

AMENDMENTS ADDED TO THE DOCUMENT

1. **ORDINANCE TO ALLOW WAREHOUSING AND STORAGE AS A USE IN THE C, COMMERCIAL DISTRICT. Added 1/2/98**

07/02/19

ZONING ORDINANCE

for the

MUNFORD PLANNING REGION

TIPTON COUNTY, TENNESSEE

MARCH, 1987

(REVISED September, 1994)

(UPDATED August, 1998)

Prepared for

THE MUNFORD MUNICIPAL-REGIONAL PLANNING COMMISSION

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November, 1994

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CHAPTER I

GENERAL PROVISIONS RELATING TO ZONING

AUTHORITY

An ordinance, in pursuance to the authority granted by Section 13-7-301 through 13-7-306 of the Tennessee Code Annotated, to provide for the establishment of districts or zones within the Munford Planning Region; to regulate within such districts the location, height, bulk, number of stories and size of buildings and other structures, the percentage of the lot which may be occupied, the size of yards, courts, and other open spaces, the density of population, the uses of buildings, structures, and land for trade, industry, residence, recreation, public activities, and other purposes; and to provide methods of administration of this Ordinance and to prescribe penalties for the violation thereof.

In accordance with Tennessee Code Annotated 13-7-302 and 13-7-303, the Tipton County Commission passed a resolution on January 12, 1987 to allow the Board of Mayor and Aldermen of the City of Munford to zone the Munford Planning Region.

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF MUNFORD, TENNESSEE, AS FOLLOWS:

1.01 Title

This Ordinance shall be known and may be cited as the Zoning Ordinance of the Munford Planning Region, Tipton County, Tennessee, and the map herein referred to which is identified by and titled, "Official Zoning Map for the Munford Planning Region, Tipton County, Tennessee", and all explanatory matters thereon are hereby adopted and made a part of this Ordinance. The Official Zoning Map shall be located in the Munford City Hall and shall be identified by the signature of the Mayor and attested by the City Recorder. The Official Zoning Map may be amended under the procedures set forth in Chapter XIV of this Ordinance, provided, however, that no amendment of the Official Zoning Map shall become effective until after such change and entry has been made on said map and signed by the Mayor and attested by the City Recorder.

1.02 Purpose

The Zoning Ordinance and districts as herein set forth have been made in accordance with the comprehensive plan for the purpose of promoting the public health, safety, morals, convenience, order, prosperity and the general welfare of the Munford Planning Region. They have been designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid over concentration of population; and to facilitate the adequate provision of transportation, water, wastewater, schools, parks and other public requirements. 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 use of land throughout the Munford Planning Region.

CHAPTER II

DEFINITIONS

Except as specifically defined herein, all words used in this Ordinance have their customary dictionary definitions where not inconsistent with the context of the Ordinance. The words "shall" and "must" are mandatory, not directory. Words used in the present shall include the future; the singular number shall include the plural and the plural the singular number; 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.

The categories established herein to define the permitted uses are derived from the Standard Land Use Coding Manual and adapted to the particular needs of the Munford Planning Region. The Standard Land Use Coding Manual provided as a supplement to this Ordinance is intended to serve as a guide in the determination of what uses are permitted in all districts.

Accessory Building and Use - See Building, Accessory

Alley - Any public or private way set aside for public travel, twenty (20) feet or less in width.

Amusement - An establishment which provides: arcade type entertainments including such items as pinball machines, video games and pool tables; miniature golf; or other amusements (see Code 73 in the Standard Land Use Coding Manual).

Automobile Storage Yard - Any land use for the parking and/or storage of one or more abandoned or impounded operable vehicles for which compensation is received.

Buffer Strip - A strip of land, established to protect one type of land use from another with which it is incompatible, which is landscaped and kept in perpetual open space uses.

Building - Any structure constructed or used for residence, business, industry, or other public or private purposes or accessory thereto.

Building, Accessory - A subordinate building or structure, the use of which is incidental to the principal building on the same lot. For purposes of this Ordinance, such structures include, but are not limited to storage sheds, workshops, satellite dishes and pads.

Building Line - Front, Side, Rear - Lines which define the required area for the front, side and rear yards, as set forth in this Ordinance. This line is usually fixed parallel to the lot line and is equivalent to the required yard.

Building, Principal - A building in which is conducted the primary use of the lot on which it is situated. In R-MH, R or FAR districts, any dwelling shall be deemed to be the principal building on the lot on which the same is situated.

Building, Coverage - The portion of the lot area, expressed as a percent, that is covered by the maximum horizontal cross-section of the building or buildings. Building coverage shall not include any required yard space.

Building Permit - As defined in this Ordinance, shall mean a zoning and building compliance permit as required by the City of Munford, and as further explained in the Chapter XII, Section 12.02 of this Ordinance.

Business Service - Establishment which provide aid or merchandise to retail trade establishments including: advertising firms; consumer and mercantile credit reporting and collection firms; duplicating, mailing and stenographic services; dwelling and building cleaning services; photo finishing; and trading stamp service (see Code 63 in the Standard Land Use Coding Manual).

Clinic - Any establishment housing facilities for medical or dental diagnosis and treatment exclusive of major surgical procedures for patients who are not kept overnight on the premises (see Codes 6511, 6512 and 6517 in the Standard Land Use Coding Manual).

Commercial - Activities related to the provision of products and services. See retail and wholesale trade; financial, business, personal and professional services (see Codes 51-68 in the Standard Land Use Coding Manual).

Communication - Radio, telegraph and television broadcast receiving and relay facilities (see Code 47 in the Standard Land Use Coding Manual).

Cultural Activity - Any institution concerning with the appreciation of nature and the humanities such as but not limited to museums, art galleries, historic sites and aquariums (see Code 71 in the Standard Land Use Coding Manual).

Density - Maximum number of units per acre allowed by this Zoning Ordinance.

District - Any section or sections of the Munford Planning Region for which the regulations governing the use of land and use, density, bulk, height, and coverage of buildings and other structures are uniform.

Driveway - A paved or gravel way, on private property, providing access from a public way, street or alley, to the main buildings, carport, garage, parking space or other portion of the premises.

Dwelling - A 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.

Dwelling, Condominium-Residential - A multi-family or townhouse development where the individual units are owned separately with common ownership of the land surrounding the development.

Dwelling, Manufactured Residential - A structure, transportable in more than one section, 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.

Dwelling, Mobile Home - A factory-built, residential structure constructed as a single, self-contained unit and mounted on a single chassis or under-carriage 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 non-permanent dwelling shall not be changed by removal of the wheels and/or carriage or placement on a permanent foundation. A travel trailer is not considered a mobile home.

The term "mobile home" shall include further definition as provided in Tennessee Code Annotated, Section 68-36-202.

Dwelling, Multi-Family - A building or portion thereof, designed to be occupied by three (3) or more families living independently of each other. (Also see condominiums, residential and dwelling, townhouse)

Dwelling, Single-Family - A detached residential dwelling unit other than a mobile home designed for and occupied by one family only.

Dwelling, Two-Family - 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, 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, (also see condominium, residential).

Dwelling Unit - One room or rooms connected together, serving as the living quarters for a family and used for owner occupancy, or rental or lease on a weekly, monthly, or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure and containing independent cooking and sleeping facilities.

Education Services - Established schools including primary, secondary, universities, colleges, junior colleges and various private facilities such as correspondence schools and art, dance and music schools (see Code 68 in the Standards Land Use Coding Manual).

Family - One or more persons occupying a separate independent non-profit housekeeping unit.

Finance, Insurance and Real Estate Services - Those establishments which provide banking or bank related functions and insurance and real estate brokers (see Code 61 in the Standard Land Use Coding Manual).

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

Governmental Services - Fire, Police, Judicial and other services provided by the government (see Code 67 in the Standard Land Use Coding Manual).

Grade - The ground elevation used for the purpose of regulating the height of building. The ground elevation used for this purpose shall be the average of the finished ground elevations at the front line of the building.

Gross Floor Area - The total floor area within the walls of a structure.

Height of Building - The vertical distance from the finished grade at the building line to the highest point of the building.

Illegal Sign - A sign which did not conform to the provisions of the Zoning Ordinance at the time of its installation.

Incidental Home Occupation - A venture for profit which is incidently conducted in a dwelling unit as an accessory to the residential use provided that: the venture is conducted in the principal building; all persons engaged in the venture are residents of the dwelling unit (with the exception of a Bed and Breakfast operation which may employ a maximum of two (2) assistants); no more than twenty (20) percent of the total ground floor area is used for the venture and no evidence of the venture is visible from any public way. Incidental home occupations shall include: arts and crafts, dressmaking and sewing; individual instruction in music or art; individual tutoring; professional services where clients are served one at a time and distribution type sales of merchandise such as Amway or Avon in which clients generally do not come to the residence.

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.

Kindergartens - See Nursery School

Landscaping - A planted and maintained area of trees, shrubs, lawns, and other ground over or materials designated to present an aesthetic buffer between properties and adjoining uses or street areas.

Loading Space - An off-street space on the same lot with a building or group of buildings for temporary parking of a vehicle while loading and unloading merchandise or materials.

Lot - A legally recorded piece, parcel, or plot of land in one ownership, which may include one or more lots of record, occupied or to be occupied by one principal building and its accessory building. Such a lot shall be at least of sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other spaces as required by this Ordinance. All lots shall front on and have access to a public street.

Lot Area - The total horizontal area included within lot lines.

Lot, Corner - A lot abutting upon two (2) or more streets at their intersection. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than one hundred and thirty-five (135) degrees.

Lot Coverage - The lot area covered by all buildings located therein.

Lot, Double Frontage - A lot having frontage on two (2) non-intersecting streets as distinguished from a corner lot.

Lot Line - The boundary dividing a given lot from adjacent lots and/or the right-of-way of a street or alley.

Lot of Record - A parcel legally recorded in the Office of the Tipton County Register of Deeds prior to the date of the adoption of this Ordinance.

Lot Width - The horizontal measurement at the building line, provided however, that the width between side lot lines at the points where they intersect the street shall not be less than eighty

(80) percent of the required minimum lot width, except in the case of lots on the turning circle of cul-de-sac turn arounds; a minimum street abutment distance of twenty-five (25) feet shall apply to cul-de-sac turn arounds.

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 (see Code 651 in the **Standard Land Use Coding Manual**).

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

Motor Vehicle Transportation - Transportation services including bus, taxi and motor freight transportation (see Code 42 in the **Standard Land Use Coding Manual**).

Non-conformity - A building, use of land, or combination of the two which lawfully existed prior to the adoption or amendment of this Ordinance, but which no longer complies with the use regulations of the district in which it is located.

Noxious Matter - Material (in gaseous, liquid, solid, particulate, or any other form) which is capable of causing injury to living organisms by chemical reaction or is capable of causing detrimental effects upon the social, economic, or psychological well-being of individuals (also see toxic materials).

Nursery - Refers to the various arrangements made by parents for the care outside their home of children under seventeen (17) years of age, for less than 24-hour periods as provided in **Tennessee Code Annotated**, Section 14-10-101 through 14-10-105 as well as all pertinent rules, regulations, and standards of the Tennessee Department of Human Services.

Nursery School - A building or structure used for the care of children as defined herein. Such a facility normally includes one of the following types:

- (a) **Family Day Care Home** - A home operated by any person who receives pay for providing less than 24-hour supervision and care, without transfer of custody, for 5, 6, or 7 children under 17 years of age, who are not residents of the household. A license is not required for a house providing care for fewer than 5 children.
- (b) **Group Day Care Home** - Any place operated by a person, social agency, corporation, institution, or other group which receives 8 or more children under 17 years of age, for less than 24 hours per day, for care outside their home, without transfer of custody. A group day care home may care for no more than 12 children.
- (c) **Day Care Center** - A place operated by a person, social agency, corporation, institution, or other group that receives pay for the care of 13 or more children under 17 years of age for less than 24 hours per day, without transfer of custody.

Pads - The surface on which a trailer is located consisting of concrete footings and a support of the trailer.

Parks - An open area set aside for leisure activities which is not used for the operation of a profit making venture, such as but not limited to playgrounds, athletic or playfields and picnic areas.

Parking Space-Required - A paved and properly drained area, enclosed or unclosed, required by this Ordinance to be permanently reserved for parking one (1) motor vehicle. Each required parking space shall have a minimum area of two hundred (200) square feet and not less than ten (10) feet wide, exclusive of driveways and shall be connected with a public street, alley or by a paved driveway affording safe and convenient ingress and egress. Except on lots occupied by single-family and two-family dwellings, parking spaces and driveways shall be arranged as to provide for both ingress and egress by forward motion of the parked or parking vehicle.

Personal Services - Establishments which provide services which include laundry, beauty, funeral, and other services to individuals (see Code 62 in the Standard Land Use Coding Manual).

Planting Screen - A strip of land containing trees, bushes, or shrubbery which serves as a buffer between lots and/or land uses.

Plat - A map, plan or layout indicating the location and boundaries of individual properties and which may indicate structure location and horizontal measurements.

Plot - A parcel of land set aside for an individual mobile home in a mobile home park. This is often synonymous with lot.

Pole Sign - A free-standing sign supported from the ground by a pole or similar support structure of narrow width which by reason of height does not qualify as a ground sign.

Portable Sign - A sign which is not attached by way of a rigid, non-flexible connection to a building or the ground.

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 professions such as, but not limited to, physician services, dental services, legal services, engineering services, architectural services and accounting services, not to include sanitariums, convalescent and rest home services (see Code 65 in the Standard Land Use Coding Manual).

Public Assembly Facility - Any of the following types of institutions or installations where community activities are typically performed such as: parochial and private clubs, lodges, meeting halls, recreation centers and areas; temporary festivals; theaters; public, parochial and private museums and art galleries; places of worship, including any structure or site such as a church, synagogue, chapel, sanctuary or cathedral, used for collective or individual involvement with a religious activity, such as rites, rituals, ceremonies, prayer and discussion; public community centers and recreational areas such as playgrounds, playfields and parks.

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 of or furnishing of heat, chilled air, chilled water, light, power or water, or wastewater facilities, either directly or indirectly to or for the public (see Codes 47 and 48 except Code 4823 and 485 in the Standard Land Use Coding Manual).

Real Estate Signs - A sign indicating that a parcel or structure is for sale or rent. This shall include sold signs and signs that indicate that a parcel or structure has been sold through words such as "future home of company b".

Recreational Activities - Sports activity, playground and athletic areas, swimming areas, marinas and other similar activities (see Code 74 in the Standard Land Use Coding Manual).

Recreational Vehicle - A trailer towed behind a car or a self propelled vehicle intended for use as a temporary recreational dwelling.

Repair Services - Those establishments which fix, mend or overhaul merchandise for households or businesses, not to include automobile body shops (see Code 64 in the Standard Land Use Coding Manual).

Retail Trade - Those establishments engaged in selling merchandise for personal or household consumption and rendering services incidental to the sale of goods (see Code 52 through 59 in the Standard Land Use Coding Manual).

Schools, Parochial - An institution of learning owned and/or operated by a recognized church or religious institution.

Sign - Any structure or part thereof attached thereto or painted or represented thereon which shall display or include any letter, words, model, banner, flag, pennant, insignia, or representation used as, or which is the nature of an announcement, direction, or advertisement. The word "sign" includes the word "billboard" or any other type of advertising device, but does not include the flag, pennant, or insignia of any nation, state, city, or other political unit.

Sign, Ground - Any sign, including a billboard, which is supported by a pole, uprights, or braces on the ground.

Sign, Off-Premise, Off Site - Signs advertising products or services for sale on a site other than the site the sign is located.

Sign, On-Premise, On Site - Signs advertising products or services for sale on the same site as the sign is located.

Sign, Temporary - Any sign which is by reason of construction or purpose to be allowed for a short period of time, with the exception of real estate signs. Temporary signs shall include any sign, banner, pennant, valence or advertising display constructed of wood, metal, cloth, canvas, light fabric, cardboard, wallboard or other light material, with or without frames, where either by reason or construction or purpose the sign is intended to be displayed for a short period of time only (31 days or less). Temporary signs shall include but not be limited to street banners, posters, construction signs, real estate signs, model signs, special event signs, and attachment of portable signs to a site shall not change the signs to permanent signs.

Site Plan, Sketch Plan, General Plan - A plan delineating the overall scheme of the development of a tract of land including all items as specified in this Ordinance.

Start of Construction - For other than new construction or substantial improvements under the Coastal Barrier Resources Act, P.O.97-341, including substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition or improvement was within 180 days of the permit date.

The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings.

Story - That portion of a building included between the upper surface of any floor and the upper surface of the floor next above; or any portion of a building used for human occupancy, between the topmost floor and the roof. A basement not used for human occupancy shall not be counted as a story.

Story, Half - A story under a slopping roof, the finished floor area which does not exceed one half the floor area of the floor immediately below it, or a basement used for human occupancy, the floor area of the part of the basement thus used not to exceed fifty (50) percent of the floor area of the floor immediately above.

Street or Road - A public or private way for vehicular traffic, whether the road is designated as an avenue, arterial, collector, boulevard, road, highway, street, expressway, lane, alley or other way, and for the purpose of these regulations "roads" are divided into the following categories:

- (a) **Arterial Street** - A major street used primarily for heavy through traffic which will be so designated on the Munford Major Road Plan.
- (b) **Collector Street** - A street designed to carry traffic from minor streets to the major road system including the principal entrance streets to a residential development and the streets for major circulation within such a development. Collector streets are usually designated as such on the Munford Major Road Plan.
- (c) **Cul-de-sac or Dead-end Street** - A local street with only one outlet for which there are no plans or need for extension.
- (d) **Marginal Access Street** - A minor street which is constructed parallel and adjacent to an arterial street for the purpose of providing access to abutting properties and protection from through traffic.
- (e) **Minor Residential or Local Streets** - A neighborhood or commercial area street used primarily for access to the abutting properties.

Street Line - The property line which bounds the rights-of-way set aside for use as a street. Where sidewalks exist and the location of the property line is questioned, the side of the sidewalk farthest from the travelled street shall be considered as the street line.

Street Center Lines - The center of the surface roadway or the surveyed center line of the street.

Total Floor Area - The area of all floors of a building including finished attics, finished basements, covered porches and carports.

Toxic Materials - Material (gaseous, liquid, solid, particulate, or any other form) which is capable of causing injury to living organisms by chemical reaction even when present in relatively small amounts.

Transient Lodging - Temporary lodging such as hotels, tourist courts and motels (see Code 15 of the Standard Land Use Coding Manual).

Travel Trailer - A travel trailer, pick-up, converted bus, tent-trailer, tent, or similar device used for temporary portable housing or a unit which can operate independent of connections to external wastewater, water, gas and electrical systems; contains water storage facilities and may contain a lavatory, kitchen sink and/or bath facilities; and/or is identified by the manufacturer as a travel trailer.

Travel Trailer Park - Any plot or ground five (5) acres or more in size upon which two (2) or more travel trailers, occupied for temporary living purposes, are located regardless to whether or not a charge is made for such accommodations.

Use - The special purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any non-conforming use.

Utilities - Gas, water, electricity, wastewater and telephone services provided by government agencies or private companies (see Code 48 in the Standard Land Use Coding Manual).

Variance - A modification of the strict application of the area (lot, yard and open space) regulations and development standards of this Ordinance due to exceptionally irregular, narrow, shallow, or steep lots, whereby such strict application would result in practical difficulty or unnecessary hardship which would deprive an owner of reasonable use of the property.

The salient points of a variance are (1) undue hardship caused by exceptional physical irregularities of the property; and (2) unique circumstances due to the exceptional physical irregularities; and, (3) strict application of the area regulations and development standards which would deprive an owner of reasonable use of the property. A variance is not justified unless all three elements are present.

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 the building (see Code 8221 and 8222 in the Standard Land Use Coding Manual).

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

Wholesale Trade - Establishments or places of business primarily engaged in selling merchandise to a retailer, to industrial, commercial, farm or professional business users, or to other wholesalers, or acting as agents or brokers in buying merchandise for, or selling merchandise to such persons or companies (see Code 51 in the Standard Land Use Coding Manual).

Yard - Any open space on the same lot with a principal building open, unoccupied and unobstructed by building from the ground to the sky except as otherwise provided in this Ordinance. The measure of a yard shall be the minimum horizontal distance between any part of the principal building and lot or street right-of-way lines.

***Swimming pools shall be allowed in side or rear yards provided that such pools are not closer than ten (10) feet to a principal building or any lot line.

Yard, Front - A yard extending between side lot lines across the front of a lot adjoining a street and the nearest part of the principal building. The depth of required front yards shall be measured at right angles to a straight line joining the foremost point of the side lot. In the case of rounded property corners at street intersections, the yard shall be assumed to be the point at which the front and side lot lines would have met without such roundings. Front and rear yard lines shall be parallel. On corner lots, the yards adjacent to both streets shall be front yards.

Yard, Rear - A yard extending across the rear of a lot between the side lot lines and being the required minimum horizontal distance between the rear lot line and the rear building line.

Yard, Side - The yard between the main building and the side line of the lot, and extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot line and the side building line.

Yard, Special - A yard behind any required yard adjacent to a street, required to perform the same function as a side or rear yard, but adjacent to the lot line so placed or oriented that neither the term "side yard" nor the term "rear yard" clearly applies. In such cases, the Building Inspector shall require a yard with minimum dimensions as generally required for a side yard or a rear yard of the district, determining which shall apply by the relation of the portion of the lot on which the yard is to be located to the adjoining lot or lots, with due regard to the orientation and location of structures and buildable areas thereon.

Zoning Districts - Any section of the Munford Region 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.

CHAPTER III

GENERAL PROVISIONS

For the purpose of this Ordinance, there shall be certain general provisions which shall apply to all of the Munford Planning Region.

3.01 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, whether operated for or without compensation. However, within the FAR District this shall not be construed as authorizing the requirement of building permits or any regulation of any building, other than setback requirements from the right-of-way of a street or alley, on lands devoted to agricultural uses, nor shall it be construed as limiting, affecting or controlling in any way the agricultural uses of land.

3.02 Non-conforming Uses and Buildings

It is the intent of this Ordinance to recognize that the elimination of any 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 its 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. Any non-conforming building may not be:
 - 1. Structurally altered. This provision shall not be construed to prevent normal maintenance and repairs or alterations required for structural safety.
 - 2. Rebuilt or repaired after damage exceeding seventy-five percent (75%) of replacement cost.
 - 3. Changed to another non-conforming use.
 - 4. Re-established after a discontinuance of one (1) year.
- B. Any non-conforming use of land may not be:
 - 1. Changed to another non-conforming use.
 - 2. Re-established after discontinuance of one (1) year.

3.03 Accessory Buildings

No accessory building shall be erected in any front or required side yard and no separate accessory building shall be erected within five (5) feet of any lot line or other building on the same lot or be located nearer to the front lot line than the principal building.

In addition, all satellite dish antennae must comply with the following:

- A. Such antennae may not exceed the highest ridgeline of the primary structure on the property.
- B. All installers of satellite dish antennae must obtain a building permit prior to the installation of such antennae.

3.04 Temporary Building Permitted

A temporary building for construction materials and/or equipment and a temporary office for the sale or rental of real property, if in connection with the incidental and necessary to a real estate development, shall be permitted in any district providing that any building permit issued for such a building shall be valid for not more than six (6) months and may not be extended more than three (3) consecutive times.

3.05 Required Yard Cannot be Used by Another Building

No part of a yard or other open space required about any building for the purpose of complying with the provisions of this Ordinance shall be included as a part of a yard or other open space required for another building.

3.06 Obstruction to Vision at Street Intersection Prohibited

On a corner lot within the area formed by the center line of the intersecting or intercepting streets and a line joining points of such center lines at a distance of one hundred (100) feet from their intersection, there shall be no obstruction to vision from two and one-half (2 1/2) feet and height of ten (10) feet above the average grade of each street at the center line thereof. These requirements shall not be constructed to prohibit any necessary retaining wall.

3.07 Signs

A. Signs Hindering Traffic Prohibited

It shall be unlawful for any sign to be erected or maintained at any location where by reason of its position, working illumination, size, shape or color it may obstruct, impair, obscure, or interfere with the view of, or be confused with, any authorized traffic control sign, signal, or device. It shall also be unlawful to display the words "Stop", "Go Slow", "Caution", "Danger", "Warning" or other words commonly used to draw attention to traffic or roadway hazards by governmental or construction signs.

B. Privately Owned Signs Prohibited in Public Rights-of-way

No sign shall be placed in any public right-of-way except publicly owned signs.

C. Publicly Owned Signs

Publicly owned signs, such as traffic control signs and directional signs, are allowed in all districts.

D. Certain Electrical Signs

No signs having flashing, intermittent, or animated illumination shall be erected or permitted within three hundred (300) feet of property in districts permitting residential uses unless such sign is not visible from such property. No illuminated sign shall be permitted within fifty (50) feet of property in all residential districts unless the illumination of such sign is so designed that it does not shine or reflect light on such property.

E. Rotating Sign

No rotating signs, whether powered by electricity or some other source of energy, will be allowed in any district where they are visible from a public street.

F. Ground Signs

No ground sign shall be located closer than ten (10) feet to a street right-of-way unless such sign is at least ten (10) feet above the ground and vision under the sign is only incidentally obstructed by supporting members.

3.08 Off-Street Parking Requirements

A. General

There shall be provided at the time of erection of any building, or at the time any principal building is enlarged or increased in capacity, by or before conversion from one zoning use or occupancy to another, permanent off-street parking as specified in this Ordinance. Parking space maintained in connection with an existing and continuing principal building on the effective date of this Ordinance shall not be continued and counted as serving a new building or addition.

B. Location

Off-street parking shall be located on the same lot which it serves. If the parking cannot be reasonably provided on the same lot, the Board of Zoning Appeals may permit parking space to be provided on other off-street property provided such space lies within four hundred (400) feet of the main entrance of such principal use.

C. Size and Maneuvering Room

Each parking space shall be equal to an area of two hundred (200) square feet. The width shall not be less than ten (10) feet and the length shall not be less than eighteen (18) feet. A minimum of four hundred (400) square feet per parking space shall be used when computing parking area to include maneuvering space. Except for dwellings with one or two dwelling units, all off-street parking facilities shall be so arranged that no vehicle shall have to back into any street.

D. Access

Each parking space must be directly accessible from a street or alley or from an adequate access aisle or driveway leading to or from a street or alley.

E. May Serve as Yard Space

Parking spaces may be included as part of the required yard space associated with the permitted use.

F. Number of Spaces for Specific Uses

1. Dwelling units - Two (2) spaces for each unit.
2. Hotels, motels, tourist courts and similar transit lodging, rooming, or boarding house -One (1) space for each unit to be rented plus one (1) space per two (2) employees.
3. Elementary, Middle or Junior High School - One (1) space per employee plus one (1) space for each one hundred fifty (150) square feet of floor area in the seating area of any auditorium.
4. Senior High School - one (1) space for each classroom plus one (1) space for each staff member and employee other than teachers, plus one (1) space for each seven (7) students based on the capacity for which the building was designed. This provision is not applicable where parking spaces for an auditorium are provided.
5. Hospitals including nursing homes and sanitoriums - One (1) space for each employee, two (2) spaces for each bed plus one (1) space for each emergency vehicle.
6. Public Assembly -
 - (a) Movie and other theaters and places of Public Assembly - One (1) space for each three (3) seats in the auditorium or one (1) space for each 50 square feet of seating floor area if seating is not fixed.
 - (b) Sports Assembly - One (1) space for each three (3) seats or six (6) feet of benches.
 - (c) Religious Activities - One (1) space per two (2) seats in the auditorium.
 - (d) Other - In places where seating is not a measure of capacity, such as funeral parlors and club houses, at least one (1) space for each one hundred (100) square feet of floor space devoted to the particular use.
7. Public utility building - One (1) space for each employee.
8. Banks and office buildings - One (1) space for each one hundred and fifty (150) square feet of total floor space.

9. Bus and railroad terminals - One (1) space for each employee, plus one (1) space for each two hundred (200) square feet in the waiting room.
10. Clinic - Four (4) spaces for each doctor, plus one (1) space for every employee.
11. Automobile service station - Eight (8) spaces for each grease rack or similar facility, plus one (1) space for each gasoline pump.
12. Outdoor or indoor retail business use not previously listed - One (1) space for each one hundred-fifty (150) square feet of total sales area, plus one (1) space for each two (2) employees.
13. Wholesale and distribution uses - One (1) space for each employee.
14. Industrial and manufacturing uses - One (1) space for each company-operated vehicle plus one (1) space for each two employees computed on the average space of the two largest consecutive shifts.
15. In all developments, handicapped parking spaces shall be provided which have a minimum width of twelve (12) feet. The number of handicapped parking spaces in relation to the total number of spaces is listed below:

<u>Total Spaces in Lot</u>	<u>Required # of Handicapped spaces</u>
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2% of Total

3.09 Off-Street Loading and Unloading Space

Every building used for business or trade shall provide adequate space for the loading and unloading of vehicles off the street or alley. Such space shall have access to an alley, or if there is no alley, to a street.

3.10 Access Control

In order to promote the safety of the motorist and pedestrian and to minimize traffic congestion and conflict by reducing contact, the following regulations shall apply:

A. Number of Access Points

There shall be no more than two (2) points of access to any one (1) public street on a lot of less than three hundred (300) but not more than one hundred (100) feet in width. Lots in excess of three hundred (300) feet may have two points of access to any one (1) public street for each three hundred (300) feet of frontage.

Lots less than one hundred (100) feet in width shall have no more than one (1) point of access to any one (1) public street.

B. Distance of Intersections

All vehicular access points shall be located at least thirty (30) feet from the intersection of any right-of-way lines of streets or a street and a railroad.

C. Width

A point of access, i.e., a driveway or other opening for vehicles onto a public street, shall not exceed twenty-five (25) feet in width for one-way, one lane ingress or egress and shall not exceed thirty-five (35) feet in width for two-way ingress and/or egress.

D. Affect on Curbs, Drainage Ditches, and Sidewalks

No curbs shall be cut or altered or drainage ditches covered for the purpose of access without written approval by the Munford Building Inspector. Where sidewalks exist, the area existing between the street and an interior parking space or driveway parallel to the street shall have an effective barrier to prevent harm to pedestrians or sidewalk by encroachment of vehicles onto the sidewalk area.

E. Relation to State Highway Regulations

Access control of property abutting state or federal highways shall be governed by official regulations of the Tennessee Department of Transportation.

F. Variances

Causes requiring variance relative to this action, and hardship not caused by the property owner, shall be heard and acted upon by the Board of Zoning Appeals.

3.11 Manufactured Residential Dwellings

Manufactured residential dwellings, as defined in Chapter II of this Ordinance, and as further defined in Tennessee Code Annotated, Section 13-24-201, where allowed as a permitted use by this Ordinance 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 Southern Standard 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 roof.
- F. All such units shall be required to connect to a public utility system which includes gas, electric, water and wastewater in compliance with the Southern Standard Building Code and National Electrical Code.
- G. These provisions shall not apply to manufactured homes in an approved mobile home park.

3.12 Street Access

A building permit may not be issued for a building on a lot which does not abut a public street or permanent easement, as defined in the Munford Planning Region Subdivision Regulations, for at least fifty (50) feet.

3.13 Procedures and Requirements for Site Plan Review

The following procedures and standards are established for those sections of this Ordinance which require the submission and approval of a site plan prior the issuance of a building permit or certificate of occupancy for any affected land, structures, or buildings. Site plans shall be reviewed and approved or disapproved under the following procedures and standards as specified by the Zoning Ordinance.

- A. Site Plan Submission and Review - Site plan review is required under three (3) separate instances by the Zoning Ordinance. These instances includes:
 - 1. Review and approval by the Munford Building Inspector prior to the issuance of a building permit.
 - 2. Review and approval by the Munford Regional Board of Zoning Appeals prior to the approval of a permitted special exception.
 - 3. Review and approval by the Munford Planning Commission as required by this Ordinance.
- B. Review Procedure - In instances of review by the Munford Planning Commission or Regional Board of Zoning Appeals the following procedure shall apply:
 - 1. The owner or developer shall submit ten (10) copies of the proposed site plan to the Building Inspector fifteen (15) days prior to the regular meeting date of the Planning Commission or Board of Zoning Appeals. The site plan shall be reviewed in light of the provisions of this Section and approved or disapproved. The plans then shall be returned to the owner or agent with the date of such approval or disapproval noted thereon over the signature of the Secretary of the Planning Commission or Chairman of the Board of Zoning Appeals, whichever is applicable.
 - 2. Prior to the regular Planning Commission or Regional Board of Zoning Appeals meeting, copies of the proposed site plan will be distributed by

the Building Inspector to other affected City Departments to review and approve those areas under their responsibility. A coordinated staff position will be developed for submission to the Planning Commission or Regional Board of Zoning Appeals. The owner, developer, or agent will be invited to attend the meeting when there are unresolved problem areas.

C. Building Inspector Review - In instances of review by the Munford Building Inspector prior to the issuance of a building permit the following procedure shall apply:

1. Prior to the issuance of a building permit, a site plan shall be submitted to the Building Inspector. The site plan shall be reviewed.
2. Contents of the Site Plan - The site plan shall include:
 - (a) Name of development or address.
 - (b) Name and address of owner of record and the applicant.
 - (c) Present zoning of the site and abutting property.
 - (d) Date, graphic scale, and north point with reference to source of meridian.
 - (e) Courses and distances of center of all streets and all property lines, highway setback lines, property restricting lines, easements, covenants reservations and rights-of -way.
 - (f) The total land area.
 - (g) Topography of existing round and paved areas and elevations in relation to mean sea level of streets, alleys, utilities sanitary and storm sewers, and buildings and structures. Topography to be shown by dashed line illustrating two-foot contours and by spot elevation where necessary to indicate flat areas.

The Site Plan shall show the location of the following when existing:

- (a) Sidewalks, streets, alleys, easements and utilities.
- (b) Buildings and structures.
- (c) Public wastewater systems.
- (d) Slopes, terraces and retaining walls.
- (e) Driveways, entrances, exits, parking areas and sidewalks.
- (f) Water mains and fire hydrants.
- (g) Trees and shrubs.
- (h) Recreational areas and swimming pools.
- (i) Natural and artificial water courses.
- (j) Limits of flood plains.

The Site Plan shall show the location, dimensions, site and height of the following when proposed:

- (a) Sidewalks, streets, alleys, easements and utilities.
- (b) Buildings and structures including the front (street) elevation of proposed buildings.
- (c) Public wastewater systems.
- (d) Slopes and terraces, and retaining walls.
- (e) Driveways, entrances, exits, parking areas and sidewalks.
- (f) Water mains and fire hydrants.
- (g) Trees and shrubs.
- (h) Recreational areas.
- (i) Distances between buildings.
- (j) Estimates of the following when applicable:
 - (1) Number of dwelling units.
 - (2) Number of parking spaces.
 - (3) Number of loading spaces.
 - (4) Number of commercial or industrial tenants and employees.
 - (5) Plans for collecting storm water and methods of treatment of natural and artificial water courses including a delineation of limits or flood plains, if any.
 - (6) Proposed grading, surface drainage terraces, retaining wall heights, grades on paving area, and ground floor elevations of proposed building and structures. Proposed topography of the site shall be shown by two (2) foot contours.

In instances where the proposed construction is an individual single-family home, the site plan shall include the following:

- (a) All property lines and their surveyed distances and courses.
- (b) All building restricting lines, setback lines, easements, covenants, reservations and rights-of-way.
- (c) Total land area.
- (d) Present zoning of site and abutting properties.
- (e) Name, address of owner of record and applicant.
- (f) Provisions for utilities (water, sewer, etc.)
- (g) Location and dimensions of the proposed structures.

D. Planning Commission Review

In instances of review by the Munford Planning Commission prior to the issuance of a building permit, the following procedure shall apply:

1. Prior to the issuance of building permit a site plan shall be submitted to the Planning Commission. The plan shall be reviewed for compliance with the provisions of this Section and approved or disapproved. In the instance of disapproval, reasons for such disapproval shall be stated in writing.
2. Contents of the Site Plan - The site plan shall show the following:
 - (a) Name of development or address.
 - (b) Name and address of owner of record and the applicant.
 - (c) Present zoning of the site and abutting property.
 - (d) Date, graphic scale, and north point with reference to source of meridian.
 - (e) Courses and distances of center of all streets and all property lines, highway setback lines, property restricting lines, easements, covenants, reservations and rights-of-way.
 - (f) The total land area.
 - (g) Topography of existing ground and paved areas and elevations in relation to mean sea level of streets, alleys, utilities sanitary and storm sewers, and buildings and structures. Topography to be shown by dashed line illustrating two-foot contours and by spot elevations where necessary to indicate flat areas.
 - (h) One (1) space for signed approval of the Planning Commission.

The Site Plan shall show the location of the following when existing:

- (a) Sidewalks, streets, alleys, easements and utilities.
- (b) Building and structures.
- (c) Public wastewater systems.
- (d) Slopes, terraces and retaining walls.
- (e) Driveways, entrances, exits, parking areas and sidewalks.
- (f) Water mains and fire hydrants.
- (g) Trees and shrubs.
- (h) Recreational areas and swimming pools.
- (i) Natural and artificial water courses.
- (j) Limits of flood plains.

The Site Plan shall show the location, dimensions, site and height of the following when proposed:

- (a) Sidewalks, streets, alleys, easements and utilities.
- (b) Buildings and structures including the front (street) elevation of proposed buildings.
- (c) Public wastewater systems.
- (d) Slopes and terraces, and retaining walls.
- (e) Driveways, entrances, exits, parking areas and sidewalks.
- (f) Water mains and fire hydrants.
- (g) Trees and shrubs.
- (h) Recreational areas.
- (i) Distances between buildings.
- (j) Estimates of the following when applicable.
 - (1) Number of dwelling units.
 - (2) Number of parking spaces.
 - (3) Number of loading spaces.
 - (4) Number of commercial or industrial tenants and employees.
 - (5) Plans for collecting storm water and methods of treatment of natural and artificial water courses including a delineation of limits of flood plains, if any.
 - (6) Proposed grading, surface drainage terraces, retaining wall heights, grades on paving areas, and ground floor elevations of proposed buildings and structures. Proposed topography of the site shall be shown to two foot contours.

E. Board of Appeals Review - In instances of review by the Munford Regional Board of Zoning Appeals prior to the issuance of a building permit, the following procedure shall apply:

- 1. Prior to the issuance of a building permit a site plan shall be submitted to the Board of Zoning Appeals. The site plan shall be reviewed for compliance with the provisions of this section and approved or disapproved. In the instance of disapproval, reasons for such disapproval shall be stated in writing.
- 2. Contents of the Site Plan - The site plan shall show the following:
 - (a) Name of development or address.
 - (b) Name and address of owner of record and the applicant.
 - (c) Present zoning of the site and abutting property.

- (d) Date, graphic scale, and north point with reference to source of meridian.
- (e) Courses and distances of center of all streets and all property lines.
- (f) All building restriction lines, setback lines, easements, covenants, reservations and rights-of-way.
- (g) The total land area.
- (h) Topography of existing ground and paved areas and elevations in relation to mean sea level of streets, alleys, utilities, sanitary and storm sewers, and buildings and structures. Topography to be shown by dashed line illustrating two-foot contours and by spot elevations where necessary to indicate flat areas.
- (i) One (1) space for signed approval of the Board of Zoning Appeals.

The Site Plan shall show the location of the following when existing:

- (a) Sidewalks, streets, alleys, easements and utilities.
- (b) Building and structures.
- (c) Public wastewater systems.
- (d) Slopes, terraces and retaining walls.
- (e) Driveways, entrances, exits, parking areas and sidewalks.
- (f) Water mains and fire hydrants.
- (g) Trees and shrubs.
- (h) Recreational areas and swimming pools.
- (i) Natural and artificial water courses.
- (j) Limits of flood plains.

The Site Plan shall show the location, dimensions, site and height of the following when proposed:

- (a) Sidewalks, streets, alleys, easements and utilities.
- (b) Buildings and structures including the front (street) elevation of proposed buildings.
- (c) Public wastewater systems.
- (d) Slopes and terraces, and retaining walls.
- (e) Driveways, entrances, exits, parking areas and sidewalks.
- (f) Water mains and fire hydrants.
- (g) Trees and shrubs.
- (h) Recreational areas.

- (i) Distances between buildings.
- (j) Estimates of the following when applicable:
 - (1) Number of dwelling units.
 - (2) Number of parking spaces.
 - (3) Number of loading spaces.
 - (4) Number of commercial or industrial tenants and employees.
 - (5) Plans for collecting storm water and methods of treatment of natural and artificial water courses including a delineation of limits or flood plains, if any.
 - (6) Proposed grading, surface drainage terraces, retaining wall heights, grades on paving areas, and ground floor elevations of proposed buildings and structures. Proposed topography of the site shall be shown by two contours.

CHAPTER IV

ESTABLISHMENT OF DISTRICTS

4.01 Classification of Districts

For the purposes of this Ordinance, the Munford Planning Region, Tipton County, Tennessee, is hereby divided into five (5) regular districts and one (1) overlay district, designated as follows:

- FAR (Forestry-Agricultural-Residential)
- R (Residential)
- R-MH (Residential-Mobile Home)
- C (Commercial)
- I (Industrial)
- F (Flood) - overlay

4.02 Boundaries of Districts

A. General

The boundaries of districts in Section 4.01 of this Chapter are hereby established as shown on the Official Zoning Map entitled "Official Zoning Map, Munford Planning Region, Tipton County, Tennessee", which is part of this Ordinance and is on file at the Munford City Hall.

B. Exact Determination

Unless otherwise indicated, boundaries as shown on the Official Zoning Map as following lot lines, the center lines of streets or alleys, the center line of railroad right-of-way lines; or regional boundary lines shall be construed to follow such lines. Questions concerning the exact location of district boundaries shall be determined by the Board of Zoning Appeals.

CHAPTER V

PROVISIONS GOVERNING FAR, FORESTRY AGRICULTURAL DISTRICTS

General Description

This district is intended to be used primarily for agricultural, forestry, and very low density residential development. The basic intent is to permit lands best suited for agriculture and forestry to be used for those purposes and to place necessary restrictions on residential development. As the Munford Municipal-Regional Planning Commission determines that there is sufficient demand for additional open land suitable for development and that there are adequate provisions for water supply and wastewater disposal, selected portions of this district, suitable for the uses to be allowed, may be rezoned for more intensive forms of development. This district is also intended to allow certain uses on appeal which provide non-commercial services to the district or the district and other parts of the county, subject to appropriate conditions and safeguards.

Within the FAR (Forestry-Agriculture-Residential) District, the following regulations shall apply:

5.01 Uses Permitted

Forestry and agricultural uses; single-family dwellings and customary accessory buildings; manufactured residential dwellings and mobile homes as defined in Chapter II; small roadside stands for sale of farm products raised on the same property; and signs.

5.02 Uses Permitted on Appeal

Following public notice and hearing and provided other requirements set forth in this chapter and Section 13.04, Paragraph B are met, the Board of Zoning Appeals may permit:

- A. Public and Semi-Public Uses - Churches; schools; public recreation uses; other suitable public and semi-public uses; and customary accessory buildings for these uses.
- B. Incidental Home Occupations - Customary incidental home occupations; provided that no building permit or certificate of occupancy for such use shall be issued without written approval of the Board of Zoning Appeals and subject to such conditions as the Board of Zoning Appeals may require in order to preserve and protect the character of the neighborhood in which the proposed use is located; and provided further that:
 1. Location - The proposed use shall be located and conducted in the principal building only.
 2. Principals and employees - The principals and employees engaged in the proposed use shall be residents of the dwelling unit in which the proposed use is located.

3. Floor area - Not more than twenty percent (20%) of the total floor area in a dwelling unit shall be devoted to such use.
4. Storage - The proposed use shall not be the primary or incidental storage facilities for a business, industrial, or agricultural activity conducted elsewhere.
5. Visibility - No activity, material, goods, or equipment indicative of the proposed use shall be visible from any public street or alley.
6. Advertising - The proposed use shall not be advertised by the use of signs on the lot on which the proposed use is located.
7. Undesirable effects - The proposed use shall not generate noise, odor, fumes, smoke, vehicular or pedestrian traffic, nor nuisance of any kind which would tend to depreciate the residential character of the neighborhood in which the proposed use is located.
8. On-Site Retail Sales - Retail sales of firearms shall not be permitted as a home occupation.

C. Mining - Mining and quarrying of non-metallic minerals(except fuels) as defined in the Standard Land Use Manual; provided that no mining takes place until written approval has been granted by the Board of Zoning Appeals. The grant of approval shall expire 2 years from the date of approval and the operator shall be required to reapply to the Board of Zoning Appeals for continuation of the use. Before approval by the Board of Zoning Appeals the applicant shall be required to adhere to the following requirements.

1. No excavation shall occur or take place closer than 250' to a residential structure or designated flood hazard area; within 100' of any street right-of-way; within 75' of the perimeter of the site of the sand, gravel or other extraction operation. However, if the owner of the property adjoining, abutting or adjacent to the property agrees, in writing, such excavation may encroach to within 30' of the adjoining property owners line provided the encroachment does not violate the provisions of this section, relative to setback, for other adjoining property owners.
2. No haul roads, accessory structures, storage of vehicles, cutting or filling shall occur or take place closer than 75' of the perimeter of the site of the sand, gravel or other extraction operation. However, if the owner of the property adjoining, abutting or adjacent to the property agrees , in writing, such excavation may encroach to within 30' of the adjoining property owners line provided the encroachment does not violate the provisions of this section, relative to setback, for other adjoining property owners.
3. Equipment used in sand, gravel, or other extraction or processing operations shall be operated in such a manner that noise and vibrations are prevented, to the extent possible, from emanating beyond the boundaries of the site of the mining, extraction, or processing operations.

4. The location and surfacing of driveways providing ingress and egress to and from the site are subject to the review and approval by the Board of Zoning Appeals.
5. Shall be required to take such measures as the City of Munford or the county road supervisor deems necessary and proper to adequately maintain the county roads proposed for use by the applicant. A bond in an amount adequate to correct damages occurring as a result of the use of these roads by the applicant can be required by the Town of Munford or the county road supervisor;
6. Shall be required to submit a signed and certified notice of intent permit to comply with all state regulations governing the discharge of storm water associated with the proposed activity. The notice of intent will have been filed with the Tennessee Department of Environment and Conservation, Division of Water Pollution Control;
7. Shall provide a copy of the National Pollutant Discharge Elimination System Permit which is issued by the Tennessee Department of Environment and Conservation, Mining Section.
8. Shall provide the City of Munford with a surety instrument (i.e. letter of credit, bond) in the amount of \$2,500.00 for each acre affected by the respective operation. The bond shall be for 1 year and must be redeemed annually until reclamation in accordance with the reclamation plan, has occurred. The City of Munford reserves the right, after a period of 2 years, to draw upon a surety instrument to initiate a reclamation process if reclamation has not be adequately addressed by the permittee. The failure by a permittee to annually redeem a surety instrument shall deem the mining permit invalid, causing suspension of all mining operations and the resubmittal of an application.
9. Shall provide and have approved by the Munford City Engineer a Soil Erosion Control Plan, a Reclamation Plan and a Re-vegetation Plan. All plans shall comply with the adopted standards of the Department of Health, Environment and Conservation; and,
10. Shall present a detailed site plan drawn to a scale of 1"-200', which includes all relevant information in Chapter III, 3.13E, Procedures and Requirements for Site Plan Approval, and shall include the following additional information;
 - a) The name of the owner of the mineral rights:
 - b) The name of the owner of the surface rights:
 - c) The name of the operator of the proposed activity:
 - d) The total number of acres to be disturbed:

- e) A certification as to the accuracy of the plan by the person responsible for its preparation:
- f) The boundaries for which the permit is requested and the boundaries of the parcel on which the requested area is located:
- g) The location of all existing or proposed haul or access roads to be used by the mining operator:
- h) The location of any existing structures, publicly owned lands, or utility facilities within 1000' of the affected area:
- i) The location of all streams and standing bodies of waters in or within 1000' of the proposed area:

5.03 Uses Prohibited

Mobile home parks and other uses not specifically permitted or implied.

5.04 Minimum Lot Sizes

- A. Uses Permitted - One (1) acre or 43,560 square feet or more as required for compliance with Public Health Wastewater regulations.
- B. Uses Permitted on Appeal
 - 1. Churches - One (1) acre or two hundred (200) square feet of a lot area per auditorium seat, whichever is greater or additional acreage as required by the Board of Zoning Appeals or for compliance with Public Health Wastewater regulations.
 - 2. Schools - Five (5) acres plus one (1) acre for each one hundred (100) students or additional acreage as required by the State Board of Education, the Board of Zoning Appeals or for compliance with the Public Health Wastewater regulations.
 - 3. Other Uses - One (1) acre or more as required by the Board of Zoning Appeals or for compliance with Public Health Wastewater regulations.

5.05 Minimum Lot Width at Building Line

- A. Uses Permitted - One hundred (100) feet.
- B. Uses Permitted on Appeal
 - 1. Churches and schools - Two hundred (200) feet or more as required by the Board of Zoning Appeals.
 - 2. Other Uses - One hundred (100) feet or more as required by the Board of Zoning Appeals.

5.06 Minimum Front Yard Depth

- A. Uses Permitted
 - 1. All lots fronting on arterial streets - Sixty (60) feet.

- 2. All other lots - Thirty-five (35) feet.
- B. Uses Permitted on Appeal
 - 1. All lots fronting on arterial streets - Sixty (60) feet or more as required by the Board of Zoning Appeals.
 - 2. All other lots - Forty (40) feet or more as required by the Board of Zoning Appeals.

5.07 Minimum Side Yard Width on Each Side of Lot

- A. Uses Permitted - Fifteen (15) feet.
- B. Uses Permitted on Appeal
 - 1. Churches and schools - Thirty (30) feet or more as required by the Board of Zoning Appeals.
 - 2. All Other Uses - Fifteen (15) feet or more as required by the Board of Zoning Appeals.

5.08 Minimum Rear Yard Depth

- A. Uses Permitted - Thirty (30) feet.
- B. Uses Permitted on Appeal - Thirty (30) feet or more as required by the Board of Zoning Appeals.

5.09 Maximum Building Coverage (total for all buildings)

- A. Uses Permitted - Twenty-five (25) percent of the area of such lots.
- B. Uses Permitted on Appeal - Fifty (50%) percent or less as required by the Board of Zoning Appeals.

5.10 Maximum Height of Buildings

No building shall exceed three (3) stories or thirty-five (35) feet in height except that free-standing poles, towers, spires and structures not designed for or suitable for human occupancy may exceed this height provided they comply with all other pertinent codes and ordinances, and provided they are located no closer to the nearest property line than the distance equal to their own height plus five (5) feet.

5.11 Maximum Number of Principal Buildings Permitted

- A. Residential uses shall be limited to one (1) principal building per lot.
- B. Uses other than residential shall have no limitations as to the number of buildings, but the aggregate of all buildings shall not exceed fifty (50) percent of the entire lot area or less if required by the Board of Zoning Appeals.

CHAPTER VI

PROVISIONS GOVERNING THE R, RESIDENTIAL DISTRICTS

General Description

This district is intended primarily to allow low density single-family residential development in areas suitable for such development. These areas tend to have access to a public water system but not a public wastewater system. This situation is reflected in the district regulations. The district is also intended to allow certain uses on appeal which provide various services to the district or the district and other parts of the county.

Within the R (Residential) District, the following regulations shall apply.

6.01 Uses Permitted

Single-family dwellings and customary accessory buildings; manufactured residential dwellings as defined in Chapter II and subject to the provisions of Chapter III, Section 3.11 of this Ordinance; and real estate signs advertising the sale, rental, or leasing of only the premises on which they are maintained, provided that they are not over four (4) square feet in area and at least fifteen (15) feet from all lot lines.

6.02 Uses Permitted on Appeal

Following public notice and hearing and provided other requirements set forth in this Chapter and Section 13.04, Paragraph B are met, the Board of Zoning Appeals may permit:

A. Public and Semi-Public Uses

Churches; schools; golf courses and clubs; other suitable public and semi-public uses; and customary accessory buildings for these uses.

B. Incidental Home Occupations

Customary incidental home occupations; provided that no building permit or certificate of occupancy for such use shall be issued without written approval of the Board of Zoning Appeals and subject to such conditions as the Board of Zoning Appeals may require in order to preserve and protect the character of the neighborhood in which the proposed use is located; and provided further that:

1. Location - The proposed use shall be located and conducted in the principal building only.
2. Principals and employees - The principals and employees engaged in the proposed use shall be residents of the dwelling unit in which the proposed use is located.
3. Floor area - Not more than twenty (20%) percent of the total floor area in a dwelling unit shall be devoted to such use.

4. Storage - The proposed use shall not be the primary or incidental storage facilities for a business, industrial, or agricultural activity conducted elsewhere.
5. Visibility - No activity, materials, goods, or equipment indicative of the proposed use shall be visible from any public street or alley.
6. Advertising - The proposed use shall not be advertised by the use of signs on the lot on which the proposed use is located.
7. Undesirable effects - The proposed use shall not generate noise, odor, fumes, smoke, vehicular or pedestrian traffic, nor nuisance of any kind which would tend to depreciate the residential character of the neighborhood in which the proposed use is located.
8. On-Site Retail Sales - Retail sales of firearms shall not be permitted as a home occupation.

6.03 Uses Prohibited

Mobile homes, mobile home parks and other uses not specifically permitted or implied.

6.04 Minimum Lot Sizes

A. Uses Permitted

Twenty-thousand (20,000) square feet or more as required for compliance with Public Health Wastewater regulations or twelve thousand five hundred (12,500) square feet or more if the lot is serviced by public sewer and water.

B. Uses Permitted on Appeal

1. Churches - One (1) acre or two hundred (200) square feet of lot area per auditorium seat, whichever is greater or additional acreage as required by the Board of Zoning Appeals or for compliance with Public Health Wastewater regulations.
2. Schools - Five (5) acres plus one (1) acre for each one hundred (100) students or more as required by the State Board of Education, the Board of Zoning Appeals or for compliance with Public Health Wastewater regulations.
3. Other Uses - Twenty-thousand (20,000) square feet or more as required by the Board of Zoning Appeals or for compliance with Public Health Wastewater regulations.

6.05 Minimum Lot Width at Building Line

A. Uses Permitted - One hundred (100) feet.

B. Uses Permitted on Appeal

1. Churches and Schools - Two hundred (200) feet or more as required by the Board of Zoning Appeals.

2. Other Uses - One hundred (100) feet or more as required by the Board of Zoning Appeals.

6.06 Minimum Front Yard Depth

A. Uses Permitted

1. All lots fronting on an arterial street - Fifty (50) feet.
2. All other lots - Thirty-five (35) feet.

B. Uses Permitted on Appeal

1. All lots fronting on an arterial street - Fifty (50) feet or more as required by the Board of Zoning Appeals.
2. All other lots - Forty (40) feet or more as required by the Board of Zoning Appeals.

6.07 Minimum Side Yard Width on Each Side of Lot

A. Uses Permitted - Fifteen (15) feet.

B. Uses Permitted on Appeal

1. Churches and Schools - Thirty (30) feet or more as required by the Board of Zoning Appeals.
2. All other uses - Fifteen (15) feet or more as required by the Board of Zoning Appeals.

6.08 Minimum Rear Yard Depth

A. Uses Permitted - Twenty-five (25) feet.

B. Uses Permitted on Appeal

1. Churches and Schools - Thirty (30) feet or more as required by the Board of Zoning Appeals.
2. All other uses - Twenty-five (25) feet or more as required by the Board of Zoning Appeals.

6.09 Maximum Building Coverage (total of all buildings)

A. Uses Permitted - Thirty (30) percent.

B. Uses Permitted on Appeal - Fifty (50%) percent or less as required by the Board of Zoning Appeals.

6.10 Maximum Heights of Buildings

No building shall exceed three (3) stories or thirty-five (35) feet in height except that free standing poles, towers, spires and structures not designed for or suitable for human occupancy may exceed this height provided they comply the provisions of all other pertinent codes and ordinances, and provided that they are located no closer to the nearest property line than the distance equal to their own height plus five (5) feet.

6.11 Maximum Number of Principal Buildings Permitted

- A. Residential uses shall be limited to one (1) principal building per lot.
- B. Uses other than residential shall have no limitations as to the number of buildings, but the aggregate of all buildings shall not exceed fifty (50) percent of the entire lot area or less if required by the Board of Zoning Appeals.

CHAPTER VII

PROVISIONS GOVERNING RESIDENTIAL-MOBILE HOME DISTRICTS

General Description

This district is intended to allow a mixture of residential development including individual mobile homes and mobile home parks or subdivisions. Areas designated as Residential-Mobile Home will be suitable for low to moderate density development in the form of single-family (including individual mobile homes), two-family and multi-family dwellings as well as mobile home parks and subdivisions. The designated areas tend to have access to a public water system, but not necessarily a public wastewater system. This district is also intended to allow certain uses on appeal which provide non-commercial services to the district or the district and other parts of the county, subject to appropriate conditions and safeguards.

Prior to the issuance of a building permit for construction of two-family dwellings, multi-family dwellings or mobile home parks, the developer shall submit a site plan to the Planning Commission for review and approval as required in Section 3.13 of this Ordinance.

Within the R-MH (Residential-Mobile Home) District, the following regulations shall apply:

7.01 Uses Permitted

- A. Single-family dwellings including individual mobile homes and manufactured residential dwellings as defined in Chapter II and subject to the provisions of Chapter III, Section 3.11 of this Ordinance.
- B. Two-family dwellings (duplex).
- C. Multi-family dwellings (townhouses, condominiums and apartments).
- D. Mobile home parks or subdivisions.
- E. Customary accessory buildings incidental to the above permitted uses.
- F. Real estate signs advertising the sale, rental and leasing of only the premises on which they are maintained provided they are not over four (4) square feet in area and at least fifteen (15) feet from all lot lines.

7.02 Uses Permitted on Appeal

Following public notice and hearing and provided other requirements set forth in this Chapter and Section 13.04, Paragraph B are met, the Board of Zoning Appeals may permit:

- A. Public and Semi-Public Uses - Churches; schools; golf courses and clubs; other suitable public and semi-public uses; and customary accessory buildings for these uses.
- B. Other Uses - Travel trailer parks and customary accessory buildings.
- C. Incidental Home Occupations - Customary incidental home occupations; provided that no building permit or certificate of occupancy for such use shall be issued

without written approval of the Board of Zoning Appeals and subject to such conditions as the Board of Zoning Appeals may require in order to preserve and protect the character of the neighborhood in which the proposed use is located; and provided further that:

1. Location - The proposed use shall be located and conducted in the principal building only.
2. Principals and employees - The principals and employees engaged in the proposed use shall be residents of the dwelling unit in which the proposed use is located.
3. Floor area - Not more than twenty (20%) percent of the total floor area in a dwelling unit shall be devoted to such use.
4. Storage - The proposed use shall not be the primary or incidental storage facilities for a business, industrial, or agricultural activity conducted elsewhere.
5. Visibility - No activity, materials, goods or equipment indicative of the proposed use shall be visible from any public street or alley.
6. Advertising - The proposed use shall not be advertised by the use of signs on the lot which the proposed use is located.
7. Undesirable effects - The proposed use shall not generate noise, odor, fumes, smoke, vehicular or pedestrian traffic, nor nuisance of any kind which would tend to depreciate the character of the neighborhood in which the proposed use is located.
8. On-Site Retail Sales - Retail sales of firearms shall not be permitted as a home occupation.

D. Wood Kitchen Cabinets provided the following provisions are adhered to:

1. All activities associated with the constructions of the Cabinets occurs inside of a building.
2. All materials associated with the use is stored inside the building.
3. All waste products are properly disposed of in a waste receptacle.
4. The health department grants, through a letter, that the septic tank approved for the lot is acceptable to handle the proposed use.

E. Criteria for Review

1. All area, yard, density and parking requirements shall be met.
2. All site plan requirements, as set forth in Section 3.13 shall be submitted prior to consideration by the Board. If approved, all modifications requested by the Board of Zoning Appeals shall be made prior to the issuance of any building permit. The site plan shall be maintained in the permanent files of the City of Munford.

3. The Board of Zoning Appeals shall have the power to require such changes in the required site plan as may be necessary to minimize the impact of the requested use. These shall include but not be limited to setbacks, screening, lighting, parking location and layout, access, and general landscaping requirements. This power of review shall not include the authority to specify or alter architectural style of proposed or existing buildings, the authority to specify building materials, colors or similar considerations.

7.03 Uses Prohibited

Any use not specifically permitted or implied.

7.04 Minimum Lot Sizes

A. Uses Permitted

1. Single-family dwellings (including mobile homes on individual lots) - Twenty-thousand (20,000) square feet or more as required for compliance with Public Health Wastewater Regulations.
2. Two-family dwellings (duplexes) - Twelve thousand (12,000) square feet per dwelling unit or more as required for compliance with Public Health Wastewater Regulations.
3. Multi-family dwellings (apartments, townhouses, condominiums) - Seven thousand (7,000) square feet for the first unit and two thousand (2,000) square feet for each additional dwelling unit or more as required for compliance with Public Health Wastewater Regulations.
4. Mobile Home Parks or Subdivisions - Two (2) acres or more as required for compliance with Public Health Wastewater regulations with fifteen (15) percent of the park area set aside for recreation and open space requirements.
5. Single-family mobile homes within a mobile home park or subdivision - Four thousand five hundred (4500) square feet per individual mobile home space.

B. Uses Permitted on Appeal

1. Churches - One (1) acre or two hundred (200) square feet of lot area per auditorium seat, whichever is greater or additional acreage as required by the Board of Zoning Appeals or for compliance with Public Health Wastewater regulations.
2. Schools - Five (5) acres plus one (1) acre for each one hundred (100) students or more as required by the State Board of Education, Board of Zoning Appeals or for compliance with Public Health Wastewater regulations.
3. Travel Trailer Parks - Five (5) areas or more as required by the Board of Zoning Appeals or for compliance with Public Health Wastewater

regulations with fifteen (15) percent of the park set aside for recreation and open space requirements.

4. Other Uses - Twenty thousand (20,000) square feet or more as required by the Board of Zoning Appeals or for compliance with Public Health Wastewater regulations.

7.05 Minimum Lot Width at Building Line

A. Uses Permitted

1. Mobile Home Parks - One hundred (100) feet for the overall development (periphery) with fifty (50) feet per individual mobile home space.
2. All Other Lots - One hundred (100) feet.

B. Uses Permitted on Appeal

1. Churches and Schools - Two hundred (200) feet or more as required by the Board of Zoning Appeals.
2. Other Uses - One hundred (100) feet or more as required by the Board of Zoning Appeals.

7.06 Minimum Front Yard Depth

A. Uses Permitted

1. Mobile Home Parks fronting on Arterial Streets - Fifty (50) feet for the overall development with twenty (20) feet per individual interior front yard.
2. All Other Lots fronting on Arterial Streets - Fifty (50) feet.
3. Mobile Home Parks fronting on other than an Arterial Street - Thirty-five (35) feet for the overall development with twenty (20) feet per individual interior front yard.
4. All Other Lots fronting on other than an Arterial Street - Thirty-five (35) feet.

B. Uses Permitted on Appeal

1. All lots fronting on arterial streets - Fifty (50) feet or more as required by the Board of Zoning Appeals.
2. All other lots - Forty (40) feet or more as required by the Board of Zoning Appeals.

7.07 Minimum Side Yard Width on Each Side of Lot

A. Uses Permitted

1. Mobile Home Parks - Twenty (20) feet for the overall development with ten (10) feet per each individual interior side yard.
2. All other lots - Fifteen (15) feet.

- B. Uses Permitted on Appeal
 - 1. Churches and Schools - Thirty (30) feet or more as required by the Board of Zoning Appeals.
 - 2. All Other Uses - Fifteen (15) feet or more as required by the Board of Zoning Appeals.

7.08 Minimum Rear Yard Depth

- A. Uses Permitted
 - 1. Mobile Home Parks - Twenty-five (25) feet for the overall development with ten (10) feet per individual interior rear yard.
 - 2. All other lots - Twenty-five (25) feet.
- B. Uses Permitted on Appeal
 - 1. Public and semi-public uses - Thirty (30) feet or more as required by the Board of Zoning Appeals.
 - 2. Other Uses - Twenty-five (25) feet or more as required by the Board of Zoning Appeals.

7.09 Maximum Building Coverage (total for all buildings)

- A. Uses Permitted
 - 1. Mobile Home Parks - Fifty (50%) percent.
 - 2. All other uses - Thirty (30%) percent.
- B. Uses Permitted on Appeal - Fifty (50) percent or less as required by the Board of Zoning Appeals.

7.10 Maximum Height of Buildings

No building shall exceed three (3) stories or thirty-five (35) feet in height except that free-standing poles, towers, spires and structures not designed for or suitable for human occupancy may exceed this height provided that they comply with the provisions of all other pertinent codes and ordinances and provided they are located no closer to the nearest property line than the distance equal to their own height plus five (5) feet.

7.11 Maximum Number of Principal Buildings Permitted

- A. Single-family and two-family dwellings shall be limited to one (1) principal building per lot. Apartment complexes, townhouses, condominiums and mobile home parks shall have no limitations on the number of principal buildings per lot provided the lot area and site plan requirements are met.
- B. Uses other than residential shall have no limitations as to the number of buildings but the aggregate of all buildings shall not exceed fifty (50) percent of the entire lot area or less if required by the Board of Zoning Appeals.

7.12 Site Plan Review

Prior to the issuance of a building permit, all site plan requirements as set forth in Chapter III, Section 3.13 shall be submitted for review by the Planning Commission. If approved, any modifications required by the Planning Commission shall be made prior to the issuance of any building permit. The site plan shall be maintained in the permanent files of the City of Munford.

CHAPTER VIII

PROVISIONS GOVERNING COMMERCIAL DISTRICTS

General Description

The primary purpose of this district is to allow a wide range of commercial establishments in areas suitable for such development. It provides small towns and rural areas with an opportunity to have adequate access to a variety of commercial goods and services through concentrations of general commercial activities rather than through extended strip commercial areas. Regulations are designed so as to discourage formation of future commercial slums, to preserve the carrying capacity of streets, to provide for adequate off-street parking and to reflect the rural area characteristics of the district and the surrounding areas. In addition, certain other uses are allowed on appeal, provided that appropriate conditions and safeguards are satisfied.

Prior to the issuance of a building permit for construction of a commercial establishment, the developer shall submit a site plan to the Planning Commission for review and approval as required in Section 3.13 of this Ordinance.

Within the C (Commercial) District, the following regulations shall apply.

8.01 Uses Permitted

A. Retail Trade

1. Retail trade - building materials, hardware and farm equipment
2. Retail - general merchandise
3. Retail trade - food
4. Retail trade - automotive, marine craft, aircraft and accessories
5. Retail trade - apparel and accessories
6. Retail trade - furniture, home furnishing and equipment
7. Retail trade - eating and drinking
8. Other retail trade not elsewhere coded

B. Services

1. Finance, insurance and real estate services
2. Personal services
3. Business services
4. Repair services
5. Professional services
6. Contract Construction services
7. Educational Services
8. Miscellaneous services

- C. Amusements
- D. Recreational Activities
- E. Transient lodgings
 - 1. motels
 - 2. tourist courts
 - 3. hotels
- F. Public uses - including but not limited to Municipal, State or Federal uses such as schools, museums, office buildings and utilities
- G. Educational services
- H. Miscellaneous services
- I. Public Assembly
- J. Accessory buildings - Accessory buildings customarily incidental to the permitted use.
- K. Signs - as permitted in Chapter III, Section 3.07

8.02 Uses Permitted on Appeal

Following public notice and hearing and provided other requirements set forth in this Chapter and Section 13.04, Paragraph B are met, the Board of Zoning Appeals may permit:

- A. Public and Semi-Public Uses - Churches; schools; suitable public and semi-public uses; and customary accessory buildings for these uses.
- B. Other Uses - Public transportation service and repair, and accessory structures which are customarily incidental to such uses.
- C. Criteria for Review
 - 1. All area, yard, density and parking requirements shall be met.
 - 2. All site plan requirements, as set forth in Section 3.13 shall be submitted prior to consideration by the Board. If approved, all modifications requested by the Board of Zoning Appeals shall be made prior to the issuance of any building permit. The site plan shall be maintained in the permanent files of the City of Munford.
 - 3. The Board of Zoning Appeals shall have the power to require such changes in the required site plan as may be necessary to minimize the impact of the requested use. These shall include but not be limited to setbacks, screening, lighting, parking location and layout, access, and general landscaping requirements. This power of review shall not include the authority to specify or alter architectural style of proposed or existing buildings, the authority to specify building materials, colors or similar considerations.

8.03 Uses Prohibited

Dwellings and other uses not specifically permitted with or without appeal in this chapter.

8.04 Minimum Lot Sizes

- A. Uses Permitted - Twenty thousand (20,000) square feet or more as required for compliance with Public Health Wastewater Regulations.
- B. Uses Permitted on Appeal
 - 1. Churches - One (1) acre or two hundred (200) square feet of lot area per auditorium seat, which ever is greater or additional acreage as required by the Board of Zoning Appeals or for compliance with Public Health Wastewater regulations.
 - 2. Schools - Five (5) acres plus one (1) acre for each one hundred (100) students or additional acreage as required by the State Board of Education, the Board of Zoning Appeals or for compliance with Public Health Wastewater regulations.
 - 3. Other Uses -Twenty thousand (20,000) square feet or more as required by the Board of Zoning Appeals or for compliance with Public Health Wastewater regulations.

8.05 Minimum Lot Width at Building Line

- A. Uses Permitted - One hundred (100) feet.
- B. Uses Permitted on Appeal
 - 1. Churches and schools - Two hundred (200) feet or more as required by the Board of Zoning Appeals.
 - 2. Other Uses - One hundred (100) feet or more as required by the Board of Zoning Appeals.

8.06 Minimum Front Yard Depth

- A. Uses Permitted
 - 1. All lots fronting on an arterial street - Fifty (50) feet.
 - 2. All other lots - Thirty (30) feet.
- B. Uses Permitted on Appeal
 - 1. All lots fronting on arterial streets - Fifty (50) feet or more as required by the Board of Zoning Appeals.
 - 2. All other lots - Thirty (30) feet or more as required by the Board of Zoning Appeals.

8.07 Minimum Side Yard Width on Each Side of Lot

- A. Uses Permitted - No side yard is required, except that the width of a side yard which abuts a residential district shall not be less than twenty (20) feet.

B. Uses Permitted on Appeal

1. Churches and Schools - Thirty (30) feet or more as required by the Board of Zoning Appeals.
2. Other Uses - As required by the Board of Zoning Appeals, provided that the width of a side yard which abuts a residential district shall not be less than twenty (20) feet.

8.08 Minimum Rear Yard Depth

A. Uses Permitted

1. Retail sales and service establishments - Where a building is to be serviced from the rear, there shall be provided an alley, service court, rear yard, or combination thereof of not less than thirty (30) feet in depth. The depth of a rear yard which abuts a residential district shall be not less than ten (10) feet. In all other cases, no rear yard is required.
2. Other Uses - The depth of a rear yard which abuts a residential district shall not be less than ten (10) feet. In all other cases, no rear yard is required.

B. Uses Permitted on Appeal

1. Public or Semi-Public Uses - Thirty (30) feet or more as required by the Board of Zoning Appeals.
2. Other Uses - Where a building is to be serviced from the rear, there shall be provided an alley, service court, rear yard, or combination thereof of thirty (30) feet or more as required by the Board of Zoning Appeals. The depth of a rear yard which abuts a residential district shall be ten (10) feet or more as required by the Board of Zoning Appeals. In all other cases, no rear yard is required.

8.09 Maximum Building Coverage (total for all buildings)

A. Uses Permitted - Sixty (60) percent.

B. Uses Permitted on Appeal - Sixty (60) percent or less as required by the Board of Zoning Appeals.

8.10 Maximum Heights of Buildings

No building shall exceed three (3) stories or thirty-five (35) feet in height except that free-standing poles, towers, spires and structures not designed for or suitable for human occupancy may exceed this height provided they comply with all other pertinent codes and ordinances, and provided they are located no closer to the nearest property line than the distance equal to their own height plus five (5) feet.

8.11 Off-Street Parking, Access Control, Loading and Unloading Requirements

As indicated in Chapter III, Section 3.08, 3.09 and 3.10 of this Ordinance.

8.12 Site Plan Review

Prior to the issuance of a building permit all site plan requirements as set forth in Chapter III, Section 3.13 shall be submitted for review by the Planning Commission. If approved, any modifications required by the Planning Commission shall be made prior to the issuance of any building permit. The site plan shall be maintained in the permanent files of the City of Munford.

CHAPTER IX

PROVISIONS GOVERNING INDUSTRIAL DISTRICTS

General Description

The purpose of this district is to allow industrial development in areas suitable for such use. Regulations are designed so as to discourage formation of future industrial slums, to preserve the carrying capacity of streets and to provide for adequate off-street parking.

Prior to the issuance of a building permit within this district, the developer shall submit a site plan to the Planning Commission for review and approval as required in Section 3.13 of this Ordinance.

Within the I (Industrial) District the following regulations shall apply:

9.01 Uses Permitted

- A. Wholesale Trade, including:
 - 1. Motor vehicles and automotive equipment - wholesale
 - 2. Drugs, chemicals and allied products - wholesale
 - 3. Dry goods and apparel - wholesale
 - 4. Groceries and related products - wholesale
 - 5. Farm products (raw materials) - wholesale except for livestock, horses and mules - wholesale
 - 6. Electrical goods - wholesale
 - 7. Hardware, plumbing and heating equipment and supplies - wholesale
 - 8. Machinery, equipment, and supplies - wholesale
 - 9. Other wholesale trade not elsewhere coded - limited to
 - (a) Metals and minerals (Except petroleum products and scrap) wholesale
 - (b) Tobacco and tobacco products - wholesale
 - (c) Beer, wine and distilled alcoholic beverages - wholesale
 - (d) Paper and paper products - wholesale
 - (e) Furniture and home furnishings - wholesale
 - (f) Lumber and construction materials - wholesale
 - (g) Other wholesale trade not elsewhere coded - except for scrap and water materials - wholesale
- B. Retail trade - limited to:
 - 1. Retail trade - eating and drinking

- 2. Retail trade - materials, hardware and farm equipment
- C. Business services - limited to:
 - 1. Dwelling and other building services
 - 2. Warehousing and storage services
- D. Repair Services
- E. Professional Services - limited to:
 - 1. Medical laboratory services
 - 2. Dental laboratory services
 - 3. Other medical and health services
- F. Contract construction services
- G. Governmental services
- H. Agricultural related activities - limited to: animal husbandry services
- I. Manufacturing - including
 - 1. Apparel and other finished products made from fabrics, leather and similar materials - manufacturing except for:
 - (a) Leather tanning and finishing
 - 2. Furniture and fixtures - manufacturing
 - 3. Printing, publishing and allied industries
 - 4. Rubber and miscellaneous plastic products - manufacturing
 - 5. Fabricated metal products - manufacturing
 - 6. Professional, scientific and controlling instrument; photographic and optical goods; watches and clock - manufacturing
 - 7. Miscellaneous manufacturing not elsewhere coded
- K. Motor vehicle transportation
- L. Communication
- M. Utilities
- N. Other - transportation, communication and utilities not elsewhere coded
- O. Signs - as permitted in Chapter III, Section 3.07

9.02 Uses Permitted on Appeal

No uses are permitted.

9.03 Uses Prohibited

Any use not specifically permitted by the terms of this Chapter or permissible on appeal.

9.04 Minimum Lot Sizes

- A. Uses Permitted - One (1) acre.
- B. Uses Permitted on Appeal - One (1) acre or more as required by the Board of Zoning Appeals or for compliance with Public Health Wastewater regulations.

9.05 Minimum Lot Width

- A. Uses Permitted - One hundred fifty (150) feet.
- B. Uses Permitted on Appeal - One hundred fifty (150) feet or more as required by the Board of Zoning Appeals.

9.06 Minimum Front Yard Depth

- A. Uses Permitted - All lots - Fifty (50) feet.
- B. Uses Permitted on Appeal - All lots - Fifty (50) feet or more as required by the Board of Zoning Appeals.

9.07 Minimum Side Yard Width on Each Side

- A. Uses Permitted - Twenty (20) feet.
- B. Uses Permitted on Appeal - Twenty (20) feet or more as required by the Board of Zoning Appeals.

9.08 Minimum Rear Yard Depth

- A. Uses Permitted - Where a building is to be serviced from the rear, there shall be provided an alley, service court, rear yard, or combination thereof of not less than thirty (30) feet in depth. The depth of a rear yard which abuts a residential district shall be not less than fifteen (15) feet.
- B. Uses Permitted on Appeal - Where a building is to be serviced from the rear, there shall be provided an alley, service court, rear yard, or combination thereof of not less than thirty (30) feet in depth. The depth of a rear yard which abuts a residential district shall be not less than fifteen (15) feet or more as required by the Board of Zoning Appeals.

9.09 Maximum Building Coverage (total for all buildings)

- A. Uses Permitted - Sixty (60) percent
- B. Uses Permitted on Appeal - Sixty (60) percent or less as required by the Board of Zoning Appeals.

9.10 Maximum Height of Buildings

No building shall exceed three (3) stories or thirty-five (35) feet in height except that free-standing poles, towers, spires and structures not designed for or suitable for human occupancy may exceed this height provided that they comply with the provisions of all other pertinent codes and ordinances and provided they are located no closer to the nearest property line than the distance equal to their own height plus five (5) feet.

9.11 Off Street Parking, Access Control, Loading and Unloading Requirements

As indicated in Chapter III, Section 3.08, 3.09 and 3.10 of this Ordinance.

9.12 Site Plan Review

Prior to the issuance of a building permit all site plan requirements as set forth in Chapter III, Section 3.13 shall be submitted for review by the Planning Commission. If approved, any modifications required by the Planning Commission shall be made prior to the issuance of any building permit. The site plan shall be maintained in the permanent files of the City of Munford.

CHAPTER X

PROVISIONS GOVERNING FLOOD OVERLAY DISTRICTS

General Description

This district provides for regulating the floodplain areas of the Munford Planning Region to minimize danger to life and property and to allow citizens in the Planning Region to participate in the National Flood Insurance Program.

10.01 Statutory Authorization, Findings Of Fact, Purpose And Objectives

A. Statutory Authorization

The Legislature of the State of Tennessee has in Sections 13-7-301 through 13-7-306, Tennessee Code Annotated delegated the responsibility to the municipal legislative body to adopt floodplain regulations designed to minimize danger to life and property and to allow its citizens to participate in the National Flood Insurance Program.

B. Findings of Fact

1. The flood hazard areas of the Munford Planning Region in Tipton County are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
2. These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.

C. Statement of Purpose

It is the purpose of this Chapter to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to :

1. Restrict or prohibit uses which are vulnerable to water or erosion hazards, or which cause in damaging increases in erosion, flood heights, or velocities;
2. Require that uses vulnerable to floods, including community facilities, be protected against flood damage;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;

4. Control filling, grading, dredging and other development which may increase erosion or flood damage, and;
5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

D. Objectives

The objectives of this Chapter are:

1. To protect human life and health;
2. To minimize expenditure of public money for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, street and bridges located in floodplain;
6. To help maintain a stable tax base by providing for the sound use and development of flood prone areas;
7. To insure that potential home buyers are notified that property is in a flood area, and;
8. To establish eligibility for participation in the National Flood Insurance Program.

10.02 Definitions

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application.

"Accessory Structure" shall represent a subordinate structure to the principal structure and, for the purpose of this section, shall conform to the following:

1. Accessory structures shall not be used for human habitation.
2. Accessory structures shall be designated to have low flood damage potential.
3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwater.
4. Accessory structures shall be firmly anchored to prevent flotation which may result in damage to other structures.
5. Service facilities such as electrical and heating equipment shall be elevated or floodproofed.

"Act" means the statutes authorizing the National Flood Insurance Program that are incorporated in 42 U.S.C. 4001-4128.

"Addition (to an existing building)" means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is new construction.

"Appeal" means a request for a review of the Building Inspector's interpretation of any provision of this Ordinance or a request for a variance.

"Area of Shallow Flooding" means a designated AO or VO Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

"Area of Special Flood Hazard" is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

"Base Flood" means the flood having a one percent chance of being equaled or exceeded in any given year.

"Basement" means that portion of a building having its floor subgrade (below ground level) on all sides.

"Breakaway Wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

"Building" means any structure built for support, shelter, or enclosure for any occupancy or storage.

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials.

"Elevated Building" means a non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (post and piers), shear walls, or breakaway walls.

"Emergency Flood Insurance Program" or "Emergency Program" means the program as implemented on an emergency basis in accordance with Section 1336 of the Act. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial FIRM.

"Erosion" means the process of the gradual wearing away of land masses. This peril is not per se covered under the Program.

"Exception" means a waiver from the provisions of this Ordinance which relieves the applicant from the requirements of a rule, regulation, order or other determination made or issued pursuant to this Ordinance.

"Existing Construction" any structure for which the "start of construction commenced before the effective date of this ordinance.

"Existing Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of this floodplain management ordinance.

"Existing Structures" see "Existing Construction"

"Expansion to an Existing Manufactured Home Park or Subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from :

1. the overflow of inland or tidal waters;
2. the unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Hazard Boundary Map (FHBM)" means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as Zone A.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

"Flood Insurance Study" is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles as well as the Flood Boundary Map and the water surface elevation of the base flood.

"Floodplain" or "Flood-prone Area" means any land area susceptible to being inundated by water from any source (see definition of "flooding").

"Floodplain Management" means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

"Flood Protection System" means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes.

These specialized flood modifying works are those constructed in conformance with sound engineering standards.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

"Flood-related Erosion" means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding.

"Flood-related Erosion Area" or "Flood-related Erosion Prone Area" means a land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high water levels or wind-driven currents, is likely to suffer flood-related erosion damage.

"Flood-related Erosion Area Management" means the operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works and flood plain management regulations.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

"Floor" means the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

"Freeboard" means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings and the hydrological effect of urbanization of the watershed.

"Functionally Dependent Use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

"Highest Adjacent Grade" means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a building.

"Historic Structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminary determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminary determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminary determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (a) By an approved state program as determined by the Secretary of the Interior, or
 - (b) Directly by the Secretary of the Interior in states without approved programs.

"Levee" means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

"Levee System" means a flood protection system which consists of a levee, or levees, and associated structures, such a closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

"Lowest Floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Chapter.

"Manufactured Home" for the purpose of interpreting the term "manufactured home" as used in Flood Hazard District Section, the term means a building, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive dates or longer and intended to be improved property.

"Mean Sea Level" means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this Ordinance, the term is synonymous with National Geodetic Vertical Datum (NGVD).

"National Geodetic Vertical Datum (NGVD)" as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

"New Construction" any structure for which the "start of construction" commenced after the effective date of this ordinance. The term also includes any subsequent improvements to such structure.

"New Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this ordinance.

"100-year Flood" see "Base Flood".

"Person" includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.

"Recreational Vehicle" means a vehicle which is:

1. built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. designed to be self-propelled or permanently towable by a light duty truck; and
4. designed primarily for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Regulatory Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

"Special Hazard Area" means an area having special flood, mudslide (i.e., mudflow) and/or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, A99, or AH.

"Start of Construction" (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main building.

For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"State Coordinating Agency" (Tennessee Department of Economic and Community Development, Local Planning Assistance Office) means the agency of the state government, or other office designated by the Governor of the State or by state statute at the request of the Administrator to assist in the implementation of the National Flood Insurance Program in that state.

"Structure" means a walled and roofed building that is principally above ground, a manufactured home, as gas or liquid storage tank, or other man-made facilities or infrastructures.

"Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

"Substantial Improvement" means any combination of repairs, reconstruction, alteration, or improvements to a building, taking place during one (1) year, in which the cumulative cost equals or exceeds fifty percent of the market value of the building. The market value of the building should be (1) the appraised value of the building prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the building prior to the damage occurring. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the Code Enforcement Official and which are solely necessary to assure safe living conditions.

"Substantially Improved Existing Manufactured Home Parks or Subdivisions" is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

"Variance" is grant of relief from the requirements of this Chapter which permits construction in a manner otherwise prohibited by this Chapter where specific enforcement would result in unnecessary hardship.

"Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certification, or other evidence of compliance required in this Chapter is presumed to be in violation until such time as that documentation is provided.

"Water Surface Elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

10.03 General Provisions

- A. Lands to Which this Chapter Applies - This Chapter shall apply to all areas within the Planning Region of Munford, Tennessee.
- B. Basis for Establishing the Areas of Special Flood Hazard - The areas of special flood hazard identified by the Federal Emergency Management Agency in its Flood Insurance Rate Map 47167C0150E, Tipton County, Tennessee, dated April 2, 1991, with accompanying maps and other supporting data, and any revision thereto, are adopted by reference and declared to be a part of this Ordinance. These areas shall be incorporated into the Munford Regional Zoning Map.
- C. Establishment of Development Permit - A Development Permit shall be required in conformance with the provision of this Chapter prior to the commencement of any development activities with the following exception. No development permit shall be required for any accessory structure of a value not to exceed \$5,000.00.
- D. Compliance - No structure or use shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this Chapter and other applicable regulations.
- E. Abrogation and Greater Restrictions - This Chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Chapter and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- F. Interpretation - In the interpretation and application of this Chapter all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body, and; (3) deemed neither to limit nor repeal any other powers granted under state statutes.
- G. Warning and Disclaimer of Liability - The degree of flood protection required by this Chapter is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Chapter does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This Chapter shall not create liability on the part of the City of Munford or by any officer or employee thereof for any flood damages that result from reliance on this Chapter or any administrative decision lawfully made thereunder.
- H. Penalties for Violation - Violation of the provisions of this Chapter or failure to comply with any of its requirements, including violation of conditions and

safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Munford from taking such other lawful actions as is necessary to prevent or remedy any violation.

10.04 Administration

- A. Designation of Building Inspector - The Building Inspector is hereby appointed to administer and implement the provisions of this Chapter.
- B. Permit Procedures - Application for a Development Permit shall be made to the Building Inspector on forms furnished by him or her prior to any development activities, and may include, but not be limited to, the following plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill, storage of materials or equipment, drainage facilities, and the location of the foregoing. Specifically, the following information is required:
 - 1. Application Stage
 - (a) Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all buildings.
 - (b) Elevation in relation to mean sea level to which any non-residential building will be flood-proofed.
 - (c) Certificate from a registered professional engineer or architect that the non-residential flood-proofed building will meet the flood-proofing criteria in Section 10.05 B.2.
 - (d) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

- 2. Construction Stage

Within unnumbered A zones on the Tipton County FIRM in the Munford Planning Region the Building Inspector shall record the elevation of the lowest floor on the required development permit. The elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building and the highest adjacent grade. USGS Quadrangle maps may be utilized when no better reference exists to establish reference elevations.

Within all flood zones where base flood elevation data are utilized, the Building Inspector shall require that upon placement of the lowest floor, or flood-proofing by whatever construction means, whichever is applicable, it shall be the duty of the permit holder to submit to the Building Inspector a certification of the elevation of the lowest floor, or flood-proofed elevation, whichever is applicable, as built, in relation to

mean sea level. Said certification shall be prepared by, or under the direct supervision of, a registered land surveyor, professional engineer, or architect and certified by same. When flood-proofing is utilized for a particular building, said certification shall be prepared by, or under the direct supervision of, a professional engineer or architect and certified by same. Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Building Inspector shall review the floor elevation survey data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

C. Duties and Responsibilities of the Building Inspector - Duties of the Building Inspector shall include, but not be limited to:

1. Review all development permits to assure that the permit requirements of this Chapter have been satisfied.
2. Advise permittee that additional federal or state permits may be required, and if specific federal or state permit requirements are known, require that copies of such permits be provided and maintained on file with the development permit. (This shall include Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 3.3 U.S.C. 1334.)
3. Notify adjacent communities and the Tennessee Department of Economic and Community Development, Local Planning Office prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
4. Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is maintained.
5. Verify and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved buildings, in accordance with Section 10.04 B.2.
6. Verify and record the actual elevation (in relation to mean sea level) to which the new or substantially improved buildings have been flood-proofed, in accordance with Section 10.04 B.2.
7. When flood-proofing is utilized for a particular building, the Building Inspector shall obtain certification from a registered professional engineer or architect, in accordance with Section 10.05 B.2.
8. Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to

be a conflict between a mapped boundary and actual field conditions) the Building Inspector shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Chapter.

9. When base flood elevation data or floodway data have not been provided in accordance with Section 10.03 B. then the Building Inspector shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer the provisions of Section 10.05.

Within unnumbered A zones on the Tipton County FIRM in the Munford Planning Region, where base flood elevations have not been established and where data is not available necessitating a higher elevation, the Building Inspector shall require a minimum two (2) foot elevation of the lowest floor (including basement) of the building as measured between the lowest floor of the building and the highest adjacent grade in order to administer the provisions of Section 10.05.

10. All records pertaining to the provisions of this Chapter shall be maintained in the office of the Building Inspector and shall be open for public inspection.

D. Variance Procedures

1. The Munford Regional Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Chapter.
2. Variances may be issued for the repair or rehabilitation of historic structures (see definition) upon a determination that the proposed repair or rehabilitation will not preclude the structure's continue designation as a historic structure and the variance is the minimum to preserve the historic character and design of the structure.
3. In passing upon such applications, the Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Chapter, and:
 - (a) the danger that materials may be swept onto other lands to the injury of others;
 - (b) the danger to life and property due to flooding or erosion damage;
 - (c) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

- (d) the importance of the services provided by the proposed facility to the community;
 - (e) the necessity of the facility to a waterfront location, in the case of a functionally dependent facility;
 - (f) the availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - (g) the compatibility of the proposed use with existing and anticipated development;
 - (h) the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - (i) the safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (j) the expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site, and;
 - (k) the costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
4. Upon consideration of the factors listed above, and the purposes of this Ordinance, the Board of Zoning Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Chapter.
5. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
6. Conditions for Variances
- (a) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and in the instance of a historical building, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building.
 - (b) Variances shall only be issued upon (1) a showing of good and sufficient cause, (2) a determination that failure to grant the variance would result in exceptional hardship; and (3) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or Ordinances.

- (c) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the building is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
- (d) The Building Inspector shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

10.05 Provisions For Flood Hazard Reduction

- A. General Standards - In all areas of special flood hazard the following provisions are required:
- 1. New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure;
 - 2. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;
 - 3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
 - 4. New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
 - 5. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
 - 6. New and replacement water supply systems shall be designed to minimize and eliminate infiltration of flood waters into the system;
 - 7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
 - 8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding; and,
 - 9. Any alteration, repair, reconstruction or improvements to a building which is in compliance with the provisions of this Ordinance, shall meet the requirements of "new construction" as contained in this Chapter.

10. Any alteration, repair, reconstruction or improvements to a building which is not in compliance with the provision of this Chapter, shall be undertaken only if said non-conformity is not furthered, extended, or replaced.

B. Specific Standards - These provisions shall apply to all areas of special flood hazard as provided herein:

In all areas of special flood hazard where base flood elevation data or floodway data have not been provided, the provisions of Section 10.04 C.9 shall be utilized for all requirements relative to the base flood elevation or floodways as contained herein:

1. Residential Construction. New construction or substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement elevated no lower than one (1) foot above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimproved movements of flood waters shall be provided in accordance with standards of Section 10.05 B.3.

2. Non-Residential Construction. New construction or substantial improvement of any commercial, industrial, or non-residential building (or manufactured home) shall have the lowest floor, including basement, elevated no lower than one (1) foot above the level of the base flood elevation. Buildings located in all A-zones may be flood-proofed in lieu of being elevated provided that all areas of the building below the required elevation are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in Section 10.04 C.7.

3. Elevated Building. New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.

(a) Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria.

(1) Provide a minimum of two openings having a total new area of not less than one square inch for every square foot of enclosed area subject to flooding;

- (2) The bottom of all openings shall be no higher than one foot above grade; and
 - (3) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwater in both direction.
- (b) Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator); and
 - (c) The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.
4. Standards for Manufactured Homes and Recreational Vehicles
- (a) All manufactured homes placed, or substantially improved, on individual lots or parcels, in expansions of existing manufactured home parks or subdivisions, or in substantially improved manufactured home parks or subdivisions, must meet all requirement of new construction, including elevations and anchoring.
 - (b) All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that:
 - (1) The lowest floor of the manufactured home is elevated no lower than one (1) foot above the level of the base flood elevation, or
 - (2) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least an equivalent strength, of no less than 36 inches in height above grade.
 - (3) The manufactured home must be securely anchored to the adequately anchored foundation system to resist flotation, collapse and lateral movement.
 - (4) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, any manufactured home placed or substantially improved must meet the standards of Section 10.05 B.4. (b) (1) and (3) above.
 - (c) All recreational vehicles placed on sites must either:
 - (1) Be fully licensed and ready for highway use, or

- (2) The recreational vehicle must meet all the requirements for new construction, including anchoring and elevation requirements of Section 10.05 B.4. (a) or (b) (1) and (3) above.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached structures.

C. Standards for Subdivision Proposals

1. All subdivision proposals shall be consistent with the need to minimize flood damage.
2. All subdivision proposals shall have public utilities and facilities such as sewer, gas electrical and water systems located and constructed to minimize flood damage.
3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
4. Base flood elevation data shall be provided for subdivision proposals and other proposed development (including manufactured home parks and subdivisions) which is greater than the lesser of fifty lots or five acres.

D. Standards For Unmapped Streams - Located within areas of the Munford Planning Region are unmapped streams where areas of special flood hazard are neither indicated nor base flood data or floodways have been provided. Adjacent to such streams the following provisions shall apply:

1. In areas adjacent to such unmapped streams no encroachments including fill material or structures shall be located within an area of at least equal to twice the width of the stream along each side of the stream, unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
2. New construction or substantial improvements of buildings shall be elevated or flood-proofed to elevations established in accordance with Section 10.04 C.9.

ARTICLE XI

ZONING TABLE FOR COMMERCIAL AND INDUSTRIAL DISTRICTS

Table 1: Permitted Uses and Special Exceptions

C (Commercial)

I (Industrial)

CONSTRUCTION

	FAR	R	R-MH	C	I
GENERAL BUILDING CONTRACTORS					
Building Construction – Office Only				R	
Building Construction – Office with equipment , materials, & storage					R
HEAVY CONSTRUCTION, EX. BUILDING					
Highway and Street Construction					R
Heavy Construction, Except Highway					R
Structural Steel Erection					R
Excavation Work					R
Wrecking and Demolition					R
SPECIAL TRADE CONTRACTORS					
Plumbing, Heating, Air-Conditioning					R
Painting and Paper Hanging					R
Electrical Work					R
Masonry, Stonework, and Plastering					R
Carpentry and Floor Work					R
Roofing, Siding, and Sheet Metal Work					R
Concrete					R
Water Well Drilling					R
Misc. Special Trade Contractors, NEC					R

TRANSPORTATION, TRUCKING & WAREHOUSING

	FAR	R	R-MH	C	I
LOCAL AND INTERURBAN PASSENGER TRANSIT					
Taxicabs				R	
Bus Charter Service				R	
TRUCKING AND WAREHOUSING					
Trucking & Courier Service, Ex. Air					R
• Local trucking, without storage				R	
• Trucking, except local					R
• Local trucking with storage					R
• Courier services, except by air					R
Public Warehousing and Storage					R
• Farm product warehousing and storage					R
• Refrigerated warehousing and storage					R
• General warehousing and storage					R
• Special warehousing and storage, NEC					R
• Mini-Storage				R	R
Trucking Terminal Facilities					R
COMMUNICATIONS					
Telephone Towers and Telegraph Infrastructure {see note}	R	R	R	R	R
Telecommunications Towers (Non-Public Utility)	R	R	R	R	R
Radio and Television Broadcasting				R	
Cable and Other Pay TV Service				R	
Communications Service, NEC					R

Note: * TCA Section 13-24-301

WHOLESALE TRADE

	FAR	R	R-MH	C	I
WHOLESALE TRADE-DURABLE GOODS					
Motor Vehicles, Parts, and Supplies				R	
• Automobiles and other motor vehicles				R	
• Motor vehicle supplies and new parts				R	
• Tires and tubes				R	
• Motor vehicle parts, used (Exc. Salvage Yards)				R	
Furniture and Home furnishings				R	
Lumber and Construction Materials				R	
Professional & Commercial Equipment				R	
• Photographic equipment and supplies				R	
• Office equipment				R	
• Computers, peripherals & software				R	
• Medical and hospital equipment				R	
• Ophthalmic goods				R	
• Professional & commercial equipment, NEC				R	
Metals and Minerals, Except Petroleum				R	
Electrical Goods				R	
Hardware, Plumbing, Air Condition & Heating Equipment				R	
Machinery, Equipment, and Supplies				R	
Miscellaneous Durable Goods				R	
• Sporting & recreational goods				R	
• Toys and hobby goods and supplies				R	
• Scrap and waste materials				R	
• Jewelry & precious stones				R	
• Durable goods, NEC				R	

WHOLESALE TRADE/NON-DURABLE GOODS

	FAR	R	R-MH	C	I
Paints and Varnishes				R	
Paper and Paper Products				R	
Drugs, Proprietaries, and Sundries				R	
Apparel, Piece Goods, and Notions				R	
Groceries and Related Products				R	
Farm-Produced Raw Materials				R	
Chemicals and Allied Products				R	
Petroleum and Petroleum Products				R	
Beer, Wine, and Distilled Beverages				S	

RETAIL TRADE

BUILDING MATERIALS & GARDEN SUPPLIES					
Lumber and Other Building Materials				S	R
Paint, Glass, and Wallpaper Stores				R	
Hardware Stores				R	
Retail Nurseries and Garden Stores				R	
Other Bldg. Materials & Garden Supplies, NEC				S	R
GENERAL MERCHANDISE STORES					
Department Stores				R	
Variety Stores				R	
Misc. General Merchandise Stores, NEC				R	
FOOD STORES					
Grocery Stores				R	
Meat and Fish markets				R	
Fruit and Vegetables Markets				R	
Candy, Nuts, and Confectionery Stores				R	
Dairy Products Stores				R	
Retail Bakeries				R	
Specialty Markets				R	

AUTOMOTIVE DEALERS & MARINE CRAFT

	FAR	R	R-MH	C	I
New and Used Car Dealers				R	
Used Car Dealers				R	
Auto and Marine Supply Stores				R	
Gasoline Service Stations				R	
Boat Dealers				R	
Recreational Vehicle Dealers				R	
Motorcycle Dealers				R	
Other Automotive Dealers & Supplies, NEC				R	
APPAREL AND ACCESSORY STORES					
Men's & Boys' Clothing Stores				R	
Women's Clothing Stores				R	
Women's Accessory & Specialty Stores				R	
Children's and Infants' Wear Stores				R	
Family Clothing Stores				R	
Shoe Stores				R	
Misc. Apparel & Accessory Stores, NEC				R	
FURNITURE AND HOME FURNISHINGS STORES					
Furniture and Home Furnishings Stores				R	
Household Appliance Stores				R	
Radio, Television, & Computer Stores				R	
EATING ESTABLISHMENTS					
Restaurants				R	
Cafes & Tea Rooms				R	

EATING ESTABLISHMENTS (CONTINUED)

	FAR	R	R-MH	C	I
Fast Food Businesses				R	

MISCELLANEOUS RETAIL

Drug Stores and Proprietary Stores				R	
Farm Implement Dealers				R	
Mobile Home Dealers				R	
Antique Stores				R	
Sporting goods and bicycle shops				R	
Book stores				R	
Stationery stores				R	
Jewelry stores				R	
Hobby, toy, and game shops				R	
Camera & photographic supply stores				R	
Gift, novelty, and souvenir shops				R	
Luggage and leather goods stores				R	
Sewing, needlework, and piece goods				R	
Florists				R	
Tobacco stores and stands				R	
News dealers and newsstands				R	
Optical goods stores				R	
Miscellaneous retail stores, NEC				R	
NON-STORE RETAILER					
• Catalog and mail-order houses				R	
• Merchandising machine operators				R	
• Direct selling establishments				R	

FUEL DEALERS

	FAR	R	R-MH	C	I
• Fuel Oil dealers					R
• Liquefied petroleum gas dealers					R

FINANCE, INSURANCE, AND REAL ESTATE

DEPOSITORY INSTITUTIONS				R	
NON-DEPOSITORY INSTITUTIONS				R	
SECURITY AND COMMODITY BROKERS				R	
INSURANCE CARRIERS, AGENTS & SERVICES				R	
REAL ESTATE					
Real Estate Operators and Lessors				R	
Real Estate Agents and Managers				R	
Title Abstract Offices				R	
HOLDING AND OTHER INVESTMENT OFFICES					
Holding Offices				R	
Investment Offices				R	
Trusts				R	
Miscellaneous Investing				R	

AGRICULTURE

AGRICULTURAL SERVICES					
Soil preparation services				R	
Crop Services				R	
• Crop planting and protecting	R			R	

AGRICULTURE (CONTINUED)

	FAR	R	R-MH	C	I
• Crop harvesting	R				
• Crop preparation services for market	R				
• Cotton ginning	R				
Veterinary Services				R	
Landscape and Horticulture				R	

SERVICES

TRANSIENT LODGING					
• Hotels and Motels				R	
• Bed and Breakfast Establishments	S				
• Bed and Breakfast Homestays	S				
PERSONAL SERVICES					
Laundry, Cleaning, & Garment Services				R	
Photographic Studios, Portrait				R	
Barber Shops & Beauty Shops				R	
Shoe repair and Shoeshine Parlors				R	
Funeral Services / Homes	S			R	
Cemeteries	S	S	S	S	
Tax Return Preparation Service				R	
Miscellaneous Personal Services, NEC				S	
BUSINESS SERVICES					
Advertising- Sales Offices				R	
Credit Reporting and Collection				R	
Mailing, Reproduction, Stenographic				R	
Services to Buildings				R	
• Disinfecting & pest control services				R	
• Building maintenance services, NEC				R	
Misc. Equipment Rental & Leasing				S	

BUSINESS SERVICES (CONTINUED)

	FAR	R	R-MH	C	I
• Medical equipment rental				R	
• Equipment rental & leasing, NEC				R	
Employment agencies				R	
Computer and Data Processing services				R	
• Computer programming services				R	
• Prepackaged software				R	
• Computer integrated systems design				R	
• Data processing and preparation				R	
• Information retrieval services				R	
• Computer facilities management				R	
• Computer rental & leasing				R	
• Computer maintenance & repair				R	
• Computer related services, NEC				R	
Miscellaneous Business Services				R	
• Detective & armored car services				R	
• Security systems services				R	
• News syndicates				R	
• Photo-finishing laboratories				R	
• Business services, NEC				R	
AUTO REPAIR AND SERVICES					
Automotive Rentals, No Drivers				R	
• Truck rental and leasing, no drivers				R	
• Passenger car rental				R	
• Passenger car leasing				R	
• Utility trailer rental				R	

AUTOMOTIVE REPAIR AND SERVICES (CONTINUED)

	FAR	R	R-MH	C	I
Automotive Repair Shops					
• Top & body repair & paint shops				R	
• Auto exhaust system repair shops				R	
• Tire re-treading and repair shops				R	
• Automotive glass replacement shops				R	
• Automotive transmission repair shops				R	
• General automotive repair shops				R	
• Automotive repair shops, NEC				R	
Automotive Service, Except Repair				R	
• Carwashes				R	
• Automotive services, NEC				S	
MISCELLANEOUS REPAIR SERVICES					
Electrical Repair Shops					
• Radio and television repair				R	
• Refrigeration service and repair				R	
• Electrical repair shops, NEC				R	
Watch, Clock, and Jewelry repair				R	
Reupholster Services and Furniture Repair				R	
Miscellaneous Repair Shops				R	
• Welding repair					R
• Armature rewinding shops					R
• Repair services, NEC				S	R
MOTION PICTURES					
Motion Picture Theaters				R	
Movie /Video Rental				R	

	FAR	R	R-MH	C	I
AMUSEMENT & RECREATION SERVICES					
Dance Studios, Schools, and Halls				R	
Producers, Orchestras, Entertainers				R	
Bowling Centers				R	
Sport Activities				R	
• Sports clubs, managers, & promoters				R	
• Miniature Golf					
• Physical fitness facilities					
• Public golf courses	S	S		S	
• Coin-operated amusement devices / Arcades				R	
• Amusement parks				R	
• Membership sports & recreation clubs				R	
• Golf Driving Ranges				R	
• Go-Cart Tracks				R	
• Tennis Courts				R	
• Roller Skating & Skate Board Facilities				R	
• Amusement and recreation, NEC					R
HEALTH SERVICES					
Offices & Clinics of Medical Professionals				R	
Offices and Clinics of Dental Professionals				R	
Medical and Dental Laboratories				R	
Offices of Other Health Professionals, NEC				R	
Hospitals				R	
Nursing Homes				S	
Assisted Living Facilities				R	
Rehabilitation Facilities				R	

	FAR	R	R-MH	C	I							
LEGAL SERVICES												
Legal Services					R							
EDUCATIONAL SERVICES												
Elementary and Secondary Schools	S	S	S	S								
Colleges and Universities	S	S	S	S								
Vocational Schools	S	S	S	R								
Other Special Training & Schooling, NEC	S	S	S	S			S	S	S	S	S	S
SOCIAL SERVICES												
Individual and Family Services							R	R	R	R		
Job Training and Related Services							R	R	R	R		
Child Day Care Services	S	S	S	S	S		S	S	S	S		
Adult Day Care Services	S	S	S	S	S		S	S	S	S		
Social Services, NEC							S	S	S	S		
CULTURAL ACTIVITIES												
Museums and Art Galleries	S	S	S	S			R	R	R	R		
Botanical and Zoological Gardens	S	S	S	S			R	R	R	R		
Libraries and Performing Art Centers	S	S	S	S			R	R	R	R		
MEMBERSHIP ORGANIZATIONS												
Business Associations							R	R	R	R		
Professional Organizations							R	R	R	R		
Labor Organizations							R	R	R	R		
Civic and Social Associations							R	R	R	R		
Political Organizations							R	R	R	R		
Membership Organizations, NEC							S	S	S	S		
ENGINEERING & MANAGEMENT SERVICES												

Engineering & Architectural Services							R	R	R	R		
Accounting, Auditing, & Bookkeeping							R	R	R	R		
Research and Testing Services							R	R	R	R		
Management and Public Relations							R	R	R	R		

RELIGIOUS ACTIVITIES

	R-1	R-2	R-3	R-4	R-5	PRD	B-1	B-2	B-3	PB	M	M-1
Churches, Synagogues, & Temples		S	S	S			R	R	R	S		

PUBLIC ADMINISTRATION / GOVERNMENT

EXECUTIVE AND LEGISLATIVE												
Executive Offices							R	R	R	R		
Legislative Bodies							R	R	R	R		
Executive and Legislative Combined							R	R	R	R		
General Government, NEC							S	S	S	S		
JUSTICE, PUBLIC ORDER AND SAFETY												
Courts							R	R	R	R		
Public Order and Safety												
• Police Protection	S	S	S	S	S		R	R	R	R	R	R
• Legal counsel and prosecution							R	R	R	R		
• Fire protection	S	S	S	S	S		R	R	R	R	R	R
• Public order and safety, NEC	S	S	S	S	S		S	S	S	S	S	S
Miscellaneous Government / Municipal Services												
• Postal Services	S	S	S	S	S		R	R	R	R		
• Administration of Human Resources							R	R	R	R	R	R
• Public Owned Parks	S	S	S	S			S	R	R	R		
• Public Owned Recreational Services	S	S	S	S			S	R	R	R		
• Essential Services (utilities)	R	R	R	R	R	R	R	R	R	R	R	R

MANUFACTURING

FOOD AND KINDRED PRODUCTS												
Dairy Products												
• Creamery butter											R	R
• Cheese, natural and processed											R	R

FOOD AND KINDRED PRODUCTS (CONTINUED)

	R-1	R-2	R-3	R-4	R-5	PRD	B-1	B-2	B-3	PB	M	M-1
• Dry, condensed, evaporated products											R	R
• Ice cream and frozen desserts											R	R
• Fluid milk processing											R	R
Preserved Fruits and Vegetables												
• Canned specialties											R	R
• Canned fruits and vegetables											R	R
• Dehydrated fruits, vegetables, soups											R	R
• Pickles, sauces, and salad dressings											R	R
• Frozen fruits and vegetables											R	R
• Frozen specialties, NEC											S	S
Grain Mill Products												
• Flour and other grain mill products											R	R
• Cereal breakfast foods											R	R
• Rice milling											R	R
• Prepared flour mixes and dough											R	R
• Wet corn milling											R	R
• Dog and cat food											R	R
• Prepared foods, NEC											S	S
Bakery Products												
• Breads, cake, and related, products											R	R
• Cookies and crackers											R	R
• Frozen bakery products, except bread											R	R
Sugar and Confectionery Products												
• Candy & other confectionery products											R	R
• Chocolate and cocoa products											R	R
• Chewing gum											R	R
• Salted and roasted nuts and seeds											R	R
Beverages												
• Bottled and canned soft drinks, water & juices											R	R

TEXTILE MILL PRODUCTS

	R-1	R-2	R-3	R-4	R-5	PRD	B-1	B-2	B-3	PB	M	M-1
Broad-woven Fabric Mills, Cotton											R	S
Broad woven Fabric Mills, Manmade											R	S
Broad woven Fabric Mills, Wood											R	S
Narrow woven Fabric Mills											R	S
Knitting Mills											R	S
Textile Finishing, Except Wool & Knit Goods												
• Finishing plants, cotton											R	S
• Finishing plants, manmade											R	S
• Finishing plants, NEC											S	S
Carpets and rugs											R	S
Yarn and Thread Mills												
• Yarn spinning mills											R	S
• Throwing and winding mills											R	S
• Thread mills											R	S
Miscellaneous Textile Goods												
• Coated fabrics, not rubberized											R	S
• Tire cord and fabrics											R	S
• Non-woven fabrics											R	S
• Cordage and twine											R	S
• Textile goods, NEC											S	S
APPAREL AND OTHER FINISHED PRODUCTS												
Men’s and Boys’ Suits and Coats											R	S
Men’s and Boys Furnishings											R	S
Women’s and Misses’ Outerwear											R	S
Women’s and Children’s Undergarments											R	S
Hats, Caps, and Millinery											R	S
Girls’ and Children’s Outerwear											R	S
Fur Goods											R	S
Miscellaneous Apparel and Accessories, NEC											S	S

APPAREL AND OTHER FINISHED PRODUCTS (CONTINUED)

	R-1	R-2	R-3	R-4	R-5	PRD	B-1	B-2	B-3	PB	M	M-1
• Fabric dress and work gloves											R	S
• Robes and dressing gowns											R	S
• Waterproof outerwear											R	S
• Leather and sheep-lined clothing											R	S
• Apparel belts											R	S
• Apparel and accessories, NEC											S	S
Misc. Fabricated Textile Products												
• Curtains and draperies											R	S
• House furnishings											R	S
• Textile bags											R	S
• Canvas and related products											R	S
• Pleating and stitching											R	S
• Automotive and apparel trimmings											R	S
• Schiffi machine embroideries											R	S
• Fabricated textile products, NEC											S	S
LUMBER AND WOOD PRODUCTS (EXCEPT FURNITURE)												
Sawmills and Planing Mills											R	S
Millwork, Plywood & Structural Members												
• Millwork											R	R
• Wood cabinets (mass produced)											R	R
• Hardwood veneer and plywood											R	R
• Softwood veneer and plywood											R	R
• Structural wood members, NEC											S	S
Wood Containers												
• Nailed wood boxes and shook											R	R
• Wood pallets and skids											R	R
• Wood containers, NEC											S	S

LUMBER AND WOOD PRODUCTS (CONTINUED)

	R-1	R-2	R-3	R-4	R-5	PRD	B-1	B-2	B-3	PB	M	M-1
• Mobile homes											R	S
• Prefabricated wood buildings											R	S
Miscellaneous Wood Products												
• Wood preserving											R	
• Reconstituted wood products											R	
• Wood products, NEC											S	
FURNITURE AND FIXTURES												
Household Furniture												
• Wood household furniture											R	S
• Upholstered household furniture											R	S
• Metal household furniture											R	S
• Mattresses and bedsprings											R	S
• Household furniture, NEC											S	S
Office Furniture												
• Wood office furniture											R	S
• Office furniture, except wood											R	S
Public Building & Related Furniture											R	S
Partitions and Fixtures											R	S
Miscellaneous Furniture and Fixtures, NEC											S	S
PRINTING AND PUBLISHING												
Newspapers											R	S
Periodicals											R	S
Books											R	S
Miscellaneous Publishing											R	S
Commercial Printing											R	S
Manifold Business Forms											R	S

Greeting Cards												R	S
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PRINTING AND PUBLISHING (CONTINUED)

	R-1	R-2	R-3	R-4	R-5	PRD	B-1	B-2	B-3	PB	M	M-1
Blankbooks and Bookbinding											R	S
Printing Trade Service Industries											R	S
CHEMICALS AND ALLIED PRODUCTS												
Industrial Organic and Inorganic Chemicals											R	
Plastics Materials and Synthetics											R	
Drugs												
• Medicinal and botanicals											R	S
• Pharmaceutical preparations											R	S
• Diagnostic substances											R	S
• Biological products exc. diagnostic											R	S
Soap, Cleaners, and Toilet Goods												
• Soap and other detergents											R	
• Polishes and sanitation goods											R	
• Surface active agents											R	
• Perfume, Cosmetics, & other Toilet preparations											R	
Paints and Allied Products											R	
Industrial Organic Chemicals												
• Gum and wood chemical											R	
• Cyclic crude's and intermediates											R	
• Industrial organic chemicals, NEC											R	
Agricultural Chemicals												
• Nitrogenous fertilizers											R	
• Phosphatic fertilizers											R	
• Fertilizers, mixing only											R	
• Agricultural chemicals, NEC											S	

Miscellaneous Chemical Products													
• Adhesives and sealants													R

CHEMICAL AND ALLIED PRODUCTS (CONTINUED)

	R-1	R-2	R-3	R-4	R-5	PRD	B-1	B-2	B-3	PB	M	M-1
• Printing ink											R	
• Carbon black											R	
• Chemical preparations, NEC											S	
Petroleum Refining & Related Industries												
• Paving and Roofing Materials											R	
RUBBER AND MISC. PLASTICS PRODUCTS												
Miscellaneous Plastic Products												
• Unsupported plastics film & sheet											R	
▪ Unsupported plastics profile shapes											R	
• Laminated plastics plate & sheet											R	
• Plastic pipe											R	
• Plastic bottles											R	
• Plastic foam products											R	
• Custom compound purchased resins											R	
• Plastic plumbing fixtures											R	
• Plastic products, NEC											S	
Tires and Inner Tubes											R	
Rubber Footwear											R	
Reclaiming Rubber											R	
Other Fabricated Rubber Products, NEC											S	
STONE, CLAY, AND GLASS PRODUCTS												
Flat Glass											R	S
Glass and Glassware, Pressed or Blown											R	S
Products of Purchased Glass											R	S
Cement, Hydraulic											R	S

Structural Clay Products													
• Brick and structural clay tile												R	S
• Ceramic wall and floor tile												R	S

STONE, CLAY AND GLASS PRODUCTS (CONTINUED)

	R-1	R-2	R-3	R-4	R-5	PRD	B-1	B-2	B-3	PB	M	M-1
• Clay refractories											R	S
• Structural clay products, NEC											S	S
Pottery and related Products												
• Vitreous plumbing fixtures											R	S
• Vitreous china table & kitchenware											R	S
• Semivitreous table & kitchenware											R	S
• Porcelain electrical supplies											R	S
• Pottery products, NEC											S	S
Concrete, Gypsum, and Plaster Products												
• Concrete block and brick											R	S
• Concrete products excluding Block & Brick											R	S
• Ready-mixed concrete plants											R	S
• Lime products											R	S
• Gypsum products											R	S
Cut Stone and Stone Products											R	S
FABRICATED METAL PRODUCTS												
Metal Cans and Shipping Containers											R	S
Cutlery, Hand-tools, and Hardware											R	S
Plumbing and Heating, Except Electric												
• Metal sanitary ware											R	S
• Plumbing fixture fittings and trim											R	S
• Heating equipment, except electric											R	S
Fabricated Structural Metal Products												
• Fabricated structural metal											R	S

• Metal doors, sash, and trim												R	S
• Fabricated plate work (boiler shops)												R	S
• Sheet metal work												R	S
• Architectural metal work												R	S

FABRICATED METAL PRODUCTS (CONTINUED)

	R-1	R-2	R-3	R-4	R-5	PRD	B-1	B-2	B-3	PB	M	M-1
• Prefabricated metal buildings											R	S
• Miscellaneous metal work											R	S
Screw Machine Products, Bolts, Etc.											R	S
Misc. Fabricated Metal Products												
• Industrial valves											R	S
• Fluid power valves & Hose fittings											R	S
• Steel springs, except wire											R	S
• Valves and pipe fittings, NEC											R	S
• Wire springs											R	S
• Misc. fabricated wire products											R	S
• Metal foil and leaf											R	S
• Fabricated pipe and fittings											R	S
• Fabricated metal products, NEC											S	S
INDUSTRIAL MACHINERY AND EQUIPMENT												
Engines and Turbines											R	
Construction and Related Machinery												
• Elevators and moving stairways											R	
• Conveyors and conveying equipment											R	
Metalworking Machinery											R	
Special Industry Machinery												
• Textile machinery											R	
• Woodworking machinery											R	

• Paper industries machinery												R	
• Printing trades machinery												R	
• Food products machinery												R	
• Special industry machinery, NEC												S	
General Industrial Machinery													

INDUSTRIAL MACHINERY AND EQUIPMENT (CONTINUED)

	R-1	R-2	R-3	R-4	R-5	PRD	B-1	B-2	B-3	PB	M	M-1
• Pumps and pumping equipment											R	
• Ball and roller bearings											R	
• Air and gas compressors											R	
• Blowers and fans											R	
• Packaging machinery											R	
• Speed changers, drives, and gears											R	
• Industrial furnaces and ovens											R	
• Power transmission equipment, NEC											S	
• General industrial machinery, NEC											S	
Computer and Offices Equipment												
• Electronic computers											R	R
• Computer storage devices											R	R
• Computer terminals											R	R
• Computer peripheral equipment, NEC											S	S
• Calculating and accounting equipment											R	R
• Office machines, NEC											S	S
Refrigeration and Service Machinery												
• Automatic vending machines											R	
• Commercial laundry equipment											R	
• Measuring and dispensing pumps											R	
• Service industry machinery, NEC											S	
Other Industrial Machinery												
• Carburetors, pistons, rings, valves											R	
• Fluid power cylinders & actuators											R	

• Fluid power pumps and motors												R	
• Scales and balances, exc. Laboratory												R	
• Industrial machinery, NEC												S	

ELECTRONIC & OTHER ELECTRIC EQUIPMENT (CONTINUED)

	R-1	R-2	R-3	R-4	R-5	PRD	B-1	B-2	B-3	P-B	M	M-1
ELECTRONIC & OTHER ELECTRIC EQUIPMENT												
Electric Distribution Equipment												
• Transformers, except electronic											R	
• Switch-gear and switchboard apparatus											R	
Electrical Industrial Apparatus												
• Motors and generators											R	
• Carbon and graphite products											R	
• Relays and industrial controls											R	
• Electrical industrial apparatus, NEC											S	
Household Appliances												
• Household cooking equipment											R	R
• Household refrigerators and freezers											R	R
• Household laundry equipment											R	R
• Electric housewares and fans											R	R
• Household vacuum cleaners											R	R
• Household appliances, NEC											S	S
Electric Lighting and Wiring Equipment												
• Electric lamps											R	R
• Current-carrying wiring devices											R	R
• Non-current carrying wiring devices											R	R
• Residential lighting fixtures											R	R
• Vehicular lighting equipment											R	R
• Lighting equipment, NEC											S	S
Household Audio and Video equipment											R	R

Communications Equipment											R	R
Electronic Components and Accessories											R	R

ELECTRONIC & OTHER ELECTRIC EQUIPMENT (CONTINUED)

	R-1	R-2	R-3	R-4	R-5	PB	B-1	B-2	B-3	PB	M	M-1
Misc. electrical Equipment & Supplies												
• Engine electrical equipment											R	R
• Magnetic and optical recording media											R	R
• Electrical equipment & supplies, NEC											S	S
TRANSPORTATION EQUIPMENT												
Motor Vehicles and Equipment												
• Motor vehicles and car bodies											R	
• Truck and bus bodies											R	
• Motor vehicle parts and accessories											R	
• Truck trailers											R	
• Motor homes											R	
Aircraft and Parts											R	
Railroad Equipment											R	
Motorcycles, Bicycles, and Parts											R	
Miscellaneous Transportation Equipment												
• Travel trailers and campers											R	
• Tanks and tank components											R	
• Transportation equipment, NEC											S	
INSTRUMENTS AND RELATED PRODUCTS												
Search and Navigation Equipment											R	
Measuring and Controlling Devices												
• Laboratory apparatus and furniture											R	R
• Environmental controls											R	R
• Process control instruments											R	R

• Fluid meters and counting devices												R	R
• Instruments to measure electricity												R	R
• Analytical instruments												R	R

INSTRUMENTS AND RELATED PRODUCTS (CONTINUED)

	R-1	R-2	R-3	R-4	R-5	PRD	B-1	B-2	B-3	PB	M	M-1
• Optical instruments and lenses											R	R
• Measuring & Controlling devices, NEC											S	S
Medical Instruments and Supplies												
• Surgical and medical instruments											R	R
• Surgical appliances and supplies											R	R
• Dental equipment and supplies											R	R
• Electrochemical equipment											R	R
Ophthalmic goods											R	R
Photographic Equipment and Supplies											R	R
Watches, Clocks, Watchcases & Parts											R	R
MISCELLANEOUS MANUFACTURING INDUSTRIES												
Jewelry, Silverware, and Plated Ware											R	R
Musical Instruments and Parts											R	R
Toys and Sporting Goods											R	R
Pens, Pencils, Office & Art Supplies											R	R
Costume Jewelry and Notions											R	R
Miscellaneous Manufacturing, Other												
• Brooms and brushes											R	R
• Signs and advertising specialties											R	R
• Burial caskets											R	R
• Hard surface floor coverings, NEC											S	S
MINING & QUARRYING OF NON-METALLIC MINERALS (EXCEPT FUELS)												

Crushed & Broken Stone (including Rip-Rap) Quarrying											S	
Sand and gravel - Quarrying											S	

MINING & QUARRYING OF NON-METALLIC MINERALS (CONTINUED)

	R-1	R-2	R-3	R-4	R-5	PRD	B-1	B-2	B-3	PB	M	M-1
Other Mining & Quarrying of Non-Metallic Minerals – Except Fuels											S	
SEXUALLY ORIENTED BUSINESSES												
Adult Bookstores								S			R	
Adult Novelty Shops								S			R	
Adult Video Stores								S			R	
Dance clubs								S			R	
Other Sexually Oriented Businesses, NEC								S			R	

NEC Not Elsewhere Coded

CHAPTER XI

EXCEPTIONS AND MODIFICATIONS

11.01 Lot of Record

Where the owner of a lot consisting of one or more adjacent lots of 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 resolution, an application may be submitted to the Board of Zoning Appeals for a variance from the terms of this Ordinance in accordance with Section 13.03. Such a lot may be used as a building site, provided, however, 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.

11.02 Front Yards

The front yard requirements of this Ordinance for residential lots shall not apply to any residential 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 front on the same street as such lot, is less than the minimum required front yard shall be the average of the existing front yard depths on the developed lots; except that no residence shall have a front yard of less than ten (10) feet in depth.

11.03 Height Regulations

The height limitations contained in the district regulations do not apply to spires, antennas, water tanks, chimneys, or other appurtenances usually required above the roof level and not intended for human occupancy.

CHAPTER XII

ENFORCEMENT

12.01 Enforcing Officer

The provisions of this Ordinance shall be administered and enforced by a Building Inspector, appointed by Munford Board of Mayor and Aldermen, who shall have the power to make inspections of buildings and/or premises necessary to carry out the duties in the enforcement of this Ordinance.

12.02 Building Permits and Certificates of Occupancy

- A. Zoning Compliance Permit Required - It shall be unlawful to commence the excavation for the construction or placing of any building, including accessory buildings, or to commence the moving or alteration of any building, including accessory buildings, until the Building Inspector has issued a building permit for such work.
- B. Issuance of Building Permit - In applying to the Building Inspector 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 already on the lot. The applicant shall also state the existing and intended use of such buildings and supply such other information as any required by the Building Inspector for determining whether the provisions of the Ordinance are being observed. If the proposed excavation or construction as set forth in the application are in conformity with the provisions of this Ordinance and other Ordinance in the Munford Planning Region, Tipton County, Tennessee, then in force, the Building Inspector shall issue a building permit for such excavation or construction. If a building permit is refused, the Building Inspector shall state such refusal in writing with the cause. The issuance of a building permit shall in no case be construed as waiving any provision of this resolution. A building permit shall become void six (6) months from date of issuance unless substantial progress has been made by that date on the project described therein. No building permit shall be issued until the Building Inspector receives written approval of the proposed provisions for water supply and wastewater disposal for the proposed use from the Tipton County Health Department.
- C. Certificate of Occupancy - No land or building or part thereof hereafter erected or altered in its use or structure shall be used until the Building Inspector shall have issued a certificate 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 five (5) days after notification that a building or premises or part thereof is ready for occupancy or use, it shall be the duty of the Building Inspector to make a final inspection thereof and to issue a certificate 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 certification is refused, to state such refusal in writing with the cause.

- D. Records - A complete record of such application, sketches, and plans shall be maintained in the Office of the Building Inspector.

12.03 Fees

A building permit fee shall be charged for all building permits as established by the City of Munford Board of Mayor and Aldermen.

12.04 Penalties

Any person violating the provisions of this Ordinance shall be guilty of a misdemeanor. Each day such violation shall continue shall constitute a separate offense.

12.05 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 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 in proceeding to prevent the occupancy of use of such building, structure or land.

CHAPTER XIII

BOARD OF ZONING APPEALS

13.01 Creation and Appointment

A Board of Zoning Appeals is hereby established in accordance with Section 13-7-304, Tennessee Code Annotated. The Board of Zoning Appeals shall consist of five (5) members. They shall be appointed by the Mayor and Board of Aldermen of the City of Munford with the majority of the membership being residents of the Munford Planning Region. The members shall be appointed for three (3) years and so arranged that the term of one (1) member shall expire each year.

13.02 Procedure

Meetings of the Board of Zoning Appeals shall be held at the call of the Chairman and such other times as the Board shall determine. All meetings of the Board of Zoning Appeals shall be open to the public. The Board of Zoning Appeals shall adopt rules of procedure and shall keep records of applications and actions taken thereon, which shall be a public record.

13.03 Appeals

How Taken - An appeal to the Board of Zoning Appeals may be taken by any person, firm, or corporation aggrieved, or by an governmental officer, department, or bureau affected by an decision of the Building Inspector based in whole or in part upon the provisions of this Ordinance. Such appeal shall be taken by filing with the Board of Zoning Appeals a notice of appeal, specifying the grounds thereof. In all cases where an appeal is made by a property owner or another interested party, a fee of twenty-five (\$25.00) dollars for the cost of publishing a notice such hearings shall be paid by the appellant. The Building Inspector shall transmit to the Board of Zoning Appeals all papers constituting the record upon which the appeal action was taken. The Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to parties in interest and decide the same within a reasonable time which shall not be more than fifteen days from the date of the hearing. At the hearing, any person or party may appear and be heard in person or by agent or by attorney.

13.04 Powers

The Board of Zoning Appeals shall have the following powers:

- A. Administrative Review - To hear and decide appeals where it is alleged by the applicant 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 provisions of this Ordinance.

B. Uses Permitted on Appeal

1. To hear and decide applications for uses permitted on appeal as specified in this Ordinance.
2. Prior to the establishment of any use permitted on appeal of the Board of Zoning Appeals, the applicant shall submit a site plan in accordance with Section 3.13 of this Ordinance showing the development concept for the tract to the Board of Zoning Appeals.
3. The Board of Zoning Appeals shall review and approve and/or disapprove the requested use within thirty (30) days of submission to the Board unless the applicant allows additional time for action. The granting of a use an appeal in no way is approving a submitted site plan. All site plans for any development must be approved by the Munford Planning Commission.

C. Variances - 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 this Ordinance was a lot of record; or where by reason of exceptional topographic conditions or other extraordinary or exceptional situations or conditions of a piece of property the strict application of the provisions of this Ordinance would result in exceptional practical difficulties to or exceptional undue hardship upon the owner of such property, provided that such relief may be granted without detriment to the public good and the intent and purpose of this Ordinance. Financial disadvantage to the property owner is no proof of hardship, within the purpose of zoning. In granting a variance, the Board may attach thereto such conditions regarding the location, character, and other features of the proposed building, structure, or use as it may deem advisable in furtherance of this Ordinance. Before a variance is granted, it shall be shown that circumstances are attached to the property which do not generally apply to other property in the neighborhood.

The Board shall not grant a variance unless it makes findings based upon evidence presented to it as follows:

1. The particular physical surroundings, shape, or topographic conditions of the specific property involved would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict application of this Ordinance were carried out.
2. The conditions upon which the petition for variance is based would not be applicable, generally, to other property within the same district.
3. The variance will not authorize activities in a zoning district other than those permitted by this Ordinance.
4. Financial returns alone shall not be considered basis for granting a variance.

5. The alleged difficulty or hardships has not been created by any person having an interest in the property after the effective date of this Ordinance.
 6. That granting the variance requested will not confer on this applicant any special privilege that is denied by this Ordinance to other lands, structures, or building in the same district.
 7. The variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.
 8. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the area in which property is located.
 9. The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values with the area.
 10. The variance is not based on the fact of nonconforming use of neighboring lands, structures or buildings in the same district.
 11. Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.
- B. Map Boundaries - To hear and decide appeals involving the interpretation of the location of district boundaries shown on the Official Zoning Map.

CHAPTER XIV
AMENDMENT

14.01 Zoning Amendment Petition

The Mayor and Board of Aldermen may amend the regulations, restrictions, boundaries or any provision of this Ordinance. Any member of the Board of Mayor and Aldermen may introduce such amendment, or a member of the Planning Commission or any other person may present a petition requesting an amendment or amendments to this Ordinance. In all cases where a petition is made by a property owner or other interested party, a fee as established by the Munford Municipal-Regional Planning Commission for the cost of publishing a notice of such hearings shall be paid by the petitioner.

14.02 Planning Commission Review

No such amendment shall become effective unless the same be first submitted for approval, disapproval, or suggestions to the Munford Municipal-Regional Planning Commission. If the Munford Municipal-Regional Planning Commission, within thirty (30) days after such submission, disapproves, it shall require the favorable vote of a majority of the entire membership of the Mayor and Board of Aldermen to become effective. If the Munford Municipal-Regional Planning Commission neither approves or disapproves such proposed amendment within thirty (30) days after such submission, the absence of action shall be considered as approval of the proposed amendment.

14.03 Effect of Denial of Application

Whenever an application for an amendment to the text of this Ordinance or for a change in the zoning classification of any property is denied, the application for such amendment shall not be eligible for reconsideration for six (6) months following such denial, except in the following cases:

- A. Upon introduction by the Board of Mayor and Aldermen or Planning Commission.
- B. When the new application, although involving any or a portion of the same property, is for a different zoning district than that for which the original application was made.
- C. When the previous application was denied for the reason that the proposed zoning would not conform with the general plan and the general plan has subsequently been amended in a manner which will allow the proposed zoning.

14.04 Public Hearing on Proposed Amendment

Upon the introduction of an amendment to this Ordinance and upon the receipt of a petition to amend this Ordinance, the Mayor and Board of Aldermen shall publish a notice of such Ordinance request for an amendment together with the notice of time set for hearing by the Mayor and Board of Aldermen on the request change. Said notice shall be published in some newspaper of general circulation in Tipton County,

Tennessee. Said hearing by the Mayor and Board of Aldermen shall take place not sooner than fifteen (15) days after the date of publication of such notice.

CHAPTER XV

LEGAL STATUS PROVISIONS

15.01 Conflict with Other Ordinances

In case of conflict between this Ordinance or any part thereof, and the whole or part of any existing or future Ordinance of the Munford Planning Region, the most restrictive shall in all cases apply.

15.02 Validity

If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any court or competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Ordinance which is not itself invalid or unconstitutional.

15.03 Effective Date

This Ordinance shall take effect and be in force immediately after its passage and publication, the public welfare demanding it.

Approved and Certified by the Planning Commission.

Attest:

Secretary of Planning Commission

Date of Public Hearing _____

Mayor

Attest:

City Recorder

Passed First Reading _____

Passed Second Reading _____

**PETITION FOR CHANGE OR RELIEF UNDER THE MUNFORD REGIONAL
ZONING ORDINANCE OR MAP**

1. **Applicant** Name _____
Address _____

2. **Owner** Name _____
Address _____

3. **Nature of Petition** Rezoning _____ Use on Appeal _____ Variance _____
Ordinance Amendment _____ Ordinance Interpretation _____

3. **If requesting a Rezoning fill out the following section:**

- a. Street Address: _____
- b. Tax Map Number _____ Parcel Number _____ Area in Acres _____
- c. Vicinity Roads _____
- d. Present Zoning Classification _____
- e. Requested Zoning Classification _____
- f. Available Utilities Water (yes) (no), Sewer (yes) (no), Electric (yes) (no)
- g. Attach Map of affected property

4. **If requesting a Use on Appeal fill out the following section:**

- a. Property address affected _____
- b. Present Zoning _____
- c. Reason for request _____

- d. Attach Site Plan of existing or proposed structure for the use on appeal

5. **Any other request fill out the following section:**

- a. Present Zoning: _____
- b. Reason for request: _____

I hereby certify that the statements made herein by me and the maps other accompanying data submitted herewith are true and correct. I will be responsible for the cost of publishing and filing this application.

Signature of Applicant

SITE PLAN CERTIFICATES

CERTIFICATE OF ACCURACY OF ENGINEERING AND DESIGN

I, _____ (printed name of signer) _____, a professional Architect or Engineer do hereby certify that the plans, engineering and designs governing the construction this site plan are true and correct, and conform to the requirements set forth in the Regional Zoning Ordinance of the Town of Munford, Tennessee.

_____, 19 _____
Date

Signature

PLANNING COMMISSION CERTIFICATE

I, _____ (printed name of signer) _____ do hereby certify that the Munford Municipal / Regional Planning Commission has approved this site plan.

_____, 19 _____
(Date)

Secretary, Munford Municipal / Regional
Planning Commission

BOARD OF ZONING APPEALS CERTIFICATE

I, _____ (printed name of signer) _____ do hereby certify that the Munford Regional Board of Zoning Appeals has approved this site plan.

_____, 19 _____
(Date)

Chairman, Munford Regional Board of Zoning Appeals