



## **ZONING VERIFICATION LETTER**

Date: 18 January 18, 2022

Address letter to: Babloo Chacko  
923 Nashville Pike C, Gallatin, TN 37066

RE: MAP 096 PARCEL 62.00, E. KINGSTON SPRINGS RD.

This letter will confirm that the land described in Exhibit "A" attached hereto has a zoning classification of R-3, described as: High Density Residential District

The uses allowed in the R-3 District are described in Exhibit "A" attached hereto. The density requirements for this zoning classification are described in Section E: Dimensional Regulations of the R-3 Zoning District.

Conditional use restrictions or overlay regulations that may further restrict this property are the following: PUD Overlay.

If you need further information, please contact me at:

[cityplanner@kingstonsprings-tn.gov](mailto:cityplanner@kingstonsprings-tn.gov)

615-934-7833

Town of Kingston Springs, TN

By: \_\_\_\_\_  
Sharon Armstrong, City Planner



Babloo Chacko  
REALTOR  
(313)-617-4320  
bchacko71@gmail.com  
Allow me to help you make an informed decision.

Tuesday, January 11, 2022

#### LOCATION

**Property Address** E Kingston Springs Rd  
TN

#### Subdivision

**County** Cheatham County, TN

#### PROPERTY SUMMARY

**Property Type** Farm

**Land Use** Household Units

#### Improvement Type

#### Square Feet

#### GENERAL PARCEL INFORMATION

**Parcel ID/Tax ID** 096 062.00 000

**Special Int** 000

#### Alternate Parcel ID

**Land Map** 096

**District/Ward** 11

**2010 Census Trct/Blk** 704.02/3

**Assessor Roll Year** 2020



#### CURRENT OWNER

**Name** Yoonus Navas

**Mailing Address** 1429 W Running Brook Rd  
Nashville, TN 37209-5045

#### SCHOOL ZONE INFORMATION

**Kingston Springs Elementary School** 0.9 mi  
Elementary: K to 4 Distance

**Harpeth Middle School** 0.3 mi  
Primary Middle: 5 to 8 Distance

**Harpeth High School** 0.1 mi  
High: 9 to 12 Distance

#### SALES HISTORY THROUGH 11/24/2021

Date	Amount	Buyer/Owners	Seller	Instrument	No. Parcels	Book/Page Or Document#
11/5/2020	\$289,000	Yoonus Navas	Pinnacle Bank Trustee	Special Warranty Deed		573/2823 212097
4/30/2020		Pinnacle Bank Trustee	Dillard Investments Lp	Quit Claim Deed	3	561/2841 205654
12/20/2001		Dillard Investments Lp			7	570/700
9/11/2001	\$210,000	Dillard M R Etux Sadie		Warranty Deed		570/38
9/11/2001		Dillard M R Etux Sadie				548/430
5/7/1992	\$1	Tournament Center Partnership		Quit Claim Deed		318/576
11/21/1990		Hudson/Ford Investments Po Box 258				302/13
4/16/1987	\$110,000	Hudson Henry		Warranty Deed		256/171
1/1/1976	\$17,540			Warranty Deed		181/731

#### TAX ASSESSMENT

Appraisal	Amount	Assessment	Amount	Jurisdiction	Rate
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<b>Appraisal Year</b>	2020	<b>Assessment Year</b>	2020	<b>Kingston Springs</b>	0.72
<b>Appraised Land</b>	\$208,000	<b>Assessed Land</b>		<b>Cheatham</b>	2.4766
<b>Appraised Improvements</b>		<b>Assessed Improvements</b>			
<b>Total Tax Appraisal</b>	\$208,000	<b>Total Assessment</b>	\$52,000		
		<b>Exempt Amount</b>			
		<b>Exempt Reason</b>			

## TAXES

<b>Tax Year</b>	<b>City Taxes</b>	<b>County Taxes</b>	<b>SSD Taxes</b>	<b>Total Taxes</b>
2020	\$374.40	\$1,287.83	\$0	\$1,662.23
2019	\$878.68	\$3,108.75	\$0	\$3,987.43
2018	\$748.23	\$2,607.58	\$0	\$3,355.81
2017	\$730.42	\$2,456.51	\$0	\$3,186.93
2016	\$711.09	\$2,327.89	\$0	\$3,038.97
2015	\$810.58	\$2,584.07	\$0	\$3,394.65
2014	\$810.58	\$2,476.29	\$0	\$3,286.87
2012	\$748.23	\$2,476.28	\$0	\$3,224.51

## MORTGAGE HISTORY

<b>Date</b>	<b>Loan Amount</b>	<b>Borrower</b>	<b>Lender</b>	<b>Book/Page or Document#</b>
11/05/2020	\$216,750	Yoonus Navas	Pinnacle Bank	573/2828 212098

## PROPERTY CHARACTERISTICS: BUILDING

No Buildings were found for this parcel.

## PROPERTY CHARACTERISTICS: EXTRA FEATURES

No extra features were found for this parcel.

## PROPERTY CHARACTERISTICS: LOT

<b>Land Use</b>	Household Units	<b>Lot Dimensions</b>	
<b>Block/Lot</b>		<b>Lot Square Feet</b>	1,257,572
<b>Latitude/Longitude</b>	36.087487°/-87.093103°	<b>Acreage</b>	28.87
<b>Type</b>	<b>Land Use</b>	<b>Units</b>	<b>Tax Assessor Value</b>
Rotation		22	\$170,670
Woodland 2		6.87 Ac	\$37,360

## PROPERTY CHARACTERISTICS: UTILITIES/AREA

<b>Gas Source</b>		<b>Road Type</b>	Paved
<b>Electric Source</b>	Public	<b>Topography</b>	Rolling
<b>Water Source</b>	Public	<b>District Trend</b>	Stable
<b>Sewer Source</b>	Individual	<b>Special School District 1</b>	
<b>Zoning Code</b>		<b>Special School District 2</b>	
<b>Owner Type</b>			

## LEGAL DESCRIPTION

<b>Subdivision</b>		<b>Plat Book/Page</b>	
<b>Block/Lot</b>		<b>District/Ward</b>	11
<b>Description</b>	.227 Ac R/W 534-199 592/225 Utility Easement		

## FEMA FLOOD ZONES

Zone Code	Flood Risk	BFE	Description	FIRM Panel ID	FIRM Panel Eff. Date
X	Minimal		Area of minimal flood hazard, usually depicted on FIRMs as above the 500-year flood level.	47021C0304E	12/22/2016
AE	High		Areas subject to inundation by the 1-percent-annual-chance flood event determined by detailed methods. Base Flood Elevations (BFEs) are shown. Mandatory flood insurance purchase requirements and floodplain management standards apply.	47021C0303E	12/22/2016
0.2 PCT	Moderate		An area inundated by 500-year flooding; an area inundated by 100-year flooding with average depths of less than 1 foot or with drainage areas less than 1 square mile; or an area protected by levees from 100- year flooding.	47021C0304E	12/22/2016
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X	Minimal		Area of minimal flood hazard, usually depicted on FIRMs as above the 500-year flood level.	47021C0303E	12/22/2016

5.051.4. R-3. High-Density Residential District. A.

District Description:

This district is designed to provide suitable areas for high density residential development where sufficient urban facilities are available or where such facilities will be available prior to development. Most generally this district will be characterized by residential structures each containing a multiple number of dwelling units as well as single- and two-family (duplex) detached dwellings, and mobile home parks. However, it is the intent of this ordinance to not restrict in number the dwelling units contained in a building provided there is sufficient area of zone lot and open space on such lot relative to the number of dwelling units thereon. This district is intended also to permit community facility and public utility installations which are necessary to service and do service specifically the residents of the district, or which installations are benefited by and compatible with a residential environment. It is the express purpose of this ordinance to exclude from this district all buildings or other structures and uses having commercial characteristics and not planned as an integral part of a total residential development, whether operated for profit or otherwise, except that special exception uses and home occupations specifically provided for in these regulations for this district shall be considered as not having such characteristics if they otherwise conform to the provisions of this ordinance.

B. Uses Permitted:

In the R-3, High-Density Residential District, the following uses and their accessory uses are permitted:

1. Single detached dwelling.
2. Prefabricated dwelling.
3. Duplex dwelling.
4. Multi-family dwellings.
5. Boarding and rooming houses.
6. Customary accessory buildings including private garages and non-commercial workshops, provided they are located in the rear yard and not closer than ten (10) feet to any lot line.
7. Customary incidental home occupations as regulated in ARTICLE IVSECTION 4.030.

C. Uses Permitted as Special Exceptions:

In the R-3, High-Density Residential District, the following uses and their accessory uses may be permitted as special exceptions after review and approval in accordance with ARTICLE VII, SECTION 7.060.

1. Churches.
2. Public and private schools offering general education courses.
3. Family day care homes.
4. Public and semi-public recreational facilities and grounds, and other public and semi-public uses.
5. Utility facilities (without storage yards) necessary for the provision of public services.
6. Government buildings and community centers.
7. Cemeteries.
8. Mobile home parks as regulated in ARTICLE IV, SECTION 4.080.
9. Zero lot line dwellings (duplexes), subject to the requirements of ARTICLE VI, SECTION 6.090.
10. Bed and Breakfast Home Residences. D.

Uses Prohibited:

Uses not specifically permitted or uses not permitted upon approval as a special exception.

E. Dimensional Regulations:

All uses permitted in the R-3, High-Density Residential District shall comply with the following requirement except as provided in ARTICLE VI.

1. Minimum Lot Size:

Area Single Detached Dwelling	12,000 sq. ft.
Duplex Dwelling Multi-Family Dwelling Area	12,000 sq. ft.
Per Family - Single Detached	15,000 sq. ft.
	12,000 sq. ft.

Duplex	6,000 sq. ft.
Multi-Family	3,000 sq. ft.
Lot Width at Building Setback Line -	
Single Detached	75ft.
Duplex	75ft.
Multi-Family	100ft.

2. Minimum Yard Requirements:

Front Setback	35ft.
Side - Single Detached Dwelling	10 ft.
Duplex	12 ft.
Multi-Family Dwelling	15 ft.
Rear	20ft.

3. Maximum Lot Coverage: On any lot or parcel of land, the area occupied by all buildings including accessory buildings may not exceed forty (40) percent of the total area of such lot or parcel.
4. Height Requirements: No building shall exceed three (3) stories or thirty-five (35) feet in height, except as provided in ARTICLE VI, SECTION 6.030.
5. Parking Space Requirements: As regulated in ARTICLE IV, SECTION 4.010.

5.052. Commercial Districts. The Commercial Districts established by this ordinance are designed to promote and protect the health, safety, morals, convenience, order, prosperity and other aspects of the general welfare. These goals include, among others, the following:

1. To provide sufficient space, in appropriate locations in proximity to established residential areas, for local retail and service trades catering specifically to the recurring shopping needs of the occupants of nearby residences.
2. To protect both retail and service developments and nearby residences against fire, explosions, toxic and noxious matter, radiation, and other hazards, and against offensive noise, vibration, smoke, dust and other particulate matter, odorous matter, heat, humidity, glare, and other objectionable influences.
3. To protect both retail and service developments and nearby residences against congestion, by regulating the intensity of retail and service developments consistent with their marketing functions, by restricting those types of establishments which generate heavy traffic, and by providing for off-street parking and loading facilities.

4.100. Floodplain district regulations. (Amended Section 4.100 thru Subsection 4.130.7, and Renumbering Sections Following by Ordinance 03-004, July 17, 2003)

4.100.1. Findings of fact. The flood hazard areas of Kingston Springs, Tennessee, are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare. These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, floodproofed, or otherwise unprotected" from flood damages.

4.100.2. Statement of purpose. It is the purpose of this article to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
2. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers that are involved in the accommodation of floodwaters;
4. Control filling, grading, dredging and other development which may increase erosion or flood damage, and;
5. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

4.100.3. Objectives. The objectives of this section are:

1. To protect human life and health;
2. To minimize expenditure of public money for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, street and bridges located in floodplains;
6. To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas;



7. To insure that potential home buyers are notified that property is in a flood area, and
8. To maintain eligibility for participation in the National Flood Insurance Program.

4.100.4. Land subject to flood. In applying the provisions of this article, land subject to flood shall be defined as follows:

1. Along the Harpeth River, Turnbull Creek, and Other Waterways Having Special Flood Hazards by the Federal Insurance Administrator (FIA)

The areas of special flood hazard identified on the **Town of Kingston Springs, Tennessee, Federal Emergency Management Agency, Flood Insurance Rate Maps, Community Number 470289- Effective Date: December 8~~8~~%,** and all subsequent revisions, are adopted by reference and declared to be a part of this ordinance. These areas shall be incorporated into the Kingston Springs, Tennessee, Official Zoning Map.

2. Along Other Small Streams and Watercourses

The lands lying within one hundred (100) feet, of the top of the bank of the channel (measured horizontally), unless the developer demonstrates to the satisfaction of the Planning Commission that the property in question is free from the danger of flooding, or that adequate measures have been taken to allow the watercourse to safely accommodate floodwaters. The developer shall submit such data or studies based on the watershed characteristics, probable runoff, and other topographic and hydraulic data as the Planning Commission may reasonably require to make its determination of the flood susceptibility of the property.

3. Along Sinkholes and Other Low Places

All lands lying below the elevation of the lowest point in the watershed boundary unless a study prepared by a registered professional engineer demonstrates that a lower elevation would be safe from the danger of inundation by the 100-year flood.

4.100.5. Application of the district. To enable the district to operate in harmony with the plan for land use and population density embodied in this ordinance, the Floodplain District (FP) is created as a special district to be superimposed on other districts contained in these regulations and is to be so designated by a special symbol for its boundaries on the zoning map. Except where in conflict with the specific requirements of the Floodplain District (FP), permitted uses, accessory uses, minimum lot requirements, minimum yard requirements, maximum height, and requirements for off-street parking and loading shall be determined by the requirements of the basic district regulations contained elsewhere in this ordinance.

4.100.6. Requirement for development permit. A development permit shall be required in conformity with this article prior to the commencement of any development activity with the following exception: No development permit shall be required for any accessory structure, as defined by this article of a value less than five thousand dollars (\$5,000).

4.100.7. Abrogation and greater restrictions. This ordinance is not intended to repeal, abrogate, or impair any existing easement, covenant, or deed restriction. However, where this article conflicts or overlaps with another provision of this ordinance or any other ordinance, whichever imposes the more stringent restrictions shall prevail.

4.100.8. Warning and disclaimer of liability. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the Town of Kingston Springs, Tennessee or by any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made, thereunder.

4.100.9 Floodplain alterations. All floodplain alterations that result in the reduction of floodplain storage volume are prohibited.

No alterations that are required for acceptable open space uses can be made to floodplain land and drainage channels without the written approval of the Planning Commission. All applicable requirements of these regulations and, in addition, the following specific conditions must be met before such approval may be granted:

1. The proposed excavation, filling, or change of alignment of any existing channel under the jurisdiction of the U.S. Corps of Engineers and/ or the State of Tennessee shall be approved by same.
2. The plan shall be approved by the Kingston Springs Planning Commission. Any duly approved revision of the floodplain will be so noted on the official zoning map as a matter of information. This notation will be made upon certification by the Director of the Kingston Springs Department of Public Works (KSDPW) to the Planning Commission that such alteration has been completed in accordance with the approved plan.

4.110. Supplementary definitions. The following definitions are to be used for interpreting the provisions of this article only. These definitions are not intended to permit uses that may be prohibited by the base zoning district.

ACCESSORY STRUCTURE: Shall represent a subordinate structure to the principal structure and, for the purpose of this section, shall conform to the following:

- (1) Accessory structures shall not be used for human habitation.
- (2) Accessory structures shall be designed to have low flood damage potential.
- (3) Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.
- (4) Accessory structures shall be firmly anchored to prevent flotation which may result in damage to other structures.
- (5) Service facilities such as electrical and heating equipment shall be elevated or floodproofed.

ACT: Means the statutes authorizing the National Flood Insurance Program that are incorporated in 42 U.S.C. 4001-4128.

ADDITION (TO AN EXISTING BUILDING): Means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is new construction.

AREA OF SHALLOW FLOODING: Means a designated A0 Zone, on the Flood Insurance Rate Map (FIRM), with one (1) or greater annual chance of flooding to an average depth of one (1) to three (3) feet, where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may not be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD-RELATED EROSION HAZARD: Is the land within a community which is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E, on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area in preparation for publication of the FIRM, Zone E, may be further refined.

AREA OF SPECIAL FLOOD HAZARD: Is the land in the floodplain subject to a one (1) percent or greater chance of flooding in any given year. Equivalent to the 100-year floodplain.

BASE FLOOD: Means the flood having a one (1) percent chance of being equaled or exceeded in any given year.

BASEMENT: means that portion of a building having its floor subgrade (below ground level) on all sides.

BREAKAWAY WALL: Means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

BUILDING: For purposes of this section, means any structure built for sport, shelter, or enclosure for any occupancy or storage. (See STRUCTURE.)

CRITICAL AREA: A site subject to erosion or sedimentation as a result of cutting, filling, grading or other disturbance of the soil; a site difficult to stabilize due to exposed subsoil, steep slope, extent of exposure or other conditions.

CUT: Portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below original ground surface to the excavated surface.

DEVELOPMENT: Means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of equipment or materials.

ELEVATED BUILDING: Means a nonbasement building: (1) built to have the bottom lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers); (2) and adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1-30, AE, A, A99, AH, B, C, X, or D, "elevated building" also includes a building elevated

by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

EROSION: Means the process of the gradual wearing away of landmasses. This peril is not per se covered under the program.

EXISTING CONSTRUCTION: Any structure for which the "start of construction" commenced before the effective date of the first floodplain management code, ordinance, or standard based upon specific technical base flood elevation data which establishes the area of special flood hazard.

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION: Means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of this ordinance.

EXISTING STRUCTURES: (See EXISTING CONSTRUCTION.)

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION: Means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FLOOD OR FLOODING: Means water from a river, stream, watercourse, lake or other body of standing water that temporarily overflows and inundates adjacent lands and which may affect other lands and activities through increased surface water levels and/or increased groundwater level.

FLOOD ELEVATION DETERMINATION: Means a determination by the Administration of the water surface elevations of the base flood, that is, the flood level that has a one (1) percent or greater-chance of occurrence in any given year.

FLOOD ELEVATION STUDY: Means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

FLOOD HAZARD--BOUNDARY MAP (FHBM): Means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the flood-related erosion areas having special hazards have been designated as Zone A, M, and/or E.

FLOOD INSURANCE RATE MAP (FIRM): Means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY: Is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles as well as the Flood Boundary Map and the water surface elevation of the base flood.

FLOODPLAIN OR FLOOD PRONE AREA: Means any land area susceptible to being inundated by water from any source (see definition of FLOODING).

FLOODPLAIN MANAGEMENT: Means the operation of an overall program of corrective and preventive measures for reducing flood damage, including, but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

**FLOOD PROTECTION SYSTEM:** Means those physical structure works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

**FLOODPROOFING:** Means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

**FLOOD-RELATED EROSION:** Means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding.

**FLOOD-RELATED EROSION AREA OR FLOOD-RELATED EROSION PRONE AREA:** Means a land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high water levels or wind-driven currents, is likely to suffer flood-related erosion damage.

**FLOODWAY:** Means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

**FLOOR:** Means the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

**FREEBOARD:** Means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings and the hydrological effect of urbanization of the watershed.

**FUNCTIONALLY DEPENDENT FACILITY:** Means a facility which cannot be used for its intended purpose, unless it is located or carried out in close proximity to water. The term includes only docking facilities, or port facility that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term or related manufacturing facilities, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

**HIGHEST ADJACENT GRADE:** Means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

**HISTORIC STRUCTURE:** Means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminary determined by the Secretary of the Interior, as meeting the requirements for individual listing on the National Register;

- (2) Certified or preliminary determined by the Secretary of the Interior, as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  - a. By an approved state program as determined by the Secretary of the Interior, or b.

Directly by the Secretary of the Interior in states without approved programs.

LEVEE: Means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

LEVEE SYSTEM: Means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

LOWEST FLOOR: Means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of this ordinance.

MANUFACTURED HOME: Means a building, transportable in one (1) or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term "manufactured home" also includes park trailers, travel trailers and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be unproved property.

MANUFACTURED HOME PARK OR SUBDIVISION: Means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

MAP: Means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by the agency.

MEAN-SEA-LEVEL: Means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD), or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

NATIONAL GEODETIC VERTICAL DATUM (NGVD): As corrected in 1929, is a vertical control used as a reference for establishing varying elevations within the floodplain.

NEW CONSTRUCTION: Means any structure for which the "start of construction" commenced on or after the effective date of this ordinance. The term also includes any subsequent improvements to such structure.

NEW MANUFACTURED HOME PARK OR SUBDIVISION: Means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this ordinance.

100-YEAR FLOOD: See BASE FLOOD.

PERSON: Includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.

RECREATIONAL VEHICLE: Means a vehicle which is: (1)

Built on a single chassis;

(2) Four hundred (400) square feet or less when measured at the largest horizontal projection; (3)

Designed to be self-propelled or permanently towable by a light duty truck; and

(4) Designed primarily for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

REGULATORY FLOODWAY: Means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

RIVERINE: Means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

SPECIAL HAZARD AREA: Means an area having special flood, mudslide (i.e., mudflow) and/or flood-related erosion hazards, and shown on an FHBM or FIRM, as Zone A, AO, A1-30, AE, A99, or AH.

START OF CONSTRUCTION: Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or rehabilitation, addition, placement, or other improvement was within one hundred-eighty (180) days of the permit date. The actual start means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STATE COORDINATING AGENCY: (Tennessee Department of Economic and Community Development, Local Planning Assistance Office) means the agency of the state government, or other office designated by the Governor of the State or by state statute at the request of the Administrator to assist in the implementation of the National Flood Insurance Program in that state.

STRUCTURE: For purposes of this section, means anything constructed or erected, the use of which requires a more or less permanent location on or in the ground.

SUBSTANTIAL DAMAGE: Means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT: Means any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or; (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

SUBSTANTIALLY IMPROVED EXISTING MANUFACTURED HOME PARKS OR SUBDIVISIONS: Is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds fifty (50) percent, of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

VIOLATION: Means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certification, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION: Means the height, in relation to the Nation Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

#### 4.120. Administration and enforcement.

##### 4.120.1. Permit and review process

##### 1. Development Permit Required

Within the floodplain districts:

- a. No person shall erect, construct, enlarge, alter, repair, improve, move or demolish any building or structure without first obtaining a separate development permit for each such building or structure.
- b. No man-made change to improved or unimproved real estate, including, but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, shall be commenced until a separate permit has been obtained for each such change.
- c. No manufactured home shall be placed on improved or unimproved real estate without first obtaining a separate permit for each mobile home.



2. Permit Procedures

a. Application Stage

Application for a Development Permit shall be made to the Zoning Administrator on forms furnished by him or her prior to any development activities, and shall include, but not be limited to, the information required by this Ordinance and The Stormwater Management Ordinance (Ordinance 93-007) and all information showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill, storage of materials or equipment, drainage facilities, and the location of the foregoing.

b. Permit Review

Before a development permit is issued, the Zoning Administrator shall confirm that all necessary permits have been obtained from those governmental agencies from which approval is required by Federal or State law, including Section 404, of the Federal Water Pollution Control Act Amendments, of 1972.

4.120.2. Construction and use to be as provided in application. plans and permits. Development permits or conditional use permits issued on the basis of approved plans and applications authorize only the use, arrangement, and construction set forth in such approved applications, and no other use, arrangement, or construction. Use, arrangement, or construction at variance with that authorized shall be deemed a violation of this ordinance, and enjoined or punishable as provided by this Ordinance.

4.120.3. Base flood and floodway data. All applications for proposed projects within areas of special flood hazard shall provide base flood elevations and floodway data to establish floodplain easements. Areas of special flood hazard along with base flood elevation and floodway data for many streams in the county are available from the Flood Insurance Rate Map (FIRM), KSDPW Map revision files, and any work to develop master plans for selected watersheds. All proposed developments near streams included in these studies must be designed in accordance with the provisions of these regulations.

If a project is located in an unnumbered A Zone, the applicant shall provide base flood elevation and floodway data as documented in a Floodplain Report when the project is greater than the lesser of fifty (50) lots or five(5) acres. In addition, a Floodplain Report shall be required for areas outside unnumbered A Zones, when the stream has a drainage area of one square mile or greater. Approximate methods for flood level determination may be used if prior approval is granted.

The Floodplain Report shall consist of plan and profile data and water surface elevation calculations. The plan view shall show the floodplain water surface limits, floodplain easement lines, base line, cross section stations, and adjacent boundaries. The profile should show stream invert, cross section stations, and computed water surface elevations. The report should also show the drainage divides on the plan and the ultimate zoning categories used.

Base flood elevation and floodway data submitted by the applicant for areas previously without such data or for areas not studied by FEMA, shall be reviewed by KSDPW and if acceptable, shall be processed for adoption as part of the official floodplain management data for these regulations. When the base flood elevation and floodway data submitted by the applicant results in a deviation from the data developed by FEMA, such deviations shall become official following review and approval by both the Town and FEMA. All costs for FEMA review and engineering studies shall be borne by the applicant.

4.130. Provisions for flood hazard reduction.

4.130.1. General Standards. In all areas of special flood hazard the following provisions are required:

1. New construction and substantial improvements above existing surface elevations are prohibited.
2. New and replacement water supply systems shall be designed to maintain or eliminate infiltration of floodwaters into the system.
3. New and replacement sanitary sewage systems shall be designed to maintain or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters.
4. Onsite waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
5. Any alteration, reconstruction, or improvements to a structure that is located within, the one hundred year floodplain is prohibited. Repairs to an existing structure may be allowed if all other requirements of these regulations are satisfied.
6. Roadways, parks, golf courses and other uses not requiring permanent structures designed for human occupancy may be constructed in the floodplain.

4.130.2. Standards for areas of special flood hazard with established base flood elevation and floodways designated. In all areas of special flood hazard where base flood elevation data have been provided, including A Zones, A1-30 Zones, AE, AO, AH, and A99 Zones, and where a regulatory floodway has been provided, as set forth in Subsection 4.130, (Land Subject to Flood) the following provisions are required.

1. Residential Construction

New building construction or substantial improvement of any residential structure or other building designed for human occupancy is prohibited.

2. Nonresidential Construction

New building construction or substantial improvement of any commercial, industrial or other non-residential structure is prohibited.

4.130.3. Floodways and floodplains. Areas designated as floodways or floodplains are located within areas of special flood hazard. The floodway is an extremely hazardous area because of the velocity of floodwaters, which can carry debris and potential projectiles and have erosion potential.

The following provisions shall apply to floodways:

1. Encroachments, including fill, new construction, substantial improvements, and other developments, are prohibited within the floodway unless certification (with supporting technical data) by a registered engineer is provided demonstrating that the floodway as shown is in error. The applicant shall be responsible, at no expense to the Town of Kingston Springs, for obtaining a revision to the FEMA Floodway Map reflecting the revised floodplain and floodway prior to commencement of any development on the land in question.
2. If Item 1, above, is satisfied, all new construction and substantial improvements shall comply with all applicable provisions of these regulations.

The following provisions shall apply to floodplains:

1. Encroachments, including fill, of non-structural uses such as roadways, golf courses, parks and utilities may be allowed upon approval of the Board of Zoning Appeals. Encroachments shall result in no net loss of flood storage within the floodplain. (Fill must be compensated by cut).
2. If certification (with supporting technical data) by a registered engineer is provided demonstrating that the floodplain as shown is in error, floodplain restrictions are removed.  
The applicant shall be responsible, at no expense to the Town of Kingston Springs, for obtaining a revision to the FEMA Floodway Map reflecting the revised floodplain prior to commencement of any development on the land in question.
3. If Item 1, above, is satisfied, all new construction and substantial improvements shall comply with all applicable provisions of these regulations.

The open space uses listed below shall be permitted within the floodway and/or floodplain to the extent that they are not prohibited in a particular area by any base zoning district and all applicable flood hazard reduction provisions of these regulations are met. Any grading associated with the uses listed below shall result in no net loss of floodwater storage volume. A permit for work in the Floodplain will be required.

1. Agricultural uses such as general farming, pasture, truck farming, forestry, sod farming, and wild crop harvesting.

2. Public and private recreational uses not requiring "permanent or temporary structures" designed for human habitation; some examples are parks, swimming areas, golf courses, driving ranges, picnic grounds, wildlife and nature preserves, game and skeet ranges, and hunting, fishing, and hiking areas. Temporary structures placed on a site for less than one hundred-eighty (180) consecutive days that are not intended to be improved property.
3. Utility facilities such as flowage areas, transmission lines, pipelines, water monitoring devices, roadways, and bridges.
4. Parking Lots. Parking lots within the floodplain and subject to inundation shall have flood warning signs posted and visible from all parking areas subject to inundation.

4.130.4. Standards for streams without established base flood elevations. It is intended that all construction whether within or adjacent to delineated floodplains, shall be subject to the provisions of these regulations. Exceptions to this standard may be granted on appeal to the Board of Zoning Appeals based on a demonstration that the regulatory elevation is so conservative as to place an unreasonable burden upon developers or property owners.

For proposed developments located near small streams where no base flood data or floodways have been provided or required under the Federal Flood Insurance Program or by Section 4.120.3, of these regulations, the following provisions apply:

1. No encroachments, including fill material and structures, shall be located within a minimum distance of twenty-five (25) feet from the top of the stream bank on each side or thirty (30) feet from the centerline of a stream channel, whichever is greater. Work within the floodplain will be subject to the same provisions of this ordinance that apply to streams with established Base Flood Elevations.
2. The base flood elevation and 100-year floodplain may be determined by an appropriate approximate method. The property owner shall determine the extent of the 100-year floodplain by certification (with supporting technical data) by a registered engineer demonstrating the 100-year flood elevation and the extent of the floodplain.

4.130.5. Standards for areas of shallow flooding (AO Zones). Designated shallow flooding areas are located within the areas of special flood hazard. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. Thus, the following provisions apply:

1. All new construction and substantial improvements of residential structures are prohibited.
2. All new construction and substantial improvements of nonresidential structures are prohibited.

# National Flood Hazard Layer FIRMette



87°5'57"W 36°5'29"N



0 250 500 1,000 1,500 2,000 Feet

1:6,000

87°5'19"W 36°5'N

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
OTHER FEATURES		Levee, Dike, or Floodwall
		Cross Sections with 1% Annual Chance Water Surface Elevation
MAP PANELS		Coastal Transect
		Base Flood Elevation Line (BFE)
OTHER FEATURES		Limit of Study
		Jurisdiction Boundary
OTHER FEATURES		Coastal Transect Baseline
		Profile Baseline
OTHER FEATURES		Hydrographic Feature
		Digital Data Available
MAP PANELS		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **2/11/2021 at 9:47 AM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.