



ORDINANCE # 11 - 209

AN ORDINANCE OF THE TOWN OF UNICOI, TENNESSEE TO AMEND THE ZONING ORDINANCE TO RESTRICT CUSTOMARY ACCESSORY BUILDING LOCATION AND CONSTRUCTION

TABLED UNTIL FURTHER INFORMATION IS AVAILABLE

WHEREAS, the Town of Unicoi Board of Mayor and Alderman desire to restrict and set further guidelines concerning lot line restrictions, size and height of all accessory structures and location of accessory buildings within the Town of Unicoi to promote and protect the health and safety and property of its citizens as well as to promote and protect the scenic beauty and value of our Town; and,

WHEREAS, the Town of Unicoi is authorized through its Board of Mayor and Aldermen to enact zoning ordinances restricting construction within the town and setting penalties for violation of the Town's ordinances;

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR
AND ALDERMEN, that**

Section 1. Part 701.10 of Article VII of Zoning Ordinance 95-20 is deleted and replaced by the following:

Customary Accessory Buildings for residential uses provided the structure is not closer than twelve (12) feet to any lot line and complies with the following:

It shall be unlawful to build any customary accessory building or like structure within the Town of Unicoi, Tennessee, on residential use property that is a corner lot at intersecting streets except in the rear yard of the main residence. Rear yard of the main residence is defined as the portion of the property located behind the main residence and not including that portion of the lot extending from the rear corners of the main residence to a line twelve (12) feet from any lot line along a public street, regardless of the

orientation of the house on the lot whether facing toward or away from the street or streets adjoining the building lot.

It shall further be unlawful, if the primary use of a property is a single family dwelling, to build customary accessory buildings, except for agricultural purposes, in the area of which accessory buildings are in aggregate of more than 40% of the area of the first floor of the primary dwelling. The area of the first floor of the primary dwelling shall be calculated by including therein the area of all first floor covered additions of the home. The area of uncovered decks or other unroofed additions or extensions of primary dwelling shall not be included in the calculation of area of the primary dwelling for this purpose.

It shall further be unlawful, if the primary use of the property is a single family dwelling, to build any customary accessory buildings, except for agricultural purposes, or like structures to any height in excess of the height of the primary dwelling.

Section 2. Part 702.5 of Article VII of Zoning Ordinance 95-20 is deleted and replaced by the following:

Customary Accessory Buildings for residential uses provided the structure is not closer than ten (10) feet to any lot line and complies with the following:

It shall be unlawful to build any customary accessory buildings, except for farming purposes, or like structures within the Town of Unicoi, Tennessee, on residential use property that is a corner lot at intersecting streets except in the rear yard of the main residence. Rear yard of the main residence is defined as the portion of the property located behind the main residence and not including that portion of the lot extending from the rear corners of the main residence to a line ten (10) feet from any lot line along a public street, regardless of the orientation of the house on the lot.

It shall further be unlawful if the primary use of a property is a single family dwelling, to build customary accessory buildings, except for farming purposes, in the area of which accessory buildings are in aggregate more than 40% of the area of the first floor of the primary dwelling. The area of the first floor of the primary dwelling shall be calculated by including therein the area of all first floor covered additions of the home. The area of uncovered decks or other unroofed additions or extensions of primary dwelling shall not be included in the calculation of area of the primary dwelling for this purpose.

It shall further be unlawful if the primary use of the property is a single family dwelling, to build any customary accessory building or like structures to any height in excess of the height of the primary dwelling.

Section 3. The penalty for each violation of this ordinance shall be punishable as a Class C Misdemeanor, with a fine of up to \$50.00 per offense plus Town of Unicoi Municipal Court Costs.

Section 4. This ordinance will take effect upon its final reading the public welfare requiring it.

Voting by the board, as follows, on December 19, 2011:
First Reading:

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	YES	NO
Dwight Bennett	X	___
Doug Hopson	X	___
Michael Phillips	X	___
Mark Ramsey	X	___
Mayor Lynch	X	___

Voting by the board, as follows, on January 16, 2012:
Second and Final Reading:

	YES	NO
Dwight Bennett	___	___
Doug Hopson	___	___
Michael Phillips	___	___
Mark Ramsey	___	___
Mayor Lynch	___	___

Johnny Lynch, Mayor

Larry Rea, CMC, City Recorder