

Agenda

Greene County Board of Zoning Appeals

Greene County Courthouse Annex, Conference Room

204 North Cutler Street, Greeneville, TN 37745

April 29, 2025 at 8:30 a.m.

1. Call to order.
2. Welcome of visitors.
3. Approval of minutes of the February 25, 2025 meeting.
4. Swearing in of applicants.
5. Consider granting a variance decreasing the required rear yard setback from thirty (30) feet to twenty-six feet, two tenths (26.2') feet for 900 Mount Hebron Road (tax parcel 111-140.04).
6. Other business
7. Adjournment



GREENE COUNTY BOARD OF ZONING APPEALS APPLICATION

Greene County Inspection & Regulation Department
129 Charles Street, Suite 2
Greenville, TN 37743
423-798-1724

Total amount due: \$300.00
Cash: [] Check: [X] CC: []
Ck #: 1770 Inv# 2025-101
11798

Submission deadline date is the last business day of the month Date completed application submitted: 2/11/25

1. Name(s) of Property Owner: JAMES & ELIZABETH T. NIXON
Mailing Address: 900 Mount Hebron Rd. City, State, Zip Greenville, TN 37743

Property Owner Phone #: (803) 730-3977 Property Owner Email: thomsob@live.com
2. Name(s) of Applicant: (THOMSOB) ELIZABETH T. NIXON

Mailing Address: Same as #1 City, State, Zip

Applicant Phone #: " Applicant Email: li

3. Property information:
Street Address: 900 Mount Hebron Rd. City, State, Zip Greenville, TN 37743

Current Use: Residential Proposed Use: Residential

4. Nature of Request:
Variance Request: [X] (If yes, complete Section A)
Special Exception/Conditional Use [] (If yes, complete Section B)
Appeal of Building Commissioner decision: [] (If yes, complete Section C)

Meeting Location: Greene County Courthouse Annex Conference Room, 204 N. Cutler St., Greenville, TN
Meeting Date: 4-29-2025 (Last Tuesday of the month) Meeting Time: 8:30 a.m.

SIGNATURES REQUIRED: I, the undersigned, hereby agree to be present at any meeting(s) held to discuss this request, or to send a knowledgeable representative in my place. I understand that if I am not represented my request will either be postponed or denied. I further understand that I must complete this application and return the completed form to the Greene County Building/Zoning/Planning Department by 4:00 p.m. on the last day of the month in order for the request to be placed on that month's agenda for the Greene County Board of Zoning Appeals.

Elizabeth T. Nixon 2/11/25
Applicant(s)
James + ELIZABETH T. NIXON Date
Property Owner(s) Date

OFFICE USE ONLY

Action Taken: Approved [] Denied [] Approved with Conditions []
List Conditions:

Variance Recorded at: Plat book: Page #: Date: Copy Provided []

Entered this of , 20 Tim Tweed
Tim Tweed, Greene County Building Commissioner Date



**GREENE COUNTY BUILDING, ZONING, & PLANNING DEPARTMENT
129 CHARLES STREET, SUITE 2
GREENEVILLE, TN 37743
423-798-1724**

SECTION A. VARIANCE REQUEST PROCEDURE PROCESS

The Variance Request Process is as follows:

1. Contact the Greene County Building, Zoning, and Planning Department to discuss your proposal with a Building Inspector.
2. The Building Inspector will review the information you provide to determine if a site visit is needed. If one is needed, you will be asked to fill out a **Site Visit and Sketch Request Form** (available from the department), and the visit will be scheduled to take place within five (5) business days.
3. If the variance request involves a setback from a property line, and the accurate location of the line cannot be determined during the site visit, you will need to have a surveyor mark the location of the lot line in question. The surveyor will also need to show the distance to the property line for the existing, or proposed, structure.
4. If the Building Inspector determines that a variance is needed, you will need to submit a **Variance Application** and application fee. For a setback variance, the survey showing the structure and the distance to the property line will also need to be submitted.
5. Steps 1 - 4 must take place before the application is submitted.
6. The deadline to submit the application, survey (if needed) and fee for the Greene County Board of Zoning Appeals (for a setback variance), is the last business day of the month.
7. A Notice of Public Hearing, as required by state law, will be published at least fifteen (15) days before the meeting, and notices with information on the request will be mailed to adjacent property owners.
8. At the meeting, you, and any interested visitors, will be able to speak about your request.
9. If the variance is approved, a Notice of Variance Approval will be provided to you by the office of the Greene County Attorney, located at 204 N. Cutler Street, Greeneville, TN 37745. It is your responsibility to record the Notice in the Greene County Register of Deeds office, located at the same address before moving forward with project.

State Law requires **all three** following conditions to be met before a variance can be approved:

1. The property must have an "extraordinary and exceptional situation or condition", such as topography or lot shape, that generally does not apply to other properties in the area; **and**
2. Approval "will not impair the intent of the zoning regulations and will not result in substantial detriment to the public good"; **and**
3. "Denial of the request must result in exceptional practical difficulties to or undue hardship upon the property owner".

Note: The Board of Zoning Appeals does not grant variances to lot size or road frontage.

Elizabeth T. Nixon

2-11-25

Applicant(s)

Date

JAMES & ELIZABETH NIXON

2-11-25

Property Owner(s)

Date

SECTION A. SITE VISIT & SKETCH REQUEST FORM

Applicant Elizabeth (Beth) Nixon Property Owner(s) James E. Elizabeth T. Nixon
 Property Address 900 Mount Hebron Rd. City, State, Zip Greenville, TN
 Tax map: 111 Group: _____ Parcel #: 140.04 Size of property: 3.15 ac. Zone of Property A-1
 Subdivision Name/Lot Number (if any): E. Wright Farm - Deed book & page #: _____ Plat Book L; pg. 752
Lots 3A+3B

Please complete the following questions to the best of your ability and circle all answers that apply.

1. What is the existing use of property: Residential
2. Name of business or industry on the property (if applicable): _____
3. What about your property makes it necessary to obtain a variance? (For example, field line location)
After hiring professional surveyor, inspectors + contractor, building inspector advised the rear setback was 25' instead of 30'.
4. Was a building permit obtained for the structure that needs a variance? Y N Don't know (If no please explain)

5. Was the building permit issued for the proper use? Y N Don't know (If no, please explain)

6. Are there areas of rock or low-lying /flood prone areas that limit where you can build? Y N (If yes please explain)
Unknown - not the reason for variance request
7. Does your property have topographical issues, or are there other reasons why you need a variance? Y N (If yes explain) Yes, house is 25' instead of 30' setback. Someone made an error and it was not discovered until the final inspection. Surveyor stake was located and indicates 20' rear setback instead of 30'.
8. Does the septic system or field lines limit where you can build? Y N (If yes, please explain)
No, this was cleared when the septic system was installed.

If you need information about the location of an existing septic system, you can call the Tennessee Department of Environment and Conservation (TDEC) at 423-854-5400, or check online at <https://tdec.tn.gov/septic-service-request/>).

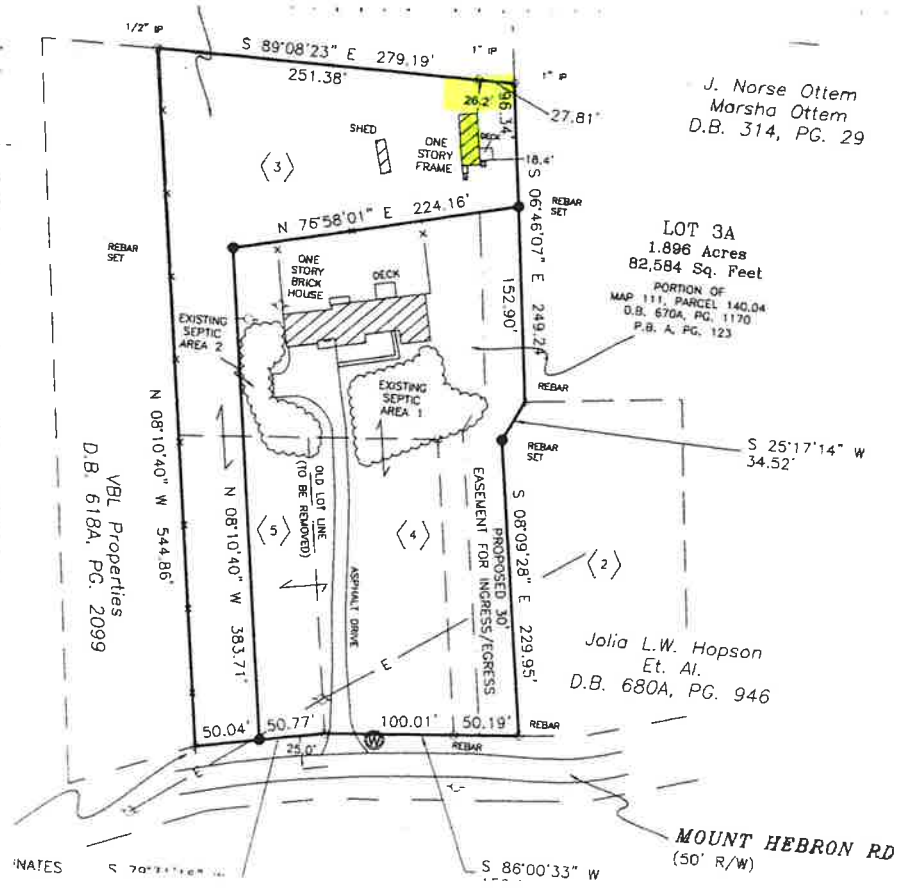
9. Is the lot staked? yes [] No If not, date it will be staked? _____
10. Is the request staked? [] yes No If not, date it will be staked? Lot is staked and rear of home is obvious.
11. Explain your request to build the following: Home is on a permanent foundation + was before anyone advised of the 25' issue. Bldg. inspector discovered at inspection (final). Not discovered at zoning inspection or foundation inspection. Surveyor stake found that is marked 20' rear setback.

SECTION A. SITE VISIT & SKETCH REQUEST FORM

- 12. Request front yard setback to be _____ feet from the centerline of the county/state road.
- 13. Request left side yard setback to be _____ feet to the left side yard property line.
- 14. Request rear yard setback to be ~~25'~~ **26.2** feet to the rear yard property line.
- 15. Request right yard setback to be _____ feet to the right side yard property line.

Make a rough sketch below showing the nature of request, property lines, structures, septic location, road, driveway, drainage areas, and any further information that is relevant to the request.

PLOT PLAN



J. Norse Ottem
Marsha Ottem
D.B. 314, PG. 29

LOT 3A
1.896 Acres
82,584 Sq. Feet
PORTION OF
MAP 111, PARCEL 140.04
D.B. 670A, PG. 1170
P.B. A, PG. 123

Julia L.W. Hopson
Et. Al.
D.B. 680A, PG. 946

VBL Properties
D.B. 618A, PG. 2099

I certify that the above information is true and correct to the best of my knowledge, and that I have been authorized by the above-named property owner to submit this application for a variance request.

2/11/25
Date

(803) 730-3977
Telephone #

Elizabeth T. Nixon
Print Name

Elizabeth T. Nixon
Signature



received 3-10-25

GREENE COUNTY TN ZONING RESOLUTION

1004. Powers. The Board of Zoning Appeals shall have the following powers:

1004.1 **Appeals.** The board shall hear and decide appeals where the appellant charges that there is an error in any order, requirement, decision or refusal made by the building commissioner or any other administrative official in carrying out or enforcing the zoning resolution or any ordinance enacted pursuant to T.C.A. §13-7-109. The board shall also interpret the zoning maps and determine disputed questions of lot lines or district boundary lines or similar questions as they arise in the administration of the zoning resolution as per T.C.A. §13-7-107.

1004.2 **Special Exceptions and Special Questions.** The board shall hear and decide requests for special exceptions as permitted in the zoning resolution. The board shall also hear and decide requests for interpretation of the zoning resolution and shall make decisions upon other special questions as authorized by any resolution or ordinance, as per T.C.A. §13-7-107.

1004.3 **Variance Requests.** The board shall hear and decide variance requests:

1004.3.1 For lots of record at the time of adoption of the zoning resolution, that are exceptionally narrow, shallow or shaped in such a way that the strict application of the regulations would create exceptional practical difficulties to or exceptional and undue hardship upon the owner of such property; **or**

1004.3.2 For any lot or tract which has exceptional topographical conditions or other extraordinary or exceptional situations or conditions that would result in exceptional practical difficulties to or exceptional and undue hardship upon the owner of such property; **and**

1004.3.3 When relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning resolution; **and**

1004.3.4 And may attach conditions regarding the location, character and other features of the proposed building structure or use as it may deem advisable in furtherance of the purpose of this resolution; **and**

1004.3.5 Provided that before any variance is granted it shall be shown that special circumstances are attached to the property which do not generally apply to other property in the neighborhood.

1004.4 **Action of the Board of Zoning Appeals.** In exercising the aforementioned powers, the Board of Zoning Appeals may, in conformity with the provisions of this ordinance, reverse or affirm, wholly or partly, or may modify the order, requirements, decision or determination appealed from, and to that end shall have all powers of the building commissioner. The concurring vote of a majority of the board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official or to decide in favor of the applicant on any matter upon which it is required to pass under this resolution, or to authorize any variance from the terms of this resolution.

CERTIFICATE OF ACCURACY

I, **Brian T. Bartlett**, Surveyor for Greene County, Tennessee, do hereby certify that the plat shown and recorded herein is a true and correct survey to the accuracy required by the Greene County Regional Planning Commission and that the monuments have been set in accordance with the specifications of the Subdivision Regulations.

WITNESS MY HAND AND SEAL THIS 24TH DAY OF OCTOBER, 2024.
Brian T. Bartlett, P.L.S.

TENNESSEE REGISTERED LAND SURVEYOR #1984



CERTIFICATE OF OWNERSHIP/DEDICATION

I/WE HEREBY CERTIFY THAT I/WE ARE THE OWNERS OF THE PROPERTY DESCRIBED HEREIN AND WE DO HEREBY CONSENT TO THE INSTALLATION OF THE UNDERLINES AND DEPOSITE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER OPEN SPACES TO PUBLIC USE AS NOTED.

NOTED USE _____

OWNER(S) _____ (DATE) _____

OWNER(S) _____ (DATE) _____

NOTES:

- SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY OF RECORD.
- AREA CALCULATED BY COORDINATE COMPUTATION, AS SHOWN.
- BEING ALL OF THE PROPERTY AS DESCRIBED IN DEED BOOK 670A, PAGE 1176.
- PROPERTY DOES NOT LIE IN A SPECIAL FLOOD HAZARD ZONE AS SHOWN ON FLOOD INSURANCE RATE MAPS (FIRM), COMMUNITY PANEL NUMBER 42050204D FOR GREENE COUNTY, EFFECTIVE DATE JULY 2, 2006.
- CONSTRUCTION OF THIS PLAT IS IN ACCORDANCE WITH THE GREENE COUNTY HIGHWAY DEPARTMENT PRIOR TO CONSTRUCTION OR MODIFICATION OF A DRIVEWAY OR ENTRANCE TO A COUNTY MAINTAINED ROAD.

STORM WATER/UTILITY EASEMENT STATEMENT:

THERE IS HEREBY ESTABLISHED AN EASEMENT AREA A MINIMUM OF 75 FEET WIDE TO BE USED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND CONVEYANCE OF STORM WATER RUNOFF FROM IMPROVEMENTS ON ANY OTHER STRUCTURAL OR NONSTRUCTURAL STORM WATER EASEMENTS AS MAY BE DELINEATED BY THE LICENSED SURVEYOR AND SHALL BE USED FOR THE PURPOSES INTENDED BY THE GREENE COUNTY REGIONAL PLANNING COMMISSION.

CERTIFICATE OF APPROVAL FOR RECORDING:

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS FOR GREENE COUNTY, TENNESSEE, WITH THE EXCEPTION OF SUCH WARNINGS IF ANY, AS SHOWN ON THE PLAT. THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE GREENE COUNTY REGISTER.

SECRETARY REGIONAL PLANNING COMMISSION _____ (DATE) _____

STAKE REQUIREMENTS:

ALL BOUNDARY STAKE MARKS SHALL BE BORN TO THE GREENE COUNTY ZONING ORDINANCE.

CERTIFICATE OF APPROVAL OF STREETS:

I hereby certify (initial):
1. Adequate right-of-way dedication upon an existing street has been made in accordance with the Greene County Subdivision Regulations.
2. Streets have been constructed in accordance with the Greene County Subdivision Regulations.
3. Streets have been approved by the Greene County Planning Commission.
4. The Greene County Planning Commission has not constituted approval of this plat, and such approval is required.

GREENE COUNTY HIGHWAY COMMISSIONER _____

DATE _____

CERTIFICATE OF APPROVAL OF WATER SYSTEMS:

I HEREBY CERTIFY THAT THE PUBLIC WATER UTILITY SYSTEM OR SYSTEMS INSTALLED, OR PROPOSED FOR INSTALLATION, FULLY MEETS THE REQUIREMENTS OF THE LOCAL UTILITY DISTRICT, AND ARE HEREBY APPROVED AS SHOWN.

CITY OR COUNTY HEALTH OFFICER OR AUTHORIZED REPRESENTATIVE _____ (DATE) _____

CERTIFICATE OF ELECTRIC SERVICE:

THE SIGNATURE BELOW CERTIFIES THAT, SUBJECT TO EXISTING GAS SERVICE, THE GAS SERVICE CAN BE PROVIDED TO THE DISCRETION DESCRIBED ON THIS PLAT. NOTE THAT GAS LINE EXTENSION POLICES MAY REQUIRE THAT PAYMENTS BE MADE TO GAS BEFORE ELECTRIC SERVICE WILL BE EXTENDED TO THIS SITE.

GREENE COUNTY ENERGY AUTHORITY _____ (DATE) _____

DIVISION OF GROUNDWATER PROTECTION CERTIFICATION:

CERTIFICATE OF APPROVAL OF ON-SITE SEWAGE DISPOSAL SYSTEMS
GENERAL RESTRICTIONS:
1. This plat is hereby certified to comply with the minimum standards for on-site sewage disposal systems as set forth in the Tennessee Code Annotated, Title 104, Chapter 104-101, and the rules promulgated thereunder. The minimum standards for on-site sewage disposal systems are set forth in the Tennessee Code Annotated, Title 104, Chapter 104-101, and the rules promulgated thereunder.
2. Prior to any construction of a structure, mobile or permanent, the owner shall obtain approval from the Tennessee Department of Environment and Conservation (TDEC) for the installation of a septic system. The owner shall also obtain approval from the local health department for the installation of a septic system.
3. The owner shall be responsible for the maintenance and repair of the septic system. The owner shall also be responsible for the installation of a septic system that meets the minimum standards for on-site sewage disposal systems as set forth in the Tennessee Code Annotated, Title 104, Chapter 104-101, and the rules promulgated thereunder.
4. The owner shall be responsible for the installation of a septic system that meets the minimum standards for on-site sewage disposal systems as set forth in the Tennessee Code Annotated, Title 104, Chapter 104-101, and the rules promulgated thereunder.
5. The owner shall be responsible for the installation of a septic system that meets the minimum standards for on-site sewage disposal systems as set forth in the Tennessee Code Annotated, Title 104, Chapter 104-101, and the rules promulgated thereunder.
6. The owner shall be responsible for the installation of a septic system that meets the minimum standards for on-site sewage disposal systems as set forth in the Tennessee Code Annotated, Title 104, Chapter 104-101, and the rules promulgated thereunder.

LOCAL HEALTH OFFICER _____ (DATE) _____

LOCAL HEALTH OFFICER _____ (DATE) _____

DATE _____

DATE _____

TOTAL AREA OF SURVEY 3.154 ACRES
ZONED: A-1
TOTAL LOTS = 2

Luanna Kidney
D.B. 469A, PG. 2078

J. Norse Ottom
Marsha Ottom
D.B. 314, PG. 29

LOT 3A
1.896 Acres
86,584 Sq. Feet
Map 117 (MAD83/2011)
P.L.S. 117-101

LOT 3B
1.258 Acres
54,791 Sq. Feet
Map 117 (MAD83/2011)
P.L.S. 117-101

VBL Properties
D.B. 618A, PG. 2099

Jolia L.W. Hapson
EL AL
D.B. 680A, PG. 946

MOUNT HEBRON RD
(90' R/W)

REAR COORDINATES
(MAD83/2011)
N: 670,189.00
E: 2,315,335.76

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(MAD83/2011)
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E: 2,315,335.76

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(MAD83/2011)
N: 670,189.00
E: 2,315,335.76

BASED ON TN GRID NORTH (MAD83/2011)



VICINITY MAP (NTS)



GREENE COUNTY
REGIONAL PLANNING
COMMISSION
RECOMBINATION
SUBSEY EOR
JAMES C. NIXON
&
ELIZABETH T. NIXON

PROPERTY ADDRESS
GREENEVALE, TN 37743
24TH CIVIL DISTRICT
GREENE COUNTY, TENNESSEE
DATE: OCTOBER 24, 2024
DRAWING NO.: 24-1808
SCALE: 1"=100'



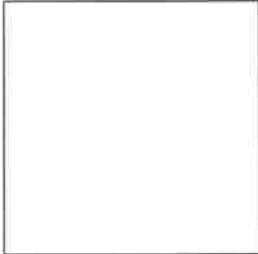
SURVEY CLASSIFICATION CERTIFICATION:

I, BRIAN T. BARTLETT, HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1:25,000.

GPS CERTIFICATION:

I, Brian T. Bartlett, hereby certify that the map was drawn under my supervision from an actual GPS survey made under my supervision and the following information was used to perform the survey:
(a) Professional Survey License No. 0355
(b) Professional Survey License No. 0355
(c) Date of survey: October 22, 2024
(d) Datum/EPOCH: NAD83/2011 Epoch 2015.02
(e) Positioning/Height Control used: BOLLERUS Network
(f) Combined Grid Factor: 0.999999993

REGISTER OF DEEDS:

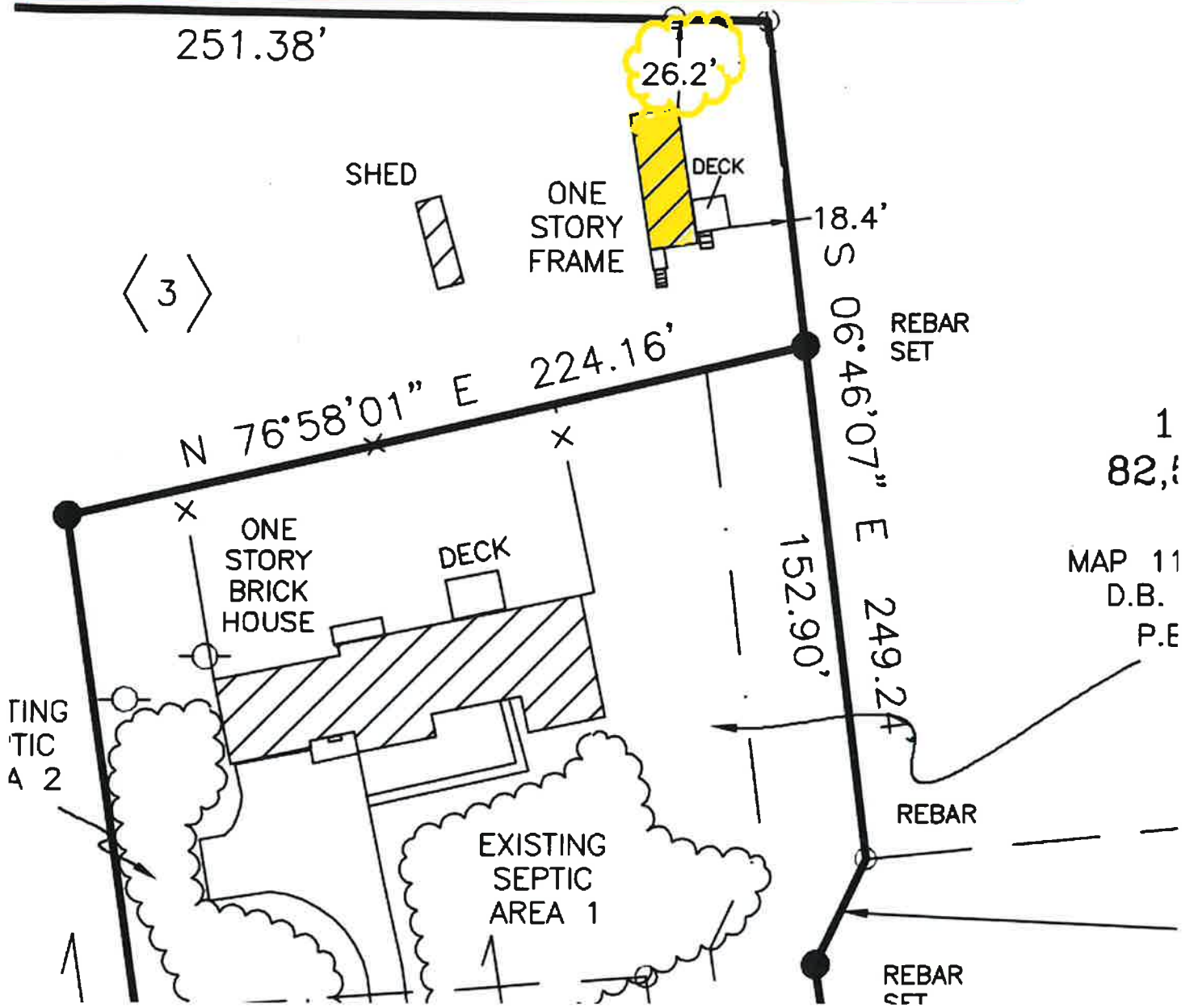


LEGEND

- CONCRETE MONUMENT SET
- UNMARKED POINT
- PK. NAIL SET
- IRON PIN SET
- IRON SPIKE FOUND
- IRON PIN FOUND
- CONCRETE MONUMENT FOUND
- CABLE TV BOX
- TRANSFORMER
- FIRE HYDRANT
- TELEPHONE FLEXIBLE
- MANHOLE
- SEWER CLEANOUT
- LIGHT POLE
- POWER POLE
- WATER METER
- WATER VALVE
- WELL
- DROP INLET/COBB INLET
- OVERHEAD TELEPHONE
- OVERHEAD ELECTRIC
- FENCE

Appalachian
Surveying
Consultants, P.A.
4522 Asheville Hwy
Greeneville, TN 37743
Phone (828) 243-7280
www.appalachiansurveying.com
bbartlett@appalachiansurveying.com
Surveying/Land Planning
Brian T. Bartlett, P.L.S., GPS
NCEBS License No.: C-2898

VARIANCE REQUEST FOR REAR YARD SETBACK REQUIREMENT - 26.2'
ZONING RESOLUTION REQUIREMENT - 30'
RESULTING IN VARIANCE OF - 3.8'



Amy Tweed

From: Tim Tweed
Sent: Tuesday, April 1, 2025 1:54 PM
To: Amy Tweed





Sent from my iPhone