

**MINUTES  
ROANE COUNTY COMMISSION  
REGULAR MEETING  
JANUARY 13, 2014**

**STATE OF TENNESSEE  
COUNTY OF ROANE**

**BE IT REMEMBERED**, that the County Commission of Roane County, Tennessee convened in regular session in Kingston, Tennessee on the 13<sup>TH</sup> day of January, 2014 at 7:00 P.M.

The Commission was called to order by **Bailiff Herbert Griffin**.

Invocation was given by **Commissioner Cantrell**.

The Pledge of Allegiance to the Flag of the United States of America was led by Bailiff Herbert Griffin.

Present and presiding was the Honorable **James Brummett** and the following Commissioners: **Bacon, Berry, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder**. (15)

Absent: -0-

**THEREUPON Chairman Brummett** announced the presence of a quorum. Also present was the Honorable **Ron Woody**, County Executive, Budget Director **Kaley Walker**, County Clerk Barbara Anthony, County Attorney **Tom McFarland**, Deputy Clerk **Bobbie Tipton** and Zoning Officers **Kay Christopher** and **Glen Cofer**.

**APPROVE MINUTES OF THE DECEMBER 9, 2013 MEETING.**

**MOTION** was made by **Commissioner Kelley** with second by **Commissioner Moore** to approve.

Motion **Passed** upon unanimous voice vote.

ACCEPTANCE OF COMMITTEE REPORTS AND CORRESPONDENCE:

1. Minutes of Environmental Review Board 10-03-13.
2. Minutes of Board of Zoning Appeals 11-20-13.
3. Minutes of Planning Commission 11-20-13.
4. Minutes of Public Utility Board 10-22-13.
5. Minutes of Tourism Committee 11-19-13.
6. Minutes of School Liaison Committee 12-04-13.
7. Minutes of Fire Board 12-10-13.
8. Letter from Executive Woody re: State Education Funding Update for Roane County. 11-27-13
9. Letter from Executive Woody re: requesting support for the amendment to the National Defense Authorization Act of 2013. 12-12-04-13
10. Letter from Allen Neel of ETEDA to Executive Woody re: Challenges of the changing demographic in our county. 10-6-13
11. Letter to Executive Woody re: Property in Crystal Cove Development in Rockwood, TN. 12-10-13
12. Letter to Executive Woody re: Education Letter # 5 and CBER, TCA 49-3-307. 12-13-13
13. Letter to Executive re: Property in Crystal Cove Development in Rockwood, TN. 12-14-13
14. Roane County Management's Discussion and Analysis for the Year Ended June 30, 2013.
15. Letter to Executive Woody re: appreciation from ETEDA. 12-16-13

Motion to receive the Committee Reports and Correspondence was made by **Commissioner Moore** with second by **Commissioner Tedder**.

Motion to adopt as **Passed** upon unanimous voice vote.

NOTARIES:

The following persons desiring to be elected as a Notary Public in Roane County were presented to the Commission by County Clerk **Barbara Anthony**: **Charles M. Barger, Juanita L. Blasingame, Johnny L. Griffin, John T. Harvey, Karen S. Hunt, Michele Mayton, Jimmy Smith and Staci L. Trace.**

Motion to accept was made by **Commissioner Bacon** with second by **Commissioner Berry**.

Motion **Passed** upon unanimous voice vote.

**HEARING OF DELEGATION:**

- Roberta Dennis of Rockwood requested the roads in Pioneer Village be repaired.
- Jack McNew invited everyone to purchase tickets to the February Winter Blast sponsored by CASA.

Connie Williams and Barbara Wasilko representatives of Southwest Point Chapter NSDAR (National Daughters of the American Revolution) of Kingston, TN, reported that NSDAR would be compiling a commemorative book of Military Veterans with ties to Roane County. The public is invited to submit a photo and short military biography of family members and /or friends. This hardcover book will be used by Southwest Point chapter NSDAR to promote patriotism.

At this time the Chairman called a recess in order for the Commissioners and County Attorney to have a meeting.

Motion was made by **Commissioner Kelley** with second by **Commissioner Collier** to authorize the County Executive to negotiate a settlement in the Logic Lawsuit.

Motion **Passed** upon unanimous voice vote.

**COUNTY ATTORNEY'S REPORT:**

No Report

**COUNTY EXECUTIVE'S REPORT:**

**Financial Achievement:**

First, I would like to acknowledge the effort, works and accomplishments of our elected officials and employees as we have received our Annual Audit Report and the Comptroller's Office has publicly acknowledged our achievement. The accolades go to commissioners as you have established policies, committees that assisted all elected officials and managers, elected officials, department heads, and the many dedicated employees.

**Grants:**

Over \$700,000 of various grant funds have been awarded or received over the past couple of months.

- CDBG for Midtown Residential Sewer- \$487,000
- Hub and Spoke for Recycling Program- \$265,000
- Playground grant for Roane County Park- \$50,000
- Various smaller grants (7) for total of \$100,000

**Property Tax Revenue as of December 31, 2013:**

	<u>Levied</u>	<u>Collected</u>	<u>% Collected</u>
2013	27.5M	11.0M	40%
2014	27.3M	12.4M	45%

**Closed on Cawood Property:**

Last week we closed on the Cawood property across from the courthouse. We will be scheduling a Property Committee meeting as soon as possible to discuss future temporary use.

**Morgan Street Church Property:**

Govdeals auction of Morgan Street Church concludes this evening. We have a number of bidders. The price is around \$10,000 at this time. The property description stated that no delinquent taxes would need to be paid. We provided the environmental assessment.

**2015 Budget:**

Request forms and letters will go out this week.

**Hub and Spoke Grant:**

Solid Waste Executive Summary #9e will be posted on the website this week. We will be meeting with city officials this week regarding the grant and will need to schedule a Solid Waste Committee meeting as soon as possible to discuss the grant and other aspects of recycling.

**SPECIAL ORDERS:**

Confirmation of the appointment of Scott Stout as Ambulance Representative to the E-911 Board to fill a vacancy caused by the resignation of Howie Rose. The term will expire December 31, 2014.

Motion to confirm was made by Commissioner Granger with second by Commissioner Collier.

Motion **Passed** upon unanimous voice vote.

ZONING RESOLUTIONS:

Resolution # 01-14-01Z

A Rezoning request by Betty Robinette to rezone Map 88, Parcel 52.00 from A-2 (Developing Agricultural) to C-2 (Highway Commercial)

ROANE COUNTY PLANNING

COMMISSION RECOMMENDS:

REQUESTED BY:

Betty Robinette

  X   APPROVAL

PUBLIC HEARING INFORMATION

       DENIAL

NOTICE DATE:   Dec. 18, 2013  

       OTHER

NEWSPAPER:   ROANE COUNTY NEWS  

HEARING DATE:   Jan. 13, 2014  

COUNTY COMMISSION ACTION

READING DATE:   Jan. 13, 2014  

EFFECTIVE DATE:   Jan. 13, 2014  

Allen Williams by Kay Christopher  
Planning Commission Chairman

Warren Kocher by Kay Christopher  
Planning Commission Secretary

12-18-13

Date

COMMENT:

Planning Commission voted 7-1 to approve the request. The request is to allow marine and R.V. repair on the property. The Planner recommended in favor of the rezoning request.

WHEREAS, Roane County Legislative Commission has been asked to consider the rezoning of Map 88, Parcel 52.00 as shown on the attached map, and,

**WHEREAS**, the planning commission of jurisdiction has reviewed the request to have said parcel rezoned from

**A-2 (Developing Agricultural) to C-2 (Highway Commercial)**  
and,

**WHEREAS**, the planning commission recommendation is certified:

**BE IT RESOLVED BY THE ROANE COUNTY COMMISSION THAT:**

Section 1: Map 88, Parcel 52.00 as shown on the attached map is hereby zoned C-2 (Highway Commercial).

Section 2: This resolution shall take effect after the required public hearing and adoption by this commission.

Upon motion by **Commissioner Moore**, seconded by **Commissioner Forrester**.

The following commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

The following Commissioner passed: **(0)**

The following commissioners voted No **(0)**

**THEREFORE**, the Chair announced to the Commission that said Resolution had received a constitutional majority and ordered same spread of record.



# ROANE COUNTY ZONING OFFICE

308 N. 3<sup>rd</sup> St. – KINGSTON, TN 37763  
PHONE – 865-376-5505 \* FAX – 865-717-4176  
E-mail – [Zoningk@roanegov.org](mailto:Zoningk@roanegov.org)

=====

Regarding property owner(s):

Betty Carol Robinette

Dear Property Owner:

Roane County Planning Commission will meet at 7:00 p.m. Dec. 18, 2013 to hear a rezoning request from A-2 (Developing Agricultural) to C-2 (Highway Commercial) by Betty Carol Robinette for property located at 3412 Decatur Hwy. identified as Map 88 Parcel 52.00 Group \_\_\_\_\_. (Map attached)

Roane County Commission will hold a public hearing at 6:30 p.m. Jan. 13, 2014 and will then vote to approve or deny said rezoning request during their regular meeting at 7:00 p.m. on the same evening.

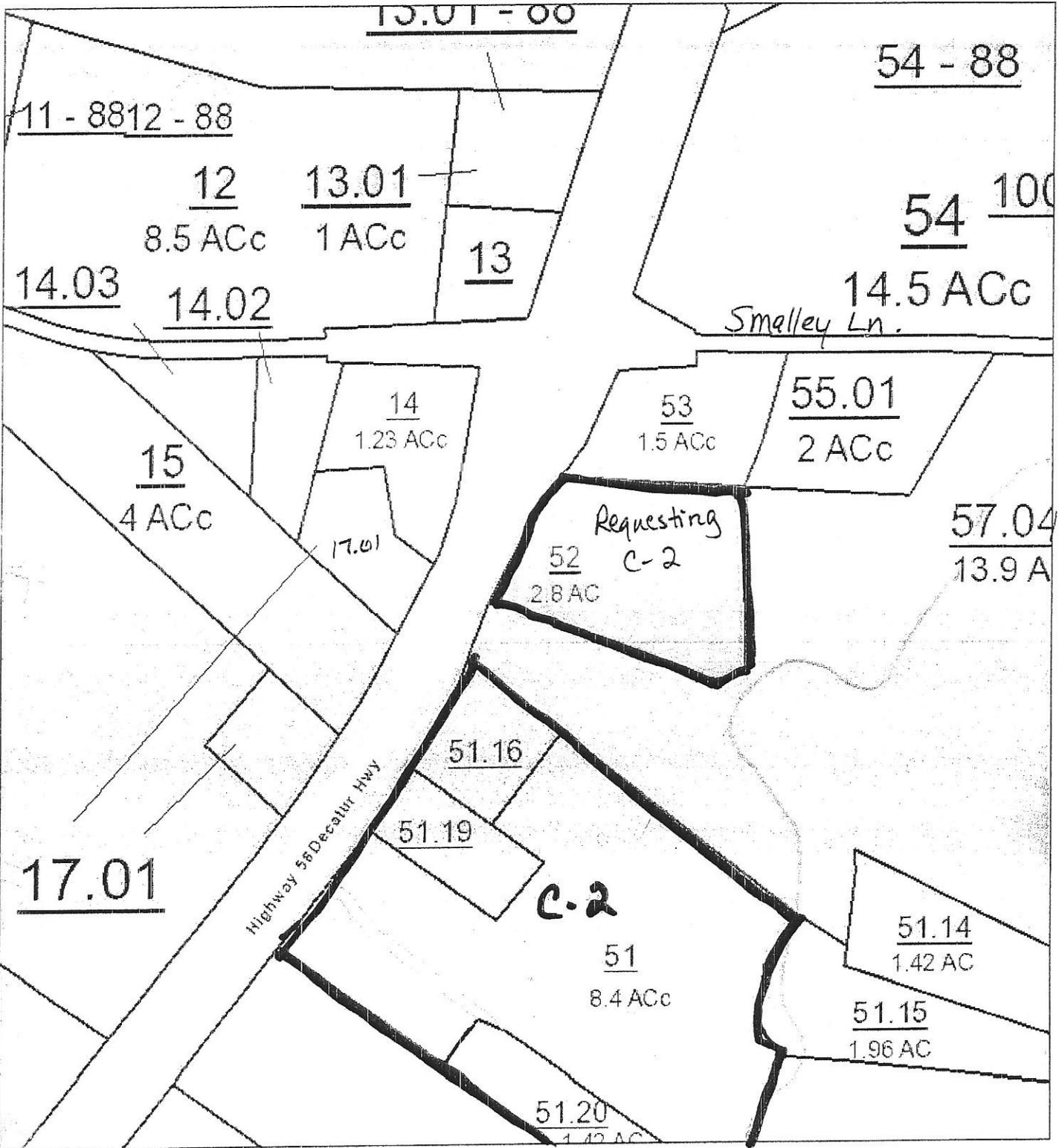
Both meetings will take place in the Qualls Room on the second floor of the Roane County Courthouse.

If you have any concerns or interest in this rezoning request, please attend these meetings.

Yours truly;

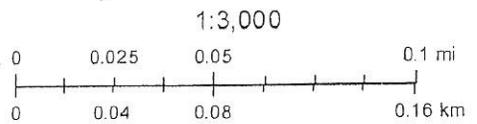
*Kay Christopher*

Kay Christopher,  
Roane County Zoning Officer

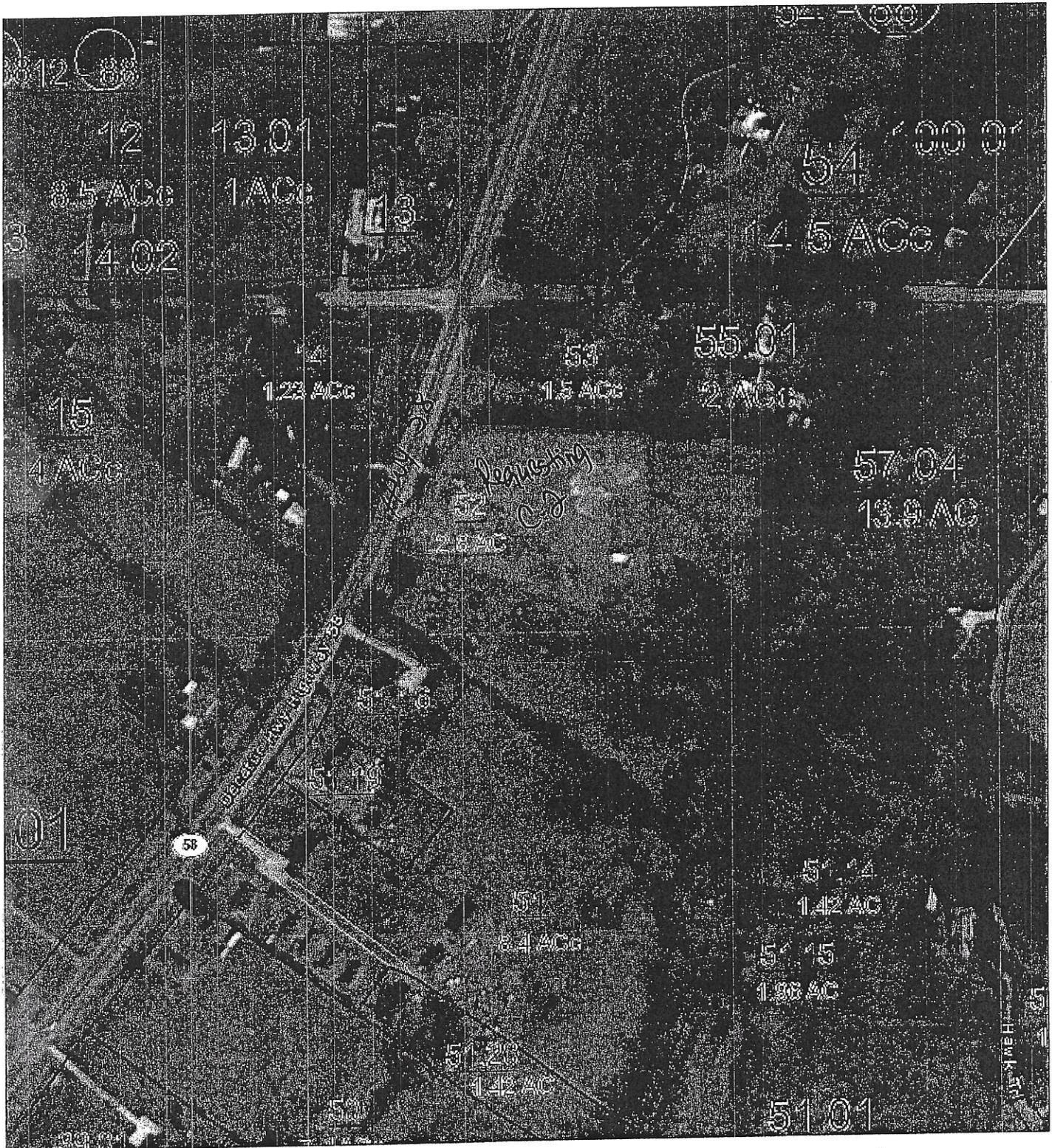


November 25, 2013

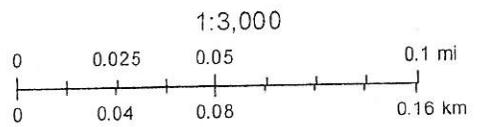
Map 88 - 52.00 - 3412 Decatur Hwy.  
 57.04 -  
 55.01 -  
 53.00 -  
 14.00 -



OIR-GIS Services



November 25, 2013



OIR-GIS Services

ADJOINING/ADJACENT PROPERTY OWNERS WHO WERE NOTIFIED  
OF THE SETBACK VARIANCE REQUEST BY 3412 DECATUR HIGHWAY.

*Rezoning*

MAP 88

PARCEL 52.00 BETTY CAROL ROBINETTE  
919 LOUDON HIGHWAY  
KINGSTON, TN 37763-5960

PARCEL 57.04 JAMES F & TERESA ZECCHINI  
124 HAWK TRAIL  
KINGSTON, TN 37763

PARCEL 55.01 WALTER E & NORMA PATTERSON  
120 SMALLEY LANE  
KINGSTON, TN 37767

PARCEL 53.00 GREGORY RONALD PATTERSON  
2354 KINGSTON HIGHWAY  
KINGSTON, TN 37763

PARCEL 14.00 ELSIE CARROLL  
C/O JESSICA LACY CARROLL  
300 EAST SPRING ST APT 3  
KINGSTON, TN 37763

Resolution # 01-14-02Z

A Rezoning request by Neighboring property owners of Tang Lee to rezone the property back from C-2 (Highway Commercial) to A-2 (Developing Agricultural)

ROANE COUNTY PLANNING

COMMISSION RECOMMENDS: of Thang Le

REQUESTED BY: Neighboring property owners

X APPROVAL

PUBLIC HEARING INFORMATION

\_\_\_\_\_ DENIAL

NOTICE DATE: Dec. 6, 2013

\_\_\_\_\_ OTHER

NEWSPAPER: ROANE COUNTY NEWS

HEARING DATE: Jan. 13, 2014

COUNTY COMMISSION ACTION

READING DATE: Jan. 13, 2014

EFFECTIVE DATE: Jan. 13, 2014

Allen Williams by Kay Christopher  
Planning Commission Chairman

Warren Kocher by Kay Christopher  
Planning Commission Secretary

12 18-14  
Date

COMMENT:

Neighboring property owners are requesting the property be rezoned from C-2 (Highway Commercial) back to A-2 (Developing Agricultural), after County Commission approved the rezoning request for Mr. Le at the December 9, 2013 meeting. At the December 18, 2013 Planning Commission meeting, they voted unanimously to rezone the property back to A-2.

WHEREAS, Roane County Legislative Commission has been asked to consider the rezoning of Map 71, Parcel 68.01 as shown on the attached map, and,

WHEREAS, the planning commission of jurisdiction has reviewed the request to have said parcel rezoned from

C-2 (Highway Commercial) A-2 (Developing Agricultural) and,

WHEREAS, the planning commission recommendation is certified:

BE IT RESOLVED BY THE ROANE COUNTY COMMISSION THAT:

Section 1: Map 71, Parcel 68.01 as shown on the attached map is hereby zoned A-2 (Developing Agricultural).

Section 2: This resolution shall take effect after the required public hearing and adoption by this commission.

Upon motion by **Commissioner Moore**, seconded by **Commissioner Cantrell**.

The following commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Tedder (14)**

The following Commissioner passed: **Nelson (1)**

The following commissioners voted No **(0)**

**THEREFORE**, the Chair announced to the Commission that said Resolution had received a constitutional majority and ordered same spread of record.

# ROANE COUNTY REZONING REQUEST

Roane Co. Planning Commission + Roane Co. Commission  
REVIEWING AUTHORITIES

4723 Kingston Hwy - Kingston TN  
PROPERTY ADDRESS

Map 71 - Parcel 68.01  
MAP IDENTIFICATION

ZONING

LAND USE

C-2 (Highway Comm.)  
PRESENT

A-2 (Dev. Agri.)  
PROPOSED

Commercial  
PRESENT

Residential  
PROPOSED

EXPLANATION/COMMENT: Neighboring property owners are  
requesting the property be rezoned back to A-2 due to  
spot zoning + ingress + egress problems with commercial.

Thang Le  
PROPERTY OWNER(S) PHONE

Same as above  
MAILING ADDRESS

\_\_\_\_\_  
BUSINESS NAME BUSINESS ADDRESS PHONE

See attached petition + request  
OWNER'S SIGNATURE

<u>REVIEWED BY</u>	<u>REVIEW DATE</u>	<u>ACTION TAKEN</u>
PLANNING COMMISSION	<u>12-18-13</u>	<u>Approved</u>
CITY PLANNING COMMISSION	_____	_____
PLANNING STAFF	_____	_____
INDUSTRIAL BOARD	_____	_____
OTHER	_____	_____
COUNTY COMMISSION	<u>1-13-14</u>	_____
FEE PAID _____		

# ROANE COUNTY ZONING OFFICE

308 N. 3<sup>rd</sup> St. – KINGSTON, TN 37763  
PHONE – 865-376-5505 \* FAX – 865-717-4176  
E-mail – [Zoningk@roanegov.org](mailto:Zoningk@roanegov.org)

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December 11, 2013

Thang Le  
4723 Kingston Highway  
Lenoir City, TN 37771

Dear Mr. Le:

This letter is to inform you that some of your neighbors are requesting a rezoning of your property from C-2 (Highway Commercial) back to A-2 (Developing Agricultural).

Under Section 602.1 of the Roane County Zoning Regulations, this is allowed. A copy of the section is attached.

The neighbors have voiced concerns regarding the recent rezoning of the property to C-2, stating they consider it to be spot zoning. Concerns of safety and property destruction regarding ingress and egress issues by commercial vehicles were also voiced.

Planning Commission will meet at 7:00 p.m., December 18, 2013 to hear the rezoning request by the neighbors and a public hearing before County Commission will take place at 6:30 p.m. January 13, 2014. The meetings will take place in the Qualls Room at the Roane County Courthouse.

Please be present at these meetings.

If you need more information, wither call our office, or come by.

Yours truly;



Kay Christopher  
Zoning Officer

## ARTICLE VI - Administration

### Section 601 - Applications, Petitions and Filing

#### 601.1 - General Procedures

All applications, requests, and petitions for permits, certificates of zoning compliance, variances, planned developments, classifications and reclassifications of property, notices of appeal, amendments to this Resolution, and other similar matters, together with all supporting documents required for such application, request or petition, and fees therefore, shall be filed with the Zoning Office in the appropriate form as specified herein. All data, drawings, narrative and other supporting documentation required herein must be provided for an application to be officially received for staff review and scheduling of consideration by the Regional Planning Commission in accordance with the scheduling provisions established herein.

### Section 602 - Zoning Resolution Amendments

#### 602.1 - Proposed Amendments

These Zoning Regulations of Roane County, Tennessee, including the Official Zoning Map, may be amended from time to time by the County Commission of Roane County. (Amendments to the Zoning Regulations, including the Official Zoning Map, may be proposed by the County Commission of Roane County, the appropriate Regional Planning Commission or by any individual, firm or organization, or their duly appointed agent or attorney.) Provided however, no amendment shall become effective unless it has first been submitted to the appropriate Planning Commission for review and recommendation, and approved by the Roane County Commission.

#### 602.2 - Planning Commission Consideration and Recommendation

- a. The Planning Commission, after appropriate public notice has been given will consider the merits of each application.
- b. After hearing from all interested parties, the Planning Commission shall have forty (40) days within which to make its decision and submit its recommendation to the Roane County Commission. Upon request of the applicant and the approval of the Planning Commission, the time period for making a decision or recommendation may be extended.
- c. The Planning Commission shall review the need and justification for the change based on a determination of the facts applicable to the particular case and the following general lines of inquiry may include, but not be limited to:



4723 Kingston Hwy.

A-2



Map 71  
68.01

PETITION

We the undersigned live in the community that had one parcel rezoned in ~~Nov.~~ November 2014 from Agriculture 2 to Commercial 2 at 4723 Kingston. We are exceptionally upset at this action from our elected officials for the following reasons. The property owners were illegally operating this business until caught. The owners have illegally used adjacent properties for their vehicle access and adjacent property owners have suffered damage from their trucks. The large trucks have blocked traffic on this street attempting to gain access to this property. The street is too narrow for eighteen wheelers to safely navigate, thus causing a significant traffic hazard. The neighborhood was opposed to the rezoning. It is a spot zoning, which has been ruled illegal by the courts. The Roane County Planning Commission was unanimously against it. The professional planning staff recommended against it. Yet, the Board of Commissioners approved it!

We the under-signed whose property and neighborhood has been damaged by the Board of Commissioner's action, do hereby emphatically request a rezoning back to Agricultural 2 from Commercial 2 which allows adult businesses, junk yards, beer joints and a variety of commercial uses that are not acceptable in an area which has homes. This area was agricultural 2 for over twenty years until two men illegally started a business and requested a rezoning to commercial when they were caught. We ask our elected officials to rezone the property back for the tax-paying neighbors' sake.

Name

Address

R. J. Malone 4596 Kingston Hwy Lenoir City 37771  
Kela Malone 4596 Kingston Hwy. LENOIR CITY 37771  
Joanna McCanell 2525 Hwy 70 W. Lenoir City, TN 37771  
W. C. Goddard 230 Country Lane, Lenoir City, TN 37771  
Jerry Goddard 230 Country Lane, Lenoir City, TN 37771  
Tony Goddard Kingston Hwy Ctr, Lenoir City, TN 37771  
Bobbie Duff 232 Country Ln, Lenoir City, TN 37771

Emil Duff 232 Country Ln. Lenoir City, TN 37771

Emily Duff Clayton 232 Country Ln. Lenoir City, TN 37771

Sarah Woody 238 Country Ln. Lenoir City, TN 37771

Boyd & Hattie Seaward 259 Country Lane

Michelle Beuller 4717 Kingston Hwy Lenoir City, TN

Jeanne Dutton 4738 Kingston Hwy Lenoir City, TN 37771

Michael Dutton 4738 Kingston Hwy Lenoir City, TN 37771

Anne Barber 4550 Kingston Hwy Lenoir City, TN 37771

Bert Love 4578 Kingston Hwy Lenoir City, TN 37771

Misti Love 4578 Kingston Hwy Lenoir City, TN 37771

W.S. Townson 4731 Kingston Hwy Lenoir City, TN 37771

Tammy L Malone 4731 Kingston Hwy Lenoir City, TN 37771

Marilyn J. Chadwick 4553 Kingston Hwy Lenoir City, TN 37771

David E. Brashears 4505 Kingston Hwy Lenoir City, TN 37771

Patti Brashears 4505 Kingston Hwy Lenoir City, TN 37771

Boyd Williams 5236 Cardinal Chapel Rd. Lenoir City, TN 37771

Betty Menger 5106 Kingston Hwy Lenoir City, TN 37771

Kirk Jackson 5239 CAROWELL Chapel Rd. Lenoir City, TN 37771

Ernie Clark 5241 Cardinal Chapel Rd. Lenoir City, TN 37771

Jesse Clark 5241 Cardinal Chapel Rd. Lenoir City, TN 37771

Zuel Harmon 4906 KINGSTON HWY LC

Susie Harmon 4906 Kingston Hwy LC

Ray & Amy 4704 Kingston Hwy LC

Ruthy Fair 4704 Kingston Hwy LC TN 37771

Harold W. Cardwell 4718 Kingston Hwy LC 37771

Cherone Cardwell 4718 Kingston Hwy LC 37771

PETITION

We the undersigned live in the community that had one parcel rezoned in November 2014 from Agriculture 2 to Commercial 2 at 4731 Kingstons. We are exceptionally upset at this action from our elected officials for the following reasons. The property owners were illegally operating this business until caught. The owners have illegally used adjacent properties for their vehicle access and adjacent property owners have suffered damage from their trucks. The large trucks have blocked traffic on this street attempting to gain access to this property. The street is too narrow for eighteen wheelers to safely navigate, thus causing a significant traffic hazard. The neighborhood was opposed to the rezoning. It is a spot zoning, which has been ruled illegal by the courts. The Roane County Planning Commission was unanimously against it. The professional planning staff recommended against it. Yet, the Board of Commissioners approved it!

We the under-signed whose property and neighborhood has been damaged by the Board of Commissioner's action, do hereby emphatically request a rezoning back to Agricultural 2 from Commercial 2 which allows adult businesses, junk yards, beer joints and a variety of commercial uses that are not acceptable in an area which has homes. This area was agricultural 2 for over twenty years until two men illegally started a business and requested a rezoning to commercial when they were caught. We ask our elected officials to rezone the property back for the tax-paying neighbors' sake.

Name Address

Jessie Dutton	4527 Kingston Hwy
Robert Smith	4460 Kingston Hwy
Jenny Apple	1250 KINGSTON Hwy
STAN ARP	DUFF Rd
Ed Adams	1010 Malone Rd. Lenoir City
Mary Noble	Old Ebben Rd. Lenoir City
Jack Duff	225 DUFF Rd LENOIR City TN.

MARGARET A. DUFF 225 DUFF Rd. Lenoir City, TN  
Full Dutton 4740 Kingston Hwy Lenoir City, TN  
Eddie Bunch 132 Duff Rd Lenoir City TN  
Kessa Bunch 132 Duff Rd Lenoir City TN  
G E Bloom 612 Dogwood Valley Rd KINGSTON TN

# ROANE COUNTY ZONING OFFICE

308 N. 3<sup>rd</sup> St. KINGSTON, TN 37763  
PHONE - 865-376-5505 \* FAX - 865-717-4176  
E-mail - [Zoningk@roanegov.org](mailto:Zoningk@roanegov.org)

=====

ADJOINING AND ADJACENT PROPERTY OWNERS WHO WERE NOTIFIED MY MAIL OF THE REZONING REQUEST BY THANG LE, MAP 71, PARCEL 68.01, 4723 KINGSTON HIGHWAY.

MAP 71	PARCEL 68.01	THANG LE 4723 KINGSTON HIGHWAY LENOIR CITY, TN 37771
	PARCEL 69.00	RALPH J JR & LOLA M MALONE TRUST C/O R J & LOL MALONE 4596 KINGSTON HWY LENOIR CITY, TN 37771
	PARCEL 46.00	TERRY M & HELEN GODDARD 230 COUNTRY LANE LENOIR CITY, TN 37771
	PARCEL 45.00	WILLIAM D & JOAN N MCCARROLL 2525 HWY 70 WEST LENOIR CITY, TN 37771
	PARCEL 66.00 66.01	RAYMOND W CARDWELL 4724 KINGSTON HIGHWAY LENOIR CITY, TN 37771

**Resolution # 01-14-03Z**

**A Rezoning Request by Baker Hamilton to rezone Map 56, Parcel 64.00 from R-1 (Low Density) to C-2 (Highway Commercial).**

ROANE COUNTY PLANNING

COMMISSION RECOMMENDS:

  X   APPROVAL

       DENIAL

       OTHER

REQUESTED BY: Baker Hamilton

PUBLIC HEARING INFORMATION

NOTICE DATE: Dec. 6, 2013

NEWSPAPER: ROANE COUNTY NEWS

HEARING DATE: Jan. 13, 2014

COUNTY COMMISSION ACTION

READING DATE: Jan. 13, 2014

EFFECTIVE DATE: Jan. 13, 2014

Allen Williams by Kay Christopher  
Planning Commission Chairman

Warren Kocher by Kay Christopher  
Planning Commission Secretary

12-18-13  
Date

COMMENT:

Planning Commission voted unanimously to approve the request. The request is to market the property as commercial.

WHEREAS, Roane County Legislative Commission has been asked to consider the rezoning of Map 56, Parcel 64.00 as shown on the attached map, and,

WHEREAS, the planning commission of jurisdiction has reviewed the request to have said parcel rezoned from

R-1 (Low Density Residential) to C-2 (Highway Commercial) and,

WHEREAS, the planning commission recommendation is certified:

**BE IT RESOLVED BY THE ROANE COUNTY COMMISSION THAT:**

Section 1: Map 56, Parcel 64.00 as shown on the attached map is hereby zoned C-2 (Highway Commercial).

Section 2: This resolution shall take effect after the required public hearing and adoption by this commission.

Upon motion by **Commissioner Moore**.

Seconded by **Commissioner Forrester**

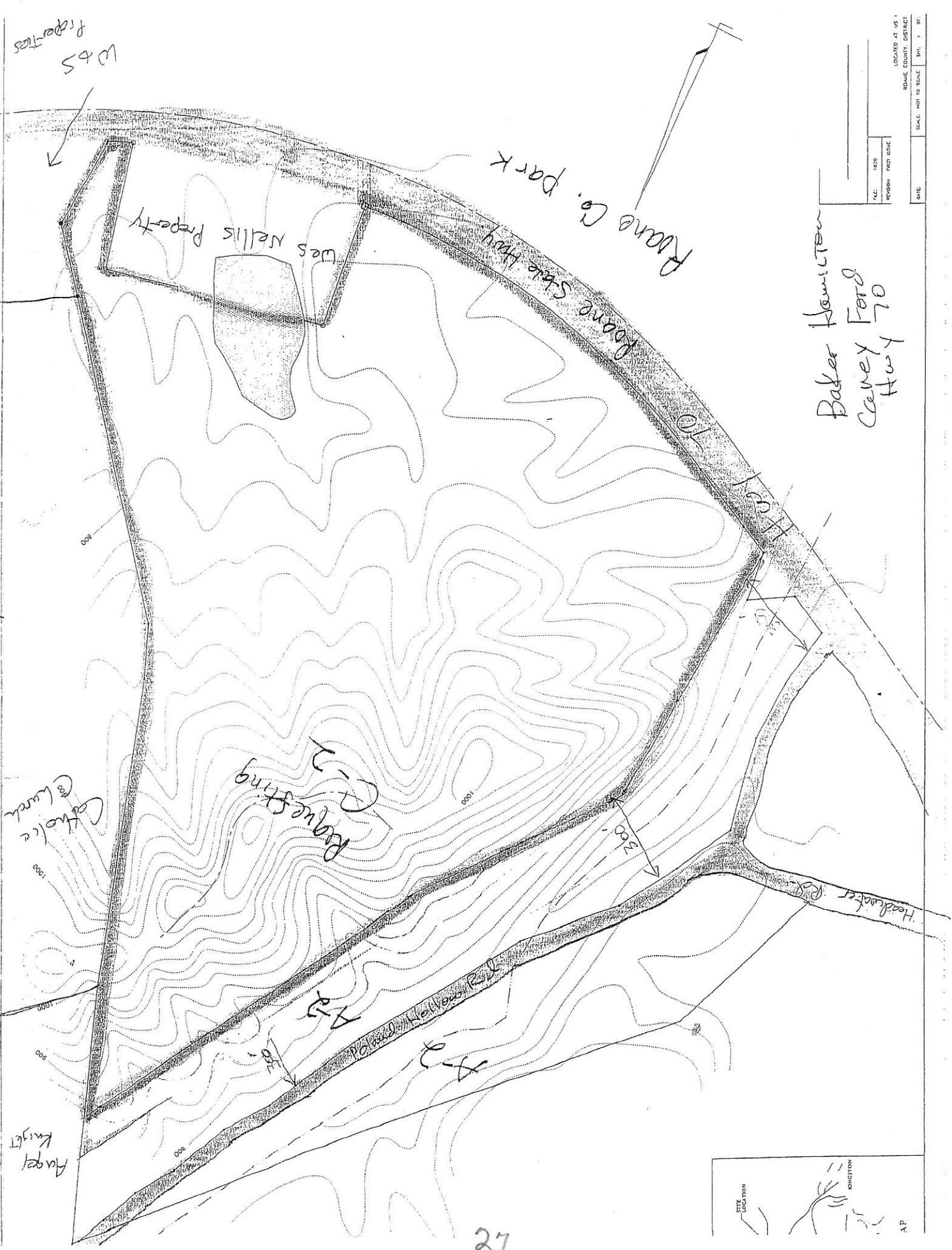
The following commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Granger, Johnson, Kelley, Moore, Tedder (14)**

The following Commissioner passed: **-0-**

The following commissioners voted No: **Nelson (1)**

**THEREFORE**, the Chair announced to the Commission that said Resolution had received a constitutional majority and ordered same spread of record.





Wes Nellis Property

Roane Co. Park

Catholic Church

Requesting

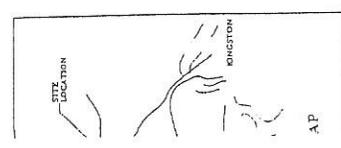
Ruger Knight

Deerfield Hollow Rd

Headwaters Rd

300'

27



Baker Hamilton  
Cavey Ford  
Hwy 70

DATE	SCALE	NOT TO SCALE	3/11	9'
REVISION	FROM	DATE		
FILE	1070			

LOCATED AT US 1  
ROANE COUNTY, DISTRICT

AP

# ROANE COUNTY REZONING REQUEST

Roane Co. Planning Commission / Roane Co. Commission  
REVIEWING AUTHORITIES

Roane State Hwy.  
PROPERTY ADDRESS

Map 56 Parcel 64.00  
MAP IDENTIFICATION

ZONING

LAND USE

R-1 - Low Density Res.  
PRESENT

C-2 Highway Comm.  
PROPOSED

Vacant  
PRESENT

Commercial  
PROPOSED

EXPLANATION/COMMENT: To Market as Commercial property.

Baker Hamilton  
PROPERTY OWNER(S)

696-6277  
PHONE

1000 Waterford Place - Kingston  
MAILING ADDRESS

BUSINESS NAME

BUSINESS ADDRESS

PHONE

J. Baker Hamilton  
OWNER'S SIGNATURE

REVIEWED BY

REVIEW DATE

ACTION TAKEN

PLANNING COMMISSION

Postponed until 12-18-13  
Nov. 20, 2013

Approved

CITY PLANNING COMMISSION

PLANNING STAFF

INDUSTRIAL BOARD

OTHER

COUNTY COMMISSION

Jan. 13, 2014

FEE PAID \$ 50.00

## **(C-2) Highway Commercial District**

### **Section 308**

#### **308.1 - Intent and Purpose**

This District is intended to accommodate and regulate those business and commercial uses which draw customers primarily by automobile and for which a location on a highway or arterial street is therefore desirable if not necessary. The purpose of this district is to control the impact of uses on the efficiency and safety of traffic movement, as well as on the character of adjacent commercial and residential uses.

#### **308.2 - Permitted Uses**

- (a) Retail sales and services
- (b) Offices: business, professional, medical
- (c) Private clubs, lodges, or organizations of a fraternal nature
- (d) Commercial parking lot
- (e) Financial institutions
- (f) Transportation terminal facilities except truck terminals
- (g) Places of worship
- (h) Public uses and utility substations, and other fixed above ground equipment
- (i) Cabinet shops
- (j) Pet cemeteries
- (k) Automobile service stations
- (l) Drive-in or carry-out sales of food or other goods or services including drive-in bank facilities
- (m) Mortuary
- (n) Repair, maintenance, washing or installation of accessories, tires and batteries for automobiles, trucks, recreational vehicles, or motorized farm equipment

- (o) Indoor or outdoor commercial entertainment or recreational facilities including theaters, bowling alleys, swimming pools, billiard parlors, etc
- (p) Sales, rental, leasing of motor vehicles, trailers or boats
- (q) Restaurant, tavern or cocktail lounge
- (r) Hotel or motel
- (s) Nursing home
- (t) Off-site advertising
- (u) Hospitals or veterinary clinics for animals
- (v) Warehousing as an indoor or outdoor use
- (w) Privately operated airport facilities on a minimum lot of 20 ac
- (x) Adult oriented business as a Use Permitted on Review by the Board of Zoning Appeals. The minimum requirements for adult oriented businesses in the C-2 District are: 1,000 feet minimum is required between adult-oriented business and any residential district, school, church, or a day care center. Between adult-oriented businesses, a minimum of 500 feet is required. A site plan shall be required for review before the planning commission. A planted buffer of twenty-five feet, consisting of permanent evergreens with a caliper diameter at breast height (4 and ½ feet) of three (3) inches. Tree plantings shall be staggered so as to eliminate visibility between the trees.
- (y) All uses and structures allowed in a C-1 District

### **308.3 - Area Regulations**

- (a) Minimum Lot Area: Must meet Roane County Health Department for lot size.
- (b) Minimum Frontage: **100 feet**
- (c) Minimum Lot Width: **100 feet**
- (d) Setbacks:
  - Front:** (from road right-of way line to front property line)
    - 40 feet** (Arterial or Collector Street)
    - 30 feet** (All other Streets).
  - Side:** **15 feet**
  - Rear:** **25 feet**

# ROANE COUNTY ZONING OFFICE

308 N. 3<sup>rd</sup> St. KINGSTON, TN 37763  
PHONE – 865-376-5505 \* FAX – 865-717-4176  
E-mail – [Zoningk@roanegov.org](mailto:Zoningk@roanegov.org)

=====

ADJOINING AND ADJACENT PROPERTY OWNERS WHO WERE NOTIFIED BY MAIL OF THE REZONING REQUEST BY BAKER HAMILTON, MAP 56, PARCEL 64.00, ROANE STATE HIGHWAY.

MAP 56	PARCEL 64.00 ✓	J BAKER HAMILTON 1000 WATERFORD PLACE KINGSTON, TN 37763
	PARCEL 64.09 ✓	DAVID & SUSAN HALL 186 HEADWATER DRIVE HARRIMAN, TN 37748
	PARCEL 62.00 ✓ 67.00 ✓	ROANE COUNTY TN RACE ST. KINGSTON, TN 37763
	PARCEL 66.00 ✓ 64.16 ✓	CHURCH CANEY FORD BAPTIST, INC 503 N FRONT AVENUE ROCKWOOD, TN 37854
	PARCEL 64.07 ✓	RICKY D & CARLA SLONE 197 TREETOP LANE OLIVER SPRINGS, TN 37840
	PARCEL 64.03 ✓	KURTZ JOSEPH E MOST REV %BLESSED SACRAMENT CATHOL 535 MARGRAVE DRIVE HARRIMAN, TN 37748
	PARCEL 64.10 ✓	STEVEN & ELAINE PATTERSON PO BOX 178 KINGSTON, TN 37763
	PARCEL 58.00 ✓	GLEN & LISA SEXTON 115 SHANTY BRANCH ROAD HARRIMAN, TN 37748
	PARCEL 55.00 ✓	KATHLEEN & JOHN MCGARRY 3588 WINDY J FARMS LOUISVILLE, TN 37777-3280
	PARCEL 54.00 ✓	STEVE SCARBOROUGH 680 BLACK CREEK ROAD ROCKWOOD, TN 37854
	PARCEL 64.05 ✓	WESLEY & BARBARA NELLIS 3456 ROANE STATE HIGHWAY HARRIMAN, TN 37748

**Resolution # 01-14-04Z**

**A Rezoning request by Cecilia Cook to rezone map 109H, K Group A, Parcel 17 from R-1 (Low Density) to 01 (Occupational/Institutional).**

Motion to adopt was made by **Commissioner Berry** with second by **Commissioner Cantrell**.

Upon roll call vote the following Commissioners voted Aye: **-0-**

The following Commissioners voted No: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

Thereupon the Chairman announced that the resolution **Failed**.

**Resolution # 01-14-05Z**

**A Rezoning request by Charles Scarborough to rezone Map 44, Parcel 32.25 from I-3 (Heavy Industrial) to O-1 (Occupational/Institutional).**

<u>ROANE COUNTY PLANNING</u>		REQUESTED BY: <u>Charles Scarborough</u>
<u>COMMISSION RECOMMENDS:</u>		<u>PUBLIC HEARING INFORMATION</u>
<u>  X  </u> APPROVAL		NOTICE DATE: <u>Dec. 6, 2013</u>
<u>      </u> DENIAL		NEWSPAPER: <u>ROANE COUNTY NEWS</u>
<u>      </u> OTHER		HEARING DATE: <u>Jan. 13, 2014</u>
		<u>COUNTY COMMISSION ACTION</u>
		READING DATE: <u>Jan. 13, 2014</u>
		EFFECTIVE DATE: <u>Jan. 13, 2014</u>

Allen Williams by Kay Christopher

Planning Commission Chairman

Warren Kocher by Kay Christopher

Planning Commission Secretary

12-18-13

Date

COMMENT:

Planning Commission unanimously voted to approve the request. The request is by OMNIVision to allow residential, treatment, medical and educational facilities for homeless or foster children. The Industrial Board and the Planner recommended in favor of the rezoning request.

WHEREAS, Roane County Legislative Commission has been asked to consider the rezoning of Map 44, Parcel 32.25 as shown on the attached map, and,

WHEREAS, the planning commission of jurisdiction has reviewed the request to have said parcel rezoned from

I-3 (Heavy Industrial) to O-I (Occupational/Institutional) and,

WHEREAS, the planning commission recommendation is certified:

BE IT RESOLVED BY THE ROANE COUNTY COMMISSION THAT:

Section 1: Map 44, Parcel 32.25 as shown on the attached map is hereby zoned O-I (Office/Institutional).

Section 2: This resolution shall take effect after the required public hearing and adoption by this commission.

Upon motion by **Commissioner Ellis**

Seconded by **Commissioner Collier**

The following commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

The following Commissioner passed: **-0-**

The following commissioners voted No:

**THEREFORE**, the Chair announced to the Commission that said Resolution had received a constitutional majority and ordered same spread of record.

# ROANE COUNTY REZONING REQUEST

Roane Co. Planning Commission / Roane Co. Commission  
REVIEWING AUTHORITIES

503 Cardiff Valley Rd.  
PROPERTY ADDRESS

Map 44 Parcel 32.25  
MAP IDENTIFICATION

ZONING

I-3  
PRESENT

O-I  
PROPOSED

LAND USE

Former Industry  
PRESENT

Omni Vision facility  
PROPOSED

EXPLANATION/COMMENT: \_\_\_\_\_  
\_\_\_\_\_

Charles J. Scarborough  
PROPERTY OWNER(S)

\_\_\_\_\_  
PHONE

680 Black Creek Rd, Rockwood, TN 37854  
MAILING ADDRESS

\_\_\_\_\_  
BUSINESS NAME

\_\_\_\_\_  
BUSINESS ADDRESS

\_\_\_\_\_  
PHONE

OWNER'S SIGNATURE

REVIEWED BY  
PLANNING COMMISSION  
CITY PLANNING COMMISSION  
PLANNING STAFF  
INDUSTRIAL BOARD  
OTHER  
COUNTY COMMISSION

REVIEW DATE

Dec. 18, 2013

ACTION TAKEN

Approved

FEE PAID \_\_\_\_\_

# ROANE COUNTY ZONING OFFICE

308 N. 3<sup>rd</sup> St. – KINGSTON, TN 37763  
PHONE – 865-376-5505 \* FAX – 865-717-4176  
E-mail – [Zoningk@roanegov.org](mailto:Zoningk@roanegov.org)

=====

Regarding property owner(s):

Charles S. Scarborough

Dear Property Owner:

Roane County Planning Commission will meet at 7:00 p.m. Dec. 18, 2013 to hear a rezoning request from I-3 (Heavy Industrial) to OI-Office/Institutional by Charles S. Scarborough for property located at 503 Cardiff Valley Rd. identified as Map 44 Parcel 32.25 Group         . (Map attached)

Roane County Commission will hold a public hearing at 6:30 p.m. Jan. 13, 2014 and will then vote to approve or deny said rezoning request during their regular meeting at 7:00 p.m. on the same evening.

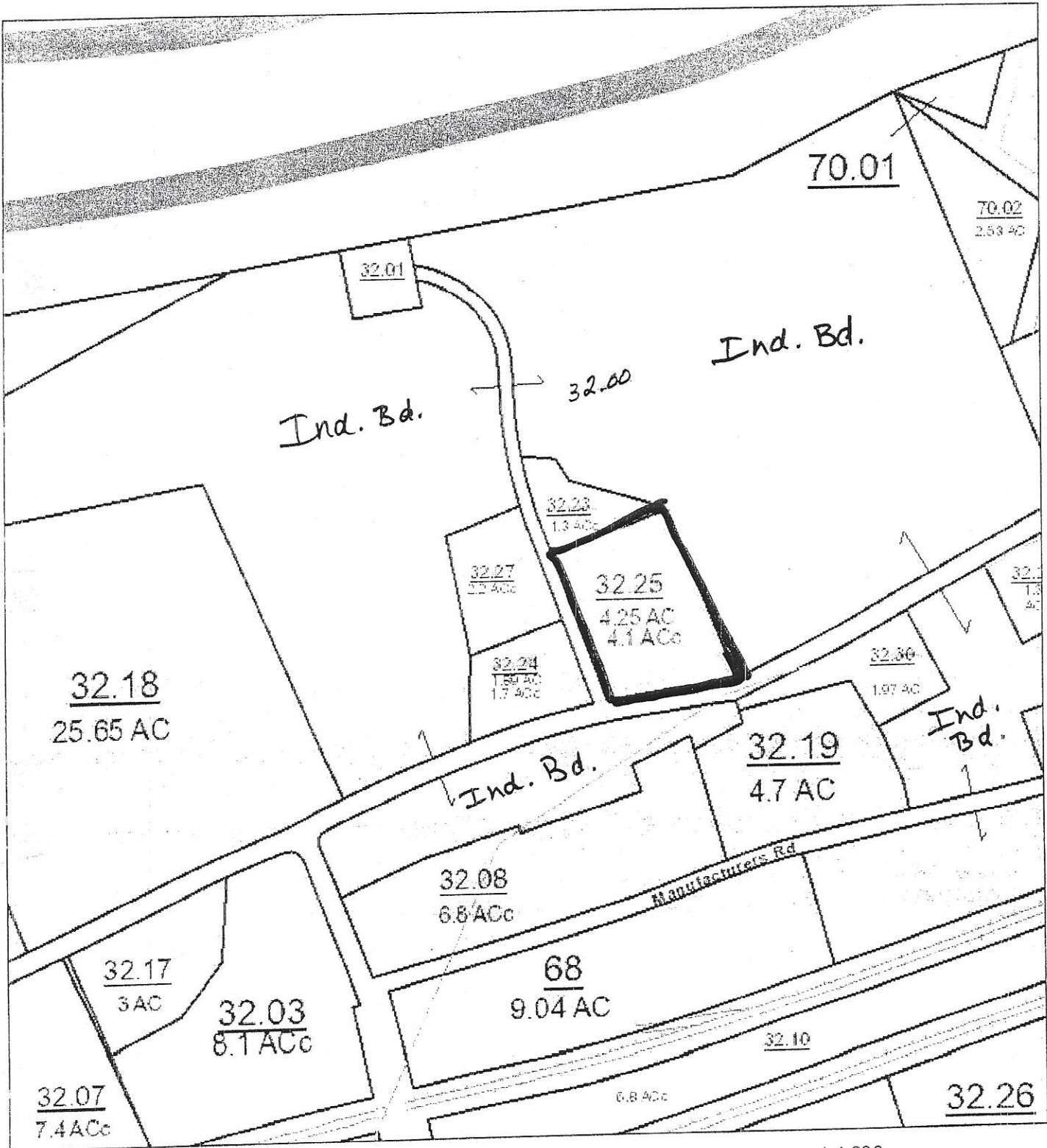
Both meetings will take place in the Qualls Room on the second floor of the Roane County Courthouse.

If you have any concerns or interest in this rezoning request, please attend these meetings.

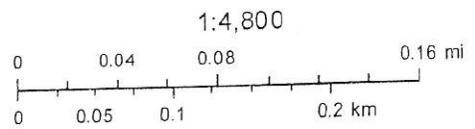
Yours truly;

*Kay Christopher*

Kay Christopher,  
Roane County Zoning Officer



November 22, 2013



OIR-GIS Services

## (OI) Office/Institutional District

### Section 310

#### 310.1 - Intent and Purpose

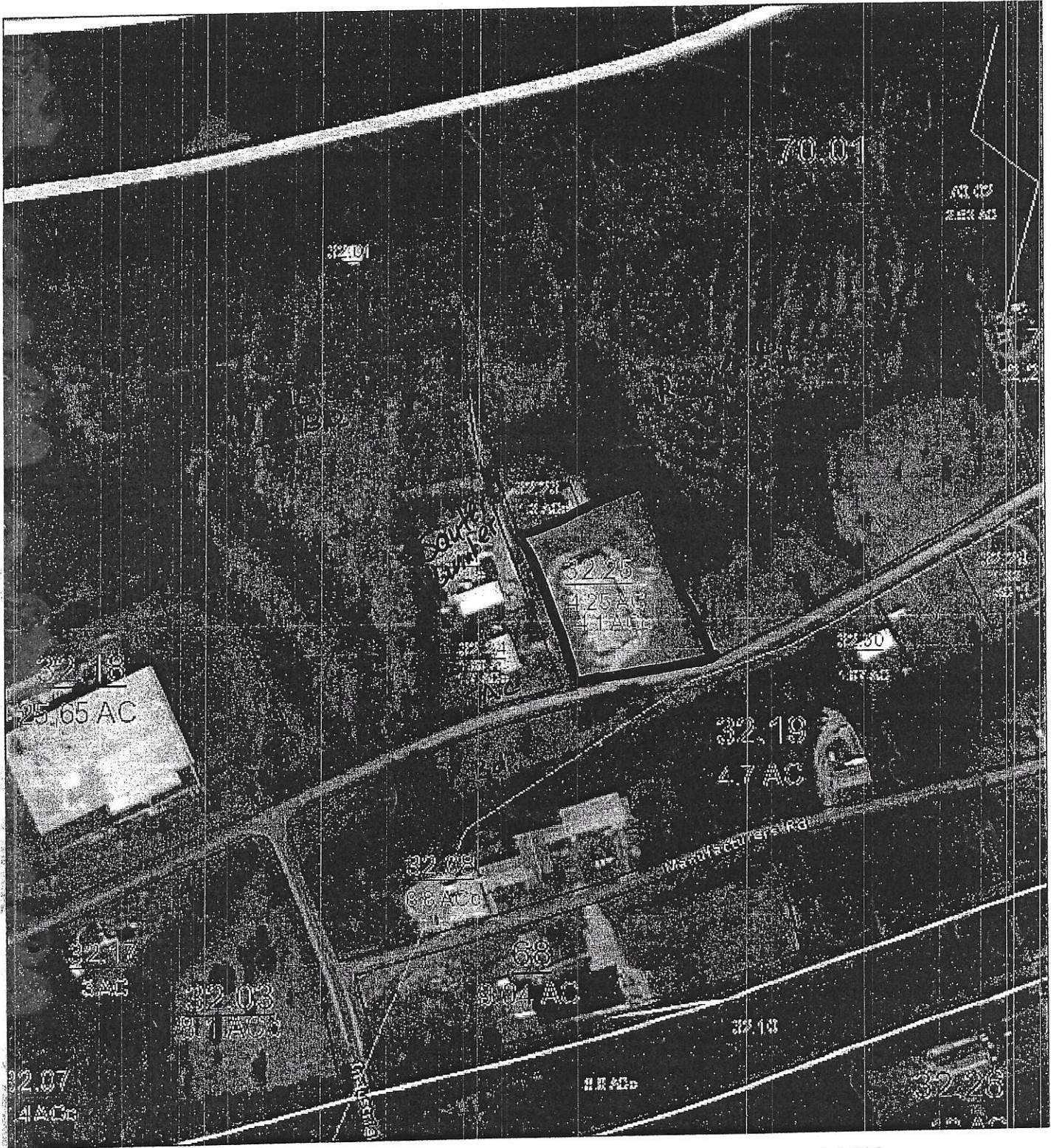
The purpose of this district is to provide areas where office, institutional and residential uses can co-exist without the threat of encroachment of more intense commercial or retail uses. Only very specialized sale, wholesale storage or processing of merchandise is permitted in this district as secondary uses. This district is primarily intended to be located along major arteries where existing structures can accommodate both residential, office and institutional uses and in areas dominated by institutional uses. Its use is also appropriate where a carefully designed office development is sited adjacent to an existing residential area.

#### 310.2 - Permitted Uses

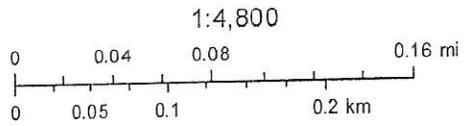
- (a) Offices, business, professional services and medical hospitals
- (b) Mixed use occupancy
- (c) Fraternal organizations and lodges
- (d) Museums and art centers
- (e) Churches and other places of worship
- (f) Public uses and utility substations and other visible fixed equipment
- (g) Colleges and related facilities
- (h) Radio and television broadcasting stations
- (i) Bed and breakfast establishments

#### 310.3 - Area Regulations

- (a) Minimum Lot Area: None, but must meet Roane County Health Department requirements.
- (b) Minimum Frontage: **50 feet**  
(measured at the front property line)
- (c) Minimum Lot Width: **50 feet**  
(measured at the front setback line)
- (d) Setbacks:
  - Front:** (from road right-of way line, front property line)  
**30 feet** (Arterial or Collector Streets)
  - Side:** **15 feet**
  - Rear:** **20 feet**



November 22, 2013



Map 44  
 Parcel 32.25  
 503 Cardiff Valley Rd.

OIR-GIS Services

ADJOINING AND ADJACENT PROPERTY OWNERS WHO WERE NOTIFIED BY MAIL OF  
THE REZONING REQUEST BY CHARLES S. SCARBOROUGH, CARDIFF VALLEY ROAD.

MAP 44	PARCEL 32.25	CHARLES S SCARBOROUGH ETAL 680 BLACK CREEK ROAD ROCKWOOD, TN 37854
	PARCEL 32.27	SAUTER-TIMBER LLC 505 CARDIFF VALLEY ROAD ROCKWOOD, TN 37854
	PARCEL 32.24	SAC HOLDINGS LLC 264 LAWRENCE ROAD KINGS PARK, NY 11754
	PARCEL 32.00	INDUSTRIAL DEVELOPMENT BOARD OF ROANE COUNTY 1209 N KENTUCKY STREET KINGSTON, TN 37763
	PARCEL 32.30	BARRY & BETTY KOBER 1722 RIGGS CHAPEL ROAD HARRIMAN, TN 37748
	PARCEL 32.23	CUMBERLAND GROUP INC PO BOX 564 ROCKWOOD, TN 37854

**OLD BUSINESS:** None

**NEW BUSINESS:**

**RESOLUTION # 01-14-01**

**A Resolution authorizing Roane County to refund to: Shirley Henich, 3011 Sandpiper Bay Circle, C10, Naples FL 34112-5603, the sum of \$164.00.**

**WHEREAS,** taxes on the following parcel were changed by the Property Assessor's office.

Reason: SBE official certificate change

Map Group	Parcel No.	Year	Amount of tax paid	Refund
104D A	010.00	2012	\$2,052.00	\$164.00

**NOW, THEREFORE, BE IT RESOLVED,** that **ROANE COUNTY** is hereby authorized to refund to Shirley Henich, 3011 Sandpiper Bay Circle C10, Naples FL 34112-5603 the sum of \$164.00.

Upon motion of **Commissioner Ellis** , seconded by **Commissioner Kelley**.The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

The following Commissioners passed: -0-

The following Commissioners voted No: -0-Therefore, the County Chairman announced to the Court that said resolution had received a constitutional majority and ordered same spread record.

ROANE COUNTY ASSESSOR OF PROPERTY  
CHANGE OF ASSESSMENT  
CERTIFICATION

The Assessor of Property Office hereby certifies the change shown to be correct for the  
2012 tax year and authorizes the change to be made on the tax roll.

Change# 12932

To: County Trustee

City:  
Harriman  
Kingston  
Midtown  
Oak Ridge  
Oliver Springs  
Rockwood

Receipt# 14242

DATE: 12/3/13

From: ROANE COUNTY ASSESSOR OF PROPERTY

Dist 04 Map 104D Gp A Ctl Map 104D Parcel 010.00 P/I \_\_\_\_\_ S/I 000

ADD

CHANGE

DELETE

REFUND

Property Owners Name: Henrich Shirley

Previous Appraisal:

Land \$110,000

Improvement \$266,500

Total Appraisal \$376,500

Previous Assessment \$94,125

Previous Tax Amount \$2,052

Revised Appraisal:

Land \$110,000

Improvement \$236,400

Total Appraisal \$346,400

Revised Assessment \$86,600

Revised Tax Amount \$1888

Reason for order:

SBE Official Certificate Change

Send Corrected Notice to:

Shirley Henrich

3011 Sandpiper Bay Circle C10

Naples, FL 34112-5603

David L. Morgan, Assessor of Property

12/3/13

*Refund Due  
Not Paid  
12/12*

**Resolution # 01-14-02**

**A Resolution authorizing Roane County to refund to: Glen R. Galen, 106 Wesley Lane, Oak Ridge, TN 37830 the sum of \$751.00.**

**WHEREAS**, taxes on the following parcel were changed by the Property Assessor's office.

Reason: SBE official certificate change

Map	Group	Parcel No.	Year	Amount of tax paid	Refund
014C	C	007.00	2013	\$3,511.00	\$751.00

**NOW, THEREFORE, BE IT RESOLVED**, that **ROANE COUNTY** is hereby authorized to refund to Glen Galen, 106 Wesley Lane, Oak Ridge TN 37830 the sum of \$751.00.

Upon motion of **Commissioner Kelley** seconded by **Commissioner Collier**.

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

The following Commissioners passed: -0-

The following Commissioners voted No: -0-

Therefore, the County Chairman announced to the Court that said resolution had received a constitutional majority and ordered same spread record.

12-31-13

ROANE COUNTY ASSESSOR OF PROPERTY  
CHANGE OF ASSESSMENT  
CERTIFICATION

The Assessor of Property Office hereby certifies the change shown to be correct for the  
2013 tax year and authorizes the change to be made on the tax roll.

To:  
County Trustee

City:  
Harriman  
Kingston  
Midtown  
Oak Ridge  
Oliver Springs  
Rockwood

Change# 12961

Receipt# 11138

From: ROANE COUNTY ASSESSOR OF PROPERTY

DATE: 12/31/13

Dist 02 Map 014C Gp C Ctl Map 014C Parcel 007.00 P/I      S/I 000

ADD

CHANGE

DELETE

REFUND

Property Owners Name: Galen Glen R & Angela T

Previous Appraisal:

Revised Appraisal:

Land \$66,000

Land \$66,000

Improvement \$646,900

Improvement \$494,400

Total Appraisal \$712,900

Total Appraisal \$560,400

Previous Assessment \$178,225

Revised Assessment \$140,100

Previous Tax Amount \$3511

<751.00>

Revised Tax Amount \$2,760

Reason for order:

SBE official certificate change

Send Corrected Notice to:

Glen Galen  
106 Wesley Lane  
Oak Ridge, TN 37830

David Morgan by  
David L. Morgan, Assessor of Property

Cheryl Laxton 43

*Refund Due  
Tax Paid  
12-27-13*

hearing. The notice shall be written in plain language and shall also include, but not be limited to, the following

- (1) A brief statement of this resolution, which shall contain the consequences of failing to remedy the noted condition;
- (2) The person, office, address and telephone number of the department or person giving notice.
- (3) A place wherein the notified party may return a copy of the notice, indicating the desire for a hearing.
- (4) If no appeal is applied for, property shall be brought into compliance within 15 calendar days of the date of the notice of violation.

**BE IT FURTHER RESOLVED**, the growth of trees, vines and underbrush shall not be allowed to reach more than 24 inches in height within a residential or commercial community within 250 ft. of a neighboring structure for more than 15 calendar days.

**BE IT FURTHER RESOLVED**, grass shall not be allowed to be over 12 inches in height for more than 15 calendar days.

**BE IT FURTHER RESOLVED**, the accumulation of debris shall not be allowed to exceed 100 square feet or greater for more than 15 calendar days.

**BE IT FURTHER RESOLVED**, trash, litter and garbage shall not be allowed to exceed 1 cubic yard, when not within receptacles for more than 15 calendar days.

**BE IT FURTHER RESOLVED**, definitions as contained in Roane County's Zoning Regulations as adopted by Resolution #2101.

**BE IT FURTHER RESOLVED**, Resolution #2709 of the County Commission for Roane County is repealed and replaced with this resolution, and Roane County elects to exercise the permissive authority granted to Roane County by **Tenn. Code Ann. § 5-1-115** regarding the removal of vegetation and debris from certain lots and designates the **Roane County Codes Enforcement Office** as the appropriate department to determine whether, any owner of record of real property has created, maintained or permitted to be maintained on such property, the growth of trees, vines, grass, underbrush or the accumulation of debris, trash, litter, garbage, or any combination of the preceding elements, so as to endanger the health, safety or welfare of other citizens, or to encourage the infestation of rats and other harmful animals, and further designates the **Roane County Codes Enforcement Office** to fulfill the duties of such designee as prescribed by **Tenn. Code Ann. § 5-1-115**.

**Resolution # 01-14-03**

**A Resolution exercising the permissive authority granted to Roane County by Tenn. Code 5-1-115 regarding the removal of vegetation and debris from certain lots.**

**WHEREAS**, Roane County adopted Resolution #2709 on August 8, 1994 and desires to replace it with language as follows which exercises the permissive authority granted to Roane County by **Tenn. Code Ann § 5-1-115** regarding the removal of vegetation and debris from certain lots, and;

**WHEREAS**, Roane County adopted Resolution #12-13-02 on December 9, 2013 and wishes to rescind the resolution and clarify the language with the adoption of this resolution.

**NOW, THEREFORE, BE IT RESOLVED**, if it is determined by the appropriate department or person, as designated by the governing body of a county, that any owner of record of real property has created, maintained or permitted to be maintained on such property, the growth of trees, vines, grass, underbrush or the accumulation of debris, trash, litter, garbage, or any combination of the preceding elements, so as to endanger the health, safety or welfare of other citizens, or to encourage the infestation of rats and other harmful animals, the appropriate department or person shall provide notice to the owner of record to remedy the condition immediately.

**BE IT FURTHER RESOLVED, Tenn. Code Ann. § 5-1-115** gives Roane County permissive authority and not mandatory authority to remove the growth of trees, vines, grass, underbrush or the accumulation of debris, trash, litter, garbage, or any combination of the preceding elements, so as to endanger the health, safety or welfare of other citizens, or to encourage the infestation of rats and other harmful animals, and

**BE IT FURTHER RESOLVED**, it is in the best interest of Roane County that it exercise this permissive authority, and

**BE IT FURTHER RESOLVED**, Resolution #2709 and Resolution #12-13-02 of the County Commission for Roane County are repealed and replaced with this resolution, and

**BE IT FURTHER RESOLVED, Tenn. Code Ann. § 5-1-115** requires the appropriate department or person, as designated by the governing body of a county, that any owner of record of real property has created, maintained or permitted to be maintained on such property, the growth of trees, vines, grass, underbrush or the accumulation of debris, trash, litter, garbage, or any combination of the preceding elements, so as to endanger the health, safety or welfare of other citizens, or to encourage the infestation of rats and other harmful animals, the appropriate department or person shall provide notice to the

owner of record to remedy the condition immediately. The notice shall be given by United States mail, addressed to the last known address of the owner of record. The notice shall state that the owner of the property is entitled to a hearing. The notice shall be written in plain language and shall also include, but not be limited to, the following

- (1) A brief statement of this resolution, which shall contain the consequences of failing to remedy the noted condition;
- (2) The person, office, address and telephone number of the department or person giving notice.
- (3) A place wherein the notified party may return a copy of the notice, indicating the desire for a hearing.
- (4) If no appeal is applied for, Property shall be brought into compliance with in 15 calendar days of the date of the notice of violation.

**BE IT FURTHER RESOLVED**, the growth of trees, vines and underbrush shall not be allowed to reach more than 24 inches in height within a residential or commercial community within 250 ft. of a neighboring structure for more than 15 calendar days.

**BE IT FURTHER RESOLVED**, grass shall not be allowed to be over 12 inches in height for more than 15 calendar days.

**BE IT FURTHER RESOLVED**, the accumulation of debris shall not be allowed to exceed 100 square feet or greater for more than 15 calendar days.

**BE IT FURTHER RESOLVED**, trash, litter and garbage shall not be allowed to exceed 1 cubic yard, when not within receptacles for more than 15 calendar days.

**BE IT FURTHER RESOLVED**, definitions as contained in Roane County's Zoning Regulations as adopted by Resolution #2101.

**BE IT FURTHER RESOLVED**, Resolution #2709 of the County Commission for Roane County is repealed and replaced with this resolution, and Roane County elects to exercise the permissive authority granted to Roane County by **Tenn. Code Ann. § 5-1-115** regarding the removal of vegetation and debris from certain lots and designates the **Roane County Codes Enforcement Office** as the appropriate department to determine whether, any owner of record of real property has created, maintained or permitted to be maintained on such property, the growth of trees, vines, grass, underbrush or the accumulation of debris, trash, litter, garbage, or any combination of the preceding elements, so as to endanger the health, safety or welfare of other citizens, or to encourage the infestation of rats and other harmful animals, and further designates the **Roane County Codes Enforcement Office** to fulfill the duties of such designee as prescribed by **Tenn. Code Ann. § 5-1-115**.

Upon motion by **Commissioner Goddard** seconded by **Commissioner Cantrell**.

The following commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

The following Commissioner passed: **-0-**

The following commissioners voted No: **-0-**

Therefore, the Chair announced to the Commission that said Resolution had received a constitutional majority and ordered same spread of record.

**Resolution # 01-14-04**

A Resolution authorizing the county attorney to file a lawsuit regarding a violation of the 2006 International Residential Code, Section R105 by allowing a structure to be placed on property identified as Tax Map 114, Parcel 38.00 without a building permit.

Withdrawn without objection

**Resolution # 01-14-05**

A Resolution authorizing the county to file a lawsuit regarding a violation of the 2006 International Residential Code, Section R105 by allowing a structure to be placed on property identified as Tax Map 110, Parcel 8.03 without a building permit.

Withdrawn without objection

**Resolution # 01-14-06**

A Resolution to amend the Highway Fund (131) to better reflect operations of the Highway Department.

**WHEREAS**, the Ambulance Department has begun to purchase diesel from the Highway Department and the associated revenue and expenditure needs have risen, and

**WHEREAS**, the Highway Department has requested to shift salary funding, and

**WHEREAS**, the Highway Department has had additional vehicle related expenditures, and

**NOW, THEREFORE, BE IT RESOLVED** that the Highway Fund (131) be amended as follows:

Fund	Account No.	Description	Current Bgt	Amend Amend	Amend Bgt
		<b>Revenue</b>			

131	44135		Sale of Gasoline	60,000	75,000	135,000
<b>Expenditure</b>						
Administration						
131	61000	103	Assistant	54,000	3,000	57,000
		161	Secretary	92,000	<u>(3,000)</u>	89,000
-						
Highway & Bridge Maintenance						
131	62000	404	Asphalt - Hot Mix	1,016,030	(60,000)	956,030
Operation & Maintenance of Equipment						
Maintenance & Repair of						
131	63100	336	Equipment	31,000	10,000	41,000
Maintenance & Repair of						
		338	Vehicles	-	19,000	19,000
		410	Custodial Supplies	2,500	1,000	3,500
		412	Diesel Fuel	140,000	75,000	215,000
		424	Garage Supplies	12,000	5,000	17,000
		433	Lubricants	6,000	3,000	9,000
		450	Tires & Tubes	20,000	<u>2,000</u>	22,000
115,000						
Other Charges						
131	65000	516	Other Self-Insured Claims	5,000	10,000	15,000
Capital Outlay						
131	68000	707	Building Improvements	15,000	10,000	25,000

Upon motion of **Commissioner Ellis** seconded by **Commissioner Kelley**

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Tedder (14)**

No: **Nelson (1)**

Passed: **-0-**

Thereupon, the Chairman announced that said Resolution had received a constitutional majority and ordered same spread of record.

**Resolution # 01-14-0-7**

**A Resolution to amend the General Capital Projects Fund (171) by closing subfunds State Industrial Access Grant (SIA) and Volkswagen Land FIDP Grant (VWL) and shifting the remaining match money to the Industrial Development (IND) subfund.**

**WHEREAS**, the project budgeted under the State Industrial Access Grant (SIA) has never comes to fruition, and

**WHEREAS**, the FIDP Grant for VW (VWL) has been completed under budget, and

**WHEREAS**, both of the projects are related to Industrial Development, and

**WHEREAS**, it is fitting that the match money remaining be maintained in the Industrial Development (IND) subfund to be used as match money for future industrial grants.

**NOW, THEREFORE, BE IT RESOLVED** that the General Capital Projects Fund (171) be amended as follows:

Fund	Account No.		Description	Current Bgt	Amend	Amend Bgt
<b>subfund SIA</b>						
<b>Expenditure</b>						
			Transfer Out			
171	99100	590	Transfer Out	-	157,779	157,779
<b>Fund Balance</b>						
171	34585		Restricted for Capital Projects	157,779	(157,779)	-

Fund	Account No.		Description	Current Bgt	Amend	Amend Bgt
<b>subfund VWL</b>						
<b>Expenditure</b>						
			Industrial Development			
171	58120	724	Site Development	209,418	(22,871)	186,547
			Transfer			

	Out					
171	99100	590	Transfer Out	-	22,871	22,871

Fund	Account No.	Description	Current Bgt	Amend	Amend Bgt
		<b>subfund IND</b>			
		<b>Revenue</b>			
		Transfer In			
171	99100	Transfer In	-	180,650	180,650
		<b>Fund Balance</b>			
171	34585	Restricted for Capital Projects	480,000	180,650	660,650

Upon motion of **Commissioner Collier**, seconded by **Commissioner Moore**.

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

No: **-0-**

Passed: **-0-**

Thereupon, the Chairman announced that said Resolution had received a constitutional majority and ordered same spread of record.

**Resolution # 01-14-08**

**A Resolution to amend the Highway Capital Projects Fund (176) to appropriate funds for building improvements, highway equipment and vehicles.**

Motion to adopt was made by **Commissioner Barry** with second by **Commissioner Ellis**.

Motion was made by **Commissioner Kelley** with second by **Commissioner East** to defer to the Road Committee.

Upon roll call vote the following commissioners voted Aye:  
**Bacon, Berry, East, Forrester, Goddard, Kelley, Nelson, Moore**  
**(8)**

The following commissioners Passed: **-0-**

The following commissioners voted Nay: **Brummett, Cantrell, Collier, Ellis, Granger, Johnson, Tedder (7)**

Thereupon the Chairman announced that the resolution would refer to the Road Committee.

**Resolution # 01-14-09**

**A Resolution to amend the Highway Capital Projects Fund (176) to reassign funding from the Crystal Cove project and appropriate funding for a project on Bluff Road.**

**WHEREAS**, the work being done in Crystal Cove is projected to come in under budget and funds are eligible to be reappropriated, and

**WHEREAS**, additional capital projects have been identified by the Highway Department, and

**WHEREAS**, this additional project is on Bluff Road.

**NOW, THEREFORE, BE IT RESOLVED** that the Highway Capital Projects Fund (176) be amended as follows:

Fund	Account No.		Description	Current Bgt	Amend	Amend Bgt
<b>Sub Fund COV</b>						
<b>Expenditure</b>						
			Capital Outlay			
176	68000	312	Contracts with Private Agencies	127,017	(10,000)	117,017
			Transfer Out			
176	99100	590-014	Transfer Out	-	10,000	10,000

Fund	Account No.		Description	Current Bgt	Amend	Amend Bgt
<b>Sub Fund 014</b>						
<b>Revenue</b>						
176	49800		Transfer In	-	10,000	10,000
<b>Expenditure</b>						
			Capital Outlay			
		409-				
176		Bluff	Crushed Stone	-	10,000	10,000

Upon motion of **Commissioner Ellis**, seconded by **Commissioner Tedder**

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder (15)**

No: -0-

Passed:-0-

Thereupon, the Chairman announced that said Resolution had received a constitutional majority and ordered same spread of record.

**Resolution # 01-14-10**

**A Resolution to amend the Public Utility Fund (204) to receive and appropriate a Community Development Block Grant (CDBG) from the State of Tennessee.**

**WHEREAS**, the Wastewater Department has been awarded a CDBG Grant, and

**WHEREAS**, this grant will be accounted for in its own subfund (CDB), and

**WHEREAS**, the grant requires a match of \$72,781 which is provided for with operational cash from the Wastewater Department, and

**WHEREAS**, this project is to provide sewer access to low income residents in the Midtown area.

**NOW, THEREFORE, BE IT RESOLVED** that the Public Utility Fund (204) be amended as follows:

Fund	Account No.	Description	Current Bgt	Amend	Amend Bgt
<b>Subfund CDB</b>					
<b>Revenue</b>					
204	46980	Other State Grants	-	487,067	487,067
	49800	Transfer In	-	<u>72,781</u>	72,781
				559,848	
<b>Expenditure</b>					
Public Utility Projects					
204	91170	724 Site Development	-	559,848	559,848

Upon motion of Commissioner Kelley seconded by Commissioner Ellis

The following Commissioners voted Aye: **Bacon, Berry, Brummett, Cantrell, Collier, East, Ellis, Forrester, Goddard, Granger, Johnson, Kelley, Moore, Nelson, Tedder** (15)

No:-0-

Passed:-0-

Thereupon, the Chairman announced that said Resolution had received a constitutional majority and ordered same spread of record.

Motion duly made by **Commissioner Collier** second by **Commissioner Moore** the January 13, 2014 meeting stood adjourned at 9:55P.M.

**APPROVED:**

  
Chairman James Brummett

**Attest:**

  
County Clerk Barbara J. Anthony