

Development opportunity & a 6 unit apartment fully leased!

2008 Whitaker Rd & 189 County Rd, Athens, TN 37303

Listing ID: 30289229
Status: Active
Property Type: Vacant Land For Sale
Possible Uses: Hospitality, Industrial
Gross Land Area: 5.42 Acres
Sale Price: \$850,000
Unit Price: \$156,826 Per Acre
Sale Terms: Cash to Seller

Overview/Comments

A diamond on the hill! Location, Location, Location. The property brings in income from a 6 unit apartment, and billboard. The property has a beautiful rolling hill that overlooks the interstate. The owner has done a lot of the due diligence for a climate control business. The site would make an excellent development for an apartment complex, hotel, assistant living, medical offices, or a storage unit/ car wash. You have access from Decatur Rd right off the interstate by the new Burger King and the drive curves around to the property. The property located directly behind Burger King is also for sale and these two properties purchased together would make a fantastic development opportunity with approximately 8 acres. The income for the six-unit apartments is roughly \$40,000 a year, and the Billboard board sign has an 8-year lease and brings in approximately \$4,000 a year. Call for more information.

Wendy Elliott 386-481-8439



More Information Online

<http://commercial.gcar.net/listing/30289229>

QR Code

Scan this image with your mobile device:



General Information

Taxing Authority:	046 254.00 & 046 255.00	Zoning:	COMMERCIAL
Possible Uses:	Hospitality, Industrial, Multi-Family, Retail, Self Storage, Vacation/Resort	Sale Terms:	Cash to Seller

Area & Location

Property Located Between:	Whitaker and Hwy 30	Largest Nearby Street:	Decatur Pike
Property Visibility:	Excellent	Feet of Frontage:	919
Legal Description:	The traffic count at the intersection where the property is located in the highest in the City of Athens at 38,3	Traffic/Vehicle Count:	38,317
		Highway Access:	Hwy 30 and Hwy 11
		Airports:	Mcminn and Monroe

Site Description A 6 unit apartment sits on the corner of the property and brings in an income. The property is visible from both sides of the interstate.

Area Description Off-Site Recreational ActivitiesAthens Regional Park, one mi.Classic Lanes Bowling, 2.3 mi.Snap Fitness, 2.4 mi.The Tanning Co, 2.9 mi.Hollywood Body Spa & Laser, four mi.24/7 Family Fitness, 4.4 mi.Prof Park, 4.6 mi.Rock Springs Golf Course, 4.6 mi.Decatur Park, 9.8 mi.Candies Creek Wildlife Management Area, 19.7 mi.Area AttractionsMcMinn County Living Heritage Museum, 3.8 mi.Mayfield Dairy Farms, 4.7 mi.Swift Museum, 8.8 mi.Meigs County Historical Museum, 9.8 mi.The Lost Sea Adventure, 16.3 mi.Hiwassee Ocoee State Park, 21.2 mi.The Sequoyah Birthplace Museum, 30.6 mi.Fort Loudoun State historical, 30.7 mi.Smoky Mountain Speedway, 39.9 mi.Harrison Bay State Park, 41.9 mi.Great Smoky Mountains National Park, 48.1 mi.

Land Related

Lot Frontage:	919	Available Utilities:	Electric
Zoning Description:	Commercial	Water Service:	Municipal
Topography:	Gently Sloping	Sewer Type:	Municipal
Soil Type:	Mixed		

Location

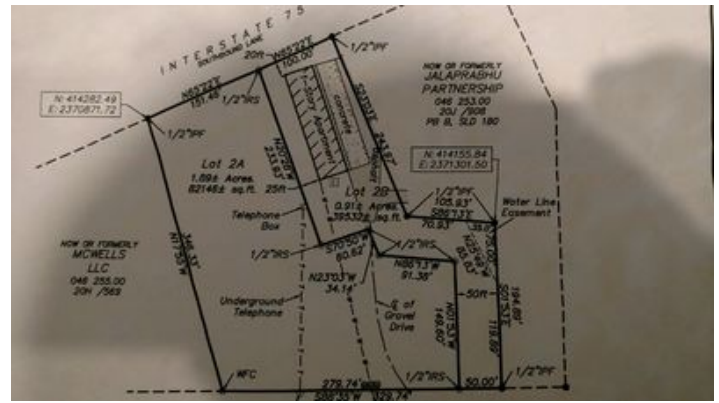
Address: 2008 Whitaker Rd & 189 County Rd, Athens, TN
37303
County: McMinn
MSA: Athens



Property Images



20180124_225219



survey

SIGN LOCATION LEASE

THIS LEASE AGREEMENT, made this 21st day of August, 2018, by and between:

Frank M. Davis
 and/or
 Larry D. Strick

(hereinafter referred to as "Lessor") and THE LAMAR COMPANIES (hereinafter referred to as "Lessee"), provides

WITNESSETH

"LESSOR hereby leases to LESSEE, its successors or assigns, as much of the hereinafter described lease premises as may be necessary for the construction, repair and relocation of its outdoor advertising structure ("sign"), including necessary structures, advertising devices, utility service, power poles, communication devices and connections, with the right of access to and egress from the sign by LESSEE's employees, contractors, agents and vehicles and the right to survey, post, illuminate and maintain advertisements on the sign, and to modify the sign to have as many advertising faces, including changeable copy faces or electronic faces, as are allowed by local and state law, and to maintain telecommunications devices or other activities necessary or useful to LESSEE's use of the sign. Any discontinuance or errors in the location and orientation of the sign are deemed waived by LESSOR upon LESSEE's acceptance of the first rental payment due after the construction of the sign.

The premises are a portion of the property located in the County Parish of McMinn, State of Tennessee, more particularly described as:

E-75 AMH NO E&R 48

- This Lease shall be for a term of Fifty (50) years commencing on the first day of the calendar month following the date of completion of construction of the sign, or, if this is a renewed Lease, the term and payments begin January 1st 2020 ("commencement date").
- LESSEE shall pay to LESSOR an annual rental of \$17,500.00 per year, or \$1,750.00 per year, whichever is greater, with the first installment due on the first day of the month following commencement. Rent shall be considered received upon due mailing or attempted hand delivery during reasonable business hours at the address designated by LESSOR, whether or not actually received by LESSOR. Should LESSEE fail to pay rent or perform any other obligation under this lease within thirty (30) days after such performance is due, LESSOR will be in default under the lease. In the event of such default, LESSOR must give LESSEE written notice by certified mail and allow LESSEE thirty (30) days thereafter to cure any default.
- LESSEE agrees not to erect or allow any other off-premise advertising structure(s), other than LESSEE's, on property owned or controlled by LESSOR within one hundred (100) feet of LESSEE's sign. LESSEE further agrees not to erect or allow any other obstruction of highway view or any vegetation that may obstruct the highway view of LESSEE's sign. LESSEE is hereby authorized to remove any such other advertising structure, obstruction or vegetation at LESSEE's option.
- LESSEE may terminate this lease upon giving thirty (30) days written notice in the event that the sign becomes entirely or partially obscured in any way or in LESSEE's opinion the location becomes economically or otherwise undesirable. If LESSEE is prevented from constructing or maintaining a sign at the premises by reason of any final governmental law, regulation, subdivision or building restriction, order or other action, LESSEE may elect to terminate this lease.
- All structures, equipment and materials placed upon the premises by the LESSEE or its predecessor shall remain the property of LESSOR and may be removed by LESSOR at any time prior to or within a reasonable time after expiration of the term hereof or any renewal. At the termination of this lease, LESSEE agrees to restore the surface of the premises to its original condition. The LESSEE shall have the right to make any necessary applications with, and obtain permits from, governmental bodies for the construction and maintenance of LESSEE's sign, at the sole discretion of LESSEE. All such permits and any nonconforming rights pertaining to the premises shall be the property of LESSOR.
- LESSOR represents that he is the owner or lessor under written lease of the premises and has the right to make this agreement and to grant LESSEE free access to the premises to perform all acts necessary to exercise its rights pursuant to this lease. LESSOR is not aware of any unrecorded rights, servitudes, encumbrances, subdivisions or building restrictions, or agreements affecting the premises that prohibit the erection, posting, painting, illumination or maintenance of the sign.

lease 001

PAYEE'S name, street address, city or town, state or province, country, ZIP Silver Key Realty 211 East Washington Ave, Ste 102 Athens, TN 37303 (423) 409-5157		☐ CORRECTED (if checked)	
PAYEE'S federal identification number 47-3738698	PAYEE'S state identification number 415-04-5074	1 Rents \$18185.50	2 Royalties \$
PAYOR'S name Duff McCalliey Street address (including apt. no.) 11230 South 56 Pine Valley Road City or town, state or province, country, and ZIP or foreign postal code	PAYOR'S federal identification number 47-3738698	3 Other income \$	4 Federal income tax withheld \$
5 Filing bond proceeds \$	6 Nonrecourse compensation \$	7 Medical and health care payments \$	8 Federal income tax withheld \$
9 Other income \$	10 Dividend payments in lieu of dividends or interest \$	11 Dividend payments in lieu of dividends or interest \$	12 Other insurance proceeds \$
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MINUTES

Adams Board of Zoning Appeals
October 19, 2016
12 Noon
Conference Room

ROLL CALL

MEMBERS PRESENT

Tom Hamilton
Chuck Durbin
Ralph Fenton
Randy Hoffman

MEMBERS ABSENT

Kenny Chaires

OTHERS ATTENDING

Anthony Carrell
Harley Knowles
Jim Dyer
Jim Winer
Gene McCoskey
Mike Ingram

Approval of Minutes

The minutes of the September 21, 2016 meeting were approved unanimously.

Old Business

There was no Old Business to discuss.

New Business

1. Variance Request by Tennessee Wesleyan University (TWU) for in-fill development on portion of a parcel formerly part of the parcel shown as Tax Map 0361, Group B Parcel 062.00 located on the NW corner of Green Street and College Street and zoned P-1 Professional District. Request is for 12-foot reduction on College, and 14 feet on Green Street.

Chairman Hamilton moved those who testified in:

Mr. Harley Knowles introduced himself and the others attending the meeting with him, Jim Winer and Mike Ingram.

Chairman Hamilton began to discuss the front setbacks. Because this is a corner lot, we have a front setback on Green Street and a front setback on College Street. The in-fill

development part of the site plan says in certain circumstances the Board can vary the setbacks based on the in-fill because the desire is to have harmonious street fronts where you don't have property ten feet from the street, the next property thirty feet, and the next property twenty feet, giving a kind of development. According to Mr. Carrell's calculations, the way it has always been done is figured off the GIS maps which are pretty inaccurate, but it's a least considerably inaccurate.

Chairman Hamilton said the only way they can do this exactly is have all the properties surveyed. That would be an added expense and this Board has consistently operated in the spirit of error given us by the GIS system. Mr. Carrell has done the calculations which fall under the recommendations on page two of the Staff Report saying that using the in-fill setback rule eighteen feet off College Street and sixteen feet off Green Street is acceptable to staff.

Chairman Hamilton asked if that met their (TWU's) requirements.

Mr. Winer said all they would want their requirements.

Chairman Hamilton asked was meant by all those.

Mr. Winer said there are three setback variances.

Chairman Hamilton said he was only discussing the front setback variances, the Green Street and the College Street. If this Board approves a number one on the Appeals, they are giving an eighteen foot setback on the College Street side and a sixteen foot setback on the Green Street side which does what you (speaking to Mr. Winer) need to do for those two.

MOTION: To approve and accept staff's recommendation.

MADAM: Chuck Durbin

SECOND: Ralph Fenton

VOTE: Unanimous

MOTION PASSED

1. Variance Request by Tennessee Wesleyan University (TWU) for a side setback reduction 10 feet on portion of a parcel formerly part of the parcel shown as Tax Map 0361, Group B Parcel 062.00 located on the NW corner of Green Street and College Street and zoned P-1 Professional District.

Chairman Hamilton moved those who testified in:

Chairman Hamilton said the setback should be twenty feet between the property line and the building. The clubhouse has been in place when the area was a football field.

zone 002

zone 003

Mr. Fenton said yes, and they have been in existence for a long time.

Mr. Winer said he understands the property lines are real, they have been posted.

Chairman Hamilton said when it has been recorded, it becomes official.

Mr. Winer said but they can be removed; that's a contingency there that would help. He said he thinks this underscores to a degree how exceptional and how unusual this is. He said he was sure it happens on occasion but very infrequently and they are looking for the Board will take that into consideration in finding a solution for them.

Chairman Hamilton said he did not think that there was any question that everybody in the meeting wants this building built. Everybody wants the college to prosper. The Board has some degree of latitude by State Law but they are not carte blanche.

Mr. Winer said going back to the Tennessee Code, the use of the word "or", it says, "or other extraordinary and exceptional situation." It does grant you that authority and Chris Tree feels like it is not subject.

Chairman Hamilton said he talked with Chris Tree about this specific phrase in that ordinance and they do not particularly agree with that phrase. Interpreting that phrase for TWU is talking about the lot, there is nothing exceptional about the lot. The lot is basically rectangular, flat, easy access. It just has everything go for it. The building that they want to put on it might be exceptional for that piece of property, but the lot is not.

Chairman Hamilton said the way he reads that phrase it's talking about the property, not the building but that is his interpretation.

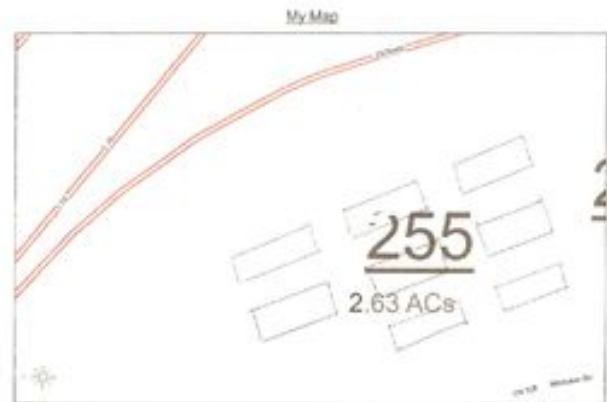
MOTION: The motion was made to deny the request at that time.

MADE: Ralph Fenton
SECONDED: Chuck Harris
VOTE: Unanimous
MOTION PASSED

2. By-law Change concerning regular meeting time change.

There was a brief discussion about a by-law change about regular meeting time change. Mr. Charles who sent an email because he could not be present. Mr. Charles said ring o'clock would be his first choice with ten being his second choice.

3



McMINN COUNTY, TENNESSEE

SEAL OF THE COUNTY OF McMINN, TENNESSEE, 1842
BY THE CLERK OF THE COUNTY OF McMINN, TENNESSEE, 1842

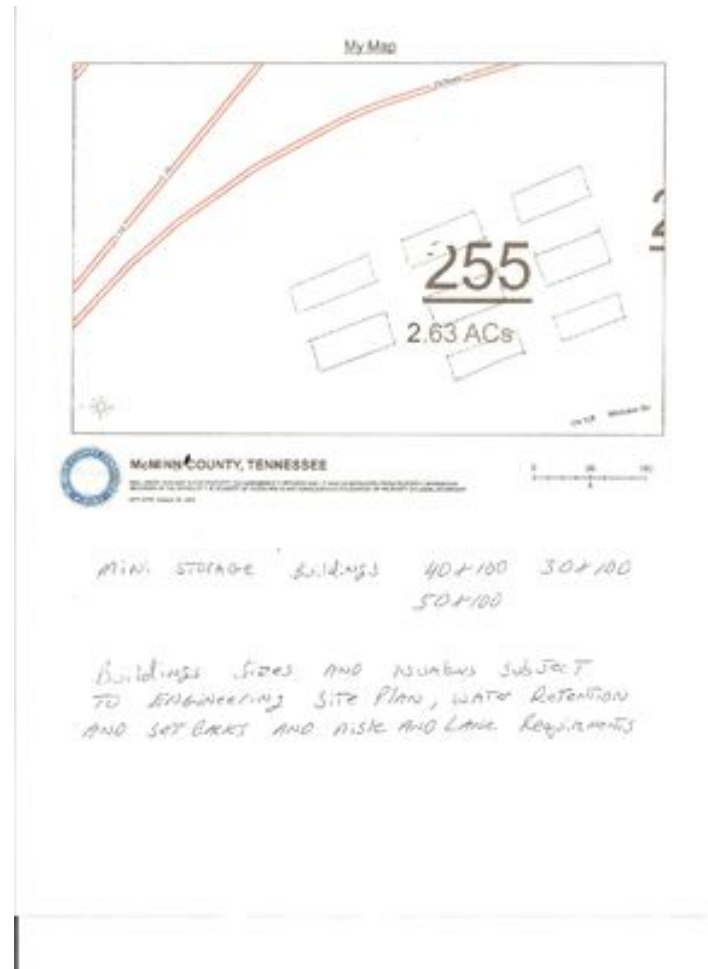
0 50 100
Feet

MINI STORAGE BUILDINGS 40x100 30x100
50x100

BUILDINGS SIZES AND NUMBERS SUBJECT
TO ENGINEERING SITE PLAN, WATER RETENTION
AND SET BACKS AND DISE AND LAKE REQUIREMENTS

zone 004

zone 006



zone 006



zone 007

STAFF REPORT
Athens Board of Zoning Appeals
November 16, 2016
9:00 AM
Conference Room

Agenda of Minutes
Approval of the October 19, 2016 Meeting minutes
New Business

1. Use on Review request by Jeff McNairy for a for a mini warehouses and personal storage units on a vacant lot shown as Tax Map 646 Parcel 255.00 zoned B-3 Intensive Commercial.



The property is located on Whitaker Road and backs up to I-75. It is zoned B-3 Intensive Business District. The parcel currently vacant. The site appears to be large enough to accommodate the site without problems with parking or moving traffic on the site. The surrounding area inside the city is zoned B-3 as well. There are other commercial uses in the area that include restaurants, hotels, and service stations. The property adjacent to the First has been approved for mini warehouses and personal storage units and is under the same ownership as the subject site. The proposed warehouses and personal storage units should not create a problem with these surrounding commercial uses. Staff recommends approval of the request.

zone 008

zone 009



APPLICATION USE ON REVIEW PERMIT

Use on Review Permit # _____

Property Location: 2008 Whitaker Rd
Tax Parcel ID Number: 046-255.00 Zoning District: B-3
APPLICANT:
NAME: Jeff McAllister
ADDRESS: 11230 South N. Ave Decatur TN 37022
PROPOSED USE: Mini Warehouse

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Athens staff and Commission Members to visit, inspect, and photograph the building, premises, land, etc., connected with this application.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Athens to post any placed notice on the property that may be required by law for this request.

THE UNDERSIGNED, hereby states that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written statements, drawings, or illustrations submitted in support of this application and any specific oral representations made to the Director of Community Development in this application will be binding on the applicant unless stated at the presentation of this application.

Print Name: Jeff McAllister Signature: [Signature]
Mailing Address: 11230 South N. Ave Decatur TN 37022 Date: 10-26-16
City and State: Decatur TN 37022 Zip Code: _____

ACTION OF BOARD OF ZONING APPEALS: _____ Date: _____

USE ON REVIEW PERMIT APPLICATION SUBMISSION CHECKLIST WARNING: IF ANY REQUIRED PORTION OF THE APPLICATION IS NOT SUBMITTED, THE APPLICATION MAY NOT BE ACCEPTED.

Completed and signed Use on Review Permit Application. All questions must be answered fully and legibly.

Interior Floor Plan
Submit one copy no larger than 11 x 17
Show and label all entrances and exits, doors and windows
Show and label all rooms, corridors, stairways, elevators, bathrooms, etc.
Show all stairs, ramps, escalators, etc., as appropriate to the use
Show all outdoor seating areas, if applicable
Title block showing address, name of the business, name of the applicant and agent designating the interior space.

Note: Please provide drawings to scale if possible. Drawings must be legible and a clear representation of the proposed use.

Site Plan
Submit one copy no larger than 11 x 17
Show subject site and surrounding buildings
Show all access streets
Show all points of ingress and egress, including entrances, exits, doors, etc.
If use is contained in a multi-use building, show the exact location of the proposed use.
Show and label any landscaping, trees, or open space on the property.
Show and label all parking available to the use on site and/or within 500 feet of the site.
Show dimensions of the parking spaces for the site.

Note: Please provide drawings to scale if possible. Drawings must be legible and a clear representation of the proposed use.

APPLICATION FEE - CHECK FOR CURRENT FEE SCHEDULE

Other pictures or exhibits that explain the nature of the use site (not required but recommended)

Letters of support from adjoining property owners (not required but recommended)

zone 010

zone 011

PROPERTY OWNER'S AUTHORIZATION

As the owner of _____, I hereby
 (Property address)
 Grant the applicant authorization to apply for the
 Use as described in this application. (Use)

Name: _____ Phone: _____
 (Please print)
 Address: _____
 Signature: _____ Date: _____

1. Floor plan and Plot plan. As part of this application, the applicant is required to submit a floor plan and a plot or site plan with parking layout of the proposed use.

2. The applicant is the (check one)

- ☐ Owner
☒ Contract Purchaser
☐ Lessee
☐ Other _____ of the subject property.

Applicant Name: _____
 Address: _____
 Contact Number: _____

NARRATIVE DESCRIPTION:

3. The applicant shall describe below the nature of the request in detail so that the Board of Zoning Appeals can understand the nature of the operation and the use. The description should fully discuss the nature of the activity. (attach additional sheets if necessary)

THIS REQUEST IS FOR ADDITIONAL MINI STORAGE
 SPACE ON THE 2.63 ACRE TRACT THAT
 APPROXIMATES MY PREVIOUSLY APPROVED TRACT FOR
 MINI STORAGE. COMBINED, THERE WILL BE
 4.5 ACRES TOTAL IN BOTH TRACTS.
 ACCESS WILL BE VIA THE PREVIOUSLY APPROVED
 TRACT. ENTIRE FACILITY WILL BE IN
 ONE FENCE WITH ONE MAIN GATED
 ENTRY, WITH OFFICE.
 EXACT NUMBER OF BUILDINGS CANNOT
 BE DETERMINED UNTIL SITE PLAN CAN
 BE COMPLETED
 ENGINEERING PLAN HAS BEEN TASKED
 WITH LAYOUTS, NUMBERS, ETC TO BE DETERMINED
 BY GRADE, SET BACKS, WATER RETENTION, ETC.

zone 012

zone 013

USE CHARACTERISTICS

4. The proposed use is an existing use. (check one)

☒ A new use requiring a use review period.

☐ An expansion or change to an existing use with a use review period.

☐ Other. Please describe:

5. Please describe the capacity of the proposed use:

A. How many persons, clients, pupils and other such users do you expect?

Specify time period (i.e., day, hour, or shift):

2-10 days

B. How many employees, staff, or other personnel do you expect?

Specify time period (i.e., day, hour or shift):

1 day

6. Please describe the proposed hours and the days of the operation of the proposed use:

Days:

Monday

Tuesday

Wednesday

Thursday

Friday

Saturday

Sunday

Hours:

8:00 AM - 5:00 PM

9:00 AM - 4:00 PM

10:00 AM - 3:00 PM

11:00 AM - 2:00 PM

12:00 PM - 1:00 PM

1:00 PM - 2:00 PM

7. Please describe the use(s) existing from the proposed use:

existing use

8. Describe any potential values resulting from the proposed use and plans to control them:

none

9. Will any hazardous materials, as defined by the state and federal government, be handled, stored, or generated on the property?

no

PARKING AND ACCESS REQUIREMENTS

10.

Standard spaces (9'x20' in size)

2-4

Handicapped accessible

11. Where is the parking located? (check one)

on site

off site

If the parking will be located off site where will it be located?

NOTE: all off-site parking must be located within 500 feet of the main entrance of the proposed use. Where the owner of the principal use found parking spaces a copy of the lease agreement must be provided with this application.

12. Please provide information regarding any loading and unloading facilities for the use:

loading

Where are the off-site loading facilities located: none

During what hours do you expect loading and unloading to occur:

zone 014

zone 015

How frequently will loading and unloading occur, per day, per week: _____

16. Is street access to the property adequate or will improvements be needed? already adequate

SITE CHARACTERISTICS:

15. Will the proposed use be located in an existing building? ☐ Yes ☒ No

18. Do you propose to construct an addition to the building? ☐ Yes ☒ No
If Yes give the square footage increase of the addition: _____

19. The proposed use is located in (check one)
☐ a stand alone building
☐ a house located in an residential district
☐ a warehouse
☐ a shopping center. Provide the name of the center: _____
☐ an office building. Provide the name of the building: _____
☒ Other. Please describe: stone crest

END OF APPLICATION

PROPERTY OWNER'S AUTHORIZATION

As the owner of _____, I hereby
(Property address)
Grant the applicant authorization to apply for the _____
Use as described in this application. (Use)

Name: _____ Phone: _____
(Please print)

Address: _____

Signature: _____ Date: _____

1. Floor plan and Plot plan. As part of this application, the applicant is required to submit a floor plan and a plot or site plan with parking layout of the proposed use.

2. The applicant is the (check one)
☐ Owner
☒ Contract Purchaser
☐ Lessee
☐ Other _____ of the subject property.

Applicant Name: _____
Address: _____
Contact Number: _____

zone 016

zone 012



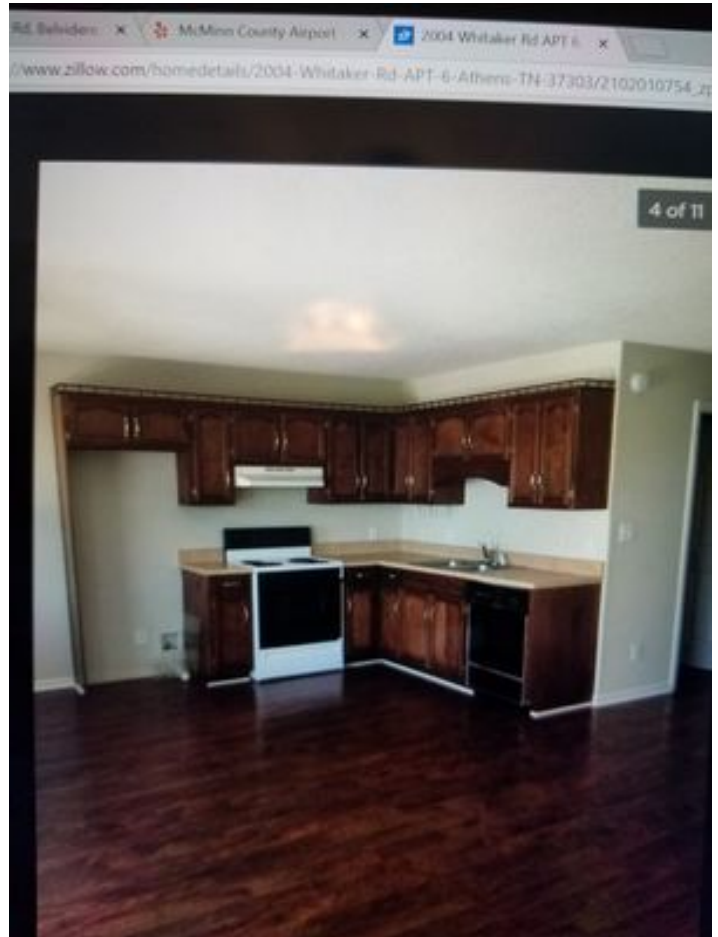
picture 3



picture 5



picture2



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