



AGENDA FOR THE
HENDERSON MUNICIPAL-REGIONAL PLANNING COMMISSION MEETING
August 5, 2026
5:00 PM

- I. DETERMINATION OF QUORUM AND CALL TO ORDER
- II. REVIEW AND APPROVAL OF MINUTES
- III. HEARING OF PEOPLE HAVING BUSINESS WITH THE COMMISSION. ANYONE WISHING TO ADDRESS THE COMMISSION MAY DO SO AT THIS TIME. SPEAKERS MUST SIGN IN, COME FORWARD WHEN CALLED, STATE THEIR NAME, AND ADDRESS, AND LIMIT THEIR ADDRESS TO 2 MINUTES.
- IV. OLD BUSINESS
 - A. ANY OTHER PROPERLY PRESENTED OLD BUSINESS
- V. NEW BUSINESS
 - A. DISCUSSION OF ACCESSORY DWELLING UNITS IN THE PLANNING REGION
 - B. ADMINISTRATIVE REVIEW OF SUBDIVISION PLAT
 - C. DISCUSSION OF FUTURE LAND USE MAPS, ZONING MAPS, AND MAJOR ROAD PLANS
 - D. ANY PROPERLY PRESENTED NEW BUSINESS
- VI. OTHER BUSINESS
- VII. ANY OTHER PROPERLY PRESENTED BUSINESS
- VIII. ADJOURNMENT

A. ANY PROPERLY PRESENTED NEW BUSINESS

VI. OTHER BUSINESS

VII. ANY OTHER PROPERLY PRESENTED BUSINESS

VIII. ADJOURNMENT



102 East College Street
Jackson, TN 38301
Telephone: (731) 668-6430 Fax: (731) 668-6421
Email: cpate@swtdd.org

MEMORANDUM

TO: Brent Beshires, Building Department and Henderson Municipal-Regional Planning Commission

FROM: Chris Pate, Regional Planner

DATE: July 27, 2026

SUBJECT: BACKGROUND FOR ACCESSORY DWELLING UNITS ON SEPTIC TANKS

The regional planner is starting to see residential uses governed by bedrooms in relation to the State of Tennessee Department of Environment and Conservation rather than buildings. (See also 2025 Public Chapter 208, 2025 and

One community with whom the regional planner worked review zoning amendments for accessory dwelling units on septic in 2018. The entire town was on septic. The community reviewed the following requirements, but these were the same for principal residential uses:

(g) Standards for an accessory dwelling unit

The intent of these provisions relate to residential occupancy in structures other than principal structures which were traditionally and historically present in rural and agricultural districts. The Board of Zoning Appeals may authorize the issuance of a special exception for an accessory dwelling unit subject to the following additional standards (See also Historic Zoning):

(i) Only one residential living space of not more than 800 square feet or 25% shall be allowed on a lot with an existing residential dwelling unit. The accessory dwelling unit shall not be located in the front yard or side yard. The property must contain a primary residence.

(ii) The accessory dwelling unit shall maintain conformance with the general character of the neighborhood in which it is located.

(iii) Regulations Controlling Lot Area, Lot Width, Yards, Building Height. The accessory dwelling unit shall be located so as to comply with the following requirements as if it were located on its own lot in order to aid with any future subdivision

(A) Minimum Area Regulations **Two (2) acres** or more if required by the Tennessee Division of Groundwater Protection for septic use in addition to the principal residence

(B) Minimum Lot Width at Building Line and Minimum Frontage on a street or a 50 feet wide access easement 100 feet

(C) Minimum Required Front Yard 80 feet

(D) Minimum required rear yard. 50 feet

(E) Minimum required side yard 30 feet

(F) Maximum Lot Coverage By All Buildings. 30%

(G) Maximum Height Regulations No building shall exceed three (3) stories or thirty-five (35) feet in height.

(iv) All applicable Federal, State, and Municipal Codes, including municipal fire, building and electrical codes, shall be complied with as a condition of approval by the Board of Zoning Appeals.

(v) Adequate off-street parking shall be provided as required in Chapter VIII of this Ordinance.



State of Tennessee

PUBLIC CHAPTER NO. 208

SENATE BILL NO. 113

By Johnson, Bowling

Substituted for: House Bill No. 199

By Reeves, McCalmon, Warner, Reedy

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 221, Part 4, relative to variances for subsurface sewage disposal systems.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-221-402, is amended by adding the following as a new subdivision:

() "Accessory buildings" means subordinate structures on the same lot as a principal single-family dwelling, including accessory dwelling units, garages, barns, sheds, and similar buildings that are incidental to and support the primary residential use of the property;

SECTION 2. Tennessee Code Annotated, Section 68-221-403(a)(10), is amended by adding the following as a new subdivision:

(F)(i) The commissioner may issue a variance for a subsurface sewage disposal system within the covered area or jurisdiction under § 68-221-410, which shall supersede any more stringent local requirements.

(ii) A variance issued under subdivision (a)(10)(F)(i) must not apply to:

(a) A sewerage system regulated under § 69-3-108;

(b) A subsurface sewage disposal system serving multiple lots; or

(c) Any lot containing more than one (1) single-family dwelling with accessory buildings.

SECTION 3. Tennessee Code Annotated, Section 68-221-410(a), is amended by adding the following new subdivision:

() The commissioner may require a variance granted under this section to be filed and recorded with the county register of deeds with respect to the property subject to the variance.

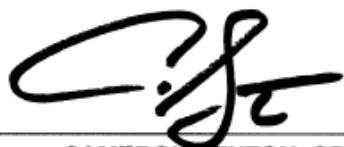
SECTION 4. This act takes effect upon becoming law, the public welfare requiring it.

SENATE BILL NO. 113

PASSED: April 3, 2025



RANDY McNALLY
SPEAKER OF THE SENATE



CAMERON SEXTON, SPEAKER
HOUSE OF REPRESENTATIVES

68-221-410. Variances — Hearings — Finality of decision.

(a)

- (1)** Any person whose subdivision plan has been disapproved or whose application for a subsurface sewage disposal system permit has been denied under this part and the rules and regulations promulgated pursuant to this part, may request in writing that a variance be granted by the commissioner.
- (2)** The request should set forth in numbered paragraphs the variance requested, the reasons therefor, and be signed by the applicant.
- (3)** The commissioner shall investigate the request for variance and inform the applicant of the commissioner's decision within ninety (90) days from the date the request is received.
- (4)** A variance may be granted when in the opinion of the commissioner such a variance will not violate § 68-221-401 or otherwise constitute a definite health hazard.
- (5)** The commissioner may require a variance granted under this section to be filed and recorded with the county register of deeds with respect to the property subject to the variance.

(b)

- (1)** Where an applicant, having had a plan disapproved or a permit denied, does not wish to request a variance, or where such applicant's request for a variance is denied, or where such applicant's permit has been suspended or revoked, such applicant may request a hearing before the commissioner; provided, that nothing in this section shall require the commissioner to hold more than one (1) hearing on a particular matter.
- (2)** Any hearing which is held pursuant to this section shall be conducted in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.
- (c)** Any decision of the commissioner to disapprove plans to deny, suspend or revoke a permit, or to deny a request for a variance, shall become a final decision and not subject to review unless the applicant requests by written petition a hearing or variance no later than thirty (30) days after such decision is received.

History

Acts 1973, ch. 188, § 8; 1975, ch. 259, § 1; T.C.A., § 53-2051; Acts 1986, ch. 735, § 7; T.C.A., § 68-13-410; Acts 2025, ch. 208, § 3.



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MEMORANDUM

TO: Brent Beshires, Building Department

FROM: Chris Pate, Regional Planner

DATE: July 22, 2026

SUBJECT: REVIEW COMMENTS FOR JONATHAN FRENCH AND THOMAS WINBUSH PROPERTY PLAT (COMBINATION PLAT ADMINISTRATIVE)

Background and Analysis

The property is zoned R-S in the Municipal Zoning Ordinance. The City Limits crosses the rear corner. Lot 1 contains an existing house as well as 4.27 acres. The property is not located within a special flood hazard area as per the submitted plat as per a note and is further described as tax parcel 13.00 and 13.02, Chester County Tax Map 27. The parent tract exceeds 5 acres and is approximately 36.08 acres. The property is located along Old Jackson Road. The utility certificates are unsigned. A fire hydrant is depicted on the plat.

The Municipal Zoning Ordinance provides for the following in the R-S district as per SWTDD:

F. Regulations Controlling Lot Area, Lot Width, and Yards

The principal building shall be located so as to comply with the following requirements:

Use	Minimum Lot Size	Minimum Lot	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard
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		Width*			
Single-family dwellings	15,000 sq. ft.	100'	40'	30'	20'
Public golf courses and country clubs	10 acres	250'	50'	50'	30'
Churches Day Care and all other uses	1 acre	100'	40'	40'	30'

* Minimum lot width is measured at the building line.

G. Maximum permitted height of structures

1. No building shall exceed 3 stories or 35 feet in height. On a lot less than 50 feet in width at the building line, no building shall exceed 1.5 stories or 25 feet in height.
2. No accessory building shall exceed 1 ½ stories or twenty (20) feet in height and shall not exceed 800 square feet in area.
3. Free standing poles, spires, towers, antennae, and similar structures not designed for, or suitable to human occupancy, may exceed the height provisions of this ordinance provided they comply with all other codes and ordinances and provided that they are located a distance equal to their own height plus 10 feet from the nearest property line. (Self-collapsible structures confirmed by a certified engineer are exempt from this provision).

H. Maximum Number of Principal Buildings Permitted

1. Single family residential uses and two family residential uses shall be limited to 1 principal building per lot.
2. Uses other than residential shall have no limitations on the number of buildings provided however, that the aggregate of all buildings shall not cover more than 40% of the entire lot area.

I. Parking Requirements

Off-street parking spaces shall be provided on the same lot as the principal building in accordance with Chapter 9.

J. Site Plan Review

Prior to the issuance of a building permit, site plan review is required in accordance with Chapter 9 of this ordinance. Once a site plan has been approved and all modifications, if any, have been made a building permit may be issued. The Codes

Department shall maintain a copy of the site plan in the permanent files of the City. (Single Family Dwellings shall submit a preliminary sketch plat, as defined in Chapter 2, to the Building Official in lieu of a Site Plan).

K. Permit Procedures

(See Chapter 11)

Recommendation:

The regional planner recommends approval following signatures (including those of all owners, if applicable.)

Search Results—Products for **HENDERSON, CITY OF**

[Show ALL Products »](#)

The flood map for the selected area is number **47023C0110E**, effective on **5/4/2009**

DYNAMIC MAP



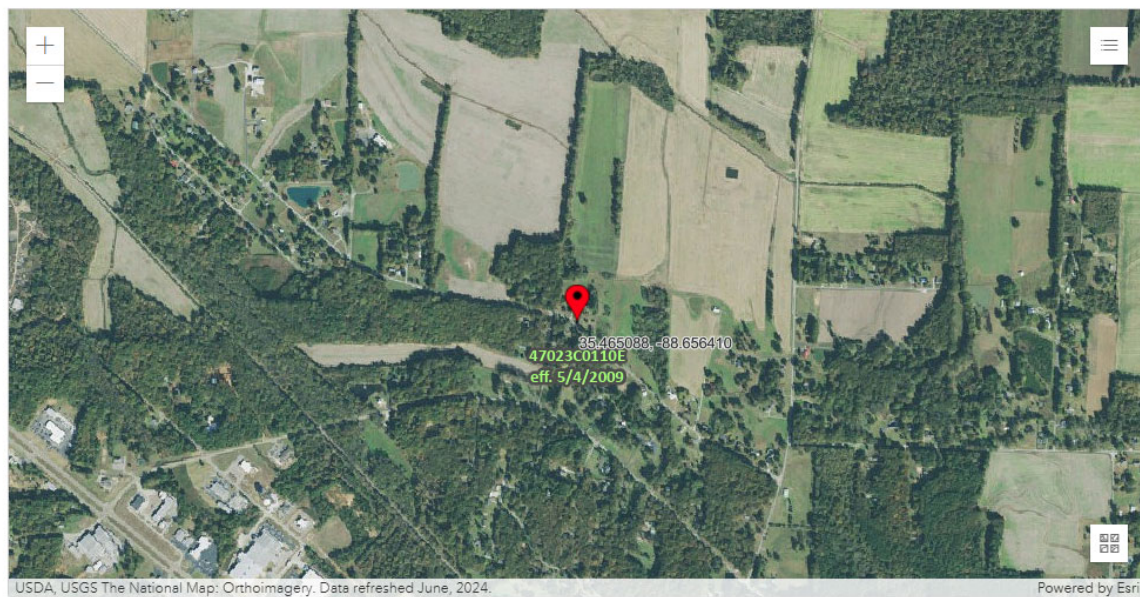
MAP IMAGE



Changes to this FIRM [?](#)

- Revisions (0)
- Amendments (0)
- Revalidations (0)

You can choose a new flood map or move the location pin by selecting a different location on the locator map below or by entering a new location in the search field above. It may take a minute or more during peak hours to generate a dynamic FIRMette. [Go To NFHL Viewer »](#)



PIN



Approximate location based on user input
and does not represent an authoritative
property location

SPECIAL FLOOD
HAZARD AREAS

Without Base Flood Elevation (BFE)
Zone A, V, APD
With BFE or Depth
Regulatory Floodway Zone AE, AO, AH, VE, AR

20.2
17.5
Cross Sections with 1% Annual Chance
Water Surface Elevation
Coastal Tract
Base Flood Elevation Line (BFE)



PARCEL NO: 027 01302 00006027
OWNER: CHAPPELL DIANNE
ADDRESS: 562 OLD JACKSON ROAD HENDERSON TN 38340
LOCATION: OLD JACKSON ROAD 562

Imp Type: 01	Prop Class: 00	Sch. Dist 1: 000
NBH: H51	Bed Rooms: 0	Baths: 0.00
Acres: 0.000	Mun. Code: 326 - HENDERSON	
Land: \$39,800	Imp: \$439,400	CU Val: \$0
Prev. Total: \$479,200	Total: \$479,200	Assd. Val: \$119,800
Sales Info: 1/9/2026	\$475,000	

<< Prev Next >> [0 / 0 Records]

Tax Year : 2026

LAND BUILDINGS SALES PHOTOGRAPHS MAPS PROPERTY CARD

Parcel #: 027 01300 00006027

Fit

Zoom

Area

Length

☒ Aerials

Print Map



