

RESOLUTION NO. 10-18-05

COPY

IN THE COUNTY COMMISSION FOR ROANE COUNTY, TENNESSEE

A Resolution to amend the Roane County Zoning Regulations April 2013, to further define and give guidance for kennels

WHEREAS, the Roane Regional Planning Commission finds the need to further define kennels and give guidance for special use permits, and

WHEREAS, Section 202 List of Definitions be amended, and

WHEREAS, Sections 301 (A-1) Agricultural District, 302 (A-2) Developing Agricultural District, 307 (C-1) General Commercial District and Section 308 (C-2) Highway Commercial District be amended, and

WHEREAS, Section 316 Special Use Permit be amended

THEREFORE, BE IT RESOLVED, that the definition of Kennel, Kennels: on page 10 be deleted and add new definitions as follows:

**Domesticated animals:** for this ordinance shall be defined as cats and dogs.

**Kennel (Standard):** the keeping, housing, boarding, breeding, training or raising of more than 6 (six) domesticated animals (excluding livestock) more than six (6) months old for which commercial gain is the primary objective.

**Kennel (Private):** the keeping, housing, boarding, breeding, training or raising of more than 6 (six) domesticated animals (excluding livestock) more than six (6) months old, for personal enjoyment of the owner/occupants of the property and for which commercial gain is not the primary objective.

**Kennel (Rescue):** the keeping, housing, training or raising of more than 6 (six) domesticated animals (excluding livestock) more than six (6) months old and for which the primary objective is to rescue animals in need. Rescues shall be a 501(C3) non-profit and approved as a rescue by the Roane County Animal Shelter prior to issuance of a special use permit. A rescue would include the fostering of animals. See Special Use Permit section.

BE IT FURTHER RESOLVED, to amend Section 301.2 Permitted Uses: Add Kennel (Standard) and Kennel (Private) with a minimum of 5 acres. Kennel shall be located a minimum of 150 feet from front, side and rear property lines. On page 16

BE IT FURTHER RESOLVED, to amend Section 302.2 Permitted Uses: Add Kennel (Standard) and Kennel (Private) with a minimum of 5 acres. Kennel shall be located a minimum of 150 feet from front, side and rear property lines. On page 18

BE IT FURTHER RESOLVED, to amend Section 307.2 Permitted Uses: Add Kennel (Standard) and Kennel (Private) on page 29

**BE IT FURTHER RESOLVED**, to amend Section 308.2 Permitted Uses: Add Kennel (Standard) and Kennel (Private) on page 31

**BE IT FURTHER RESOLVED**, to amend Section 316.1 Special Uses by replacing sub-section (j) in its entirety with the following

- (j) Veterinary clinics, Kennels (Standard), Kennels (Private), Kennels (Rescue) and animal shelters in accordance with the following guidelines. (However, no facility shall house, keep, or maintain any animal identified as a Class 1 animal in Section 70-4-403 of Tennessee Code Annotated.

**1.0 Compliance Check Request Guidelines**

1.1 All Kennels (Rescues) shall require an annual compliance check of premise by the Roane County Building Codes office. It shall be the responsibility of the kennel owner/operator to request the annual compliance check by the following guidelines:

1.2 The annual compliance check shall be requested by completing a Compliance Check Request Form as provided by the Roane County Animal Shelter

1.3 The completed Compliance Check Request Form shall be submitted to the Roane County Building and Codes office 30 days prior to expiration date of the SUP.

1.4 Failure to complete and submit the required forms by the time specified in sub-section (j) shall be considered a violation of these regulations and may result in the revocation of the SUP and suspension of 1 year for the request of a new SUP for the same kennel.

**2.0 Special Use Permits for Kennels in Residentially Zoned (R-1, R-2, and R-3) Area**

The Board of Zoning Appeals shall not issue a SUP for any kennel in a residentially zoned area on a parcel of less than three-fourths (3/4) acre.

**3.0 Kennel Special Use Permit Guidelines**

Except as restricted elsewhere in this sub-section, the BZA has the authority to issue SUPs for kennels within the following guidelines:

3.1 The number of domesticated animals allowed:

3.1.1 8 domesticated animals on a ½ acre tract

3.1.2 14 domesticated animals on a 1 acre tract

3.1.3 Additional 4 domesticated animals per acre above 1 acre

3.2 Time frame for the expiration of the SUP

- 3.2.1 Up to 1 year for initial permit
- 3.2.2 Up to 2 years for first renewal of SUP
- 3.2.3 Up to 4 years for subsequent renewals of SUP
- 3.2.4 If a kennel is found to be in violation of the SUP restrictions, it shall be granted a 72 hour grace period to bring the kennel into compliance or provide a plan of action to bring kennel into compliance. The plan of action shall need approval of BZA staff and the Roane County Animal Shelter to bring the kennel into compliance.

**BE IT FURTHER RESOLVED**, that this resolution takes effect immediately after passage.

**UPON MOTION** of Commissioner Moore, seconded by Commissioner Hendrickson, the following Commissioners voted yes: Bell, Berry, Bowers, Brashears, East, Ellis, Gann, Hendrickson, Hester, Hickman, Hooks, Meadows, Moore, White, and Wilson. (15)

The following Commissioners voted No: -0-

The following Commissioners Passed: -0-

**THEREUPON** the County Chairman announced to the Commission that said resolution had received a constitutional majority and ordered same spread of record.

**APPROVED:**

*R. G. Ellis*  
 \_\_\_\_\_  
 County Commission Chairman

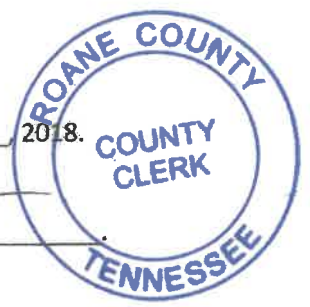
The foregoing resolution was submitted to the County Executive for his consideration this 18 day of Oct, 2018.

**ATTESTED:**

*Beth G. Johnson*  
 \_\_\_\_\_  
 County Clerk

I approve  /veto \_\_\_\_\_ the foregoing resolution this the 19 day of Oct, 2018.

*Paul B. ...*  
 \_\_\_\_\_  
 County Executive



**Submitted by Roane County Planning Commission**

STATE OF TENNESSEE  
 COUNTY OF ROANE  
 Attest  
 Beth G. Johnson, County Clerk  
 Certified a true and  
 correct copy  
 Month November 02, 2018  
 Day Year  
 By Ariel Smith D.C.