

**CITY OF
CHURCH HILL
TENNESSEE**

**ZONING
ORDINANCE**

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Questions concerning the exact locations of district boundaries shall be determined by the Board of Zoning Appeals. (Ord. No. 134, 05/03/1982).

- C. Where a district boundary divides a lot, as existing at the time this chapter takes effect, and the major portion of said lot is in the less restricted district, the regulations relative to that district may extend as well to such portion of said lot as is not more than twenty-five (25) feet within the more restricted district. (Ord. No. 134, 05/03/1982).

11-405. Application of regulations.

Section A. 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.

Section B. Street Frontage. No dwelling shall be erected on a lot which does not abut an existing city street for at least fifty (50) feet, except that lots fronting on cul-de-sacs may have a minimum road frontage of forty (40) feet if the lot is at least fifty (50) feet in width at the building line.

Section C. Corner Lots. The minimum width of a side yard along an intersecting street shall be 50 percent greater than the minimum side yard requirements of the district in which the lot is located.

Section D. One Principal Building on a Lot. Only one principal building and its customary accessory buildings may hereafter be erected on any lot.

Section E. Reduction of Lot Size. No lot shall be reduced in area so that yards, lot area per family, lot width, building area or other provisions of this chapter shall not be maintained.

Section F. Yard and Other Spaces. No part of a yard or other open space required about any building for the purpose of complying with the provisions of this chapter shall be included as a part of a yard or other open space required under this chapter for another building.

Section G. Conformity to Subdivision Regulations. No building permit shall be issued for nor shall any building be erected on any lot within the municipality, unless the street giving access to the lot upon which said building is proposed to be placed shall have been accepted or opened as a public street prior to that time or unless such street corresponds in its location and lines with a street shown on a subdivision plat approved by the Church Hill Regional Planning Commission.

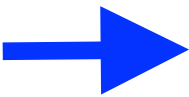
Section H. Height and Density. No building or structure shall hereafter be erected or altered so as to exceed the height limit, to accommodate or house a greater number of families, to have narrower or smaller front yards or side yards than are required or specified in the regulations herein for the district in which it is located.

Section I. Annexations. All territory which may hereafter be annexed to the City of Church Hill, Tennessee shall be considered to be in the R-1 Low Density Residential District until otherwise classified.

Section J. Private Subdivision Restrictions. No municipal regulation or provision of this zoning ordinance is intended to abrogate or supersede any more stringent conditions which may be contained

- (31) Preliminary Plan. Preliminary site plans shall contain the information as described for concept plans, as well as the following information: required setbacks; revision dates of plans (if applicable); sizes and locations of existing utilities; general sizes and locations of proposed utilities; dumpster/garbage collection area; paving material; and extent of proposed paving.
 - (32) Final Plan. Final site plans shall be drawn and stamped by an architect, engineer, surveyor licensed in the State of Tennessee and shall contain the information as described for preliminary plans, as well as the following information: property lines with accurate bearings and dimensions; drainage plans sufficient to meet the requirements of Chapter 3, Stormwater Management, Erosion and Sedimentation Control, of the Church Hill Municipal Code, (detailed on a separate sheet); locations of free-standing signs; accurate locations of proposed utilities and utility easements; note stating that exterior lights will be positioned or shielded in such a way that the minimum amount of light practicable spills onto adjacent properties and rights-of-way, or into the sky.
- b. Only the Church Hill Regional Planning Commission may amend a site plan which it has approved, except that amendments which fully meet the requirements of the Zoning Ordinance may be approved by the City Building Inspector and/or planning staff representative without further action by the Commission. If any question arises as to compliance, however, the plan shall be referred to the Planning Commission for action. Such amendments shall be of minor significance and shall generally relate to adjustments of previously approved plan features. Such amendments must meet the provisions of the Zoning Ordinance. Such amended plans shall also have written on them the exact changes made. Any plans that are amended through approval by the Building Inspector and/or the planning staff representative shall be presented to the Planning Commission at its next scheduled meeting and properly entered into the minutes.
3. Approval of a preliminary site plan shall be effective for a period of twenty-four (24) months, during which time a final plan shall be filed and approved. Approval of a final plan shall be effective for a period of twenty-four (24) months, after which time the Planning Commission may require submission of a new final site plan.

11-407. Provisions governing use districts




Section A. Low-Density Residential Districts (R-1). The intent of the Low Density Residential District (R-1) is to establish low density residential areas along with open areas which appear likely to develop in a similar manner. The requirements for the district are designed to protect essential characteristics of the district, to promote and encourage an environment for family life and to accommodate individual and family private living needs. In order to achieve this intent, the following principal, accessory, special exception and prohibited uses are established:

- (1) Principal uses:
 - (a) Single family detached dwellings;

- (b) Customary general farming ordinarily engaged in within eastern Hawkins County;
- (2) Accessory uses:
 - (a) One customary accessory building provided that it is located in the rear yard and not closer than five (5) feet to any property line. No principal or accessory structure, or combination thereof, shall cover more than thirty-five (35%) percent of any lot. If more restrictive conditions are contained in any deed or are imposed by any contractual arrangement in any subdivision, those more restrictive conditions shall take precedence.
- (3) Special exceptions, upon a finding by the Board of Zoning Appeals that the manner of use will be in harmony with the character of the district, will be substantially the same character of occupancy, and the intensity of land use is no higher and a standard of open space no lower than that permitted in the district generally:
 - (a) Customary home occupations accessory to a single-family residential dwelling provided that there is no external evidence of the occupation except an announcement sign not more than two (2) square feet in area; that only one person, not a resident of the dwelling is employed; and not more than 30 percent of the total floor area of the principal structure is so used;
 - (b) Commercial green houses, permanent commercial produce stands or similar agricultural uses of any kind accessory to customary general farming ordinarily engaged in within eastern Hawkins County;
 - (c) Publicly owned buildings and uses, schools offering general education, and churches and other semi-public uses provided that:
 - (I) The location of these uses shall first be reviewed and approved after having held a public hearing;
 - (ii) The buildings are placed not less than thirty (30) feet from the side and rear property lines;
 - (iii) There are buffer strips along side and rear property lines;
- (4) Prohibited uses:
 - (a) Residential other than single-family detached dwellings;
 - (b) Retail sales and services, wholesaling, offices, industrial and all other business uses than customary home occupations;
 - (c) Concentrated commercial farming activities not ordinarily engaged in within eastern Hawkins County. (Ord. No. 270, 01/17/1995)
 - (d) Communication facilities

11-408. Minimum Lot Sizes for R-1 through R-5. (Amended by Ord. No. 257, 02/15/1994 and Ord. No. 363, 03/2



District	Minimum Lot Area in sq. ft.	Minimum Area per Additional Housing Unit in sq. ft.	Maximum Number of Housing Units per Acre	Housing Units per Second Acre	Minimum Lot Width in feet at Building Setback Line	Minimum Front Setback in feet	Minimum Side Setback (each side) in feet#	Minimum Rear Setback in feet	Maximum Height of Structures in feet
R-1	12,000	N/A	3.6	3.6	80	30	15	25	35
R-2	10,000	5,990	6.6	7.3	70	30	10	20	35
R-3	10,000	3,900	9.6	11.2	70	30	8 per story	20	35
R-4	10,000	2,890	12.6	15.1	70	30	8 per story	20	35
R-5	10,000	2,890	12.6	15.1	70	30	8 per story	20	35
B-1	10,000*	2,890	12.6	15.1	70	30	10^	25	35
B-2	10,000*	2,890	12.6	15.1	70	30	10^	25	70
B-3	10,000*	2,890	12.6	15.1	70	30	10^	25	70
B-4	N/A	N/A	N/A	N/A		30	10	25	70
M-1	N/A	N/A	N/A	N/A		30	20	25	70

See 11-405, Section C. of the Zoning Ordinance

*Applies only to residential dwelling units

^For residential uses, side setbacks are 8 feet per story in B-1 through B-3 zones

11-409. Exceptions and modifications.

Section A. Lot of Record. Where the owner of a lot consisting of one or more adjacent lots of official record at the time of the adoption of this chapter does not own sufficient land to enable him to conform to the yard or other requirements of this chapter, an application may be submitted to the Board of Zoning Appeals for a variance from the terms of this chapter, in accordance with 11-411 Section (D)(3). Such lot may be used as a building site, provided, however, that the yard and other requirements of the district are complied with as close as is possible in the opinion of the Board of Zoning Appeals.

Section B. Front Yards. The front yard requirements of this chapter for dwellings shall not apply to any lot where the average depth of existing front yards on developed lots, located within one hundred (100) feet on each side of such lot and within the same block and zoning district and fronting on the same street as such lot, is less than the minimum required front yard depth. In such case, the minimum front yard shall be the average of the existing front yard depths on the developed lots.

Section C. Group Housing Project. In the case of a group housing project of two or more buildings to be constructed on a plot of ground of at least one acre not subdivided or where the existing or contemplated street and lot layouts make it impractical to apply the requirements of this chapter to the individual building units in such housing projects, the application of the terms of this chapter may be varied by the Board of Zoning Appeals in a manner that will be in harmony with the character of the neighborhood, will insure substantially the same character of occupancy and intensity of land use is no higher and a standard of open space no lower than that permitted by this chapter in the district in which the proposed project is to be located. However, in no case shall the Board of Zoning Appeals authorize a use prohibited in the district in which the project is to be located, or a