

# Spring City, Tennessee

## Zoning Ordinance

As Amended through February, 2003  
(As Amended through June, 2003)  
(As Amended through September, 2006)  
(As Amended through February, 2007)  
(As Amended through June, 2007)

*Prepared by:*  
*State of Tennessee*  
*Local Planning Assistance Office*  
*540 McCallie Avenue, Suite 690*  
*Chattanooga, TN 37402*

**ZONING ORDINANCE**  
**OF THE**  
**TOWN OF SPRING CITY, TENNESSEE**

This is a Comprehensive Amendment to the Spring City, Tennessee Zoning Ordinance, adopted August 6, 1942, regulating the location, height, bulk, number of stories, and size of buildings and other structures; the size of yards, the density of population and the uses of buildings, structures, and land for trade, industry, residence, recreation, public activities, and other purposes; creating districts for said purposes and establishing the boundaries thereof; defining certain terms used therein; and providing for the imposition of penalties for the violation of the provisions of this ordinance.

## ARTICLE I

### PREAMBLE AND ENACTMENT CLAUSE

In pursuance of authority conferred by the **Tennessee Code Annotated**, Chapter 7, Sections 13-7-201 through 13-7-210, and for the purpose of promoting the public health, safety, morals, convenience, order, prosperity, and general welfare; to lessen congestion in the streets; to secure safety from fire, flood, panic, and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provisions of transportation, water, sewerage, schools, parks, and other public requirements; to promote desirable living conditions and the sustained stability of neighborhoods; to protect property against blight and depreciation; to conserve the value of buildings, and to encourage the most appropriate use of land and other buildings and structures throughout the municipality, the City Commission does ordain and enact into law the following articles and sections:

**ARTICLE II**

**SHORT TITLE**

This ordinance shall be known as the Zoning Ordinance of the Town of Spring City, Tennessee, and the map herein referred to which is identified by the title, Spring City, Tennessee Zoning Map, and dated October 1991, shall be known as the Zoning Map of Spring City, Tennessee. The Zoning Map of Spring City, Tennessee, and all explanatory matter thereon is hereby adopted and made a part of this ordinance.

Certified by the Spring City Municipal Planning Commission

Date: \_\_\_\_\_ Chairman: \_\_\_\_\_

Approved and adopted by the City Commission of the Town of Spring City, Tennessee:

Passed First Reading: \_\_\_\_\_

Passed Second Reading: \_\_\_\_\_

Passed Final Reading: \_\_\_\_\_

\_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_

City Recorder

## ARTICLE III

### DEFINITIONS OF CERTAIN TERMS USED HEREIN

#### SECTION

**3.01** SCOPE

**3.02** DEFINITIONS

#### **3.01** SCOPE

For the purpose of this ordinance and in order to carry out the provisions and intentions as set forth herein, certain words, terms, and phrases are to be used and interpreted as defined hereinafter. Words used in the present tense shall include the future tense; words used in the singular number include the plural, and words in the plural number include the singular; the word "person" includes a firm, partnership, or corporation as well as an individual; the term "shall" is always mandatory; and the word "may" is permissive. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be used or occupied."

#### **3.02** DEFINITIONS

The following words, terms, and phrases are hereby defined as follows and shall be interpreted as such throughout this ordinance. Terms not herein defined shall have the meaning customarily assigned to them.

**Access.** The right to cross between public and private property, thereby permitting pedestrians and vehicles to enter and leave property.

**Accessory Building.** A subordinate building, the use of which is incidental to that of a main building and located on the same lot therewith.

**Accessory Use.** A use customarily incidental, appropriate, and subordinate to the principal use of land or buildings, and located upon the same lot therewith.

**Adult.** (added 3/4/04) Any person eighteen (18) years of age or older.

**Adult-Oriented Establishments.** (added 3/4/04) Sexually explicit establishments which cater to an exclusively or predominantly adult clientele, including but not limited to: adult bookstores, adult motion picture theaters, adult mini-motion picture and video establishments, adult cabaret, escort agency, sexual encounter center, massage parlor, rap parlor, sauna, and any premises to which the public patrons or members are invited or admitted and which are so physically arranged as to provide booths, cubicles, rooms, compartments or stalls separate from the common areas of the premises for the purpose of viewing adult-oriented motion pictures, videos, or other visual media, as defined in *TCA 7-51-1102* and *TCA 7-51-1401*, or wherein an entertainer provides adult entertainment to a member of the public, a patron or a member when such adult entertainment is held, conducted, operated or maintained for a profit, direct or indirect. It also includes, without being limited to, any adult entertainment studio or any premises that is

physically arranged and used as such, whether advertised or represented as an adult entertainment studio, rap studio, exotic dance studio, encounter studio, sensitivity studio, model studio, escort service, or any other term of like import as well as other enterprises which regularly feature materials, acts or displays involving complete nudity, specified sexual activities, or exposure of specified anatomical areas:

1. Specified anatomical areas including less than completely and opaquely covered:
  - a. Human genitals and pubic region
  - b. Buttocks
  - c. Female breast below a point immediately above the top of the areola; and
  - d. Human male genitals in a discernibly turgid state; and/or sexual excitement or enticement.
2. Specified sexual activities include:
  - a. Human genitals in a state of sexual stimulation or arousal
  - b. Acts of human masturbation, sexual intercourse or sodomy
  - c. Fondling or other erotic touching of human genitals, pubic region, buttocks or female breasts

**Advertising.** Includes any writing, printing, painting, display, emblem, drawing, sign, or other device designed, used, or intended for advertising, whether placed on the ground, rocks, trees, tree stumps, or other natural structures or on buildings, structures, milestones, signboards, billboards, wallboard, roofboard, frames, supports, fences, or other man-made structure, and any such advertising is a structure within the meaning of the word "structure" as utilized in this ordinance.

**Advertising Sign or Structure.** See Sign.

**Alley.** A public or legally established thoroughfare, other than a street, which affords a secondary means of access to abutting property.

**Area, Building.** The total area taken on a horizontal plane at the main grade level of the principal building and all accessory buildings exclusive of uncovered porches, terraces, and steps.

**Automobile Wrecking.** The dismantling, storage, sale, or dumping of used motor vehicles, trailers, or parts thereof.

**Automobile Wrecking, Junk, and Salvage Yards.** Any lot or place which is exposed to the weather and upon which more than three (3) motor vehicles of any kind, incapable of being operated, and which it would not be economically feasible to make operative, are placed, located, or found.

**Average Ground Elevation.** The elevation of the mean finished grade at the front of a structure.

**Basement.** A story partly or wholly underground. For purposes of height measurement, a basement shall be counted as a story when more than one-half (1/2) of its height is above the average ground elevation. When used for commercial activities, a basement shall be counted as a story.

**Board.** Spring City Board of Zoning Appeals.

**Boarding or Rooming House.** Any dwelling in which three (3) or more persons either individually or as families are housed for rent with or without meals.

**Buffer Strip (Planted Evergreen).** A greenbelt planted strip not less than ten (10) feet in width. Such a greenbelt shall be composed of one (1) row of evergreen trees, spaced not more than forty (40) feet apart and not less than two (2) rows of shrubs or hedges, spaced not more than five (5) feet apart and which grow to a height of five (5) feet or more after one (1) full growing season and which shrubs will eventually grow to not less than ten (10) feet.

**Building.** Any structure having a roof supported by columns or by walls, including tents, lunch wagons, dining carts, mobile homes, dwellings, and similar structures whether stationary or movable.

**Building Inspector.** The Zoning and Codes Officer or his authorized representative appointed by the Spring City City Commission.

**Building, Main or Principal.** A building in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed to be a main building of the lot on which it is located.

**Building Setback Line.** A line delineating the minimum allowable distance between the property line and building on a lot, within which no building or other structure shall be placed except as otherwise provided.

**Campground.** A parcel of land used or intended to be used, let, or rented for occupancy by campers or for occupancy by camping trailers, tents, or movable or temporary dwellings, rooms, or sleeping quarters of any kind.

**Clinic.** See Medical Facilities.

**Commercial Feed Lot.** Any parcel of land on which one hundred (100) or more cattle, fowl, or hogs are being kept and fed for the purpose of slaughter and sale on the commercial food market.

**Coverage.** The lot area covered by all buildings located thereon, including the area covered by all overhanging roofs.

**Country Club.** A chartered, non-profit membership club, with facilities catering primarily to its membership and providing one or more of the following recreational or social amenities: golf, tennis, clubhouse, pool, dining facilities, cocktail lounges, horseback riding, etc.

**Day Nursery.** Any place, home, or institution which received six (6) or more young children, conducted by cultivating the normal aptitude for exercise play, observation, initiation, and instruction.

**Development.** Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

**District.** Any section or sections of Spring City, Tennessee, for which the regulations governing the use of land and the use, density, bulk, height, and coverage of buildings and other structures are uniform.

**Dwelling.** A building or portion thereof, exclusive of mobile homes as herein defined, used for residential purposes.

**Dwelling, Multiple.** An attached building designed for occupancy by two or more families living independently of each other.

**Dwelling, Single Family.** A detached building designed to be occupied exclusively by one family.

**Dwelling Unit.** One or more rooms, a single kitchen and a bath designed as a unit for occupancy by only one family for cooking, living, and sleeping purposes.

**Family.** One or more persons related by blood, marriage, or adoption, or a group of not to exceed five (5) persons not all related by blood or marriage, occupying the premises and living as a single non-profit housekeeping unit as distinguished from a group occupying a board or lodging house, hotel, club, or similar dwelling for group use.

**Floor Area.** The sum of the gross floor area for each of the several stories under roof, measured from the exterior limits or faces of a building or structure.

**Frontage.** All the property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead-ended, then all the property abutting on one side between an intersecting street and the dead-end of the street.

**Gasoline Service Station.** Any area of land, including structures thereon, that is utilized for the retail sale of gasoline, oil (but not butane or propane fuel), or automobile accessories, and incidental services including facilities for lubricating, car washing and cleaning, or otherwise servicing automobiles, but not including painting or major repair.

**Grade, Finished.** The completed surface of lawns, walks, and roads brought to grades as shown on official plans or designs relating thereto.

**Health Department.** The Rhea County Office of the State Health Department.

**Height of Building.** The vertical distance from the average ground elevation or finished grade at the building line, whichever is highest, to the highest point of the building.

**Home Occupation.** A gainful occupation or profession conducted by members of a family residing on the premises and conducted entirely within the principal dwelling unit.

**Hospital.** See Medical facilities.



**Junk Yard or Salvage Yard.** A lot, land or structure, or part thereof, used primarily for the collection, storage and sale of waste paper, rags, scrap metal, or discarded material; or for the collecting dismantling, storing, and salvaging of machinery or vehicles not in running condition or for the sale of parts thereof.

**Loading Space.** A space within the main building or on the same lot therewith, providing for the standing, loading, or unloading of a vehicle.

**Lot.** A piece, parcel, or plot of land which may include one or more lots of record, occupied or to be occupied by one (1) principal building and its accessory buildings including the open spaces required under this ordinance.

**Lot Area.** The total surface area of land included within lot lines.

**Lot, Corner.** A lot of which at least two (2) adjoining sides abut their full lengths on a street, provided that the interior angle at the intersection of two such sides is less than one hundred thirty-five (135) degrees.

**Lot Depth.** The average distance from the street line of the lot to its rear line, measured in the general direction of the side lines of the lot,

**Lot Frontage.** That dimension of a lot or portion of a lot abutting on a street, excluding the side dimension of a corner lot.

**Lot, Interior.** A lot other than a corner lot.

**Lot Lines.** The boundary dividing a given lot from the street, an alley, or adjacent lots.

**Lot of Record.** A lot which is part of a subdivision recorded in the Office of the County Register of Deeds, or a lot described by metes and bounds, the description of which has been recorded in the Office of the County Register of Deeds prior to the date of passage of the Spring City Subdivision Regulations.

**Lot Width.** The width of a lot at the building setback line measured at right angles to the centerline of its depth.

**Manufactured Home.** A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than one hundred eighty (180) consecutive days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

**Manufactured Home Park or Subdivision.** A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for sale or rent.

### **Medical Facilities.**

**Convalescent, Rest, or Nursing Home.** A health facility where persons are housed and furnished meals and continuing nursing care for compensation.

**Dental Clinic or Medical Clinic.** A facility for the examination and treatment of ill and afflicted human out-patients provided, however, that patients are not kept overnight except under emergency conditions.

**Dental Office or Doctor's Office.** Same as dental or medical facilities.

**Hospital.** An institution providing human in-patient medical, surgical, or other health care services for the sick or injured and including related facilities such as laboratories, out-patient facilities, and staff offices which are an integral part of the facility.

**Public Health Center.** A facility primarily utilized by a health unit for the provision of public health services.

**Minimum Floor Elevation.** The lowest elevation permissible for the construction, erection, or other placement of any floor including a basement floor.

**Mobile Home (Trailer).** A detached single-family building unit with any or all of the following characteristics:

1. Designed for long-term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems.
2. If the metal frame is completely removed from a unit and the unit meets the City Building Codes it shall be classified as a modular unit. If the entire metal frame cannot be removed it shall be classified as a trailer.
3. Arrives at the site where it is to be occupied as a complete dwelling including major appliances and furniture, ready for occupancy except for minor and incidental unpacking and assembly operations, location on foundation supports, connection to utilities, and the like.
4. Designed to be freestanding and does not require a foundation for occupancy.

**Mobile Home Park.** Any area, tract, site or plot of land whereupon two (2) or more mobile homes as herein defined are placed, located, or maintained, or intended to be placed, located, or maintained, and shall include all accessory buildings used or intended to be used as part of the equipment thereof. (Refer to Spring City Trailer Ordinance.)

**Mobile Home Subdivision.** A subdivision with individual lot ownership planned for mobile homes and which meets all requirements of the Spring City Subdivision Regulations.

**Modular (Manufactured Housing) Unit.** A manufactured housing unit which can be placed on a foundation and resemble a conventionally-constructed residence in appearance, size, and width. The unit shall meet all city building codes.

**Non-Conforming Use.** A building, structure, or use of land existing at the time of enactment of this ordinance which does not conform to the regulations of the district in which it is situated.

**Noxious Matter.** Material (in gaseous, liquid, solid, particulate, or any other form) which is capable of causing injury to living organisms, chemical reactions, or detrimental effects on the social, economic, or psychological well-being of individuals.

**Off-Street Parking Space.** A yard, space, or area off the road right-of-way, which space shall be accessible to a road and shall be arranged and maintained for the purpose of providing standing space for vehicles while at rest or while being utilized to load or unload merchandise or other materials incidental to the occupancy.

**Parking Lot.** An off-street facility including parking spaces along with adequate provisions for drives and aisles for maneuvering and getting access, and for entrance and exit, designed so as to be usable.

**Parking Space.** An off-street space available for parking one (1) motor vehicle and having an area of not less than two-hundred (200) square feet exclusive of passageways and driveways giving access thereto, and having direct access to a street or alley.

**Planning Commission.** The Spring City Municipal Planning Commission.

**Plat.** A map, plan, or layout indicating the location and boundaries of individual properties.

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

**Public Uses.** Public parks, schools, and administrative, cultural, and service buildings not including public land or buildings devoted solely to storage and maintenance of equipment and materials.

**Reach.** A hydraulic engineering term to describe longitudinal segments of a stream or river. A reach will generally include the segment of the flood hazard area where flood heights are influenced by a man-made or natural obstruction. In an urban area, the segment of a stream or river between two consecutive bridge crossings would typically constitute a reach.

**Right-of-Way.** The strip of land over which a public road is built.

**Roadway.** The actual road surface including necessary road shoulders and drainage facilities including ditches and curbing and guttering, which is utilized to transport motor vehicles.

**Sanitary Landfill.** An area or site utilized by a public or private entity for disposal of solid waste or refuse in a manner which meets the regulations imposed upon the operation and maintenance of sanitary landfill sites by the State Department of Public Health.

**Sanitary Sewer.** A municipal or community sewerage collection, treatment, and disposal system of a type approved by the Health Department.

**Setback.** The required distance between the front side, or rear lot lines, and the nearest portion of the principal structure.

**Shelter, Fallout.** A structure or portion of a structure intended to provide protection to human life during periods of danger from nuclear fallout, air raids, storms, or other emergencies.

**Sign, Billboard, or Other Advertising Device.** Any structure or part thereof or device attached thereto or represented thereon, which shall display or include any letter, words, model, banner, flag, pennant, insignia, or representation used as, or which is in 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.

**Special Exception.** Any use which is specifically permitted if the owner can demonstrate to the satisfaction of the Board, that he will meet certain enumerated safeguards or qualifying conditions.

**Start of Construction.** Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the 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 structure.

**Storm Sewers.** A municipal or community collection and disposal system for the control of storm drainage.

**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 between the topmost floor and the roof which is used for human occupancy or in which the floor area with eight (8) feet or more of head clearance equals fifty (50) percent or more of the floor area of the next story below.

Provided it is not used as a dwelling unit, a top floor in which the floor area with eight (8) feet or more of head clearance equals less than fifty (50) percent of the floor area of the story next below shall be a "half-story."

A basement shall be considered as a story if more than half of its height is above the average ground level from which the "height of building" is measured or if it is used for commercial purposes.

**Street.** Any public or private thoroughfare which affords the principal means of access to abutting property.

**Structure.** Any combination of materials, including buildings, constructed or erected, the use of which requires location on the ground or attachment to anything having location on the ground and including among other things, signs, billboards, and fences.

**Substantial Improvement.** Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds sixty (60) percent of the market value of the structure, either 1)

before the improvement or repair is started, or 2) if the structure has been damaged and is being restored, before the damage occurred.

For the purpose 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 if that alteration affects the external dimensions of the structure.

The term does not, however, include either 1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or 2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

**Swimming Pools, Outdoor.** Any pool or open tank not located within a completely enclosed building and containing or normally capable of containing water to a depth at any point greater than one and one-half (1-1/2) feet.

**TVA Structure Profile.** A contour established by the Tennessee Valley Authority along the Tennessee River and tributary reservoirs which marks the elevation above which structures are permitted on all lands which TVA either owns or on which TVA has certain land rights. In no instance are buildings for human habitation or any other form of development subject to significant damage permitted below this elevation. The profile is developed to avoid increasing the flood damage potential in areas affected by reservoir operations.

**Townhouse.** A group of single-family residential dwellings of one or more floors, having or appearing to have a common wall with an adjacent similar unit or units.

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

**Travel Trailer.** A vehicular or portable structure designed and equipped to accommodate travelers for short periods of time, not to exceed thirty (30) days.

**Travel Trailer Park.** A parcel or area of land designed and equipped to accommodate travel trailers for short periods of time, not to exceed fourteen (14) days.

**Usable Floor Space.** Floor space for retail sale or display; includes permanent outdoor sales, but excludes outdoor motor vehicle sales areas.

**Use.** The purpose for which land or a building or other structure is designed, arranged, or intended, or for which it is or may be occupied or maintained.

**Yard, Front.** The open space, unoccupied by buildings, between the street right-of-way line and the front of the principal building.

**Yard, Rear.** The space, unoccupied except by a building for accessory use as herein provided, extending from the rear of the principal building to the rear lot line the full width of the lot.

**Yard, Side.** The space unoccupied except as herein provided measured between the side lot line and the nearest point of the principal building and between the front yard and the rear yard.

## ARTICLE IV

### ESTABLISHMENT OF DISTRICTS

#### SECTION

- 4.01 CLASSIFICATION OF DISTRICTS
- 4.02 ZONING MAP
- 4.03 ZONING DISTRICT BOUNDARIES
- 4.04 SPECIFIC DISTRICT REGULATIONS

#### 4.01 CLASSIFICATION OF DISTRICTS

For the purpose of this ordinance, the following zoning districts are hereby established in the Town of Spring City, Tennessee. *For flood hazard district boundaries see the adopted "Spring City Flood Hazard Prevention Ordinance" contained in the Appendix of this Zoning Ordinance.*

DISTRICT ABBREVIATION	ZONING DISTRICT
R-1	Low Density Residential
R-2	Medium Density Residential
R-3	High Density Residential
C-1	Central Business District
C-2	General Commercial District
C-3	Shopping Center District
I-1	Industrial

#### 4.02 ZONING MAP

The location and boundaries of the zoning districts established by this ordinance are bounded and defined as shown on the map entitled, Official Zoning Map of Spring City, Tennessee. The zoning map or zoning map amendment shall be dated with the effective date of the ordinance that adopts the zoning map or zoning map amendment and shall be maintained in the Office of the City Recorder, Town of Spring City and shall be available for inspection by the public at all reasonable times, as long as this ordinance remains in effect.

#### 4.03. ZONING DISTRICT BOUNDARIES

Unless otherwise indicated on the zoning map or zoning map amendment, the district boundaries are lot lines, center lines of streets or alleys, limits of the floodway on Piney River or the Town of Spring City corporate limits as they exist at the time of the enactment of this zoning ordinance. The lines for the Floodway Fringe District simply overlay the basic zoning district and any proposed use needs are to meet the requirements of the underlying district (R-1, R-2, etc.) as well as the requirements of the Floodway Fringe District. The exact location of the floodway fringe is shown on the zoning map and was taken from the Federal Emergency Management Administration map entitled, Flood Hazard Boundary and Flood Insurance Rate Map, Spring City, Tennessee, Community No. 475448A, dated February 5, 1992 and all subsequent updates.

Where the property on one side of a street between two intersecting streets is in a business or industrial district and the property on the intersecting street, except the corner or corners, is in a residential district, the business or industrial use shall be limited to the property facing or fronting the street zoned for business throughout the block, and any property in the rear thereof facing or fronting the intersecting street, even though it appears to be in a business or industrial district, shall be governed by the use prevailing on the intersecting street. It is the purpose of this ordinance to limit business and industrial uses to the property facing or fronting the street zoned for business or industry and to forbid business or industrial uses facing or fronting the street zoned for residential uses. In all cases of ambiguity due to the actual layout of the property or other circumstances, the Board of Zoning Appeals shall have authority to determine on which street the business or industrial use shall face or front so that the spirit of the ordinance shall be observed.

#### **4.04      SPECIFIC DISTRICT REGULATIONS**

The following regulations shall apply in the zoning districts established in Section 4.01 of this ordinance.



## ARTICLE V

### APPLICATION OF REGULATIONS

#### SECTION

- 5.01 USE
- 5.02 HEIGHT AND DENSITY
- 5.03 LOT AREA AND REDUCTION OF LOT SIZE
- 5.04 YARDS
- 5.05 ONE (1) PRINCIPAL BUILDING ON A LOT
- 5.06 PUBLIC STREET FRONTAGE
- 5.07 REQUIREMENT OF BUFFER STRIPS

#### 5.01 USE

No building or structure shall hereafter be erected and no existing building or structure or part thereof shall be reconstructed, moved, or altered; nor shall any land, structure, or building be used except in conformity with the regulations herein specified for the district in which it is located.

#### 5.02 HEIGHT AND DENSITY

No building or structure shall hereafter be erected, constructed, reconstructed, or altered to:

1. Exceed the height limits;
2. House a greater number of families or occupy a smaller lot area per family than provided for in this ordinance; or,
3. Have a narrower or smaller front or side yards than are herein required.

#### 5.03 LOT AREA AND REDUCTION OF LOT SIZE

No lot, even though it may consist of one (1) or more adjacent lots in the same ownership at the time of passage of this ordinance, shall be reduced in size so that the lot width, or size of yards, or lot area per family, or any other requirement of this ordinance, is not maintained. This section shall not apply when a portion of a lot is acquired for a public purpose.

#### 5.04 YARDS

No part of a yard or the off-street parking or loading space required for any building for the purpose of complying with the provisions of this ordinance shall be included as a part of the yard or off-street parking or loading space required for another building except in the C-1 Central Business District.

**5.05      ONE (1) PRINCIPAL BUILDING ON A LOT**

Only one (1) principal building and its customary accessory buildings may hereafter be erected on any one (1) lot. (Refer to Section 10.07)

**5.06      PUBLIC STREET FRONTAGE**

No building shall be erected on a lot which does not abut for at least twenty-five (25) feet on a public street.

**5.07      REQUIREMENT OF BUFFER STRIPS**

Where a use is established in areas zoned C-1, C-2, or I-1 which abut at any point upon property in areas zoned R-1, R-2, or R-3 the developer of said use shall provide a buffer strip as defined herein at the point of abutment.