

ZONING ORDINANCE

**PARKERS
CROSSROADS
TENNESSEE**

NOVEMBER 16, 2004

ORDINANCE NO. .18

AN ORDINANCE TO ESTABLISH A MUNICIPAL ZONING ORDINANCE FOR THE CITY OF PARKERS CROSSROADS, TENNESSEE

WHEREAS, Section 13-7-201 through 13-7-210 of the Tennessee Code Annotated empowers the City to enact a zoning ordinance and provide for its administration, enforcement and amendment, and

WHEREAS, the Mayor and City Commission deems it necessary for the purpose of promoting the health, safety, morals or general welfare of the City to enact such an ordinance, and

WHEREAS, the Mayor and City Commissioners pursuant to the provisions of Section 13-4-101 of the Tennessee Code Annotated, has appointed a Planning Commission to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein, and

WHEREAS, the Planning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote the health and general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements, and

WHEREAS, the Planning Commission has given reasonable consideration among other things, to the character of the districts and their peculiar suitability for particular uses, with a view of conserving the value of buildings and encouraging the most appropriate uses for the land throughout the municipality, and

WHEREAS, THE Mayor and City Commissioners has given due public notice of hearings related to zoning districts, regulations and restrictions, and has held public hearings, and

WHEREAS, all the requirements of Sections 13-7-201 through 13-7-210 of the Tennessee Code Annotated, with regard to the preparation of the report of the Planning Commission, and subsequent action of the Mayor and City Commissioners have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PARKERS CROSSROADS, TENNESSEE AS FOLLOWS:

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ARTICLE 1

TITLE, INTENT AND PURPOSE

1.1 Title

1.1.1 Long Title

An ordinance, in pursuance of the authority granted by the Sections 13-7-201 through 13-7-210, Tennessee Code Annotated, to provide for the establishment of districts within the corporate limits of the City of Parkers Crossroads, Tennessee: to regulate within such districts the location, height, bulk, number of stories and size of buildings and other structures, the size of open spaces, the density of population, and the uses of land, buildings and other structures, for trade, industry, residence, recreation, public activities and similar purposes; to provide regulations governing nonconforming uses and structures; to provide for a Board of Appeals and for its powers and duties; to provide for permits; to establish, and provide for the collection of fees; to provide for the administration of this Ordinance and for the official whose duty it shall be to enforce the provisions thereof; to provide penalties for the violation of this Ordinance; and to provide for conflicts with other ordinances or regulations.

1.1.2 Short Title

This Ordinance may be cited as the Zoning Ordinance of Parkers Crossroads, Tennessee. The map portion may be cited separately as the Zoning Map of Parkers Crossroads, Tennessee.

ARTICLE 2

ESTABLISHMENT OF DISTRICTS AND OFFICIAL ZONING MAP

2.1 Establishment of Districts

In order to implement all purposes and provisions of the Ordinance, the lands within the corporate limits of the City of Parker's Crossroads, Tennessee, are divided into districts designated as follows:

2.1.1 R-1 Residential District

2.1.2 C-1 General Commercial district

2.2 Provisions for Official Zoning Map

2.2.1 Incorporation of Map

The boundaries of districts established by this Ordinance are shown on the official zoning map which is hereby incorporated into the provisions of this ordinance. The zoning map in its entirety including all amendments shall be as much a part of this ordinance as is fully set forth and described herein.

2.2.2 Identification of the Official Zoning Map

The Official Zoning Map shall be identified by the signature of the Mayor attested by the City Recorder together with the date of the adopting of the Ordinance.

ARTICLE 3

GENERAL PROVISIONS AND PARKING REQUIREMENTS

3.1 General Provisions

For the purpose of this Ordinance, there shall be certain general provisions which shall apply to the city as a whole

3.1.1 Zoning Affects Every Building and Use

No building or land shall hereafter be used and no building or part thereof shall be erected, moved or altered unless for a use expressly permitted by and in conformity with the regulations herein specified for the district in which it is located, except as hereinafter provided.

3.1.2 Continuance of Nonconforming Uses and Structures

It is the intent of this Ordinance to recognize that the elimination as expeditiously as is reasonable, of the existing building, structures, or uses that are not in conformity with the provisions of this Ordinance is as much a subject of health, safety, and welfare as is the prevention of the establishment of new uses that would violate the provisions of this Ordinance. It is also the intent of this Ordinance to administer the elimination of nonconforming uses", buildings and structures so as to avoid an unreasonable invasion of established private property rights. Lawful nonconforming uses, buildings and structures existing at the time of the passage of this Ordinance or any amendment thereto shall be allowed to remain subject to the following provisions.

- (a) An existing nonconforming use of a building may be changed to a conforming use or to another nonconforming use of the same classification; provided; however, that establishment of another nonconforming use of same classification shall be subject to the written approval of the Board of Zoning Appeals and subject to such conditions as the Board of Zoning Appeals may require in order to protect the area.

- (b) No existing non-conforming use or structure shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except as herein provided.

Non-conforming, commercial, business, and industrial uses created after the passage of Tennessee Acts of 1973, Chapter 279.1 shall be allowed to expand operations and reconstruct facilities which involve an actual continuance and expansion of activities of the business which were permitted and being conducted prior to the change in zoning, provided that there is a reasonable amount of space for such expansion on the property owned by such business and that any construction, improvements or reconstruction shall be in conformance with the district requirements in which it is located.

- (c) Except as provided in Chapter 279.1 of the 1973 Tennessee Acts.
1. A non-conforming use of land shall be restricted to the area occupied by such at the effective date of this ordinance.
A non-conforming use of a building or buildings shall not be enlarged to either additional land or buildings after the effective date of this ordinance.
 2. When non-conforming use of any building or land has ceased for a period of six (6) months, it shall not be re-established or changed to any other non-conforming use.
 3. Any non-conforming building or non-conforming use, which is damaged by fire, flood, wind or other act of God or man, may be reconstructed and used as before if it is done within twelve (12) months of such damage, unless damaged to the extent of more than sixty (60) percent of its fair sales value immediately prior to damage, in which case any repair or reconstruction shall be in conformity with the provisions of this Ordinance. However, non-conforming residential structures, including mobile homes, shall be replaced if damaged or destroyed, provided the structure is replaced within twelve (12) months,,

4. A non-conforming building or buildings housing a non-conforming use shall not be structurally altered except in conformance with the provisions of this ordinance. This provision shall not be construed to prevent normal maintenance and repairs or alterations required for structural safety.

3.1.3 Minimum Required Street Frontage

No structure shall be erected on a lot which does not abut at least one public street.

3.1.4 Reduction in Lot Area Prohibited

No lot even though it may consist of one or more adjacent lots of record shall be reduced in area so that yard requirements, lot area, per family, lot width, building area, or other requirements of this Ordinance are not maintained. This section shall not apply when a portion of a lot is required for a public purpose.

3.1.5 Lots of Record

Where the owner of a lot of official record at the time of the adoption of this Ordinance does not own sufficient land to enable him to conform to the yard or other requirements of this ordinance, an application may be submitted to the Board of Zoning Appeals for a variance from the terms of this ordinance. Permission to use such lot as a building site may be granted, however, providing that the yards and other requirements of the district are; complied with as closely as is possible in the opinion of the Board of Zoning Appeals. Where two or more substandard lots of record with a continuous frontage are under the same ownership, such lots shall be combined to form one or more building sites meeting the minimum requirements of the district in which they are located.

3.2 Off-Street Parking

3.2.1. General Provisions

In all districts, when any building or structure is constructed or at the time any main building or structure is enlarged or increased in capacity by additional dwelling units, guest rooms, seats or floor area, or before conversion from one zoning

use or occupancy to another, permanent off-street parking shall be provided of at least two hundred (200) square feet per space with vehicular access to a street or alley as set forth below. The city reserves the right to control ingress and egress over private right-of-way. Off-street parking space shall be deemed to be required open space associated with the permitted uses, and shall not hereafter be reduced or encroached upon in any manner.

- (a) Dwelling: Not less than two (2) spaces per dwelling unit.
- (b) Boarding Houses, Rooming Houses: One (1) space per dwelling unit.
- (c) Hotel, Motel and Tourist Courts: One (1) space for each unit in a building.
- (d) Public Buildings: One (1) space for each 200 square feet of total floor area of all floors in the building except basement.
- (e) Office Buildings: One (1) space for each 300 square feet of total floor area of all floors in the building.
- (f) Retail Sales and Services: One (1) space for each 300 square feet of store sales area.
- (g) Theaters, Auditoriums, Churches or Other Places of Assembly: One (1) space for each 5 seats provided in such place of assembly.
- (h) Clinic or Medical Office: Five (5) patient parking spaces per doctor, plus two (2) for each three employees plus one (1) per staff doctor.
- (i) Other: For buildings and uses not listed, the off street parking requirement shall be determined by the Board of Zoning Appeals.

3.3 Signs

- 3.3.1. Signs shall be regulated within the Town of Parkers Crossroads as set forth below.

Within Residential Districts signs shall be limited to:

1. real estate signs of a maximum of six (6) square feet.
2. home occupation signs of a maximum size of four (4) square feet. •
3. There shall be no illuminated signs.

Within Commercial Districts, signs shall be limited to:

1. On-site signs either free standing or attached to the structure. Such signs shall not exceed a size of one square foot for each foot of road frontage.
2. Off-site signs shall be allowed advertising products or establishments not on the affected lot. Such signs shall not exceed 650 sq. ft. nor be higher than 70 feet.

ARTICLE 4

DEFINITIONS

Definitions

Except as specifically defined herein all words used in this Ordinance have their customary dictionary definitions where not consistent with the context of the Ordinance. The term "shall" is mandatory. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the word "building" shall include the word "structure". In case of conflict between Building Code or dictionary definitions with the definitions contained in this ordinance, the definition herein shall prevail.

Accessory building and use;. A detached building or use subordinate to the principal building or use on the same lot and serving a purpose naturally and normally incidental to the principal building or use.

Amusement; An establishment which provides: arcade type entertainments including such items as pinball machines, video games and pool tables; miniature golf; or other amusement.

Boarding House or Rooming House; A building in which lodging and/or meals are provided for compensation for two or more persons for a prearranged time period.

Building: Any structure designed or built for the support, enclosure, shelter or protection of persons, animals, chattels or property.

Cultural Activity: Any institution concerned with the appreciation of nature and the humanities.

Dwelling: Any building or portion thereof which is designed for or used for human residential habitation. For the purpose of this Ordinance, the term "dwelling" shall not include boarding or rooming houses, motels, hotels, or other structures designed for transient residence.

Educational Services: Established schools including primarily secondary, universities, colleges, junior colleges and various private facilities.

Essential Services: The erection, construction, alteration, or maintenance by public utilities or municipal departments, or commissions.

Finance, Insurance and Real Estate Services: Those establishments which provide banking or bank related functions and insurance and real estate brokers.

Governmental Agency: An agency of the Federal, State, or the Local Government or any combination thereof.

Institution: A building occupied or operated by a non-profit society, corporation, individual foundation or governmental agency for the purpose of providing charitable, social, educational or similar services of a charitable character to the public.

Lot: A legally recorded parcel of land.

Lot of Record: A parcel, legally recorded in the Office of the Henderson County Register of Deeds at the date of the adoption of this ordinance.

Medical Services: Those establishments which provide aid or merchandise relating to or concerned with the practice of medicine; excluding sanitariums, convalescent and rest home services.

Non-conforming Use; Any use of building or premises which lawfully existed prior to the adoption of, or amendment of this Ordinance, but which no longer complies with the use regulations of the district in which it is located.

Personal Services: Establishments which provide services to persons or households, crematory services and cemeteries.

Principal Building: A building in which is conducted the primary use of the lot on which it is located.

Principal Use: The specific primary purpose for which land or a building is used.

Professional Services: Those services normally provided by the established profession.

Public Assembly Facility: Institutions or installations where community activities are typically performed.

Public Uses: Facilities such as, but not limited to, parks, schools, and offices owned and operated by governmental bodies.

Public Utility: Any plant or equipment for the conveyance of telephone messages or for the production, transmission, delivery or furnishing of heat, chilled air, chilled water, light, power or water, or sewage facilities, either directly or indirectly to of for the public.

Repair Services: Those establishments which fix, mend, or overhaul merchandise for households or businesses, not to include automobile body shops.

Retail Trade: Those establishments engaged in selling merchandise for personal or household consumption and rendering services incidental to the sale of goods.

Veterinary Hospital or Clinic: Any establishment maintained and operated by a licensed veterinarian for the surgery, diagnosis and treatment of diseases or injuries of animals. Such an establishment may include accessory boarding facilities provided they are located within a building.

Warehouse: A structure used exclusively for the storage of merchandise or commodities.

Zoning Districts: Any section of the City for which the zoning regulations, governing the use of buildings and premises, the height of buildings, the size of the yards and the intensity of use are uniform.

ARTICLE 5

RESIDENTIAL DISTRICT PROVISIONS

R-1 Residential District (Low Density)

Within the areas designated R-1 (Low Density) in the Zoning Map of the City of Parkers Crossroads, Tennessee, the following provisions shall apply:

5.1.1 Uses Permitted

- (a) Single-family dwellings
- (b) Accessory buildings customarily incidental to the permitted use.
- (c) Signs
- (d) Home occupations

5.1.2 Special Exceptions

The following uses are permitted on approval by the Board of Zoning Appeals upon review of the criteria established herein:

(a) Uses Permitted

- 1. Public uses, including but not limited to municipal, state or federal uses such as schools, museums, office buildings, utilities.
- 2. Churches
- 3. Private or parochial schools
- 4. Accessory buildings customarily incidental to the permitted use.

5.1.3 Minimum Area Requirements

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

(a) Minimum Required Lot Area

- (1) Dwellings 20,000 sq. ft.

- | | | |
|-----|------------|-----------------------------------------------------------------------------|
| (2) | Churches | 1 acre or 200 sq. ft. of lot area per auditorium seat, whichever is greater |
| (3) | Schools | 4 acres plus one (1) acre for each 100 students. |
| (4) | Other Uses | As required by the Board of Zoning Appeals |
- (b) Minimum Required Lot Width at the Building Line.
- | | | |
|-----|------------|---------------------------------------------|
| (1) | Dwellings | 100 feet 200 feet |
| (2) | Churches | As required by the Board of Zoning Appeals. |
| (3) | Other Uses | As required by the Board of Zoning Appeals. |
- (c) Minimum Required Front Yard
- | | | |
|-----|------------|------------------------------------------------------------|
| (1) | Dwellings | 40 feet |
| (2) | Churches | 50 feet |
| (3) | Other Uses | 50 feet or more as required by the Board of Zoning Appeals |
- (d) Minimum Required Rear Yard
- | | | |
|-----|------------|------------------------------------------------------------|
| (1) | Dwellings | 30 feet |
| (2) | Churches | 40 feet |
| (3) | Other Uses | 25 feet or more as required by the Board of Zoning Appeals |
- (e) Minimum Required Side; Yard on Each Side of Lot
- | | | |
|-----|-----------|-----------------|
| (1) | Dwellings | 20 feet 30 feet |
| (2) | Churches | |

- (3) Other Uses 20 feet or
more as required
by the Board of
Zoning Appeals

- (f) Minimum Required Side yard for Side Facing
Street on Corner Lots - 40 feet

- (g) Maximum Lot Coverage by all Buildings
 - (1) Dwellings and accessory 35%
 - (2) Churches 40%
 - (3) Other Uses 50% or less as
required by the
Board of Zoning
Appeals

- (h) Maximum permitted height of structures.
 - (1) No building shall exceed three (3) stories
or thirty-five (35) feet in height.
 - (2) On a lot less than fifty (50) feet in
width at the building line no building
shall exceed one and one-half (1 1/2)
stories or twenty-five (25) feet in
height.
 - (3) No accessory building shall exceed two
(2) stories in height.
 - (4) 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 ten (10) feet from the nearest property
lines

R-2 Residential District (Medium Density) Provisions

Within the areas designated R-2 (Medium Density) in the Zoning Map of the City of Parkers Crossroads, Tennessee, the following provisions shall apply:

5.2.1 Uses Permitted

- (a) Single and multiple family dwellings and apartments, not to include single wide mobile homes on single lots.
- (b) Accessory buildings customarily incidental to permitted uses.
- (c) Signs
- (d) Home Occupations

5.2.2. Special Exceptions

The following uses are permitted on approval by the Board of Zoning Appeals upon review of the criteria established herein:

(a) Uses Permitted

1. Public uses, including but not limited to municipal, state or federal uses such as schools, museums, office buildings, utilities.
2. Churches
3. Private or parochial schools
4. Accessory buildings customarily incidental to the permitted use.

5.2.2 Minimum Area Requirements

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

(a) Minimum Required Lot Area

- (1)** Single and Multiple family dwellings: 6,000 sq. ft. for the first dwelling unit plus 3,000 square feet for each additional dwelling unit
- (2)** Churches 1 acre or 200 square feet of lot area per auditorium seat, whichever is greater
- (3)** Schools 4 acres plus one (1) acre for each 100 students.

- (4) Other Uses As required by the Board of Zoning Appeals
- (b) Minimum Required Lot Width at the Building Line.
 - (1) Dwellings 30 feet
 - (2) Churches 200 feet
 - (3) Other Uses As required by the Board of Zoning Appeals
- (c) Minimum Required Front Yard
 - (1) Dwellings 30 feet
 - (2) Churches 50 feet
 - (4) Other Uses 50 feet or more as required by the Board of the Zoning Appeals
- (d) Minimum Required Rear Yard
 - (1) Dwellings 20 feet
 - (2) Churches 40 feet
 - (3) Other Uses 25 feet or more required by the Board of Zoning Appeals
- (e) Minimum Required Side Yard on Each Side of Lot
 - (1) Dwellings 10 feet
 - (2) Churches 30 feet
 - (3) Other Uses 20 feet or more as required by the Board of Zoning Appeals
- (f) Minimum Required Side yard for Side Facing Street on Corner Lots:
30 feet
- (g) Maximum Lot Coverage by all Buildings
 - (1) Dwellings and accessory 35%
 - (2) Churches 40%

(3) Other Uses 50% or less as required by the Board of Zoning Appeals

(h) Maximum permitted height of structures

- (1) No building shall exceed three (3) stories or thirty five (35) feet in height
- (2) On a lot less than fifty (50) feet in width at the building line no building shall exceed one and one-half (1 1/2) stories or twenty-five feet in height.
- (3) No accessory building shall exceed two (2) stories in height
- (4) 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 ten (10) feet from the nearest property lines.

ARTICLE 6 COMMERCIAL

DISTRICT PROVISIONS

6.1 C-1 General Commercial. The C-1 (General Commercial) District shall be considered a general highway oriented commercial-service oriented district. Within the areas designed C-1 (General Commercial) on the Zoning Map of the City of Parkers Crossroads, Tennessee, the following provisions shall apply:

6.1.1 Uses Permitted

- (a) Retail trade
- (b) Wholesale trade
- (c) Services
- (d) Amusements
- (e) Recreational activities
- (f) Transient lodging
 - 1. hotels
 - 2. tourists courts
 - 3. motels
- (g) Group Quarters
- (h) Public uses, including but not limited to municipal, state,, or federal uses such as schools, museums, office buildings and utilities.
- (i) Public Assembly - Limited to motion picture theaters
- (j) Accessory buildings customarily incidental to the permitted use.
- (k) Signs and ^Billboards

6.1.2 Special Exceptions

Similar but not listed uses are permitted on appeal by the Board of Zoning Appeals.

Minimum Area Requirements

- (a) Minimum Required Lot Area None
- (b) Minimum Required Lot Width at the Building Line
 - (1) Gasoline Service Stations 120 feet
 - (2) Churches 100 feet
 - (3) Other Uses No minimum requirement
- (c) Minimum Required Front Yard
 - (1) All Uses 30 feet
- (d) Minimum Required Rear yard
 - (1) All Uses 15 feet
- (e) Minimum Required Side yard on Each Side of Lot
 - (1) Churches 25 feet
 - (2) Other Uses None required, However, if buildings do not have common or adjoining walls, there shall be a side yard of at least 10 feet
 - (3) On lots adjacent to a residential district, all buildings shall be located so as to comply with the side yard requirement of the adjacent residential district on the side adjacent to the residential district.
- (f) Minimum Required Side Yard for Side Facing Street on Corner Lots 30 feet
- (g) Installations essential to the business operation may be required to set back a greater distance from the street or alley so that any service rendered by the business will not obstruct any public way. This determination is to be made by the building inspector.

(h) Maximum permitted height of structures.

- (1) No building shall exceed three (3) stories or thirty-five (35) feet in height.
- (2) On a lot less than fifty (50) feet in width at the building line no building shall exceed one and one-half (1 1/2) stories or twenty-five (25) feet in height.
- (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.

ARTICLE 7

A-0 (AGRICULTURE-OPEN SPACE DISTRICT) PROVISIONS

7.1. A-0 (Agriculture-Open Space) District

7.1.1 District Description

This district is intended to preserve space for agriculture and forestry uses. The primary intent of the A-0 District is:

1. to preserve open space for agriculture/forestry activities and various nonfarm activities;
2. to permit land best suited for intense agricultural uses to be preserved for these purposes;
3. and to prevent lands currently unsuitable or development of and urban and nonrural nature, due to topographic problems, location, or the inability to provide necessary urban services, from being prematurely developed.

The following regulations shall apply in the A-0 District as defined on the Official Zoning Map of the City of Parkers Crossroads.

7.1.2 Uses Permitted

In the A-0 District, the following uses and their accessory uses are permitted:

1. Agriculture and forestry uses and their accessory structures.
2. Detached single family homes, duplexes, and mobile homes.
3. Signs and billboards.
4. Public or private schools.
5. Churches.
6. Golf courses, country clubs, or golf driving ranges
7. Parks, playgrounds, swimming pools, campgrounds, athletic fields, and other recreational uses.
8. Utility facilities necessary for the provision of public services
9. One roadside stand for the sale of agricultural or forestry products produced on the premises.

7.1.3 Uses Permitted on Appeal

In the A-0 District, the Parkers Crossroad's Board of Zoning Appeals may permit the following uses and their accessory uses subject to review and approval.

1. Airports and medical facilities.

2. Commercial livestock feeding and sales yards, the raising of fur bearing animals, fish hatcheries, livery or boarding stables, riding stables and kennels.
3. Travel trailer parks.
4. Subsurface extraction of natural mineral resources.
5. Mobile home parks
6. Cemeteries

7.1.4. Uses Prohibited

In the A-0 District, all uses except those uses or their accessory uses or specifically permitted or permitted on appeal.

7.1.5. Minimum Area Requirements

All uses permitted in the A-0 District shall comply with the following requirements:

1. Front Yard

The minimum depth of the front yard shall be fifty (50) feet on all county, state and Federal highways. All planned subdivisions shall have a minimum of thirty (30) feet.

2. Rear Yard

The minimum depth of the rear yard shall be thirty-five (35) feet on all county, state and Federal highways. All planned subdivisions shall have a minimum of thirty (30) feet.

3. Side Yard

The side yard shall be a minimum of twenty (20) feet for a single story structure, plus an additional five (5) feet for each additional story.

4. Land Area

No farm, ranch, or other parcel of land shall be reduced in area to provide separate lots or building sites of less than one acre in area. All lots or building sites must be on public streets.

5. Maximum Lot Coverage

Permitted structures, both principal and accessory, shall cover no more than twenty (20) percent of total land area.

Lot Width

No lot shall be less than one hundred twenty five feet (125) at the building setback line.

Height Requirements

No building shall exceed three (3) stories or fifty (50) feet in height. Free standing poles, towers, antennae, and similar structures not designed for human occupancy may exceed the height provisions hereof provided they comply with all other codes and ordinances and provided that they are located a distance equal to their own height plus ten (10) feet from the nearest property line.

ARTICLE 8

LIGHT INDUSTRIAL DISTRICT PROVISIONS

(LI)

8.1 Light Industrial District. This district is designed for a wide range of industrial and related uses, which conform to a high level of performance standards, Industrial establishments of this type, within completely enclosed buildings, provide a buffer between Commercial Districts and other industrial uses, which involve more objectionable influences. New residential development is excluded from this district, both to protect residences from an undesirable environment and to ensure the reservation of adequate areas for industrial development. Community facilities which provide needed services to industrial development are permitted.

8.1.1 Uses Permitted.

- (1) Apparel and other finished products made from fabrics, leather, and similar materials manufacturing.
- (2) Food and kindred manufacturing except meat products.
- (3) Textile mill products manufacturing except dyeing and finishing of textiles.
- (4) Furniture and fixtures manufacturing.
- (5) Professional, scientific, and controlling instrument; photographic and optical goods, watches and clocks manufacturing,
- (6) All types of wholesale trade.
- (7) Office functions only where it is directly related to the industrial establishment in which it is located.
- (8) Airports

8.1.2 Uses Permissible on Appeal. In the Light Industrial District, the following uses and their accessory uses may be permitted as special exceptions after review and approval,

- (A) Similar but not listed uses permitted on appeal by the Board of Zoning Appeals.

8.1.4 Uses Prohibited

8.1.4 (a) The Board of Zoning Appeals shall specifically not have the authority to pen-nit any use which would cause injurious, obnoxious noise, vibrations, smoke, gas fumes, odors, dust or objectionable conditions.

8.1.5 Required Yards

All buildings and structures shall be located so as to comply with the following:

- 8.1.5(a) Minimum depth of front yard.....30 ft.
- Minimum depth of rear yard.....20 ft.
- Minimum depth of each side yard.....10 ft.

8.1.5(b) On lots adjoining a residential district all buildings shall be located so as to comply with the side yard requirements of such residential district,

8.1.6 Landscaped Treatment.

8.1.6(a) Each site shall be developed with ten percent (10%) of its area landscaped. Along the street property line a strip of landscaped ground of a minimum width of 10 feet exclusive of drives and walks shall be provided and maintained,

8.1.6(b) Landscape treatment shall not interfere with sight line requirements, nor obstruct needed views of buildings or their means of identification. All landscape should be designed for minimum maintenance; in an area difficult to maintain, paving or terracing may be used as a part of the landscape treatment,

8.1.7 Parking Space Requirement.

8.1.7 (a) Parking requirements shall conform to standards set forth in Article 3.2 Off-Street Parking

8.1.8 Signs

8.1.8 (a) Signage requirement shall conform to standards set forth in Article 3. 3 Signs

ARTICLE 9

ADMINISTRATION AND ENFORCEMENT

7 .1 Enforcing Officer.. The provisions of this ordinance shall be enforced by the City Manager or his designee who shall have the, power to make; inspection of buildings of premises necessary to carry out his duties in the enforcement of this ordinance.

7 .2 Building Permits and Certificates of Occupancy^

7.2.1 Building Permit Required. It shall be unlawful to commence the excavation for the construction of any building, including accessory buildings, or to commence the moving or alteration of any building, including accessory buildings, until the City Manager or his designee has issued a building permit for such work.

7.2.2 Issuance of Building Permit. In applying to the City Manager for a building permit, the applicant shall submit a dimensional sketch or a scale plan indicating the shape, size, height and location on the lot of all buildings to be erected, altered or moved and of any building already on the lot. He shall also state the existing and intended use of all such buildings and supply such other information for determining whether the provisions of this ordinance are being observed. If the proposed excavation or construction as set forth in the application is in conformity with the provisions of this ordinance and other ordinances of the City of Parkers Crossroads, Tennessee, then in force, the City Manager or his designee shall issue a building permit for such excavation or construction. If a building permit is refused, the City Manager or his designee shall state such refusal in writing with the cause.

(a) The issuance of a permit shall in no case be construed as waiving any provision of this ordinance.

(b) A building permit shall become void six (6) months from the date of issuance unless substantial progress has been made by that date on the project described herein.

7.2.3 Certificate of Occupancy. No land or building or part thereof hereafter erected or altered in its use of structure shall be used until the City Manager or his designee shall have issued a certification of occupancy stating that such land, building or part thereof and the proposed use thereof are found to be in conformity with the provisions of this ordinance. Within three (3) days after notification that a building or premises or part thereof is ready for occupancy or use, it shall be the duty of the City Manager or his designee to make final inspection thereof and to issue a certification of occupancy if the land, building or part thereof and the proposed use thereof are found to conform with the provisions of this ordinance, or, if such certificate is refused, to state such refusal in writing with the cause.

7.2.4 Records. A complete record of such application, sketches, and plans shall be maintained in the office of the City Manager.

7.2.5 Permit Fee. A fee will be charged for issuance of a building permit.

Penalties. Any person violating any provisions of this ordinance shall be guilty of a misdemeanor and shall be punished as provided by law. Each day such violation shall continue shall constitute a separate offense.

Remedies. In case any building or structure is erected, constructed, reconstructed, repaired, converted, or maintained or any building, structure, or land is used in the violation of this ordinance, the City Manager or any other appropriate authority, or any adjacent or neighboring property owner who would be damaged by such violation, in addition to other remedies may institute injunction, mandamus, or other appropriate action in proceeding to prevent the occupancy or use of such building, structure or land.

ARTICLE 10

BOARD OF ZONING APPEALS

8.1 Board of Zoning Appeals Organization. The Board of Zoning Appeals shall consist of three (3) members to be appointed by the Mayor of Parkers Crossroads - and confirmed by a majority vote by the City Commission, all of whom shall serve without pay. The term of office of the said three (3) members shall be of such length and so arranged that the term of one (1) member shall expire each year. Vacancies shall be filled for any unexpired term by appointment by the Mayor and confirmed by the remainder of the City Commission.

8.2 Procedure for Meetings. Meetings of the Board of Zoning Appeals shall be held at the call of the Chairman, and at such times as the board may determine. All meetings of the Board shall be open to the public. The Board shall adopt rules of procedure and shall keep records of applications and action thereon, which shall be a public record. Upon appointment, and annually, the Board of Zoning Appeals shall meet and organize and shall elect its own chairman who shall serve one year or until his successor duly qualifies.

Two (2) members of the board shall constitute a quorum.

The concurring vote of two (2) members of the Board shall be necessary to reverse any order, requirement, decision or determination of such administration official or to decide in favor of the applicant on any matter on which it is required to pass under this Ordinance or to effect any variance in such ordinance. The chief building inspector, city engineer and planner, when requested' to do so by the Chairman of the Board, shall attend such meetings of the Board and shall bring all plans, specifications, plats and papers relating to any case before the Board of Appeals.

8.3 Procedure for Appeals. An appeal to the Board of Zoning Appeals may be taken by any person, firm, or corporation aggrieved, or by any governmental officer, department, board or bureau.

Such appeals may be taken by filing with the Parkers Crossroads Board of Zoning Appeals or their designate a notice of appeals, specifying the grounds thereof.

The Board shall give due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any person or party shall appear in person or by agent or by attorney.

8.4 Powers of Board of Zoning Appeals

8.4.1 To hear and decide appeals where it is alleged there is error of law in any order, requirement, decision, or determination made by an administrative officials in the enforcement of this Ordinance.

8.4.2 Instances Where an Exception Can be Granted

- (a) Permit the extension of a district for a distance of not more than twenty-five (25) feet where the boundary line of a district divides a lot or tract held in a single ownership at the time of the passage of this Ordinance.
- (b) Interpret the provisions of this Ordinance in such a way as to carry out the intent and purpose of the Land Use Plan.
- (c) Permit special exceptions as provided for within this Ordinance.
- (d) Permit the reconstruction of a nonconforming building which has been damaged by explosion, fire, act of God, or a vandal, to the extent of not more than sixty (60) percent of its fair market value, and where the Board finds some compelling necessity requiring a continuance of the non-conforming use.

8.4.3. Variance. To hear and decide applications for variance from the terms of this ordinance, but only where by reason of exceptional narrowness, shallowness or shape of a specific piece of property which at the time of the adoption of the Ordinance was a lot of record; or where, by reason of exceptional topographic conditions or other extraordinary or exceptional situation or conditions of a piece of property the strict application of the provisions of the Ordinance would result in exceptional and undue hardship upon the owner of such property, provided that such relief may be granted without the substantial detriment to the public good and without substantially

impairing the intent and purpose of this ordinance. Financial disadvantage to the property owner is no proof of hardship within the purpose of zoning.

In considering all appeals and all proposed exceptions or variations to this Ordinance, the Board shall, before making any exceptions or variation from the Ordinance in a specific case, first determine that it will not impair an adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Parkers Crossroads.

8.5 Fees

Appeals to the Board of Zoning Appeals must be accompanied by the appropriate fee which shall be set by the Mayor and City Commissioners. Said fee will be used to defray the cost incurred by the city in consideration in this matter.

ARTICLE 11

AMENDMENTS

General

The City Commission may, from time to time, amend this ordinance by changing the boundaries of districts or by changing any other provisions whenever it is alleged that there was an error in the original zoning ordinance or whenever the public necessity convenience and general welfare require such amendment.

Initiation of Amendment

Amendments may be initiated by the City Commission, the Planning Commission or by an application of one or more owners or agents of property affected by the proposed amendment.

9.3 Application for Amendment - Fee

An application by an individual for an amendment shall be accompanied by a fee as set by the Mayor and City Commissioners of the City of Parkers Crossroads, and shall also be accompanied by maps, drawing, and data necessary to demonstrate that the proposed amendment is in general conformance with the general plan of the area.

9.4 Review and Recommendation by the Planning Commission

The Planning Commission shall review and make recommendation to the City Commission on all proposed amendments to this Ordinance.

9.5 Public Hearing and Notice of Hearing

A public hearing shall be held on all proposed amendments to this ordinance prior to the final reading by the City Commission.

Amendments Affecting Zoning Map

Upon enactment of an amendment to the zoning map which is part of this ordinance, the Building Inspector shall cause such amendment to be placed upon the zoning map noting thereon the ordinance number and effective date of such amendatory ordinance.

ARTICLE 12

LEGAL STATUS PROVISIONS

10.1 Interpretation

In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, morals and welfare.

10.2 Relationship to Other Laws and Private Restrictions

10.2.1 Where the conditions imposed by any provisions of this ordinance upon the use of land or buildings or upon the height or bulk of buildings are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this ordinance or of any other law, resolution, ordinance, rule or regulation of any kind, the regulations which are more restrictive shall apply.

10.2.2 This ordinance is not intended to abrogate any easement, covenant, or any other private agreement provided that where the regulations of this ordinance are more restrictive (or impose higher standards or requirements) than such easements, covenants, or other private agreements, the requirements of this ordinance shall govern.

10.3 Ordinance Provisions Do Not Constitute Permit

Nothing contained in this ordinance shall be deemed to be a consent, license or permit to use any property or to locate, construct, or maintain any building, structure, or facility or to carry on any trade, industry, occupation or activity.

10.4 Separability

It is hereby declared to be the intention of the City of Parkers Crossroads, Tennessee, that the several provisions of this ordinance are separable in accordance with the following:

- 10.4.1 If any court of competent, jurisdiction shall adjudge any provision of this Ordinance to be invalid, such judgment shall not affect any other provision of this Ordinance not specifically included in said judgment.
- 10.4.2 If any court of competent jurisdiction shall adjudge invalid the application of any provision of this ordinance to a particular property, building or other structure, such judgment shall not affect the application of said provisions to any other property, building or structure riot specifically included in said judgment.

10.5 Application of Regulation

No building or other structure shall be constructed, erected, placed or maintained and no land use commenced within the City except as specifically or by necessary implication, authorized by this ordinance. Special exception uses are allowed only on permit granted by the Board of Zoning Appeals. Where a lot is devoted to a permitted principal use, customary accessory uses and structure are authorized except as prohibited specifically or by necessary implication.

10.6 Scope of Regulation

10.6.1 New Uses, Lots, Buildings or Other Structures

Upon the effective date of this ordinance, any new building or other structure or any tract of land shall be used, constructed, or developed only in accordance with the use, bulk, and all other applicable provisions of this Ordinance.

10.6.2 Existing Uses, Lots, Building or Other Structures

Any existing use, lot, parcel, building or structure legally established prior to the effective date of this Ordinance which does not comply with the provisions shall be subject to the nonconforming use provisions of this Ordinance.

10.6.3 Alteration of Existing Buildings' and
Other
Structures

All structural alterations or relocation of existing buildings or structures occurring after the, effective date of this ordinance and all enlargements of or additions to existing uses occurring hereafter shall be subject to all regulations of this Ordinance which are applicable to the zoning districts in which such buildings, uses, or land shall be located.

10.7 Violation and Penalty

Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than fifty dollars (\$50.00). Each day's continuance of a violation shall be considered a separate offense. The owner of any buildings or premises or part thereof, where anything in violation of this ordinance shall be placed, or shall exist, and any persons who may have knowingly assisted in the commission of any such violation, shall be guilty of a separate offense.

10.8 Effective Date

This Ordinance shall be in force and effect from and after its passage on third and final reading and adoption, the public welfare requiring it.

10.8.1 Approved and certified by Planning Commission on November 5, 1987

10.8.2 Approved by the Mayor and City Commission on final reading of November 5, 1987