

**ORDINANCE NO. 1092**

**AN ORDINANCE TO AMEND 'THE ZONING ORDINANCE OF THE CITY OF ATHENS, TENNESSEE,'  
SO AS TO AMEND THE OFFICIAL ZONING MAP TO REZONE THE PROPERTY LOCATED  
AT 708 KNIGHT ROAD FROM B-3 (INTENSIVE BUSINESS DISTRICT) TO  
R-2 (MEDIUM DENSITY RESIDENTIAL DISTRICT) SAID AREA BEING LOCATED WITHIN THE  
CORPORATE LIMITS OF ATHENS, TENNESSEE.**

**BE IT ORDAINED BY THE CITY OF ATHENS, TENNESSEE, AS FOLLOWS:**

**SECTION 1.** That the Official Zoning Map of Athens, Tennessee, identified and referred to in Section 3.02 of said Zoning Ordinance, be amended to show the following described property and zoning designation as described within the body of this ordinance and shown on the attached illustration titled; "Rezoning Request by GA Cumberland Association of Seventh Day Adventists, Inc. for 708 Knight Road (Tax Map 066H Group A Parcel 075.00) from B-3 (Intensive Business District) to R-2 (Medium Density Residential District)" said property being within the corporate limits of Athens, Tennessee:

**Area Description (B-3 to R-2)**

The parcel to be rezoned from B-3 to R-2 is shown on McMinn County Tax Map as Tax Map 066H Group A Parcel 075.00. The parcel is further described on the attached illustration that has been created from the Official Zoning Map of the City of Athens, Tennessee.

**SECTION 2.** Any Ordinance, Resolution, Motion or parts thereof in conflict herewith are hereby repealed and superseded. If any sentence, clause, phrase or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction, such holding will not affect any other portion of this Ordinance.

**SECTION 3. BE IT FURTHER ORDAINED,** that this Ordinance shall take effect upon final passage and as provided by law. As required by TENNESSEE CODE ANNOTATED, Section 13-7-203, a Public Hearing subject to fifteen day's notice has been held, and this ordinance meets the requirements of TENNESSEE CODE ANNOTATED, Section 13-7-201 through 13-7-210, including the approval of all necessary agencies.

**PASSED ON FIRST READING:** August 18, 2020

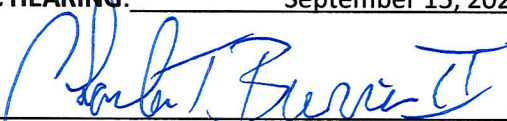
**PASSED ON SECOND READING:** September 15, 2020

**DATE OF PUBLIC HEARING:** September 15, 2020

  
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C. SETH SUMNER, City Manager

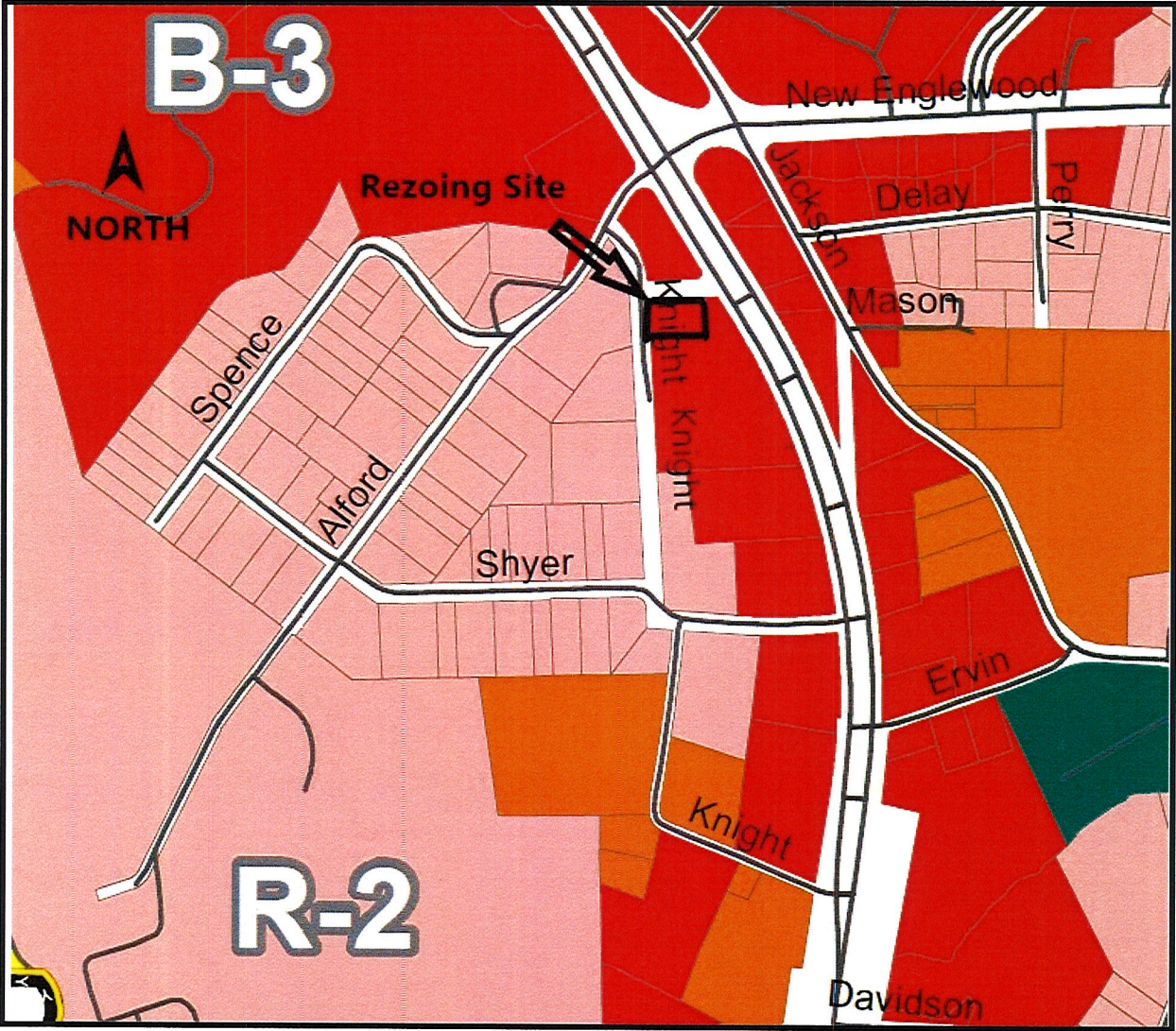
APPROVED AS TO FORM:

  
\_\_\_\_\_  
H. CHRIS TREW, City Attorney

  
\_\_\_\_\_  
CHARLES T. BURRIS, II, Mayor



**Rezoning Request by GA Cumberland Association of Seventh Day Adventists, Inc. for 708 Knight Road (Tax Map 066H Group A Parcel 075.00) from B-3 (Intensive Business District) to R-2 (Medium Density Residential District)”**



- 1. Recommendation on rezoning request by GA Cumberland Association of Seventh Day Adventists, Inc.** to change a parcel identified as Tax Map 066H Group A Parcel 075.00 located at 708 Knight Road from B-3 Intensive Business District to R-2 Medium Density Residential containing approximately 0.34 acres.

Mr. David Wendt introduced himself as the Pastor.

Mr. Casteel said this parcel was probably annexed into the City of Athens as Commercial, but the home was built in 1935, according to Tennessee Real Estate Database. The Church has owned it since 1992 and used it as its parsonage. It has been used as a residence. They are now ready to sell to another private entity.

Mr. Casteel said they ran across this before when it comes to single family homes in a commercial district, they cannot gain conventional financing because they cannot rebuild the structure. They are asking to rezone to R-2 (Medium density) which is located across the street. Staff does not have any issues with it.

Chairman Hamilton asked if there were any other residences in that B-3 (Intensive Business District).

Multiple people answered yes. There was some more discussion about other residential structures in the area.

MOTION: Recommend to approve the rezoning request.

MADE: Eric Newberry

SECOND: Janice Hardaway

VOTE: Unanimous

MOTION PASSED

## STAFF REPORT

### ATHENS MUNICIPAL-REGIONAL PLANNING COMMISSION

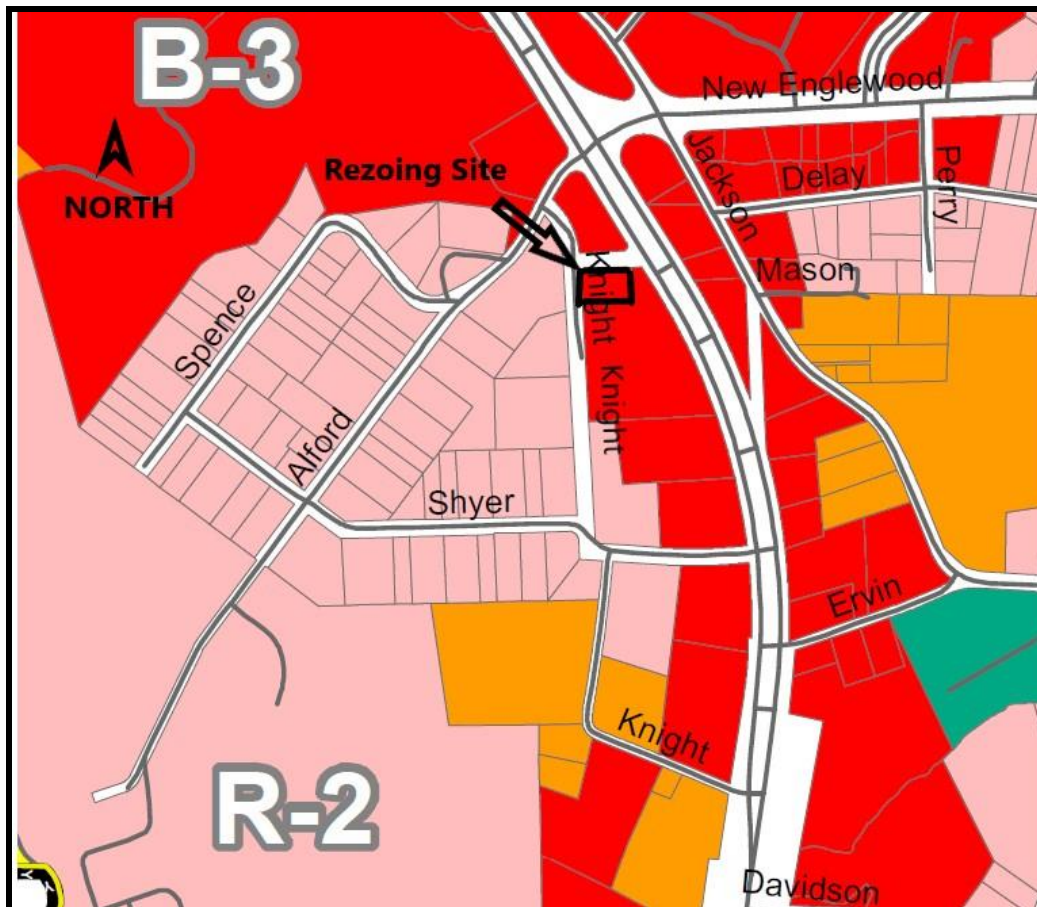
August 3, 2020

12:00 P.M.

### CONFERENCE ROOM

#### NEW BUSINESS

1. **Recommendation on rezoning request by GA Cumberland Association of Seventh Day Adventists, Inc.** to change a parcel identified as Tax Map 066H Group A Parcel 075.00 located at 708 Knight Road from B-3 Intensive Business District to R-2 Medium Density Residential containing approximately 0.34 acres.



This parcel was developed with a single-family detached dwelling in 1935 according the Tennessee Real Estate Database. It was annexed into the city with this use already in place. It has been used residentially since they purchased it in 1992 according to the owners and the use

is grandfathered in under current zoning regulations. The problem with property's zoning concerns the issue if they are destroyed, they cannot be rebuilt under our current zoning code. This in turn causes certain financial institutions to not loan money on them because the investment cannot be ensured in case of an event that destroys the property beyond 51% of its fair market value. They have the property sold to someone who want to continue to use is as a single-family home.

**Staff recommends approval of the rezoning request from to B-3 Intensive Business to R-2 Medium Density Residential.**