

ORDINANCE NO. 224

AN ORDINANCE AMENDING MOUNT CARMEL MUNICIPAL CODE TITLE 14, "PLANNING AND ZONING", CHAPTER 4 "DEFINITIONS".

WHEREAS, the Town of Mount Carmel, Tennessee Municipal Planning Commission hears numerous requests in its role as the Board of Zoning Appeals for setback variances; and

WHEREAS, the Town of Mount Carmel, Tennessee Municipal Planning Commission has recommended a refinement in the definition of "setbacks" as stated in the Municipal Code; and

WHEREAS, the public health and welfare of the citizens of the Town of Mount Carmel, Tennessee, require it;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN of the Town of Mount Carmel, Tennessee, as follows:

SECTION I. That the Mount Carmel, Tennessee, Municipal Code section 14-401 "Use of Terms", shall have added thereto the following sub-section entitled "Setbacks" in appropriate alphabetic order and each sub-section thereafter shall be renumbered accordingly:

25. Setbacks. The following rules shall apply in determining setbacks:

- (a) All buildings including porches, carport covers, garages and swimming pools shall meet the minimum setback requirements for the zoning district where they are located. Driveways must be at least 2.5 feet from the rear and side property lines. Patios and walks at ground level around swimming pools must be at least 7.5 feet from the rear and side property lines. Also, swimming pools, including walks at ground level, must meet the front yard setback requirements. Overhangs of two feet or less will be exempt from the setback requirements.
- (b) Setbacks for customary accessory buildings are specified in Section 14-1001.
- (c) Front and rear raised and covered entrances six feet deep by eight feet wide or less are exempt from the front and rear setback requirements.

SECTION II. LEGAL STATUS PROVISIONS.

A. Conflict With Other Ordinances. In case of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the Town of Mount Carmel, the most restrictive shall in all cases apply.

B. Validity. If any section, clause, provision or portion of this ordinance shall be held to be in doubt or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this ordinance which is not of itself invalid or unconstitutional.

C. Effective Date. This ordinance shall become effective upon passage, the public welfare requiring it.



GARY LAWSON, Mayor

ATTEST:

APPROVED AS TO FORM:

Nancy Carter
NANCY CARTER, Recorder

Michael A. Faulk
LAW OFFICES OF MICHAEL A. FAULK

NOTICE OF PUBLIC HEARING PUBLISHED ON: 9-2-2001
NAME OF PUBLICATION: Kingsport Times News
PUBLIC HEARING HELD ON: 9-27-01

FIRST READING	AYES	NAYS	OTHER
PAUL HALE	✓		
HENRY BAILEY	✓		
EUGENE CHRISTIAN	✓		
GEORGE PIERCE	✓		
GARY LAWSON, MAYOR	—		
THOMAS WHEELER	✓		
WANDA WORLEY	absent		
TOTALS	5	0	0

PASSED FIRST READING: 8-23-01

SECOND READING	AYES	NAYS	OTHER
PAUL HALE	✓		
HENRY BAILEY	✓		
EUGENE CHRISTIAN			
GEORGE PIERCE	✓		
GARY LAWSON, MAYOR			
THOMAS WHEELER	✓		
WANDA WORLEY			
TOTALS	4	0	0

PASSED SECOND READING: 9-27-01

PUBLISHED ON:

DATE: 10-4-01
NEWSPAPER: Kingsport Times

KINGSPORT TIMES-NEWS

PUBLICATION CERTIFICATE

Kingsport, TN September 10, 2001

This is to certify that the Legal Notice hereto attached was published in the Kingsport Times-News, a daily newspaper published in the City of Kingsport, County of Sullivan, State of Tennessee, beginning in the issue of 9-2-01, and appearing 1 consecutive weeks (times) as per order of

Town of Mt. Carmel

Signed Nancy R. Williams

THE MOUNT CARMEL
BOARD OF MAYOR and
ALDERMEN will have a
public hearing on Septem-
ber 27, 2001 at 7:00 p.m. at
Mt. Carmel City Hall con-
cerning the following ordi-
nances: Ordinance 223-
Amending Mt. Carmel
Municipal Code Title 14,
"Planning and Zoning",
Chapter 1 "Municipal
Planning Commission"
Creation and Membership
and Ordinance 224,
Amending Mt. Carmel
Municipal Code Title 14,
"Planning and Zoning",
Chapter 4 "Definitions",
setback. The Public is
welcome to attend and
make comments.
Pub It: 09/02/2001

STATE OF TENNESSEE, SULLIVAN COUNTY, TO-WIT:

Personally appeared before me this 10th day of September
20 01, Nancy R. Williams
of the Kingsport Times-News and in due form of law made oath that the foregoing
statement was true to the best of my knowledge and belief.

Allen F. Sullivan
NOTARY PUBLIC

My commission expires February 2, 2003

KINGSPORT TIMES-NEWS

PUBLICATION CERTIFICATE

Kingsport, TN October 10, 2001

This is to certify that the Legal Notice hereto attached was published in the Kingsport Times-News, a daily newspaper published in the City of Kingsport, County of Sullivan, State of Tennessee, beginning in the issue of 10-5-01, and appearing 1 consecutive weeks/times, as per order of _____

Town of Mt. Carmel

Signed _____

Karen C. Mulvey

ORDINANCES Passed by the Town of Mt. Carmel and Date Passed.

Ordinance 223, amending Mt. Carmel Municipal Code Title 14, "Planning and zoning" chapter 41, Municipal planning commission" creation and membership, passed 9/27/01

Ordinance 224, amending Mt. Carmel Municipal Code, Title 14, "Planning and Zoning " Chapter 4, "Definitions" setbacks passed 9/27/01

Ordinance 225, streets & sidewalks MCC-16-102, passed 9/27/01

Ordinance 226, personnel policies and procedure manual passed 9/27/01

Pub. It: 10/04/01

STATE OF TENNESSEE, SULLIVAN COUNTY, TO-WIT:

Personally appeared before me this 10th day of October 2001, Karen C. Mulvey of the Kingsport Times-News and in due form of law made oath that the foregoing statement was true to the best of my knowledge and belief.

William F. Salzen
NOTARY PUBLIC

My commission expires January 2, 2003