

ORDINANCE NO. 19-480

AN ORDINANCE TO FURTHER AMEND THE ZONING CODE, TEXT, AND MAP TO REZONE PROPERTY ADJACENT TO MAIN STREET FROM MX-1, MIXED USE DISTRICT 1 TO M-1, INDUSTRIAL DISTRICT IN THE 9th CIVIL DISTRICT OF HAWKINS COUNTY; TO FIX A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND TO FIX THE EFFECTIVE DATE OF THIS ORDINANCE

BE IT ORDAINED BY THE TOWN OF MOUNT CARMEL, AS FOLLOWS:

SECTION I. That the zoning code, text, and map, be and the same is hereby further amended to rezoning property adjacent to Main Street from MX-1, Mixed Use District 1 to M-1, Industrial District in the 9th Civil District of Hawkins County; said area to be rezoned being further and more particularly described as follows:

BEGINNING on the right of way line of the Southern Railway Co. at a point, running thence with said right of way line North 53-10 East 653 feet to the northwest corner of lot of land owned by Mrs. Sallie Bailey, thence South 31-15 East 240 feet to a point, and continuing substantially on the same course to the northern right of way line of the Lee Highway, thence westerly with said right of way line to the J. Frank Ellis property, and northerly with the Ellis line to the line of first party W.M. Owens, thence South 66-45 West along the line of J. Frank Ellis to a point (estimated distance 400 ft.), then North 25 West 81 feet to the point of BEGINNING; estimated to contain three acres, more or less, and being all of Tax Map 032F, Group F, parcel 013.00.

Above description taken from deed of record.

SECTION II. Any person violating any provisions of this ordinance shall be guilty of an offense and upon conviction shall pay a penalty of FIFTY DOLLARS (\$50.00) for each offense. Each occurrence shall constitute a separate offense.

SECTION III. That this ordinance shall take effect from and after the date of its passage and publication, as the law directs, the public welfare of the City of Mount Carmel, Tennessee, requiring it.

This change was recommended by the Mount Carmel Planning Commission at the February 5th, 2019 Meeting.

Chris Jones, Mayor

ATTEST:

Mike Housewright, City Recorder

Failed

APPROVED AS TO FORM:

John Pevy, City Attorney

MOTION: ALDERMAN MCCLAIN (TO REJECT)			
SECOND: ALDERMAN GILLIAM			
FIRST READING	AYES	NAYS	OTHER
ALDERMAN PAT STILLWELL			ABSTAIN
ALDERMAN WANDA DAVIDSON	X		
ALDERMAN CARL WOLFE		X	
ALDERMAN JIM GILLAM	X		
ALDERMAN STEVE MCCLAIN	X		
VICE-MAYOR JENNIFER WILLIAMS	X		
MAYOR CHRIS JONES		X	
TOTALS	4	2	1

PASSED FIRST READING: Failed 1st Reading

MOTION:			
SECOND:			
SECOND READING	AYES	NAYS	OTHER
ALDERMAN PAT STILLWELL			
ALDERMAN WANDA DAVIDSON			
ALDERMAN CARL WOLFE			
ALDERMAN JIM GILLAM			
ALDERMAN STEVE MCCLAIN			
VICE-MAYOR JENNIFER WILLIAMS			
MAYOR CHRIS JONES			
TOTALS			

PASSED SECOND READING: _____

NEWSPAPER: Kingsport Times-News Published: _____

Memo to BMA

From Building Inspector

SUBJECT: 556 Main Street Rezoning Request

February 12, 2019

1. Attached is ordinance 2019-480 which rezones the property at 556 Main Street to Industrial (M-1). Present zoning is Mixed Use 1 (MX-1). This is at the request of the Davis heirs (attached). The Planning Commission considered the request at the February 5, 2019 meeting and recommends approval.
2. The Davis heirs have been trying to sell the property for over twenty years and finally have an offer. However, the proposed purchaser wants to use the property for metal fabrication which is not a permitted use in the MX-1 district. Metal fabrication is considered as light industrial which is a permitted use in the M-1 district.
3. If approved, retail and service businesses will still be permitted. New permitted uses include:
 - Wholesale business,
 - Warehouses,
 - Storage yards and buildings and similar uses,
 - Terminals,
 - Any industry which does not cause injurious or obnoxious noise, fire hazards or other objectionable conditions as determined by the building inspector,
 - Fortune tellers, clairvoyants, and
 - By special exception, methadone treatment clinic or facility, substance abuse treatment.
4. Nearby property owners were notified of the request by mail on January 15, 2019, signs posted on the property, and a public notice in the Kingsport Times News as required. No one responded or appeared at the Planning Commission meeting.

Vince Pishner