

**ORDINANCE NO. 1096**

**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 2580 INGLESIDE AVENUE FROM I-2 (HEAVY INDUSTRIAL DISTRICT) TO B-3 (INTENSIVE BUSINESS 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 David and Sandra Wilkey for 2580 Ingleside Avenue (Tax Map 047 Parcels 146.00 and 148.00) from I-2 (Heavy Industrial District) to B-3 (Intensive Business District)" said property being within the corporate limits of Athens, Tennessee:

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

The parcel to be rezoned from I-2 to B-3 is shown on McMinn County Tax Map as Tax Map 047 Parcels 146.00 and 148.00. 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**SECTION 2.** Any Ordinance, Resolution, Motion or parts thereof in conflict herewith are hereby repealed and superseded.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:** September 15, 2020

**PASSED ON SECOND READING:** October 20, 2020

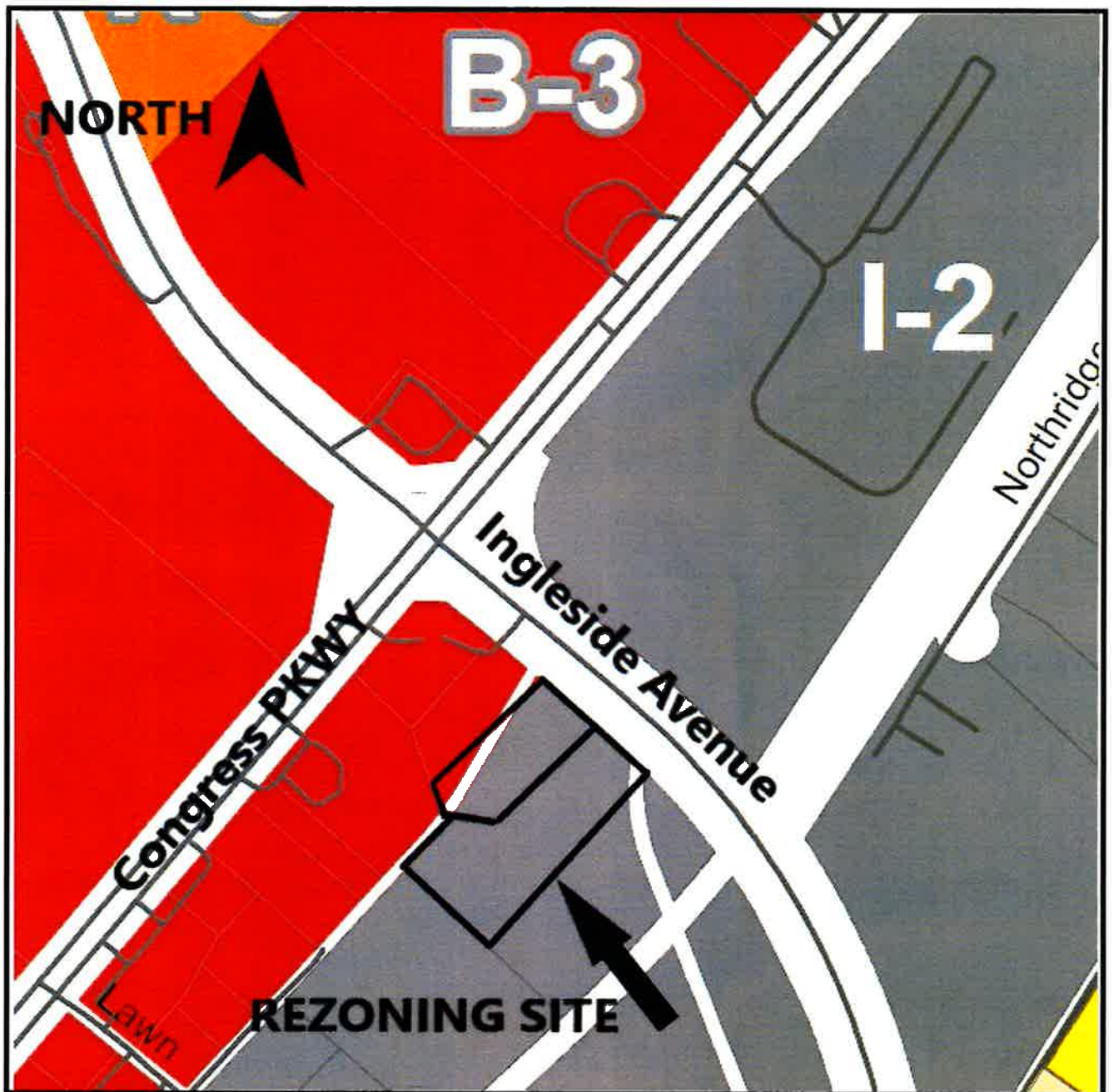
**DATE OF PUBLIC HEARING:** October 20, 2020

  
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C. SETH SUMNER, City Manager

  
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CHARLES T. BURRIS, II, Mayor

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
H. CHRIS TREW, City Attorney

**Rezoning Request by David and Sandra Wilkey for 2580 Ingleside Avenue (Tax Map 047 Parcels 146.00 and 148.00) from I-2 (Heavy Industrial District) to B-3 (Intensive Business District)**



**3. Recommendation on rezoning request by David and Sandra Wilkey** to change parcels identified as Tax Map 046 Parcel 146.00 and 148.00 located at 2580 Ingleside Avenue from I-2 Heavy Industrial District to B-3 Intensive Business District containing approximately 4.65 acres.

Mrs. Wilkey said the property is actually 2580 Ingleside Avenue.

Mr. Casteel said he thought this property was B-3 (Intensive Business District). The appraiser found where part of it was. He then started researching it, and he could not find where it had been rezoned to that. He saw where the corner where the BP all the way down to Social Security Administration was rezoned to commercial previously. However, the citywide rezoning did change it in 2012, and that is what it is now, and she needs it corrected so it can be more lucrative to do what they want to do. Staff does not have a problem with that. It will be better for this area to be commercial and not industrial in his opinion.

Chairman Hamilton asked if they were only talking about the parking lot and the Cleveland state building

Mr. Casteel said the parking lot and the building where Cleveland State is.

Chairman Hamilton said that answered his question.

MOTION: Make the recommendation to City Council to rezone as presented.

MADE: Jordan Curtis

SECOND: Jona Garrett

VOTE: Unanimous

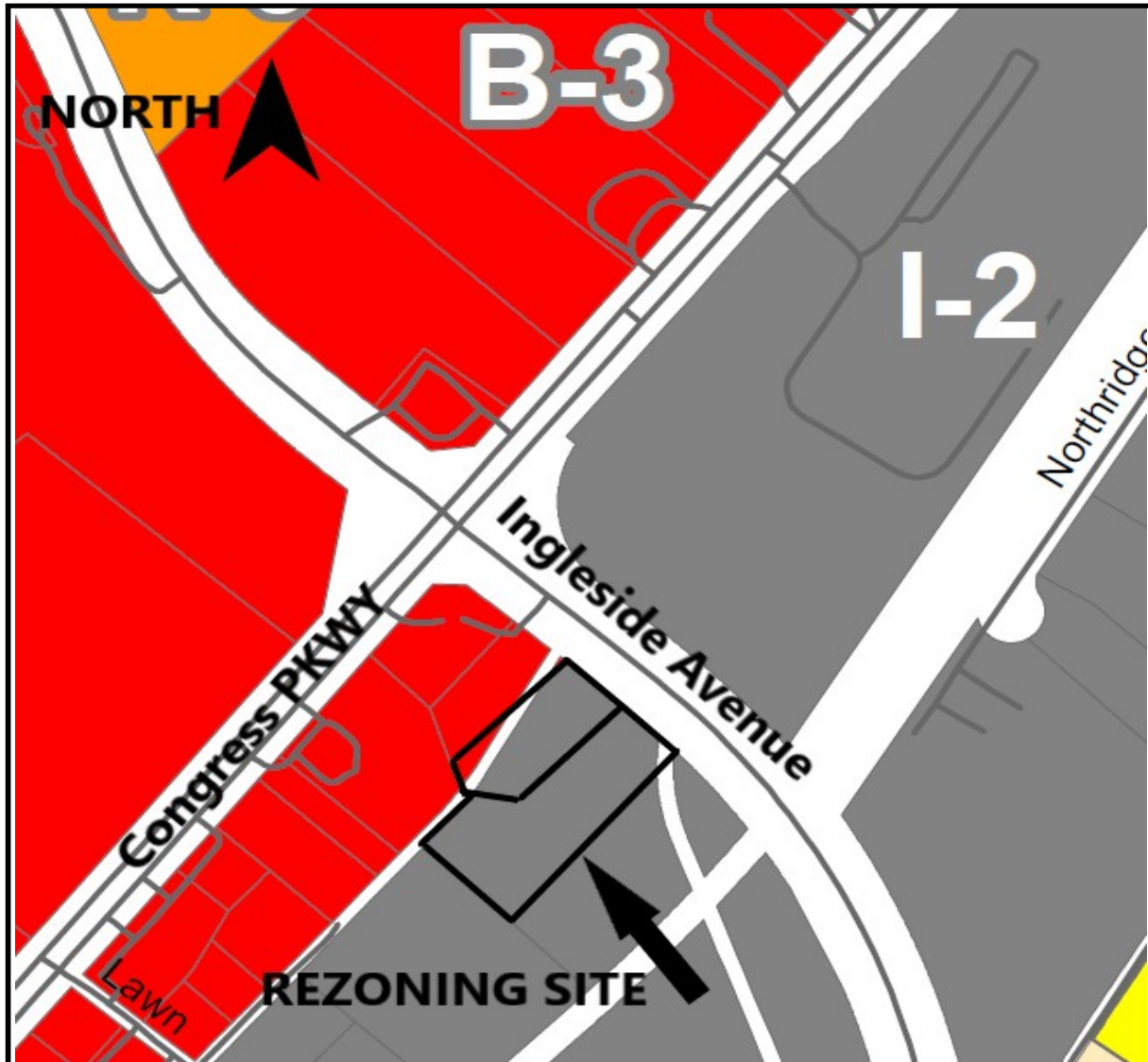
MOTION PASSED

STAFF REPORT

ATHENS MUNICIPAL-REGIONAL PLANNING COMMISSION

September 8, 2020

3. **Recommendation on rezoning request by David and Sandra Wilkey** to change parcels identified as Tax Map 046 Parcel 146.00 and 148.00 located at 2850 Ingleside Avenue from I-2 Heavy Industrial District to B-3 Intensive Business District containing approximately 4.65 acres.



The owner wished to rezone the property to make the existing grandfathered uses compatible with the current code. The parcel has I-2 Zoning on three sides and B-3 Zoning to the west of the site. The request is in accordance with the existing Land Use Plan and the surrounding zoning district as the parcel fronts on a Minor Arterial. **Staff recommends approval of the request.**