



November 21, 2024

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# Grandfathered Uses

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Dear Reader:

The following document was created from the CTAS website ([ctas.tennessee.edu](http://ctas.tennessee.edu)). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Reference Number: CTAS-567

In T.C.A. § 5-1-118(c)(3), the law provides further that all court decisions and statutory laws relating to variances and nonconforming uses applicable to zoning ordinances and land use controls shall apply to the enforcement and exercise of these new regulatory powers. For example, if a county determined that the sound of planes taking off and landing at an airport could potentially be a nuisance to surrounding residential properties and passed a regulation prohibiting the location of an airport within one-half mile of a residential property, this regulation may limit the location of future airports in the county, but an airport that was in existence at the time the regulation was passed that violated the distance rule would be allowed to continue to operate as a pre-existing nonconforming use.

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**Source URL:** <https://www.ctas.tennessee.edu/eli/grandfathered-uses>