

**.ORDINANCE NO. 07-158**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWN OF UNICOI, TENNESSEE, SPECIFICALLY TO CHANGE THE REGULATIONS CONCERNING SECONDARY RESIDENCE FOR TEMPORARY USE.**

**WHEREAS**, Sections 13-7-201 – 13-7-211 of the Tennessee Code Annotated provides the Town of Unicoi, Tennessee with the powers and authority to enact local municipal zoning codes, and

**WHEREAS**, said sections provide a process for the amendment of local municipal zoning codes, and

**WHEREAS**, the Town of Unicoi, Tennessee Mayor and Board of Aldermen feels it to be in the best interest and to the best general welfare of the citizens of the Town of Unicoi, Tennessee to amend the local municipal zoning codes.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Board of Aldermen of the Town of Unicoi, Tennessee that Section 413, Temporary Use Regulation, of the Town of Unicoi Zoning Ordinance is hereby amended to read as follows:

413. Temporary Use Regulation: A temporary permit to use a second structure or mobile home as a residence on the same lot as an existing residence is already located may be issued provided:
  - 413.1 A notarized application from the applicant shall be presented to the Unicoi Board of Zoning Appeals requesting a temporary use permit based upon:
    - a. Construction or rebuilding of the primary residence, or
    - b. Required care of a member of the immediate family (parent, grandparent, child or sibling) because of a physical or mental illness or chronic debilitating health condition, and
  - 413.2 The secondary residence for temporary use shall not be larger than the primary residence on the property, and shall be constructed or modified in harmony with the character of the surrounding area, and
  - 413.3 The secondary residence for temporary use shall meet all set-back requirements of the Town of Unicoi unless a variance is granted by the Board of Zoning Appeals from said set-back requirements, and
  - 413.4 The applicant acknowledges in the notarized application that use of the secondary residence as a residence shall cease following the

termination of the temporary use permit, or termination of the reason for the application, whichever occurs first. If the secondary residence for temporary use is a mobile home, the mobile home shall be removed from the premises following the termination of the temporary use permit, or termination of the reason for the application, whichever occurs first, and

413.5 The request is heard and approved by the Board of Zoning Appeals.

413.6 A temporary use permit shall be valid for twelve (12) months and will be reviewed annually by the Board of Zoning Appeals unless the Board shall provide for a different review period.

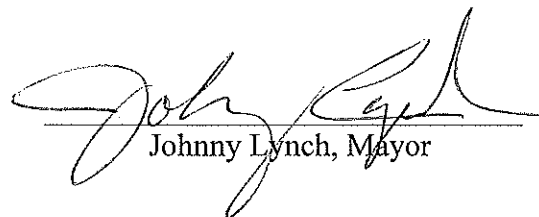
**NOW, THEREFORE, BE IT FURTHER ORDAINED** by the Mayor and Board of aldermen of the Town of Unicoi, Tennessee that this ordinance shall be effective from and after its final passage, the public welfare requiring it.

Voting by the Board, as follows, on October 15, 2007:  
First Reading:

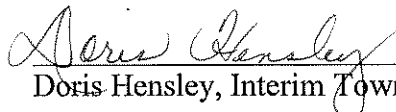
	<u>Aye</u>	<u>No</u>
Dwight Bennett	<u>✓</u>	___
Doug Hopson	<u>✓</u>	___
Ken Kisiel	<u>✓</u>	___
Mark Ramsey	<u>✓</u>	___
Mayor Johnny Lynch	<u>✓</u>	___

Voting by the Board, as follows, on November 19, 2007:  
Second and Final Reading:

	<u>Aye</u>	<u>No</u>
Dwight Bennett	<u>✓</u>	___
Doug Hopson	<u>✓</u>	___
Ken Kisiel	<u>✓</u>	___
Mark Ramsey	<u>✓</u>	___
Mayor Johnny Lynch	<u>✓</u>	___

  
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Johnny Lynch, Mayor

ATTEST

  
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Doris Hensley, Interim Town Recorder