

CARROLL COUNTY LAKE

ZONING RESOLUTION

Adopted by the Carroll County Commission:
March 9, 2009

Updated to reflect amendments:
June 8, 2012,
April 26, 2013, &
May 12, 2015

Prepared by the Carroll County Lake Regional Planning
Commission:

Billy, Smith, Chairman

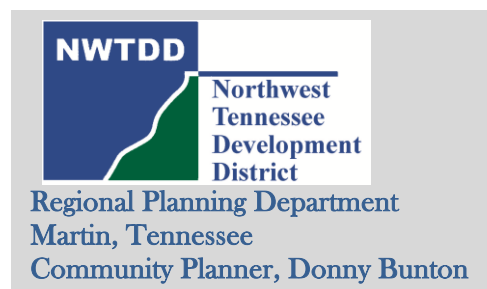
Billy Barksdale, Vice-Chairman

Betty Byars, Secretary

Tommy Surber

Brad Hurley

With assistance from the:



ADOPTED: MARCH 9, 2009

**UPDATED TO REFLECT AMENDMENTS: JUNE 8, 2012,
APRIL 26, 2013, & MAY 12, 2015**

**REGIONAL ZONING RESOLUTION FOR THE CARROLL COUNTY LAKE
PLANNING REGION, CARROLL COUNTY TENNESSEE**

A Resolution, in pursuance of the authority granted by Section 13-7-101, Tennessee Code Annotated, to provide for the establishment of districts in the territory lying within the Carroll County Lake Planning Region; to regulate within such districts the location, height, bulk, number of stories and size of buildings and other structures, the percentage of lot occupancy, required open spaces, the density of population, and the uses of land, buildings, and structures; to provide methods for the administration of this Resolution and to prescribe penalties for the violation thereof. The conditions prerequisite to adoption of this Resolution as described in Section 13-7-104, Tennessee Code Annotated, have been complied with.

BE IT RESOLVED BY THE CARROLL COUNTY COMMISSION, AS FOLLOWS:

Section 1 TITLE

This Resolution shall be known as the Carroll County Lake Zoning Resolution for the Carroll County Lake Planning Region. The map herein referred to which is identified by the title "Carroll County Lake Zoning Map for the Carroll County Lake Planning Region," dated March 9, 2009 and all explanatory matter thereon are hereby adopted and made a part of this Resolution.

Section 2 PURPOSE

The zoning regulations and districts as herein set forth have been made in accordance with a land use plan for the purpose of promoting the public health, safety, morals, and convenience, order, prosperity, and general welfare of the community. They have been designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements, to prevent the overcrowding of land, to avoid undue concentration of population, to lessen congestion in the streets, to secure safety from fire, panic, flood and other dangers. They have been made with reasonable consideration, among other things, as to the character of each district and its peculiar suitability for particular uses, and with a view of conserving the value of buildings and encouraging the most appropriate uses of land throughout the Region.

SECTION 3. ESTABLISHMENT OF DISTRICTS

3.1. For the purpose of this Resolution, the lands within the Carroll County Lake Planning Region are divided into three (3) classes of districts designated as follows:

L-1 Lake Low Density Residential / Commercial District

L-2 Lake Low – Medium Density Residential

FH Flood Hazard.

Note: the FH (Flood Hazard) zone is an overlay zone designating an area of special flood hazard and a regulatory floodway.

3.2. District Boundaries

A The boundaries of the districts designated in Section 3.1 are hereby established as shown on the map of the Carroll County Lake Planning Region and entitled "Carroll County Zoning Map for the Carroll County Lake Planning Region," dated November ??, 2008, which is on file in the office of the County Register of Deeds.

B Questions concerning the exact location of boundary lines shall be decided by the Board of Zoning Appeals.

SECTION 4. GENERAL PROVISIONS

For the purpose of this Resolution, there shall be certain general provisions which shall apply throughout the area of jurisdiction.

4.1. Definitions: In this Resolution words used in the present tense include the future, singular includes the plural, and plural the singular. The word "use" includes "design intended or arranged to be used." The word "shall" is mandatory, not directory. For the purpose of this Resolution, the following terms are defined as follows:

Accessory Structure: A subordinate building, the use of which is incidental to that of a principal building on the same lot.

Adult Oriented Businesses: A commercial enterprise that exploits sex in one for or another comprising a large variety of sexually oriented businesses including movie theaters, bookstores, video rental outlets, houses of prostitution, escort agencies, massage parlors and topless/bottomless bars. Adult oriented business also refers to the materials or services that these businesses market including movies, videos, photographs, books, magazines, sexual devices as well as nude or semi-nude dancing and massages. The following are further definitions of specific adult oriented businesses and related terms:

A. Adult Entertainment Establishments

1. Adult Arcade means an establishment where, for any form of consideration, one or more motion picture projectors, slide projectors or

similar machines, for viewing by five or fewer persons each are used to show films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by emphasis upon the depiction or description of "specified sexual activities" or "specified anatomical areas."

2. Adult Bookstore means an establishment which has as any of its stock-in-trade and offers for sale for any form of consideration any one or more of the following:
 - (a) books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, slide or other visual presentations which are characterized by an emphasis of the depiction or description of "specified sexual activities" or "specified anatomical areas; or
 - (b) instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities".
3. Adult Cabaret means a nightclub, bar, restaurant or similar establishment which regularly features live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities," or films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by an emphasis upon the depiction or description of "specified sexual activities" or "specified anatomical areas."
4. Adult Motel means a motel or similar establishment offering public accommodations for any form of consideration which provides patrons which closed circuit television transmission, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by an emphasis upon the depiction or description of "specified sexual activities" or "specified anatomical areas."
5. Adult Motion Picture Theater means a establishment where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are shown, and in which a substantial portion of the total presentation time is devoted to the showing of material which is characterized by an emphasis upon the depiction or description of "specified sexual activities" or "specified anatomical areas."
6. Adult Theater means a theater, concert hall, auditorium, or similar establishment which, for any form of consideration, regularly features live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities."

7. Massage parlor means an establishment where, for any form of consideration, massage, alcohol rub fomentation, electric or magnetic treatment, or similar treatment or manipulation of the human body is administered unless such treatment or manipulation is administered by a medical practitioner, chiropractor, acupuncturist, physical therapist or similar professional person licensed by the state, This definition does not include an athletic club, health club, school, gymnasium, reducing salon, spa or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.
8. Sexual encounter establishment means an establishment, other than a hotel, motel or similar establishment offering public accommodations, which, for any form of consideration, provides a place where two or more persons may congregate, associate or consort in connection with “specified sexual activities” or the exposure of “specified anatomical areas.” This definition does not include an establishment where a medical practitioner, psychologist, psychiatrist or similar professional person licensed by the state engages in sexual therapy.

B. Specified Anatomical Areas means any of the following:

1. Less than completely and opaquely covered human genitals, pubic region, buttocks, anus or female breasts below a point immediately above the top of the aureole; or
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

C. Specified Sexual Activities means any of the following:

1. Human genitals in a state of sexual stimulation or arousal;
2. Acts of human masturbation, sexual intercourse or sodomy;
3. Fondling or other erotic touching of human genitals, pubic regions, buttocks or female breasts;
4. Flagellation or torture in the context of a sexual relationship;
5. Masochism, erotic or sexually oriented torture, beating or the infliction of pain;
6. Erotic touching, fondling or other such contact with an animal by a human being; or

7. Human excretion, urination, menstruation, vaginal or anal irrigation as part of or in connection with any of the activities set forth in “1” through “6” above.

Agriculture Use. The use of land for agricultural purposes: This includes necessary buildings and structures which should be used for agriculture, including, but not limited to, farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry, and the necessary accessory uses for parking, treating or storing the produce; provided, however, that the operation of any such accessory uses should be secondary to that of the normal agricultural activities. Buildings occupied as residences shall not be considered to be used for agricultural purposes.

Alternative Energy Sources – Energy sources deemed renewable and not based on the consumption of fossil fuels to include solar energy, wind energy, and hydrothermal energy.

Billboard: An outdoor advertising structure with a sign or signs not pertinent to a use on the premises.

Buildings. A structure having a roof supported by walls or columns.

Corner Lot: A lot at the junction of and fronting on two or more public ways intersecting at an angle of less than 135°.

Customary Accessory Building, Structure, or Use. A subordinate building, structure, or use customarily incidental to and located on the same lot with the principal building or use.

Dwelling: A building or portion thereof used exclusively for residential occupancy by one or more families.

Dwelling, Multiple-Family: A building or portion thereof, designed to be occupied by three (3) or more families living independently of each other.

Dwelling, Single-Family - Detached: A building designed for or occupied exclusively by one (1) family which has no connection by a common wall to another building or structure similarly designed. This term shall not include mobile homes, but shall include dwelling, manufactured residential.

Dwelling, Townhouse: An attached residential dwelling unit for occupancy by one (1) family constructed in a row with each unit occupying at least (2) stories. Each dwelling unit is separated from the adjoining unit in each story by an adjoining fire resistant wall which has no openings in it and extends from the lowest floor through the roof with each dwelling unit having independent access to the exterior in the ground floor.

Dwelling, Two-Family, Duplex: A building designed to be occupied by two (2) families, living independently of each other and having one wall common to both dwelling units.

Dwelling Unit. A dwelling or portion thereof used for residential occupancy by one family.

Family. One or more persons living as a single non-profit housekeeping unit but not including the non-managerial occupants of a hotel, motel, club, boarding or lodging house.

Filling Station: An automobile service station which supplies fuel, oil and automobile accessories to motor vehicles and which may include grease racks or elevators and which may provide minor tire and battery services.

Forestry Use: The use of land for forestry purposes. This includes all wooded land devoted to the extraction of forestry products, and those areas reserved in their natural state.

Lot. A parcel of land defined by metes and bounds, or boundary lines in a recorded deed or shown on a recorded plan or plat.

Manufactured Home: A structure, transportable in one or more sections, which may be built on a permanent chassis and designed to be used as a single family dwelling with a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained therein. For the purpose of these regulations the term "manufactured home" does not include "mobile home" as herein defined and as further defined in Tennessee Code Annotated Section 13-24-201.

Mobile Home: A factory built, residential structure constructed as a single, self-contained unit and mounted on a single chassis or undercarriage which includes axles, wheels, and a tongue or hitch. A mobile home is designed for transportation after fabrication on streets and highways on its own wheels or on a flat bed or other trailer for delivery to a mobile home dealer, or arriving at the site ready for occupancy, except for minor and incidental unpacking assembly operations, location on jacks or permanent foundations, and connections to utilities. The character of a mobile home as a nonpermanent dwelling shall not be changed by removal of the wheels and/or carriage or placement on a permanent foundation.

Mobile Home Park. Any plot of ground upon which two (2) or more mobile homes, occupied for dwelling or sleeping purposes, are located, regardless of whether or not a charge is made for such accommodation.

Recreation Use: Land used for public recreation purposes, either privately or publicly owned.

Refreshment Stand: A retail establishment for the sale of such items as soft drinks, confectionery and ready-to-eat foods.

Salvage Yards, Automobile Wrecking Yards, or Junk Yards: Any establishment or place of business maintained, used, or operated for storage, keeping, buying or selling, of wrecked, scrapped, ruined, or dismantled objects, articles, and products. An automobile salvage operation shall be any place of business where three (3) or more unlicensed vehicles are maintained and used for the above purposes.

Sign, Announcement: Any outdoor sign located within the view of persons passing on a street, whether a separate structure, object or device, or attached to or painted on another structure, object or device, bearing an advertisement or announcement relating to the premises on which such sign is located, except that the following shall in no case be considered as announcement signs: (a) any sign designed to be read solely by persons on the premises; (b) any sign less than thirty-six (36) inches in area.

Story. That portion of a building between the upper surface of any floor and the upper surface of the floor next above, having more than one-half of its height above the average elevation of the finished lot grade adjoining the building and any portion of a building, used for human occupancy between the top-most floor and the roof. In any building not divided into customary stories, each ten feet of building height shall be counted as one story.

Street. A public way established or maintained under public authority.

Street Line: The dividing line between a public way and an adjacent lot.

Structure. Anything constructed or erected, which requires location on the ground or attachment to something having location on the ground.

Travel Trailer / Recreational Vehicle - A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle.

Yard. A required space on a lot, open, unoccupied, and unobstructed by structures, except as otherwise specified in this Resolution.

Yard, Front. A required yard extending across the full width of the lot adjacent to the front street line.

Yard, Side. A required yard extending from the rear of the required front yard, or from the front street line where no front yard is required, to the rear lot line.

Yard, Interior Side: A required side yard not adjacent to a public way.

Yard, Corner Side: A required side yard not adjacent to a public way.

- 4.2 Zoning Affects Every Structure and Use. No structure or land shall be hereafter used and no structure or part thereof shall be erected or moved unless in conformity with regulations herein specified for the district in which it is located.
- 4.3 Reduction of Lot and Yard Area Prohibited. No lot, yard, required open space or off-street parking area shall be so reduced, diminished or maintained that the yards, other open space, total lot area or off-street parking area shall be smaller than described by this Resolution.
- 4.4 Required Yards Can not be Used by Another Building. No part of the yard, parking space or other open space required about any building or use for the purpose of complying with the provisions of this Resolution shall be included as part of the yard, parking space or other open space required under this Resolution for another building except as provided in Section 5.3.4.

4.5 Nonconforming Uses and Buildings.

A. Any nonconforming structure may not be:

1. Extend except in conformity with this Resolution.
2. Rebuilt or repaired after damage exceeding seventy five (75%) percent of replacement cost except in conformity with the provisions of this Resolution.

B. Any nonconforming use of land or buildings may:

1. Not be changed to another Nonconforming use.
2. Nonconforming uses may be replaced or repaired if replaced in a period of one (1) year's time after the damage, provided they are replaced with the same use.

C. Non-conforming mobile homes and mobile home parks shall comply to the following provisions.

1. Non-conforming mobile home parks shall not be expanded through the addition of mobile home pads and mobile homes
2. When a non-conforming mobile home, in a mobile home park, has been removed, the mobile home may not be replaced.
3. When a nonconforming mobile home has been removed, on an individual lot has been removed, it may not be replaced with another mobile home.
4. Non-conforming mobile homes may not be added-on to or expanded in any way, including the addition of porches and decks.

4.9 Temporary Uses Permitted. A temporary building or storage yard for construction materials and/or equipment and a temporary office for the sale or rental of real property, if in connection with and incidental and necessary to a real estate development, shall be permitted in any district provided that any building permit for such use shall be valid for not more than six months and may not be extended more than three consecutive times.

4.11 Manufactured Residential Dwellings - Manufactured residential dwellings, as defined in Chapter II of this Resolution, and as further defined in Tennessee Code Annotated, Section 13-24-201, where allowed as a permitted use by this Resolution shall meet the following conditions:

A. The manufactured residential dwelling shall have the same general appearance as required for site-built homes.

- B. The unit must be installed on a permanent foundation system in compliance with all applicable requirements of the International Building Code.
 - C. The home must be covered with an exterior material customarily used on conventional dwellings. The exterior covering material shall extend to the ground except that, when a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation. Suitable exterior materials include, but shall not be limited to clapboards, simulated clapboards, such as conventional or metal materials, but excluding smooth, ribbed or corrugated metal or plastic panels.
 - D. The hitches or towing apparatus, axles and wheels must be removed.
 - E. The roof must be pitched so there is at least a two-inch vertical rise for each twelve (12) inches of horizontal run. The roof must consist of material that is customarily used for conventional dwellings including but not limited to approved wood, asphalt composition shingles or fiberglass, but excluding corrugated aluminum, corrugated fiberglass or metal.
- 4.12 Prohibited Uses - The following uses, while allowed in all other unincorporated areas of the County, are not allowed in any Zoning District in the Carroll County Lake Planned Growth Area:
- A. Adult Oriented Businesses
 - B. Mobile Homes on individual lots
 - C. Mobile Home Parks
 - D. Travel Trailers and Recreational Vehicles on individual lots
 - E. Salvage, Automobile Wrecking, or Junk Yards
 - F. Any other use not expressly listed as permitted or permitted on appeal.
- 4.13 Only One Principal Structure on Any Lot - Only one principal structure and its customary accessory building(s) shall be erected on any lot. This provision does not apply to permitted multi-family developments, though with these types of developments, each principal structure must meet required yard, setback, and other requirements as if they were on an individual lot.

SECTION 5. PROVISIONS GOVERNING ZONING DISTRICTS

L-1 Low Density Residential / Commercial District

5.1 Purpose

The L-1 Lake Low Density Residential / Commercial district is intended to allow for low density residential / and commercial development within the Carroll County Lake water shed area. Larger lot sizes will help to minimize the effects of septic tank infiltration into the lake and decrease the potential damage to the lake from erosion and sedimentation. Before a building permit is issued an erosion control plan must be submitted to and approved by the county staff. Within the L-1 Residential District the following provisions shall apply.

5.1.1 Permitted uses

1. Single family residential structures.
2. Two family dwelling units.
3. Townhouse dwelling units
4. Multiple family dwelling units
5. Churches
6. Customary accessory structures, to include temporary Travel Trailers and Recreational Vehicles (temporary Travel Trailers and Recreational vehicles shall only be allowed for a period of time, not to exceed seven (7) consecutive days at any one time). Customary accessory structures may only be permitted on lots in which a principal structure is existing or is being proposed. The square footage of customary accessory structures/uses shall not exceed 2/3 of the square footage of the lot's existing or proposed primary structure/use.

5.1.2 Uses permitted on appeal

1. Commercial uses operated by government contractors. Such uses must be functionally dependent on the lake.
2. Governmental uses associated with the maintenance and management of the lake
3. Governmental and utility uses (not to include alternative energy sources) necessary for the public health safety and welfare of the region.
4. Retail Uses - limited to general merchandise, gasoline service stations (not to include automobile wrecking yards), and eating and drinking if the following requirements are met:
 - A. The property on which the use is to be located is at least two (2) acres in size
 - B. The proposed use cannot be located within 500 feet of an existing church, school, or residence.
 - C. If the proposed use will include the sale of beer for on-site consumption, it cannot be located within 2,000 feet of an existing church, school, or residence.
 - D. If the proposed use will include the sale of packaged beer, it cannot be located within 1,000 feet of an existing church, school, and residence.

5. Recreational Uses, such as but not limited, Golf Courses, Tennis Courts, Riding Stables, Playgrounds, and Athletic Fields.
6. Travel trailer and recreational vehicle parks provided the following requirements are met:
 - A. Location. It shall be unlawful for any travel trailer to be occupied or serviced outside of any approved travel trailer park. This provision shall not apply to the storage of Travel Trailers and Recreational Vehicles provided such travel trailer is neither temporarily nor permanently occupied as a living unit while in storage.
 - B. Access.
 1. No travel trailer park or recreational vehicle park shall be located except with direct access to a state or federal numbered highway or other designated arterial street. No entrance or exit from a travel trailer park shall be through a residential district, nor required movement of traffic from the park through a residential district.
 - C. Site Condition. Condition of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors or other adverse influences, and no portion subject to unpredictable and/or sudden flooding, subsidence or erosion shall be used for any purpose which would expose persons or property to hazards.
 - D. Minimum Site Area and Maximum Number of Spaces.
 1. Each parcel of land to be used for travel trailer park or recreational vehicle park shall have a minimum site area of two (2) acres.
 2. There shall be no more than ten (10) spaces per acre of land within the travel trailer park or recreational vehicle park.
 - E. Spaces for Occupancy and Lengths of Stay. Spaces in travel trailer parks or recreational vehicle parks may be used by Travel Trailers and Recreational Vehicles including campers, recreation vehicles, or equivalent facilities constructed in or on automotive vehicles. The occupant of such space shall not remain in the same trailer park more than sixty (60) days.
 - F. Standards for Travel Trailer and Recreational Vehicle Spaces.
 1. Minimum Size.

- a. All spaces shall have a minimum area of 1,800 square feet with a minimum width of 20 feet and a minimum length of 60 feet.
 - b. Each space shall be designed so that any two travel units will have a minimum separating distance of 10 feet.
2. Access. Each travel trailer recreational vehicle space shall abut at least one street within the boundaries of the travel trailer park and access to each space shall be only from an internal street.
 3. Setback Requirements. No part of a travel trailer or recreational vehicle placed on a space shall be closer than five (5) feet to any space line and ten (10) feet to any street line within the park.

G. Streets and Parking.

1. Entrance and exits to travel trailer or recreational vehicle parks shall be designed for safe and convenient movement of traffic into and out of the park.
2. No entrance or exit shall require a turn at more than a ninety (90) degree angle for vehicles moving in the direction intended, and radii of curbs and pavements at intersections shall be such to facilitate easy turning movements for vehicles with trailers or cars attached.
3. Access to the park shall be located so as to provide an unobstructed view of the oncoming traffic from both directions for at least the minimum sight stopping distance as determined by the design and speed limit of the abutting street.
4. Width of Streets.

- a. Streets in a travel trailer park shall be private and shall have a minimum paved width as follows:

One-way - with no on-street parking.....12 feet

One-Way - with parallel parking on one side only.....18 feet

One-Way - with parallel parking on both sides.....26 feet

Two-Way - with no on-street parking.....20 feet

Two-Way - with parallel parking on one side only.....28 feet

Two-Way - with parallel parking on both sides.....36 feet

5. Street Surfacing

- a. All streets shall be paved.
- b. Street paving specifications shall be submitted by the developer for approval by the Codes Enforcement Officer.

6. Parking

- a. Each travel trailer or recreational vehicle park shall have off-street parking pads for both travel trailer or RV and a towing or towed vehicle.
- b. The pads shall either be paved or constructed of other stabilized material.

H. Required Utilities

1. All travel trailer and recreational vehicle parks shall be served by a public water system and shall comply with all applicable rules and regulations of the Tennessee Department of Public Health regarding water supply, plumbing, sewage disposal, refuse storage, collection and disposal, insect and rodent control, electric power, liquified petroleum (LP) gas, fire protection, and service buildings.
2. The following additional requirements apply to Refuse Storage, Collection and Disposal. Each travel trailer and recreational vehicle park space shall have at least one (1) flytight, watertight, rodent-proof container of a capacity of not less than four (4) gallons and not more than thirty (30) gallons; however, this requirement may be waived when individual spaces are located within two hundred (200) feet of a covered trash receptacle (e.g., dumpster) serving the entire park.

I. Service and Administrative Buildings. Service and administrative building which serve the immediate needs of the travel trailer and/or recreational vehicle park may be permitted as follows:

There may be one combined management office and service building to provide space for rental of individual park spaces, and storage space for park supplies, maintenance materials, and equipment. The combined management office and service buildings shall have not more than 1,000 square feet of floor area and shall only serve the occupants of the park.

There may be one building containing a self-service laundry and/or dry cleaning service. This building shall be located on the park site and shall contain no more than 600 square feet of floor area. Such building shall only serve the occupants of the park.

J. Landscaping and Screening. Around the perimeter of a travel trailer or recreational vehicle park, fences, walls, or screening shall be provided to protect occupants from undesirable views, or to protect occupants of adjoining residential districts as follows:

1. Where a park adjoins a public street along boundaries a suitably landscaped yard at least twenty-five (25) feet in depth shall be provided along such streets.
2. Where a park adjoins another residential district without an intervening street or alley, a suitably landscaped yard at least twenty (20) feet in depth shall be provided adjacent to such boundaries.
3. Where a park adjoins non-residential districts without an intervening street or alley, a suitably landscaped yard at least ten (10) feet in depth shall be provided adjacent to such boundaries.
4. Greater depth area or approved landscaping and screening may be required in any perimeter boundary as provided in Section 11-1200.

K. Open Space and Recreation Requirements

1. A minimum of five (5) percent of the total land area of a travel trailer or recreational vehicle park shall be devoted to common open space and may be used for common recreational activities.
2. The following standards apply to open space used for recreation purposes:
 - a. Approved recreational areas shall be exclusive of travel trailer spaces, buffer strips, street right-of-way, and storage areas.
 - b. Recreational areas shall be easily accessible to all park users and management.
 - c. Although the required space for recreational uses may be met through more than one recreation site, the minimum size of any such area shall be 2,000 square feet.

- L. Permit for Travel Trailer Park or Recreational Vehicle Park. No place or site within the Planning Region shall be established or maintained as a travel trailer or recreational vehicle park unless a valid permit has been issued for a such a park by the Building Inspector.
- M. Inspections by Codes Enforcement Officer. In order to safeguard the health and safety of the occupants of travel trailer and recreational vehicle parks and of the general public, the Building Inspector shall make inspections as necessary to determine the condition of such parks. The Building Inspector shall also have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this Section.

7. Common Areas if the following conditions are met:

- a. Such a use must be for the joint benefit of and be limited to serving property owners within an individual development.
- b. Individual uses allowed in common areas shall be limited to those that would be commonly shared by inhabitants of a neighborhood, such as: landscaped space, recreational facilities, storage facilities, parking areas, and other outdoor space.
- c. The property containing common areas must be owned and maintained by a Home Owner's Association comprised of each property owner within the development it is serving.

5.1.2 Minimum lot area and yard requirements

1. Lot area (not to include any area dedicated or accepted as part of the right-of-way of any proposed or existing road):

A. Lots without sewer service available:

Single Family Dwellings	1 acre or greater as required by the county environmentalist.
Duplexes, Multi-Family Uses	1 acre for the first unit and an additional ½ acre for each additional unit or greater as required by the county environmentalist.

B. Lots with sewer service available:

Except Townhouses - eight thousand (8,000) sq. ft. for the first dwelling unit plus two

thousand five hundred (2500) sq. feet for each additional unit.
Townhouses - 2,500 square feet for each unit.

2. Lot width

A. Lots without sewer service

One hundred twenty five (125) feet for the first two units, with fifty (50) feet more being required for each five (5) units, thereafter.

B. Lots with sewer service

Eighty (80) feet for Single and Two family dwellings. One hundred (100) feet for Multiple Family dwellings and Townhouses.

3. Lake setback

On all lots adjacent to areas of the lake, no development shall be allowed within 50 feet of the Watershed Authority owned buffer area (except for accessory structures, which may not be located within ten (10) feet from the buffer area). No septic tank or septic tank field line shall be placed within 100 feet of the lake.

5.1.3 Erosion and Sediment Control - For construction of any principal structure an erosion and sediment control plan must be submitted, which will at a minimum, include silt fencing.

L-2 - Lake Low / Medium Density Residential District

5.2 Located outside of the watershed for the Carroll County Lake, the L-2 Lake Low / Medium Density Residential District will allow for higher density of single family residential development. The lack of public sewer in the area still limits it to relatively large lots, because of the poor soil characteristics for septic tanks in the area. Within the L-2 Residential District the following provisions shall apply.

5.2.1 Permitted uses

1. Single family residential structures.
2. Two family dwelling units.
3. Townhouse dwelling units
4. Multiple family dwelling units
5. Churches

6. Customary accessory structures, to include temporary Travel Trailers and Recreational Vehicles (temporary Travel Trailers and Recreational Vehicles shall only be allowed for a period of time, not to exceed seven (7) consecutive days at any one time). Customary accessory structures may only be permitted on lots in which a principal structure is existing or is being proposed. The square footage of customary accessory structures/uses shall not exceed 2/3 of the square footage of the lot's existing or proposed primary structure/use.

5.2.2 Uses Permitted on Appeal

1. Governmental and utility uses (not to include alternative energy sources) necessary for the public health safety and welfare of the region.
2. Recreational Uses, such as but not limited, Golf Courses, Tennis Courts, Riding Stables, Playgrounds, and Athletic Fields.
3. Retail Uses - limited to general merchandise, gasoline service stations (not to include automobile wrecking yards), and eating and drinking if the following requirements are met:
 - A. The property on which the use is to be located is at least two (2) acres in size
 - B. The proposed use cannot be located within 500 feet of an existing church, school, or residence.
 - C. The proposed use must be located on a designated collector or arterial road.
 - D. If the proposed use will include the sale of beer for on-site consumption, it cannot be located within 2,000 feet of an existing church, school, or residence.
 - E. If the proposed use will include the sale of packaged beer, it cannot be located within 1,000 feet of an existing church, school, and residence.
4. Travel trailer and recreational vehicle parks provided the following requirements are met:
 - A. Location. It shall be unlawful for any travel trailer to be occupied or serviced outside of any approved travel trailer park. This provision shall not apply to the storage of Travel Trailers and Recreational Vehicles provided such travel trailer is neither temporarily nor permanently occupied as a living unit while in storage.
 - B. Access.

No travel trailer park or recreational vehicle park shall be located, except with direct access to a state or federal numbered highway or other designated arterial street. No entrance or exit from a travel trailer park

shall be through a residential district, nor required movement of traffic from the park through a residential district.

- C. Site Condition. Condition of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors or other adverse influences, and no portion subject to unpredictable and/or sudden flooding, subsidence or erosion shall be used for any purpose which would expose persons or property to hazards.
- D. Minimum Site Area and Maximum Number of Spaces.
 - 1. Each parcel of land to be used for travel trailer park or recreational vehicle park shall have a minimum site area of two (2) acres.
 - 2. There shall be no more than ten (10) spaces per acre of land within the travel trailer park or recreational vehicle park.
- E. Spaces for Occupancy and Lengths of Stay. Spaces in travel trailer parks or recreational vehicle parks may be used by Travel Trailers and Recreational Vehicles including campers, recreation vehicles, or equivalent facilities constructed in or on automotive vehicles. The occupant of such space shall not remain in the same trailer park more than sixty (60) days.
- F. Standards for Travel Trailer and Recreational Vehicle Spaces.
 - 1. Minimum Size.
 - a. All spaces shall have a minimum area of 1,800 square feet with a minimum width of 20 feet and a minimum length of 60 feet.
 - b. Each space shall be designed so that any two travel units will have a minimum separating distance of 10 feet.
 - 2. Access. Each travel trailer recreational vehicle space shall abut at least one street within the boundaries of the travel trailer park and access to each space shall be only from an internal street.
 - 3. Setback Requirements. No part of a travel trailer or recreational vehicle placed on a space shall be closer than five (5) feet to any space line and ten (10) feet to any street line within the park.
- H. Streets and Parking.

1. Entrance and exits to travel trailer or recreational vehicle parks shall be designed for safe and convenient movement of traffic into and out of the park.
2. No entrance or exit shall require a turn at more than a ninety (90) degree angle for vehicles moving in the direction intended, and radii of curbs and pavements at intersections shall be such to facilitate easy turning movements for vehicles with trailers or cars attached.
3. Access to the park shall be located so as to provide an unobstructed view of the oncoming traffic from both directions for at least the minimum sight stopping distance as determined by the design and speed limit of the abutting street.

4. Width of Streets.

- a. Streets in a travel trailer park shall be private and shall have a minimum paved width as follows:

One-way - with no on-street parking.....12 feet

One-Way - with parallel parking on one side only.....18 feet

One-Way - with parallel parking on both sides.....26 feet

Two-Way - with no on-street parking.....20 feet

Two-Way - with parallel parking on one side only.....28 feet

Two-Way - with parallel parking on both sides.....36 feet

5. Street Surfacing

- a. All streets shall be paved.
- b. Street paving specifications shall be submitted by the developer for approval by the codes enforcement officer.

6. Parking

- a. Each travel trailer or recreational vehicle park shall have off-street parking pads for both travel trailer or RV and a towing or towed vehicle.

- b. The pads shall either be paved or constructed of other stabilized material.

I. Required Utilities

1. All travel trailer and recreational vehicle parks shall be served by a public water system and shall comply with all applicable rules and regulations of the Tennessee Department of Public Health regarding water supply, plumbing, sewage disposal, refuse storage, collection and disposal, insect and rodent control, electric power, liquified petroleum (LP) gas, fire protection, and service buildings.
2. The following additional requirements apply to Refuse Storage, Collection and Disposal. Each travel trailer and recreational vehicle park space shall have at least one (1) flytight, watertight, rodent-proof container of a capacity of not less than four (4) gallons and not more than thirty (30) gallons; however, this requirement may be waived when individual spaces are located within two hundred (200) feet of a covered trash receptacle (e.g., dumpster) serving the entire park.

J. Service and Administrative Buildings. Service and administrative building which serve the immediate needs of the travel trailer and/or recreational vehicle park may be permitted as follows:

There may be one combined management office and service building to provide space for rental of individual park spaces, and storage space for park supplies, maintenance materials, and equipment. The combined management office and service buildings shall have not more than 1,000 square feet of floor area and shall only serve the occupants of the park.

There may be one building containing a self-service laundry and/or dry cleaning service. This building shall be located on the park site and shall contain no more than 600 square feet of floor area. Such building shall only serve the occupants of the park.

K. Landscaping and Screening. Around the perimeter of a travel trailer or recreational vehicle park, fences, walls, or screening shall be provided to protect occupants from undesirable views, or to protect occupants of adjoining residential districts as follows:

1. Where a park adjoins a public street along boundaries a suitably landscaped yard at least twenty-five (25) feet in depth shall be provided along such streets.

2. Where a park adjoins another residential district without an intervening street or alley, a suitably landscaped yard at least twenty (20) feet in depth shall be provided adjacent to such boundaries.
3. Where a park adjoins non-residential districts without an intervening street or alley, a suitably landscaped yard at least ten (10) feet in depth shall be provided adjacent to such boundaries.
4. Greater depth area or approved landscaping and screening may be required in any perimeter boundary as provided in Section 11-1200.

L. Open Space and Recreation Requirements

1. A minimum of five (5) percent of the total land area of a travel trailer or recreational vehicle park shall be devoted to common open space and may be used for common recreational activities.
2. The following standards apply to open space used for recreation purposes:
 - a. Approved recreational areas shall be exclusive of travel trailer spaces, buffer strips, street right-of-way, and storage areas.
 - b. Recreational areas shall be easily accessible to all park users and management.
 - c. Although the required space for recreational uses may be met through more than one recreation site, the minimum size of any such area shall be 2,000 square feet.

M. Permit for Travel Trailer Park or Recreational Vehicle Park. No place or site within the Planning Region shall be established or maintained as a travel trailer or recreational vehicle park unless a valid permit has been issued for a such a park by the Building Inspector.

N. Inspections by Codes Enforcement Officer. In order to safeguard the health and safety of the occupants of travel trailer and recreational vehicle parks and of the general public, the Building Inspector shall make inspections as necessary to determine the condition of such parks. The Building Inspector shall also have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this Section.

5. Boat Storage if the following conditions are met:
 - a. Storage of all boats and related equipment must be located in structures enclosed on at least three (3) sides.
 - b. Boat storage facilities must be located on lots that are at least one (1) acre in size
 - c. Such facilities must meet a setback of at least five (5) feet from all property lines.

5.2.3 Minimum lot area and yard requirements

1. Lot area (not to include any area dedicated or accepted as part of the right-of-way of any proposed or existing road):

- | | |
|--|--|
| A. Lots without sewer service available: | 1 acre for the first unit and an additional ½ acre for each additional unit or greater as required by the county environmentalist. |
| B. Lots with sewer service available: | Except Townhouses - six thousand (6,000) sq. ft. for the first dwelling unit plus two thousand five hundred (2500) sq. feet for each additional unit.
Townhouses - 2,500 square feet for each unit. |

MR-C Mixed Residential/Commercial District

5.3 Purpose

The MR-C Mixed Residential/Commercial District is intended to accommodate low density residential growth, while also allowing for limited commercial development to include some professional services. This zoning district is intended for location along major highways, with accessibility to water and sewer services preferable. Within the MR-C Mixed Residential/Commercial District the following provisions shall apply.

5.3.1 Permitted uses

1. Single family residential structures.
2. Two family dwelling units.
3. Townhouse dwelling units
4. Multiple family dwelling units
5. Churches

6. Customary accessory structures, to include temporary Travel Trailers and Recreational Vehicles (temporary Travel Trailers and Recreational vehicles shall only be allowed for a period of time, not to exceed seven (7) consecutive days at any one time).

5.3.2 Uses permitted on appeal – The following uses, provided that the Board of Zoning Appeals, at their discretion, may require adequate screening and buffering when a use is adjacent to an existing or proposed residential use. Adequate screening and buffering can range from vegetative barriers and landscaping to privacy fencing.

1. Commercial uses operated by government contractors. Such uses must be functionally dependent on the lake.
2. Governmental uses associated with the maintenance and management of the lake
3. Governmental and utility uses (not to include alternative energy sources) necessary for the public health safety and welfare of the region.
4. Retail Trade operated in a permanent structure with, at a minimum, bathroom facilities limited to:
 - (a) General merchandise and food (excluding bakeries)
 - (b) Automotive, marine craft, aircraft and accessories, tires, batteries and accessories, not include used parts (junk yards)
 - (c) Gasoline service stations
 - (d) Restaurants
5. Services limited to:
 - (a) Finance, insurance and real estate services
 - (b) Beauty and barber services, apparel repair, alteration and cleaning pickup services, and shoe repair services
 - (c) Nursery schools
6. Recreational Uses, such as but not limited, Golf Courses, Tennis Courts, Riding Stables, Playgrounds, and Athletic Fields.
7. Travel trailer and recreational vehicle parks provided the following requirements are met:

A. Location. It shall be unlawful for any travel trailer to be occupied or serviced outside of any approved travel trailer park. This provision shall not apply to the storage of Travel Trailers and Recreational Vehicles provided such travel trailer is neither temporarily nor permanently occupied as a living unit while in storage.

B. Access.

1. No travel trailer park or recreational vehicle park shall be located except with direct access to a state or federal numbered highway or other designated arterial street. No entrance or exit from a travel trailer park shall be through a residential district, nor required movement of traffic from the park through a residential district.

- C. Site Condition. Condition of soil, groundwater level, drainage and topography shall not create hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, noise, odors or other adverse influences, and no portion subject to unpredictable and/or sudden flooding, subsidence or erosion shall be used for any purpose which would expose persons or property to hazards.
- D. Minimum Site Area and Maximum Number of Spaces.
1. Each parcel of land to be used for travel trailer park or recreational vehicle park shall have a minimum site area of two (2) acres.
 2. There shall be no more than ten (10) spaces per acre of land within the travel trailer park or recreational vehicle park.
- E. Spaces for Occupancy and Lengths of Stay. Spaces in travel trailer parks or recreational vehicle parks may be used by Travel Trailers and Recreational Vehicles including campers, recreation vehicles, or equivalent facilities constructed in or on automotive vehicles. The occupant of such space shall not remain in the same trailer park more than sixty (60) days.
- F. Standards for Travel Trailer and Recreational Vehicle Spaces.
1. Minimum Size.
 - a. All spaces shall have a minimum area of 1,800 square feet with a minimum width of 20 feet and a minimum length of 60 feet.
 - b. Each space shall be designed so that any two travel units will have a minimum separating distance of 10 feet.
 2. Access. Each travel trailer recreational vehicle space shall abut at least one street within the boundaries of the travel trailer park and access to each space shall be only from an internal street.
 3. Setback Requirements. No part of a travel trailer or recreational vehicle placed on a space shall be closer than five (5) feet to any space line and ten (10) feet to any street line within the park.
- G. Streets and Parking.
1. Entrance and exits to travel trailer or recreational vehicle parks shall be designed for safe and convenient movement of traffic into and out of the park.

2. No entrance or exit shall require a turn at more than a ninety (90) degree angle for vehicles moving in the direction intended, and radii of curbs and pavements at intersections shall be such to facilitate easy turning movements for vehicles with trailers or cars attached.
3. Access to the park shall be located so as to provide an unobstructed view of the oncoming traffic from both directions for at least the minimum sight stopping distance as determined by the design and speed limit of the abutting street.
4. Width of Streets.
 - a. Streets in a travel trailer park shall be private and shall have a minimum paved width as follows:
 - One-way - with no on-street parking.....12 feet
 - One-Way - with parallel parking on one side only.....18 feet
 - One-Way - with parallel parking on both sides.....26 feet
 - Two-Way - with no on-street parking.....20 feet
 - Two-Way - with parallel parking on one side only.....28 feet
 - Two-Way - with parallel parking on both sides.....36 feet
5. Street Surfacing
 - a. All streets shall be paved.
 - b. Street paving specifications shall be submitted by the developer for approval by the Codes Enforcement Officer.
6. Parking
 - a. Each travel trailer or recreational vehicle park shall have off-street parking pads for both travel trailer or RV and a towing or towed vehicle.
 - b. The pads shall either be paved or constructed of other stabilized material.

H. Required Utilities

1. All travel trailer and recreational vehicle parks shall be served by a public water system and shall comply with all applicable rules and regulations of the Tennessee Department of Public Health regarding water supply, plumbing, sewage disposal, refuse storage, collection and disposal, insect and rodent control, electric power, liquified petroleum (LP) gas, fire protection, and service buildings.
2. The following additional requirements apply to Refuse Storage, Collection and Disposal. Each travel trailer and recreational vehicle park space shall have at least one (1) flytight, watertight, rodent-proof container of a capacity of not less than four (4) gallons and not more than thirty (30) gallons; however, this requirement may be waived when individual spaces are located within two hundred (200) feet of a covered trash receptacle (e.g., dumpster) serving the entire park.

- I. Service and Administrative Buildings. Service and administrative building which serve the immediate needs of the travel trailer and/or recreational vehicle park may be permitted as follows:

There may be one combined management office and service building to provide space for rental of individual park spaces, and storage space for park supplies, maintenance materials, and equipment. The combined management office and service buildings shall have not more than 1,000 square feet of floor area and shall only serve the occupants of the park.

There may be one building containing a self-service laundry and/or dry cleaning service. This building shall be located on the park site and shall contain no more than 600 square feet of floor area. Such building shall only serve the occupants of the park.

- J. Landscaping and Screening. Around the perimeter of a travel trailer or recreational vehicle park, fences, walls, or screening shall be provided to protect occupants from undesirable views, or to protect occupants of adjoining residential districts as follows:

1. Where a park adjoins a public street along boundaries a suitably landscaped yard at least twenty-five (25) feet in depth shall be provided along such streets.
2. Where a park adjoins another residential district without an intervening street or alley, a suitably landscaped yard at least twenty (20) feet in depth shall be provided adjacent to such boundaries.

3. Where a park adjoins non-residential districts without an intervening street or alley, a suitably landscaped yard at least ten (10) feet in depth shall be provided adjacent to such boundaries.
4. Greater depth area or approved landscaping and screening may be required in any perimeter boundary as provided in Section 11-1200.

K. Open Space and Recreation Requirements

1. A minimum of five (5) percent of the total land area of a travel trailer or recreational vehicle park shall be devoted to common open space and may be used for common recreational activities.
2. The following standards apply to open space used for recreation purposes:
 - a. Approved recreational areas shall be exclusive of travel trailer spaces, buffer strips, street right-of-way, and storage areas.
 - b. Recreational areas shall be easily accessible to all park users and management.
 - c. Although the required space for recreational uses may be met through more than one recreation site, the minimum size of any such area shall be 2,000 square feet.

L. Permit for Travel Trailer Park or Recreational Vehicle Park. No place or site within the Planning Region shall be established or maintained as a travel trailer or recreational vehicle park unless a valid permit has been issued for a such a park by the Building Inspector.

M. Inspections by Codes Enforcement Officer. In order to safeguard the health and safety of the occupants of travel trailer and recreational vehicle parks and of the general public, the Building Inspector shall make inspections as necessary to determine the condition of such parks. The Building Inspector shall also have the power to enter at reasonable times upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this Section.

8. Boat Storage if the following conditions are met:

- a. Storage of all boats and related equipment must be located in structures enclosed on at least three (3) sides.

- b. Boat storage facilities must be located on lots that are at least one (1) acre in size
- c. Such facilities must meet a setback of at least five (5) feet from all property lines.

5.3.2 Minimum lot area and yard requirements

1. Lot area (not to include any area dedicated or accepted as part of the right-of-way of any proposed or existing road):

A. Lots without sewer service available:

Single Family Dwellings	1 acre or greater as required by the county environmentalist.
Duplexes, Multi-Family Uses	1 acre for the first unit and an additional ½ acre for each additional unit or greater as required by the county environmentalist.

B. Lots with sewer service available:

Except Townhouses - eight thousand (8,000) sq. ft. for the first dwelling unit plus two thousand five hundred (2500) sq. feet for each additional unit.
Townhouses - 2,500 square feet for each unit.

2. Lot width

A. Lots without sewer service

One hundred twenty five (125) feet for the first two units, with fifty (50) feet more being required for each five (5) units, thereafter.

B. Lots with sewer service

Eighty (80) feet for Single and Two family dwellings. One hundred (100) feet for Multiple Family dwellings and Townhouses.

3. Lake setback

On all lots adjacent to areas of the lake, no development shall be allowed within 50 feet of the Watershed Authority owned buffer area (except for accessory structures, which may not be located within ten (10) feet from the buffer area). No septic tank or septic tank field line shall be placed within 100 feet of the lake.

- 5.3.3 Erosion and Sediment Control - For construction of any principal structure, deemed to be located inside of the watershed area of the lake, an erosion and sediment control plan must be submitted, which will at a minimum, include silt fencing.

FH - Flood Hazard Districts

- 5.4 Flood Hazard. The Flood Hazard district is an overlay district on the Zoning Map. The regulations of the underlying regular zones shall be applicable unless specifically altered within the regulations of the Flood Hazard district as shown on the map entitled "Carroll County Lake Zoning Map" for the Carroll County Lake Planning Region." Provisions governing all properties in the Flood Hazard district are provided for by the Carroll County Flood Resolution, which was adopted in 1990 and is administered by the County Property Assessor. Any property located in the Flood Hazard district is subject to the permitting requirements of both the Carroll County Lake Zoning Resolution and the Carroll County Flood Resolution.

SECTION 6 EXCEPTIONS AND MODIFICATIONS

- 6.1 Lot of Record: Where the owner of a lot of official record at the time of the adoption of this Resolution does not own sufficient land to enable him to conform to the yard or other requirements of this Resolution, an application may be submitted to the Board of Zoning Appeals for a special exception from the terms of this Resolution, in accordance with Section 11.4.2.1. Permission to use such lot as a building site may be granted, however, providing that the yard and other requirements of the district are complied with as closely as is possible in the opinion of the Board of Zoning Appeals.

6.1.1 Adjoining Substandard Lots of Record:

Where two or more substandard lots of record with a continuous frontage are under the same ownership, or where a substandard lot of record has continuous frontage with a larger tract 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.

SECTION 7 ENFORCEMENT

- 7.1 Enforcing Officer: The provisions of this Resolution shall be administered and enforced by the Codes Enforcement Officer, appointed by the chief legislative body, who shall have the power to make inspection of buildings or premises necessary to carry out his duties in the enforcement of this Resolution.
- 7.2 Building Permits and Certificates of Occupancy:

7.2.1 Zoning Compliance Permit Required:

It shall be unlawful to commence the excavation or filling of any lot for the construction of any building, including accessory buildings, or to commence the moving or alteration of any building, including accessory buildings, until the codes enforcement officer has issued a zoning compliance permit for such work.

7.2.2 Issuance of Zoning Compliance Permit:

In applying to the Codes Enforcement Officer for a building permit, the applicant shall submit a dimensioned sketch or scale plan indicating the shape, size and location of the lot to be built upon and the shape, size, height and location 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 as may be required by the building inspector for determining whether the provisions of this Resolution are being observed. If the proposed excavation, filling or construction, as set forth in the application, are in conformity with the provisions of this Resolution, the building inspector shall issue a building permit for such excavation or construction upon payment of the required fee. If a building permit is refused, the building inspector shall state such refusal in writing with the cause. Building permits must be used within six (6) months from date of issue. If no substantial progress on construction has been made six (6) months after permit is issued, permit is invalid and must be renewed.

7.2.3 Certificate of Occupancy:

Upon completion of the construction or alteration of a building or structure for which a building permit has been granted, application shall be made to the building inspector for a certificate of occupancy. Within three days of such application, the building inspector shall make a final inspection of the property in question, and shall issue a certificate of occupancy if the building or structure is found to conform to the provisions of this Resolution and the statements made in the application for the building permit. If such certificate is refused, the building inspector shall state such refusal in writing, with the cause. No land or building hereafter erected or altered in its use shall be used until such a certificate of occupancy has been granted.

7.3 Penalties: Any person violating any provisions of this Resolution shall be guilty of a misdemeanor, and upon conviction shall be fined not less than two dollars (\$2.00) nor more than fifty dollars (\$50.00) for each offense. Each day such violation shall continue constitutes a separate offense.

7.4 Remedies: In case any building, structure or land is used, erected, constructed, reconstructed, repaired, converted or maintained in violation of this Resolution, the building inspector 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 or proceedings to prevent the occupancy or use of such building, structure or land.

SECTION 8 BOARD OF ZONING APPEALS

8.1 Creation and Appointment: A Board of Zoning Appeals is hereby established in accordance with Section 13-7-106, Tennessee Code Annotated. The Board of Zoning Appeals shall consist of three (3) or five (5) members, They shall be appointed by the Carroll County Commission. The term of membership shall be three (3) years except

that the initial individual appointments to the board shall be terms of one (1), two (2), three (3), four (4) and five (5) years respectively. Vacancies shall be filled for any unexpired term by appointment by the chief executive officer and confirmation by the Carroll County Commission.

8.2 Procedure: Meetings of the Board of Zoning Appeals shall be held at the call of the chairman, and at such other 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.

8.3 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 affected by any decision of the Building Inspector. Such appeal shall be taken by filing with the building inspector a "Notice of Appeal to the Board of Zoning Appeals. Forms for appeal are provided for this purpose by the office of the codes enforcement officer. Duplicate copies shall be prepared; one copy shall be filed with the Codes Enforcement Officer as a permanent public record, and the other copy forwarded to the Board of Zoning Appeals for their action along with all papers constituting the record upon which the action appealed was taken. The appeal form must be accompanied by a small scale vicinity map, showing the location of the property with respect to existing streets, street numbers and size of lots, nature of adjacent property uses, and other important features within and contiguous to the property. The names of the owners of all lots within three hundred (300) feet in all directions from the property shall also be shown. The board shall fix a reasonable time for the hearing of the appeal and give fifteen (15) days public notice thereof as well as due notice to the parties of interest, and shall decide the same within a reasonable time. Upon the hearing, any person or party may appeal in person or by agent or by attorney.

8.4 Powers: The Board of Zoning Appeals shall have the following powers:

8.4.1 Administrative Review:

To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, permit, decision, determination or refusal made by the building inspector or other administrative official in the carrying out or enforcement of any provision of this Resolution and for interpretation of the zoning map and Resolution.

8.4.2 Special Exceptions:

To hear and decide applications for special exceptions as specified in this Resolution and for decision on any special questions upon which the Board of Zoning Appeals is specifically authorized to pass by this Resolution.

8.4.3 Variance:

To hear and decide applications for variance from the terms of this Resolution, but only where, by reason of exceptional narrowness, shallowness or space of a specific piece of property, which at the time of the adoption of this Resolution was a lot of record; or where, by reason of exceptional topographic conditions or other extraordinary or exceptional situation or condition of a piece of property the strict application of the provisions of this Resolution would result in practical difficulties to, or undue hardship upon, the owner of such property, provided that such relief may be granted without substantially impairing the intent and purpose of this Resolution. In granting a variance,

the board, as it may deem advisable in furtherance of the purpose of this Resolution, attach thereto conditions regarding the location, character and other features of the proposed building, structure or use.

SECTION 9 AMENDMENT

- 9.1. Procedure: Regulations, restrictions and boundaries as are provided for in this Resolution may be amended, supplemented, changed, modified or repealed. Petitions requesting an amendment to this Resolution shall be prepared in duplicate on a form provided for this propose which may be obtained from the Office of the Codes Enforcement Officer. The petition shall set forth reasons for requesting the amendment and explain how such change will better protect and enhance the public health, safety and welfare. The petition shall be addressed to the Carroll County Commission and shall be filed with the Codes Enforcement Officer; one copy of which shall be duly recorded and filed as a permanent record, and the other copy to be forwarded to the Carroll County Commission for action by the Carroll County Lake Regional Planning Commission.
- 9.2. Approval of Planning Commission: No amendment shall become effective unless it is first submitted to and approved by the Carroll County Lake Regional Planning Commission, or, if disapproved, shall receive a majority vote of the entire membership of the Carroll County Commission. All meetings of the Planning Commission shall be open to the public. The Planning Commission may set such rules as it deems necessary for orderly procedure in the hearing of petitions. Within thirty (30) days of receipt of a petition from the Carroll County Commission, the Planning Commission shall advise the petitioner of the date upon which they act. The Planning Commission will notify the petitioner of its decision in writing, including therein the reasons for the action taken. Action on a petition must be taken within six (6) months of the date the petition is received by the Planning Commission from the Carroll County Commission. After the Planning Commission has acted upon a petition to change the zoning classification of a particular piece of property, additional petitions to change the zoning classification of the same piece of property must not be introduced for another six (6) months period.

SECTION 10 LEGAL STATUS PROVISIONS

- 10.1 Conflict with Other Resolutions: All resolutions and parts of resolutions in conflict with this Resolution, to the extent of such conflict and no further, are hereby repealed.
- 10.2 Validity: If any section, clause, provision or portion of this Resolution shall be held to be invalid or unconstitutional by any courts of competent jurisdiction, such holding shall not affect any other section, clause, provision or portion of this Resolution which is not of itself invalid or unconstitutional.

SECTION 11 EFFECTIVE DATE

This Resolution shall take effect and be in force five days from and after its adoption, the public welfare demanding it.

Certified by Carroll County Lake Regional Planning Commission _____

Public Hearing _____

Adopted _____

Effective Date _____

Attest: County Clerk _____ Date _____