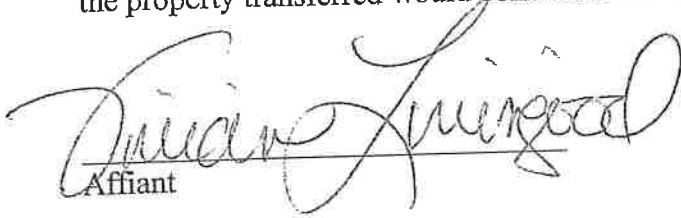
Witness my hand, at office, this 6th day of November, 2023.

  
Notary Signature

My commission expires: *11/2024*

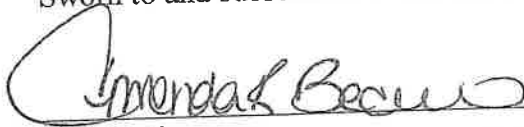
AFFIDAVIT OF VALUE

The undersigned hereby offers this instrument for recording within the meaning of the statutes of the State of Tennessee under Tenn. Code Ann. Section 67-4-409, and hereby swears and affirms that the actual consideration for this transfer or value of the property transferred, whichever is greater, is \$180,000.00, which amount is equal to or greater than the amount which the property transferred would command at a fair and voluntary sale.

  
Affiant

STATE OF TENNESSEE  
COUNTY OF JEFFERSON

Sworn to and subscribed before me this 6th day of November, 2023.



Notary Signature

My commission expires: 3/15/2026





J. Keith Ely

This instrument prepared by: Strategic Services Company, LLC  
3305 Maloney Road  
Knoxville, TN 37920-4749

DIST 4 MAP 57 GR PCL 123.01  
125.00

**DEED CONVEYING UTILITY EASEMENT**

Property Owner: Ronnie L. Long  
Tax Map/Group/Parcels: 057 123.01, 125.00 Deed Book/Page No.: W387/349, W386/279

This deed, made this 8<sup>th</sup> day of September, 2017 by and between Ronnie L. Long of Hamblen County, Tennessee, hereafter (collectively) called "Grantor", and The Morristown Utility Commission with its situs in Hamblen County, Tennessee, hereafter called ("MUC").

**WITNESSETH**

THAT WHEREAS, Grantor is the owner of a certain tract(s) of land situated in the 4<sup>th</sup> Civil District of Hamblen County, Tennessee;

AND WHEREAS, the MUC is in the process of constructing a wastewater collection line or system;

AND WHEREAS, it is necessary that the agents and employees of the MUC obtain access to the collection line or system wholly or partially on the land of Grantor, hereinafter described;

AND WHEREAS, it is necessary for the agents and employees of the MUC to go in and upon the lands hereinafter described for the purpose of constructing and maintaining the project and;

NOW, THEREFORE, Grantor, for and in consideration of the sum of \$ 10,747.40, receipt of which is hereby acknowledged, and other good and valuable consideration, does hereby give, grant and convey unto the MUC the property interests described below, including a perpetual right and easement to construct, operate and maintain, now and/or in the future, on the above described land and/or in or upon all streets, roads or highways abutting said land, access to the wastewater line or system. Said property is situated in the 4<sup>th</sup> Civil District of Hamblen County, Tennessee, and being more particularly described as follows:

**DESCRIPTION OF PERMANENT EASEMENT:**

Being a permanent right-of-way and easement for ingress and egress and construction and maintenance of a wastewater collection line or system on the property more particularly described as follows:

Being a strip of land of irregular dimensions more particularly described as follows:

Beginning at the northeastern corner of the end of right-of-way line for a secondary access road at the most eastern property corner of Parcel ID 057\_121.00 (Wallace) in the western property line of Parcel ID 057\_123.01 (Long) and the northern right-of-way line of I-81, thence the western edge of the 25 feet wide permanent utility Easement running parallel and contiguous with the line of Long in a southeastern direction approximately 94 feet to the most southern property corner of Long in the northern right-of-way of I-81, thence the southern edge of the Easement running parallel and contiguous with the southern property line of Long and the northern right-of-way line of I-81 in a northeastern direction approximately 1,170 feet, thence the eastern edge of the Easement running parallel and contiguous with the southeastern property line of Long and the northern right-of-way of I-81 in a northeastern direction approximately 140 feet to a corner in the southern property line of Parcel ID 057\_125.00 (Long) and northern right-of-way of I-81, thence the continuing with the eastern line of the permanent Easement running parallel and contiguous with the southern property line of Long and the northern right-of-way

MUS-1510-D/Easements/Long, Ronnie L

line of I-81 in a northeastern direction approximately 88 feet, thence the southern Easement line running parallel and contiguous with the southern line of Long and northern right-of-way line of I-81 (in part) in an eastern direction, crossing Bailey Branch at approximately 25 feet, approximately 480 feet to a point in the western right-of-way line of Drew Drive.

The total permanent easement contains approximately 49,300 square feet.

**DESCRIPTION OF TEMPORARY EASEMENT – PART 1:**

SITUATED in the 4<sup>th</sup> Civil District of Hamblen County, Tennessee, and being a temporary easement for construction of a wastewater collection line which is more particularly described as follows:

A temporary construction easement, nominally fifteen (15') feet in width as shown in the related drawing, being contiguous to the northern boundary of the permanent easement described hereinabove.

The total temporary easement contains approximately 29,580 square feet.

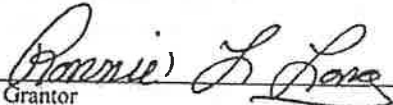
The temporary construction easement shall terminate at the conclusion of the construction activity plus a period of one year.

The construction plans for said project are on file at the offices of the Morristown Utility Commission.

The MUC shall, when reasonable and necessary for the purpose of inspecting, maintenance, constructing and repairing said wastewater collection line or system, have the right to go upon said lands.

TO HAVE AND TO HOLD said property rights and interest unto the MUC, and its successors in title, forever with respect to the permanent easement.

IN TESTIMONY WHEREOF, the Grantor has hereunto executed this instrument the day and date first above written.

  
Grantor

\_\_\_\_\_  
Grantor



**Individual Acknowledgement**

STATE OF TENNESSEE  
COUNTY OF HAMBLEN

Personally appeared before me, a Notary Public in and for the state and county aforesaid,  
Ronnie L. Long, with whom I am personally acquainted, and who  
acknowledged he executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal at office in said county this 8<sup>th</sup> day of  
September, 2017.

Casee Mullins  
NOTARY PUBLIC

My commission expires: 7/31/18



Corporate Acknowledgement

STATE OF TENNESSEE  
COUNTY OF \_\_\_\_\_

Personally appeared before me, \_\_\_\_\_, a Notary Public in  
and for the state and county aforesaid, \_\_\_\_\_, with whom I am  
personally acquainted, and who, upon oath, acknowledged himself to be  
\_\_\_\_\_, (name of corporation), of the within named  
bargainor, a corporation, and that he as such officer, being authorized so to do, executed the  
foregoing instrument for the purpose therein contained, by signing the name of the corporation  
by himself as \_\_\_\_\_.

WITNESS my hand, at office, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires: \_\_\_\_\_

BK/PG: 1725/382-384  
17263064

3 PGS:AL-EASEMENT	
MARSHA BATCH: 116169	
10/04/2017 - 12:27 PM	
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

STATE OF TENNESSEE, HAMBLEN COUNTY  
**JIM CLAWSON**  
REGISTER OF DEEDS

Example  
Deed

ASSIGNED PROPERTY  
Jimmie R. Riddle  
DIST 5 MAP 57 GR 121.00

### QUITCLAIM DEED

**KNOW ALL MEN BY THESE PRESENTS:** That for and in consideration of the sum of ONE DOLLAR (\$1.00), cash in hand paid, the receipt of which is hereby acknowledged, the undersigned, SEVEN WHEELS, INC., a domestic corporation, hereby quitclaims and conveys unto WALLACE PROPERTIES, LLC, a Tennessee Limited Liability Company, all its right, title and interest in and to the following described real estate, to-wit:

**SITUATE** in the Fourth Civil District of Hamblen County, Tennessee, to-wit:

**TRACT I: BEGINNING** at a concrete marker in the northern edge of an access road, which lies north of and adjacent to Interstate 81, common corner with H. Hale; thence, with the line of Hale north 40 deg. 30 min. west 676.5 feet to a stake; thence, continuing with the line of H. Hale south 37 deg. 50 min. west 726 feet to a point in the eastern edge of a 50 foot roadway leading to the lands of Wallace Foundation; thence, north 38 deg. 30 min. west 40 feet to a point, corner with Wallace Foundation lands; thence, with the line of Wallace Foundation south 51 deg. 30 min. west 247.5 feet to a point in the line of Dinkins; thence, with the line of Dinkins south 38 deg. 30 min. east 293.5 feet to a point in the northern line of the said access road; thence, with the northern edge of said access road two calls as follows: north 66 deg. 25 min. east 396 feet to a concrete marker; north 65 deg. 14 min. east 660 feet to the point of BEGINNING, and containing 8.2 acres according to a survey prepared by Glenn Williams, Surveyor, dated January 20, 1968.

There is a 50 foot easement for roadway purposes running approximately 335 feet from the northern line of the access road to the south line of Wallace Foundation property; in the access road 120 feet northeast of the southeast corner of Dinkins property and the southwest corner of the 8.2 acre tract above described.

BEING the same real estate conveyed by Wade Clemons Evangelist Crusade to Seven Wheels, Inc., dated October 18, 1978 and recorded in the Register's Office of Hamblen County, Tennessee in Warranty Deed Book 291, page 455.

**TRACT II: SITUATE** in the Fourth Civil District of Hamblen County, Tennessee and being more particularly described as follows, to-wit:

**BEGINNING** at a point in the east line of Dinkins, this point being 293.5 feet North 38 deg. 30 min. West of the northern edge of an access road which lies adjacent to and north of Interstate 81; thence, with the line of Dinkins North 38 deg. 30 min. West 1153.2 feet to a point in the south line of Rouse; thence, with the line of Rouse South 87 deg. 45 min. East 326.7 feet to a point in the line of Rouse and corner with H. Hale; thence, with the line of Hale South 38 deg. 30 min. East 950 feet to a point which intersects with the east line of a 50 foot right-of-way running from the access road to the south line of the within described

This instrument prepared by:  
BACON, JESSEE & PERKINS  
1135 West Third North St.  
Morristown, Tennessee 37814-3891  
Parcel 16

Preparer makes no representations as to title or survey. Failure to promptly record this instrument may seriously impair your rights. (ms)

1

tract; thence, South 51 deg. 30 min. West 247.5 feet to the point of BEGINNING, and containing six acres according to a survey prepared by Glenn Williams, Surveyor, dated January 30, 1968.

There is also transferred and conveyed herewith a 50 foot right-of-way for purposes of ingress and egress from the access road adjacent to and north of Interstate 81 to the southern boundary of the above described six acre tract. The west line of this 50 foot right-of-way begins at a point in the northern edge of the said access road, which said point is 120 feet in a northeast direction from the common corner of Dinkins and Wade Clemons Evangelist Crusade. The east line of this right-of-way runs 50 feet east of and parallel to west line of said right-of-way and said right-of-way is approximately 335 feet in length and runs from the access road in a northwardly direction to the southeast corner of the above described real estate. This easement shall be a common easement for the benefit of the grantor, the grantee herein, their heirs, successors and assigns, and neither party shall obstruct or otherwise use same to the detriment of the other party.

BEING a portion of the same real estate conveyed by H. M. Bacon and wife, Mary M. Bacon to Seven Wheels, Inc., dated the 10 day of July, 1995 and recorded in the Register's Office of Hamblen County, Tennessee in Warranty Deed Book W425, page 430.

THIS CONVEYANCE is made subject to the restrictions as may be binding on the above described real estate as contained in former deeds conveying title to this real estate and recorded declarations of restrictions.

IN WITNESS WHEREOF, the undersigned have caused their hands to be set on this 27<sup>th</sup> day of December, 1999.

SEVEN WHEELS, INC.

By: [Signature]  
TITLE: President

STATE OF TENNESSEE  
COUNTY OF HAMBLEN

John D. Wallace Before me, a Notary Public, of the state and county aforesaid, personally appeared, with whom I am personally acquainted, and who, upon oath, acknowledged himself to be President of SEVEN WHEELS, INC., the within named bargainor, a corporation, and that he as such President, being authorized so to do, executed the foregoing instrument for the purpose therein contained, by signing the name of the corporation by himself as President.

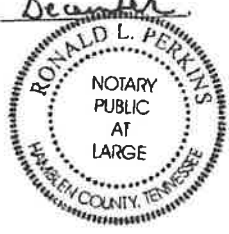
This instrument prepared by:  
BACON, JESSEE & PERKINS  
1135 West Third North St.  
Morristown, Tennessee 37814-3891  
Parcel 16

2

Preparer makes no representations as to title or survey. Failure to promptly record this instrument may seriously impair your rights. (ms)

BK 730 PG 491

1999  
WITNESS my hand and seal, at office, this 27<sup>th</sup> day of December  
[Signature]  
NOTARY PUBLIC  
My commission expires: 1-29-2000



**WALLACE PROPERTIES, LLC**  
NAME(S) AND ADDRESS OF PROPERTY OWNER(S) **P. O. BOX 687**  
**MORRISTOWN, TN 37815**

NAME(S) AND ADDRESS OF PERSON(S) RESPONSIBLE FOR PAYMENT OF TAXES

TAX PARCEL IDENTIFICATION NUMBER

I hereby swear or affirm that the actual or true value of this transfer, whichever is greater is  
\$ none

[Signature]  
Affiant

Subscribed and sworn to before me this 30<sup>th</sup> day of December, 1999

[Signature]  
Notary Public  
My commission expires: 1-29-2000



State of Tennessee, County of HAMBLEN  
Received for record the 30 day of  
DECEMBER 1999 at 1:10 PM. (REC# 51731)  
Recorded in official records  
Book 730 pages 490-492  
State Tax \$ .00 Clerks Fee \$ .00,  
Recordings \$ 14.00, Total \$ 14.00,  
Register of Deeds JIM CLAWSON  
Deputy Register BRENDA ROSE

This instrument prepared by:  
BACON, JESSEE & PERKINS  
1135 West Third North St.  
Morristown, Tennessee 37814-3891  
Parcel 16

Preparer makes no representations as  
to title or survey. Failure to  
promptly record this instrument may  
seriously impair your rights. (ms)





# Board of Zoning Appeals Application

Prior to the request being placed on the BZA agenda, the applicant must furnish the following information for review.

Date: 4-3-24

Name of Property Owner: ELVIRA Ramos Lopez  
Mailing Address: 1725 Ferd Hickey Rd. City/State/Zip: Knoxville 37909  
Telephone: (Home) \_\_\_\_\_ (Business) \_\_\_\_\_ (Cell) \_\_\_\_\_  
E-Mail Address: \_\_\_\_\_

Name of Applicant: Rancho El 8, LLC - Josselin Landaverde  
Mailing Address: 1725 Ferd Hickey Rd. City/State/Zip: Knoxville 37909  
Telephone: (Home) \_\_\_\_\_ (Business) \_\_\_\_\_ (Cell) 865-748-1752  
E-Mail Address: JLANDARAMOS2004@GMAIL.COM

### Property Information:

Street Address: 2595 THREE Springs Rd. Russellville 37860  
District: 03 County Tax Map: 006 Group: \_\_\_\_\_ Parcel(s): 019.01  
Parcel Size: 19.67 ac. City/U.G.B. NO Current Zoning A-1  
Existing Use: Vacant Proposed Use: Agrotourism

### Nature of Request: (please check)

- Setback Requirement Variance: \_\_\_\_\_
- Customary Home Occupation: Business Name: \_\_\_\_\_ CHO# \_\_\_\_\_
- Administrative Interpretation: \_\_\_\_\_
- Other Request: Agrotourism

### Regulations Reference

Zoning: \_\_\_\_\_ Article: \_\_\_\_\_  
Sub. Regs. \_\_\_\_\_ Article: \_\_\_\_\_

Applicant Signature: on file Date: \_\_\_\_\_

Request review date: \_\_\_\_\_ Planner: \_\_\_\_\_

Meeting date: May 6, 2024 Fee Paid: April 3, 2024

Date sign placed on the property: April 19, 2024

Action of the Board: \_\_\_\_\_ Approved \_\_\_\_\_ Denied \_\_\_\_\_ Revoked \_\_\_\_\_ (Minutes attached)

\* April 25, 2024 - M. Evans emailed and requested to move the hearing date to July.

**Tina Whitaker**

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**From:** Matthew Evans <mbevanslaw@gmail.com>  
**Sent:** Thursday, April 25, 2024 11:56 AM  
**To:** Tina Whitaker; Lindsey Horn  
**Subject:** Rancho El 8, LLC

**CAUTION:** This email message originated from outside of Hamblen County Government. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Ladies,

I hope you are both doing well. I am going to be assisting Rancho El 8, LLC. My client has emailed to me the list of 8 items requested.

The purpose of my email is to move the hearing date. We are requesting to be placed on the July docket. I am not sure what day in July the planning commission is having a hearing, but could you please let me know and place my clients on that day? Also could you please let me know what day you will need documents by?

Thanks,

--  
Matthew B. Evans  
Attorney At Law  
818 West 1st North Street  
Morristown, TN 37814  
Phone: 423-587-2800  
Fax: 423-587-2804

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**Pet Crematory:** A building or structure, or a room within a building or structure containing properly installed, certified apparatus, intended for use in the act of cremation of the remains of deceased household domestic animals. A pet crematory facility shall be located on a tract or parcel of land that contains at least two (2) acres; the smokestack shall be located no less than one hundred (100) feet from the nearest property line and the outside perimeter of the property shall have an approved evergreen buffer. (July 24, 2014)

**Pain Management Clinic or Pain Clinic:** A privately owned physician's practice or medial offices or an investor-owned clinic which a physician provides pain management services for which a majority of patients of the pain management clinic are issued a prescription for, or are dispensed, opioids, benzodiazepines, barbiturates, or carisoprodol, but not including suboxone, and treats a patient for more than ninety (90) days in a twelve-month period with these medications. (September 2011)

**Recreational Vehicle:** A vehicular type unit, which may be motorized, or may be a structure designed to be towed by a truck or car. Recreational vehicles constitute a broad range of structures/vehicles designed as temporary quarters and are not intended to be permanent living quarters. A recreational vehicle is typically used for camping, or travel. They may be self-propelled by a motor, towed behind a car or truck or mounted upon a truck. Common types include but are not limited to travel trailers, tow behind campers, truck campers, and motor homes, but also includes any unit or structure that has not been constructed under the supervision or inspection of a building official or has not received a certification by the State of Tennessee as a unit constructed in a manufacturing facility as a mobile home. Recreational vehicles are permitted to be used within RV parks, campgrounds, or mobile home parks or as a temporary residence of the owner and family during the construction by such owner of a permanent residence, but only during such time as a building permit for the residence is in force, and no certificate of occupancy has been issued. (Feb. 22, 2024, Resolution # 24-02)

**Recycling Center-**A place of business, facility or building which is maintained, operated, or used for the storing, keeping, buying or selling of newspaper, paper products or glass or plastic used for food or beverage containers for the purpose of converting such items into a usable product.

**Single Family Residential Dwelling:** A detached building or structure containing one (1) dwelling unit and designed for occupancy by one (1) family only and containing a flush toilet, a tub or shower bath and kitchen facilities with water supply, electrical supply and sewage disposal connected to outside systems. This definition includes a double-wide mobile home, but not a single-wide mobile home.

**Single-Wide Mobile Home:** A factory manufactured mobile home structured as a single self-contained unit and mounted on a single chassis and containing a flush toilet, a tub or shower bath and kitchen facilities with water supply, electrical supply and sewage disposal connected to outside systems.



# Board of Zoning Appeals Application

Prior to the request being placed on the BZA agenda, the applicant must furnish the following information for review.

Date: 4/4/24

Name of Property Owner: Delores Nesmith Poe  
Mailing Address: 2052 Ruthena Cr. City/State/Zip: \_\_\_\_\_  
Telephone: (Home) \_\_\_\_\_ (Business) \_\_\_\_\_ (Cell) 423-231-9381  
E-Mail Address: \_\_\_\_\_

Name of Applicant: Delores Nesmith Poe  
Mailing Address: same City/State/Zip: \_\_\_\_\_  
Telephone: (Home) \_\_\_\_\_ (Business) \_\_\_\_\_ (Cell) \_\_\_\_\_  
E-Mail Address: \_\_\_\_\_

### Property Information:

Street Address: 2034 Ruthena Cr. Morristown, TN 37813  
District: 04 County Tax Map: 0350 Group: 0 Parcel(s): 001.00  
Parcel Size: \_\_\_\_\_ City/U.G.B. \_\_\_\_\_ Current Zoning A-1  
Existing Use: Vacant prop. Proposed Use: Camper placed on property

### Nature of Request: (please check)

Setback Requirement Variance: \_\_\_\_\_

Customary Home Occupation: Business Name: \_\_\_\_\_ CHO# \_\_\_\_\_

Administrative Interpretation: \_\_\_\_\_

Other Request: Appeal of camper violation letter.  
The camper is being used as a residence  
Regulations Reference \_\_\_\_\_

Zoning:  Article: \_\_\_\_\_  
Sub. Regs. \_\_\_\_\_ Article: \_\_\_\_\_

Applicant Signature: Delores Nesmith Poe Date: 4/4/24

Request review date: 4/4/24 Planner: \_\_\_\_\_

Meeting date: 5/6/24 Fee Paid: \$50<sup>00</sup> on 4/4/24

Date sign placed on the property: \_\_\_\_\_

Action of the Board: \_\_\_\_\_ Approved \_\_\_\_\_ Denied \_\_\_\_\_ Revoked \_\_\_\_\_ (Minutes attached)

April 4<sup>th</sup> 2024

2084 Ruthena CR MORRISTOWN TN 37813

To the Committee of Planning AND  
Zoning

I would like to appeal the  
process of letter dated March  
15<sup>th</sup> 2024 due to taking care of  
elderly sick man has no where  
to go

THANK YOU  
Dolan V. Smith POE  
423-231-9381

Resident - James Hale

**C. Medical Hardship** (July 20, 2017)

The purpose of granting a medical hardship is to provide an individual with quality care that would otherwise require a long-term nursing home stay or hospice. The medical hardship must be life threatening or require constant remedial care after surgery or other serious health issues. The following conditions must be met:

1. The granting of a medical hardship allows a second dwelling to be placed on the property only if the primary residence is legal. The secondary residence must be a single wide mobile home, double wide mobile home or “granny pod” that meets current building codes. All zoning setbacks must be met, or the second dwelling shall not be allowed. The second dwelling shall be served by public water and sewer or septic system. If a septic system is to be used, the lot must have an additional evaluation to determine if an additional septic system and duplicate area can be utilized on the property. This second system must be certified by TDEC (Tennessee Department of Environment and Conservation) office.
2. The second dwelling must be exclusively to house an immediate family member such as: great-grandparent, grandparent, parent, sibling, or adult child.
3. A family member must be needed to assist with the constant and reoccurring physical care. The family member must live either in the primary residence or the secondary structure.
4. Medical hardships must be life threatening such as: cancer, end stage renal failure, stroke, heart condition, ALS, Muscular Dystrophy, or any similar disease. The applicant must have a letter from the attending physician(s) on official letterhead stating the medical issue and the length of time needed for the care. The letter must be submitted annually to the Board of Zoning Appeals.
5. The Board of Zoning Appeals shall hear the application for medical hardship from each applicant once a year. The medical hardship approval may be continued on a yearly basis as long as all of the conditions described in this paragraph continue to exist. Once the conditions authorized no longer exist or no annual paperwork and proof of medical hardship supporting the continuation has been submitted for the required annual hearing, the permit shall be deemed expired, and the secondary structure must be removed within sixty (60) days. If the structure is not removed and legal action is required, the County will seek the recouping of all legal fees including court costs and attorney fees. (Resolution 17- 16)





# Board of Zoning Appeals Application

Prior to the request being placed on the BZA agenda, the applicant must furnish the following information for review.

Date: 4-1-24

Name of Property Owner: Anita Moore  
Mailing Address: 120 Beck Lane City/State/Zip: Bulls Gap, TN. 37711  
Telephone: (Home) 254-4447 (Business) \_\_\_\_\_ (Cell) \_\_\_\_\_  
E-Mail Address: \_\_\_\_\_

Name of Applicant: Same as above  
Mailing Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_  
Telephone: (Home) \_\_\_\_\_ (Business) \_\_\_\_\_ (Cell) \_\_\_\_\_  
E-Mail Address: \_\_\_\_\_

**Property Information:**  
Street Address: 1545 River Road Mariatown, TN. 37813  
District: 04 County Tax Map: 0103 Group: \_\_\_\_\_ Parcel(s): 014.00  
Parcel Size: 3+ acres City/U.G.B. NO Current Zoning A-1  
Existing Use: vacant Proposed Use: Camper

### Nature of Request: (please check)

- Setback Requirement Variance: \_\_\_\_\_
- Customary Home Occupation: Business Name: \_\_\_\_\_ CHO# \_\_\_\_\_
- Administrative Interpretation: \_\_\_\_\_
- Other Request: \_\_\_\_\_

Regulations Reference  
Zoning:  Article: storage of camper, not hooked to utilities, may be used when moving the prop.  
Sub. Regs. \_\_\_\_\_ Article: \_\_\_\_\_

Applicant Signature: on file Date: 4-1-24

Request review date: \_\_\_\_\_ Planner: \_\_\_\_\_  
Meeting date: May 6, 2024 Fee Paid: 50.00  
Date sign placed on the property: \_\_\_\_\_  
Action of the Board: \_\_\_\_\_ Approved \_\_\_\_\_ Denied \_\_\_\_\_ Revoked \_\_\_\_\_ (Minutes attached)

Anita Moore  
120 Beck Lane  
Bulls Gap, TN 37711

March 28, 2024

Re: Recreational vehicle located at 1545 River Road (04-063-014.00 A-1)

To Whom It May Concern,

This letter is to serve as an appeal request in response to the letter concerning the recreational vehicle located at 1545 River Road (04-063-014.00 A-1).

The recreational vehicle located on this property has never been used, is not being used nor will it be used as a permanent or temporary residence for myself nor any member of my family. I own the property and the recreational vehicle on said property and I reside at 120 Beck Lane in Bulls Gap, TN. The property is well maintained and mowed at least three (3) times a month. The permit for the metal carport is attached to this letter.

Thank You,

A handwritten signature in cursive script that reads "Anita Moore". The signature is written in black ink and is positioned above the printed name.

Anita Moore











# BZA-013-24

# Board of Zoning Appeals Application

Prior to the request being placed on the BZA agenda, the applicant must furnish the following information for review.

Date: 4/9/24

Name of Property Owner: Jan Miller  
Mailing Address: P.O. Box 441 City/State/Zip: KY. 41560  
Telephone: (Home) \_\_\_\_\_ (Business) \_\_\_\_\_ (Cell) 606-639-0540  
E-Mail Address: \_\_\_\_\_

Name of Applicant: Same  
Mailing Address: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_  
Telephone: (Home) \_\_\_\_\_ (Business) \_\_\_\_\_ (Cell) \_\_\_\_\_  
E-Mail Address: \_\_\_\_\_

### Property Information:

Street Address: 1653 Cross Drive Mt. town 37814  
District: 02 County Tax Map: 0240 Group: B Parcel(s): 016.00  
Parcel Size: 0.7 City/U.G.B. \_\_\_\_\_ Current Zoning B-1  
Existing Use: \_\_\_\_\_ Proposed Use: Placement / Continued use of camper

Lot # 1 Gaby Farm  
Nature of Request: (please check)

- Setback Requirement Variance: \_\_\_\_\_
- Customary Home Occupation: Business Name: \_\_\_\_\_ CHO# \_\_\_\_\_
- Administrative Interpretation: \_\_\_\_\_
- Other Request: \_\_\_\_\_

### Regulations Reference

Zoning:  Article: Camper violation / Required bldg. permit for 12x12 Tool shed  
Sub. Regs. \_\_\_\_\_ Article: 8x8 storage bldg.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Request review date: \_\_\_\_\_ Planner: \_\_\_\_\_

Meeting date: May 6, 2024 Fee Paid: 4/9/24

Date sign placed on the property: \_\_\_\_\_

Action of the Board: \_\_\_\_\_ Approved \_\_\_\_\_ Denied \_\_\_\_\_ Revoked \_\_\_\_\_ (Minutes attached)

# Hamblen County - Parcel: 024D B 016.00



Date: October 20, 2021  
County: Hamblen  
Owner: MILLER TOM  
Address: CROSS DR 1653  
Parcel Number: 024D B 016.00  
Deeded Acreage: 0  
Calculated Acreage: 0  
Date of Imagery: 2019

TN Comptroller - DPA  
Esri, HERE, Garmin, (c) OpenStreetMap contributors  
State of Tennessee, Comptroller of the Treasury, Department of Property  
Assessment (DPA) - Geographic Services  
TDOT

The property lines are compiled from information maintained by your local county Assessor's



