

ORDINANCE NO. 270

AN ORDINANCE TO AMEND A SECTION OF THE ZONING ORDINANCE OF MOUNT CARMEL, TENNESSEE.

AN ORDINANCE, to amend the zoning ordinance of the Town of Mount Carmel, Tennessee and all ordinances amendatory thereof.

BE IT ORDAINED, by the Board of Mayor and Aldermen of the Town of Mount Carmel, Tennessee as follows:

SECTION I. That Sec. 14-914 of the Code of Ordinance is hereby amended to read as follows:

Sec. 14-914 Shopping District B-4. It is the intent of this District to establish areas for concentrated retail business development. Uses that do not require a central location and create friction in the performance of this function will be discouraged from this District. The requirements are designed to protect the essential characteristics of the District by promotion of retail business which serve the general public, and to discourage industrial, wholesale development and similar uses. In order to achieve the intent of the B-4 Shopping District, as shown on the Zoning Map, the following regulations shall apply:

(a) Principal uses. Principal uses permitted in the B-4 Shopping District are as follows:

- (1) Establishments selling goods and merchandise to the general public at retail.
- (2) Establishments for the sale or provision of entertainment, recreation, food and drink.
- (3) Establishments for the sale of on and off-premises alcoholic beverages.

(b) Accessory uses. Accessory uses which are accessory, incidental and subordinate to principal uses are permitted in the B-4 district as follows:

- (1) parking when accessory and incidental to a permitted principal use.
- (2) business signs when accessory and incidental to a permitted principal use.
- (3) wholesale and storage when accessory and incidental to a permitted principal use

(c) Special exceptions. Special exceptions are permitted only upon a finding by the board of zoning appeals that the proposed land use will be in harmony with the character of this District, and in support of the retail businesses in this District. The intensity of land use may be no higher, and the standard for open space no lower than generally permitted in the District. The proposed uses which may be considered are as follows:

- (1) retail shopping centers, retail shopping malls and similar land uses.

- (2) service businesses and small professional offices.
- (d) Prohibited uses. Uses prohibited in the B-4 district are as follows:
 - (1) Land intensive uses, as opposed to people intensive uses, such as industry and manufacturing, scrap yards or junkyards, animal hospitals or stockyards.
 - (2) Truck terminals, freight or storage yards, parking lots or garages.
 - (3) Outdoor and land intensive recreation such as drive-in theaters, racetracks, golf courses and similar activities.
- (e) Dimensional requirements. The minimum and maximum dimensional requirements for the B-4 district are as follows:
 - (1) Minimum requirements. No special requirements are applicable to this district.
 - (2) Maximum permitted. No special requirements are applicable to this district.
- (f) Signs. See Chapter 12 of this Article for sign provisions.
- (g) Parking. See Sec. 14-610 and 611 of this Article for parking and loading provisions.

SECTION II. AMEND ARTICLE VI, PROVISIONS GOVERNING USE DISTRICTS BY DELETING SECTION H, PROFESSIONAL OFFICE AND SERVICE DISTRICT AND RENUMBERING THE FOLLOWING SECTIONS.

SECTION III. AMEND ARTICLE V, GENERAL PROVISIONS, SECTION B, CONTINENCE OF NON CONFORMING USES, SUBSECTION 1, SUBHEADING (b) BY ADDING THE FOLLOWING AT THE END:

Nonconforming uses in the B-4 Shopping District may **not** be re-established after discontinuance for twenty-four (24) months.

SECTION IV. LEGAL STATUS PROVISIONS.

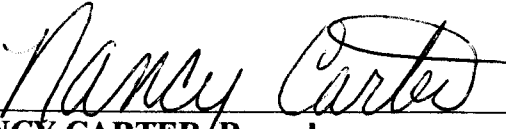
A. Conflict With Other Ordinances. In case of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the Town of Mount Carmel, the most restrictive shall in all cases apply.

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 and publication, the public welfare requiring it.


GARY W. LAWSON, Mayor

ATTEST:


NANCY CARTER, Recorder

APPROVED AS TO FORM:


LAW OFFICES OF MAY & COUP

FIRST READING	AYES	NAYS	OTHER
Alderman Henry Bailey	✓		
Vice-Mayor Eugene Christian	absent		
Alderman Paul Hale	✓		
Mayor Gary Lawson	✓		
Alderman Tresa Mawk	✓		
Alderman Thomas Wheeler	✓		
Alderman Wanda Worley	absent		
TOTALS	5	0	0

PASSED FIRST READING 2-17-04

SECOND READING	AYES	NAYS	OTHER
Alderman Henry Bailey	✓		
Vice-Mayor Eugene Christian	absent		
Alderman Paul Hale	✓		
Mayor Gary Lawson	✓		
Alderman Tresa Mawk	✓		
Alderman Thomas Wheeler	✓		
Alderman Wanda Worley	✓		
TOTALS	6	0	0

PASSED SECOND READING 3-23-04

PUBLISHED ON: 3-30-04

NEWSPAPER: Kingsport Times News

KINGSPORT TIMES-NEWS

PUBLICATION CERTIFICATE

Kingsport, TN

April 2, 2004

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 3-30-04, and appearing 1 consecutive weeks/times, as per order of

Town of Mt. Carmel

Signed

Karen C. Mulvey

THE TOWN OF MOUNT CARMEL passed the following two Ordinances on March 23, 2004:

(1) Ordinance 269. Reclassify territory along Main St. and portion of Holston Ordinance from B-2 and O-1 to B-4. (2) Ordinance 270. Amend Section L of the zoning Ordinance of Mt. Carmel.

Pub. 17: 03/30/04

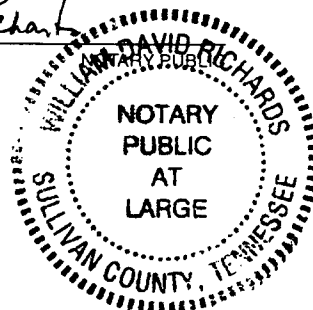
STATE OF TENNESSEE, SULLIVAN COUNTY, TO-WIT:

Personally appeared before me this 2nd day of April 2004, 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 David Richards

My commission expires

6-26-07



**Public
Notice**

Property Address: 2929
Highway 126, Blountville,
TN.

All right and equity of
redemption, homestead
and dower waived in said
Deed of Trust, and the ti-
tle is believed to be good,
but the undersigned will
sell and convey only as
Substitute Trustee.

ARNOLD M. WEISS,
Substitute Trustee
208 Adams Avenue
Memphis, Tennessee 38103
901-526-8296
File # 52947

Published: March 23,
March 30, April 6.

HomeComings Financial
Network/Thomas Ball

**SUBSTITUTE TRUSTEE'S
NOTICE OF
FORECLOSURE SALE**

Default having been made
in the terms, conditions,
and payments provided in
a certain Deed of Trust
dated April 25, 2003, exe-
cuted by DEBORAH S.
SMITH, INDIVIDUAL to
FIRST AMERICAN TI-
TLE COMPANY, Trustee,
of record in Book 1945C,
Page 670, in the Register's
Office for SULLIVAN
County, Tennessee, and to
JOHN B. MCKINNON, III,
appointed as Substitute
Trustee in an instrument
of record in the Register's
Office for SULLIVAN
County, Tennessee, by the
lawful owner and holder
thereof, CITIMORT-
GAGE, INC. to secure the
indebtedness described,
the entire indebtedness
having been declared due
and payable as provided
in said Deed of Trust, I,
JOHN B. MCKINNON, III,
will by virtue of the power
and authority vested in
me as Substitute Trustee,
on April 14, 2004, at 11:00
AM, FRONT DOOR OF
THE COURTHOUSE, AT
BLOUNTVILLE, SULLI-
VAN COUNTY, TENNES-
SEE, sell to the highest
bidder for cash, free from
the equity of redemption,
homestead, and dower,
and all other exemptions
which are expressly
waived, and subject to any
unpaid taxes, if any, the
following described prop-
erty in SULLIVAN Coun-
ty, Tennessee, to wit:

PROPERTY LOCATED
IN THE COUNTY OF
SULLIVAN, TENNES-
SEE:

LAND SITUATED IN
THE STATE OF TEN-
NESSEE, COUNTY OF
SULLIVAN, CITY OF
KINGSPORT, AND DE-
SCRIBED AS FOLLOWS:

UNIT NO. 1 OF TER-
RACE VIEW CONDOMIN-

**Public
Notice**

created by a fixture filing.

The right is reserved to
adiourn the day of the sale
to another day, time and
place certain without fur-
ther publication, upon an-
nouncement at the time
and place for the sale set
forth above.

THIS IS AN ATTEMPT
TO COLLECT A DEBT
AND ANY INFORMA-
TION OBTAINED WILL
BE USED FOR THAT
PURPOSE.

This day, March 23, 2004.
This is improved property
known as 803 FAIN AVE-
NUE, KINGSPORT, TN,
37660.

JOHN B. MCKINNON, III,
Substitute Trustee

I. DYKE TATUM,
Attorney for Substitute
Trustee
SUITE 200,
ARENA PLACE
2001 CHARLOTTE AVE-
NUE
NASHVILLE, TN 37203

Pub 03/23, 03/30, 04/06-2004

THE TOWN OF MOUNT
CARMEL passed the fol-
lowing two Ordinances on
March 23, 2004:

(1) Ordinance 269. Reclas-
sify territory along Main
St. and portion of Holston
Ordinance from B-2 and
O-1 to B-4. (2) Ordinance
270. Amend Section L of
the zoning Ordinance of
Mt. Carmel.

Pub. 1T: 03/30/04

**TRUSTEE'S NOTICE
OF SALE**

By their deed of trust
duly recorded in the Re-
gister's Office for Sullivan
County, Tennessee, in
Book 1735C, page 463, to
which reference is hereby
made for the terms and
conditions thereof, GARY
A. CALDWELL and wife,
KELLY M. CALDWELL
conveyed unto the Trustee
as set out therein, the
property and premises
hereinafter described to
secure the payment of a
certain indebtedness as
fully described therein,
and

WHEREAS, GARY A.
CALDWELL and wife,
KELLY M. CALDWELL,
having defaulted in the
payment of the aforesaid
indebtedness, and the true
and lawful holder of same
having instructed the un-
dersigned to proceed with
sale of said property to
satisfy said indebtedness,
all as provided by said
deed of trust, the under-
signed Trustee will
therefore offer for sale,
and sell, to the highest
and best bidder, free from
and in bar of the equity of
redemption, the following