

---

# **ZONING RESOLUTION**

## **FOR**

# **MEIGS COUNTY, TENNESSEE**

---

**PREPARED BY THE**  
**MEIGS COUNTY REGIONAL PLANNING COMMISSION**

**J. Gid Redmond; Chairman**  
**Ralph Jarvis; Vice-Chairman**  
**Art Ewing; Secretary**  
**John Ferguson**  
**Ken Jones**  
**Brad McKenzie**  
**Robert Ward**

**OCTOBER 1996**  
**(As Amended Through November 18, 2004)**  
**(As Amended Through October 27, 2005)**  
**(As Amended Through October 20, 2011)**  
**(As Amended Through April 19, 2012)**  
**(As Amended Through July 18, 2013)**  
**(As Amended Through December 17, 2020)**  
**(As Amended Through March 17, 2022)**  
**(As Amended Through November 17, 2022)**

(THESE REGULATIONS, DATED OCTOBER 1996, HAVE REPLACED THE PREVIOUS REGULATIONS TITLED ZONING RESOLUTION FOR MEIGS COUNTY , TENNESSEE AND DATED JUNE 7, 1990. THESE NEW REGULATIONS ARE CONSIDERED COMPLETE AND IN-FORCE AT THE TIME OF ADOPTION, AND ARE SUBJECT TO CHANGE FROM TIME TO TIME. IT SHALL BE THE RESPONSIBILITY OF THE OWNER OR DEVELOPER TO CHECK FOR ANY AMENDMENTS WHICH MAY HAVE OCCURRED IN ANY ARTICLE OR SECTION PRIOR TO ANY DEVELOPMENT OCCURRING.)

# TABLE OF CONTENTS

TITLE OF RESOLUTION

AUTHORITY FOR RESOLUTION

	<u>PAGE</u>
<u>ARTICLE I</u> <u>GENERAL PURPOSE</u> .....	1-1
<u>ARTICLE II</u> <u>DEFINITIONS OF TERMS</u> .....	2-1
<u>ARTICLE III</u> <u>APPLICATION OF REGULATIONS</u> .....	3-1
1. Use .....	3-1
2. One Principal Structure for Each Lot .....	3-1
3. Road Frontage .....	3-1
4. Corner Lots .....	3-1
5. Yards and Other Spaces .....	3-1
6. Reduction of Lot Size .....	3-1
7. Height and Density .....	3-1
8. Deed Restrictions .....	3-1
<u>ARTICLE IV</u> <u>GENERAL PROVISIONS</u> .....	4-1
1. Continuance of Nonconforming Uses .....	4-1
2. Off-Road Automobile Parking .....	4-2
3. Off-Road Loading and Unloading Space .....	4-3
4. Vision Clearance .....	4-3
5. Access Control .....	4-3
6. Accessory Use Regulations .....	4-3
7. Temporary Use Regulations .....	4-4
8. Site Plan Requirements .....	4-5
9. Customary Home Occupations .....	4-5
10. Telecommunications Structures .....	4-5
11. Airport Standards .....	4-8
12. Mobile Home Appearance and Safety Standards(added 10/27/05) .....	4- 8
13. Community Wastewater Treatment System .....	4-9
14. Public Wastewater Collection and Treatment Plant .....	4-9
15. Solar Farms .....	4-10
<u>ARTICLE V</u> <u>ESTABLISHMENT OF DISTRICTS</u> .....	5-1
<u>ARTICLE VI</u> <u>LOW DENSITY RESIDENTIAL DISTRICT (R-1)(Added 4/24/03)</u> .....	6-1
1. Intent .....	6-1
2. Uses Permitted .....	6-1
3. Uses Permitted on Appeal .....	6-1
4. Uses Prohibited .....	6-1
5. Area Regulations .....	6-1
6. Parking Space Requirements .....	6-2
7. Vision Clearance .....	6-2
8. Access Control .....	6-2
9. Accessory Uses .....	6-2

<b><u>ARTICLE VIa</u></b>	<b><u>MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2)(Added 4/24/03)</u></b>	<b>6-3</b>
	1. Intent.....	6-3
	2. Uses Permitted.....	6-3
	3. Uses Permitted on Appeal.....	6-3
	4. Uses Prohibited.....	6-4
	5. Area Regulations.....	6-4
	6. Parking Space Requirements.....	6-5
	7. Vision Clearance.....	6-5
	8. Access Control.....	6-5
	9. Accessory Uses.....	6-5
<b><u>ARTICLE VII</u></b>	<b><u>COMMERCIAL (C) DISTRICT</u></b>	<b>7-1</b>
	1. Intent.....	7-1
	2. Uses Permitted.....	7-1
	3. Uses Permitted on Appeal.....	7-1
	4. Uses Prohibited.....	7-2
	5. Area Regulations.....	7-2
	6. Parking Space Requirements.....	7-2
	7. Off-Road Loading and Unloading.....	7-2
	8. Vision Clearance.....	7-2
	9. Access Control.....	7-3
	10. Accessory Uses.....	7-3
<b><u>ARTICLE VIII</u></b>	<b><u>GENERAL INDUSTRIAL (I-1) DISTRICT</u></b>	<b>8-1</b>
	1. Intent.....	8-1
	2. Uses Permitted.....	8-1
	3. Uses Permitted on Appeal.....	8-1
	4. Conditional Uses.....	8-1
	5. Uses Prohibited.....	8-2
	6. Area Regulations.....	8-2
	7. Parking Space Requirements.....	8-2
	8. Off-Road Loading and Unloading.....	8-3
	9. Vision Clearance.....	8-3
	10. Access Control.....	8-3
	11. Accessory Uses.....	8-3
<b><u>ARTICLE IX</u></b>	<b><u>SPECIAL IMPACT INDUSTRIAL (I-2) DISTRICT</u></b>	<b>9-1</b>
	1. Intent.....	9-1
	2. Uses Permitted.....	9-1
	3. Uses Permitted on Appeal.....	9-1
	4. Uses Prohibited.....	9-1
	5. Area Regulations.....	9-2
	6. Parking Space Requirements.....	9-2
	7. Off-Road Loading and Unloading.....	9-2
	8. Vision Clearance.....	9-2
	9. Access Control.....	9-2
	10. Accessory Uses.....	9-2
<b><u>ARTICLE X</u></b>	<b><u>FORESTRY, AGRICULTURAL, RESIDENTIAL, (FAR) DISTRICT</u></b>	<b>10-1</b>
	1. Intent.....	10-1
	2. Uses Permitted.....	10-1
	3. Uses Permitted on Appeal.....	10-1
	4. Uses Prohibited.....	10-1
	5. Area Regulations.....	10-2

6. Parking Space Requirements .....	10-2
7. Off-Road Loading and Unloading .....	10-2
8. Vision Clearance .....	10-2
9. Access Control.....	10-2
10. Accessory Uses .....	10-2
<b>ARTICLE XI WATERFRONT, RECREATIONAL, EDUCATIONAL (WF) DISTRICT .....</b>	<b>11-1</b>
1. Intent .....	11-1
2. Uses Permitted.....	11-1
3. Conditional Uses.....	11-2
4. Uses Prohibited.....	11-2
5. Area Regulations .....	11-2
6. Parking Space Requirements .....	11-3
7. Off Road Loading and Unloading Space .....	11-3
8. Access Control.....	11-3
9. Exceptions to Setback Requirements .....	11-3
<b>ARTICLE XII EXCEPTIONS AND MODIFICATIONS .....</b>	<b>12-1</b>
1. Lot of Record.....	12-1
2. Group Housing Projects.....	12-1
3. Conditional Use Permits .....	12-1
<b>ARTICLE XIII ENFORCEMENT.....</b>	<b>13-1</b>
1. Enforcing Officer.....	13-1
2. Zoning Compliance Permit Required.....	13-1
3. Issuance of Zoning Compliance Permit .....	13-1
4. Penalties .....	13-1
5. Remedies .....	13-1
6. Schedule of Permit Fees .....	13-2
<b>ARTICLE XIV BOARD OF ZONING APPEALS .....</b>	<b>14-1</b>
1. Creation and Appointment.....	14-1
2. Procedure .....	14-1
3. Appeals: How Taken.....	14-1
4. Powers .....	14-1
5. Action of the Board Of Zoning Appeals .....	14-2
<b>ARTICLE XV AMENDMENT .....</b>	<b>15-1</b>
1. Procedure .....	15-1
2. Approval by Regional Planning Commission.....	15-1
3. Initiation of Amendments.....	15-1
<b>ARTICLE XVI LEGAL STATUS PROVISIONS .....</b>	<b>16-1</b>
1. Conflict with other Resolutions.....	16-1
2. Validity .....	16-1
<b>ARTICLE XVII EFFECTIVE DATE.....</b>	<b>17-1</b>

**ZONING RESOLUTION**  
**OF**  
**MEIGS COUNTY, TENNESSEE**

**TITLE OF RESOLUTION**

A resolution establishing zoning districts within the unincorporated territory of Meigs County, regulating the uses of property therein, adopting a map of said districts, requiring zoning compliance permits for the construction and use of buildings and premises within said districts, establishing a Board of Zoning Appeals, creating a county Codes Compliance Coordinator, and fixing the powers and duties thereof, and providing for the adjustment, enforcement, and penalties for violation of this resolution.

This resolution shall be known as the "Zoning Resolution of Meigs County, Tennessee." The map herein referred to which is identified by the title Zoning Map of Meigs County, Tennessee," dated October 18, 1994, and all explanatory matter thereon are hereby adopted and made a part of this Resolution.

**AUTHORITY FOR RESOLUTION**

**WHEREAS,** authority has been conferred by the State Legislature in Section 13-7-101 through Section 13-7-115, *Tennessee Code Annotated*, to provide for the establishment of districts or zones in portions of Meigs County which lie outside the limits of municipal corporations, and for the location, height, and size of buildings and structures, the percentage of lot occupancy, the required open spaces, the density and distribution of population, and the uses of lands, buildings, and structures, and

**WHEREAS,** the Meigs County Regional Planning Commission, after a comprehensive study of present land uses, development, and development trends, has prepared, adopted, and recommended zones and appropriate regulations to which all owners of property affected were given ample opportunity, after public notice, to file their protests or criticisms thereon, if any.

**NOW THEREFORE, BE IT RESOLVED** by the Meigs County Board of Commissioners as follows:

# **ARTICLE I**

## **GENERAL PURPOSE**

For the purpose of promoting the public health, safety, morals, convenience, order, prosperity, or general welfare of Meigs County, Tennessee, and to lessen congestion in the roads, 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, protecting property against blight and depreciation, securing economy in governmental expenditure, concerning the value of building and encouraging the most appropriate use of lands, buildings, and other structures throughout the county, all in accordance with a comprehensive plan, the Board of Commissioners of Meigs County, Tennessee, does hereby ordain and enact into law the following articles and sections:

## ARTICLE II

### DEFINITIONS

Except as specifically defined herein, all words used in the Resolution have their customary dictionary definition. For the purpose of this Resolution, certain words or terms used herein shall be defined as follows: words used in the present tense include the future tense. Words used in the singular number include the plural, and words used in the plural include the singular. The word "person" includes a "firm", "co-partnership", "company", "organization", "trust", "association", "corporation", as well as an "individual". The word "lot" includes the word "plot" or "parcel." The word "building" includes the word "structure."

The word "shall" is always mandatory. The word "used" or "occupied" as applied to any land or building shall be construed to include the word "intended," "arranged" or designed to be used or occupied.

1. **ACCESS**. The right to cross between public and private property allowing pedestrians and vehicles to enter and leave property.
2. **ACCESSORY USE OR ACCESSORY STRUCTURE**. A use or structure incidental and subordinate to the main use of the property and located on the same lot as the main use.
3. **ADULT**. Any person eighteen (18) years of age or older. **(Added 05-21-01)**
4. **ADULT-ORIENTED ESTABLISHMENTS**. 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 on eighteen (18) years of age or older. **(Added 05-21-01)**
5. **AGRICULTURE USE.** This includes all forms of agriculture, growing of crops in the open, dairying, grazing, the raising and maintaining of poultry and other livestock, horticulture, viticulture, floriculture, forests, and woods, provided however all health codes of Meigs County are complied with.
  6. **AGRICULTURAL ACCESSORY USE.** Those structures or equipment which are normally required in the operation of agricultural uses.
  7. **AIRPORT or LANDING FIELD.** Any area of land or water designed and set aside for the landing and take-off of aircraft, fixed wing or rotary, including all necessary facilities for the housing, fueling and maintenance of aircraft. A landing field shall not provide retail fuel or services to aircraft other than those based on said field.
  8. **AUTOMOBILE WRECKING YARD.** A premises used for the storage or sale of five or more inoperative used automobiles and/or trucks and parts of same, or for the storage, dismantling, or abandonment of junk, obsolete automobiles, trailers, trucks, machinery, or parts thereof.
  9. **BORROW PIT.** An excavated area where rock, dirt or other material has been dug or blasted and hauled to another location for use as fill material for a specific project.
  10. **BUILDING.** A structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.
  11. **BUILDING, PRINCIPAL.** **(Removed 12/17/2020)**
  12. **CAMPING TRAILER.** A vehicular portable unit mounted on wheels and constructed with collapsible partial side walls which fold for towing by another vehicle and unfold at the camp site to provide temporary living quarters for recreational, camping, or travel use.
  13. **CAMPGROUND.** Any parcel of land upon which two or more campsites are located, established or maintained for occupancy by camping units of the general public as temporary living quarters for recreation, education or vacation purposes.
  14. **CLUB.** Buildings and facilities owned or operated by an association or persons for a social or recreational purpose, but not operated primarily for profit or to render a service which is customarily carried on as a business.
  15. **COMMUNITY WASTEWATER TREATMENT SYSTEM.** A type of decentralized wastewater treatment system or "On-Site Sewage Facility (OSSF)." However, unlike an individual septic system, in which effluent from a septic tank is absorbed into the soil by means of an absorption field, a community wastewater treatment system routes effluent to a dispersal field, which may be a drip field or a spray field. The installation and maintenance of such a facility in Meigs County shall be regulated and permitted by the Tennessee Department of Environment and Conservation (TDEC) and the Tennessee Regulatory Authority (TRA).
  16. **DEMOLITION DUMP.** Any area used for the purpose of permanently or temporarily storing materials from demolished buildings (including pavement) or structures or materials resulting from the clearing of land (i.e., brush and tree stumps). This does not include trash, garbage, junked automobiles, or other such materials as would normally be deposited at a sanitary landfill, junkyard or auto wrecking yard.

17. **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.
18. **DWELLING, MULTI-FAMILY.** A building or portion thereof, designed for occupancy by three or more families living independently of each other.
19. **DWELLING, SINGLE-FAMILY.** A detached building containing one dwelling unit and designed for occupancy by one family only.
20. **DWELLING, TWO-FAMILY.** A detached building containing two families.
21. **DWELLING UNIT.** One of more rooms in a building designed for occupancy by one family and having not more than one principal cooking facility.
22. **EXPLOSIVES.** Any chemical compound, developed for the purpose of demolition, that when ignited will create a sudden release of energy capable of destruction.
23. **FARMING.** This includes all forms of farming, agriculture, aquaculture, the growing of crops in the open, dairying, grazing, the raising and maintaining of poultry and other livestock, horticulture, forests, and woods, provided, however, that such land shall consist of five acres in one parcel under common ownership. The feeding or disposal of community garbage shall not be deemed a farming use.
24. **FRONTAGE.** The width of the lot measured at (1) the required front yard set-back line, or (2) in the case of a flag lot, the narrowest part not in that part that extends to a road.
25. **GARBAGE.** Means food waste, animal waste (except for agricultural related operations), dead or decomposing animal matter, and dead or decomposing vegetable matter, and any dead or decomposing matter whether or not it originally constituted human or animal food.
26. **HAZARDOUS/TOXIC/INFECTIOUS WASTES.** Any substance that the capacity to produce injury or illness through ingestion, inhalation, or absorption.
27. **HEIGHT OF BUILDINGS.** The vertical distance from the grade to the highest point of the coping of a flat roof, to the deck line of a mansard roof, or to the center height between the highest and lowest points on other types of roofs.
27. **HELIPORT.** A landing and terminal facility for rotary wing aircraft that may or may not be subject to scheduled use with fuel and service facilities.
28. **HELISTOP.** A landing pad for occasional and infrequent use by rotary wind aircraft but not including fueling or servicing facilities.
29. **HOME OCCUPATION.** Any lawful activity carried out for gain by a resident conducted as an accessory use in the resident's dwelling or any customary accessory building to a residence.
30. **JUNK.** Rubbish and wasted or discarded items, including metal, wood, paper, glass and other objects and including junk motor vehicles. The term shall not include items held for sale in a business establishment which holds a valid Tennessee business license.
31. **LANDFILL.** A facility for the disposing of solid waste materials.
32. **LIVESTOCK.** Domestic animals of types customarily raised or kept on farms for profit or other purposes.

33. **LIVESTOCK FEEDING YARD.** An enclosure designed or used for the purpose of the concentrated feeding or fattening of livestock for marketing.
34. **LIVESTOCK SALES YARD.** An enclosure or structure designed or used for holding livestock for purposes of sale or transfer by auction, consignment, or other means.
35. **LOT.** A parcel or tract of land.
36. **LOT AREA.** The total horizontal area within the lot lines of a lot exclusive of roads, and easements of access to other property.
37. **LOT, CORNER.** A lot abutting on two or more roads at their intersection.
38. **LOT LINE.** The property line bounding a lot.
39. **LOT LINE, FRONT.** The lot line separating the lot from the road and in the case of a corner lot, the shortest lot line along a road.
40. **LOT LINE, REAR.** The lot line which is opposite and most distant from the front lot line. In the case of an irregular, triangular, or other shaped lot, a line 10 feet in length within the lot parallel to and at a maximum distance from the front lot line.
41. **LOT LINE, SIDE.** Any lot line not a front or rear lot line.
42. **LOT WIDTH.** The average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line.
43. **MANUFACTURED HOME.** A structure, transportable in one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width, or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundations when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein. A manufactured home for the purpose of this Resolution does not include a manufactured unit to be used in conjunction with a commercial or industrial activity.
44. **MARINA.** A facility for storing, servicing, fueling, berthing and securing of pleasure boats and which may include eating, sleeping and retail facilities for owners, crews and guests.
45. **MOBILE HOME.** Any vehicle used, or so constructed as to permit it being used as a conveyance upon the public roads or highways, and constructed in such manner as will permit occupancy thereof as a dwelling or sleeping place for one (1) or more persons, and designed for long-term occupancy and to be moved infrequently. For purposes of these regulations, any defined as a mobile home is considered to be a "manufactured home".
46. **MOBILE HOME PARK. (amended 10/27/05)** An area or tract of land used by the landowner for the accommodation of two (2) or more mobile homes to be used for dwelling of sleeping purposes.
47. **MODULAR UNIT. (sectional or relocatable home):** A structural unit, or preassembled component unit including the necessary electrical, plumbing, heating, ventilating and other service systems, manufactured off-site and transported to the point of use for installation or erection, with or without other specified components, as a finished building and not designed for ready removal to another site. This term does not apply to

temporary structures used exclusively for construction purposes or nonresidential farm buildings.

48. **MOTOR HOME.** A vehicular unit designed to provide temporary living quarters for recreational, camping or travel use built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van which is an integral part of the completed vehicle.
49. **NONCONFORMING STRUCTURE OR USE.** A lawful existing structure or use at the time this Resolution or any amendment thereto becomes effective, which does not conform to the requirements of the zone in which it is located.
50. **PERSON.** Every natural person, firm, partnership, association, social or fraternal organization, corporation, trust, estate, receiver, syndicate, branch of government, or any group or combination acting as a unit.
51. **PUBLIC WASTEWATER COLLECTION AND TREATMENT PLANT.** A facility, also known as a sewer treatment plant, where wastewater comprised of storm water runoff and / or household sewage is treated. The wastewater is transferred to the facility through a network of gravity and / or force mains. The treatment process involves a variety of physical, chemical, and biological processes to remove physical, chemical and biological contaminants. Ultimately, the facility's objective is to produce an environmentally-safe effluent suitable for disposal. The installation and maintenance of such a facility shall be regulated and permitted by the Tennessee Department of Environment and Conservation (TDEC) and the Tennessee Regulatory Authority (TRA).
52. **RECREATIONAL VEHICLE.** A vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle (i.e., travel trailers, camping trailers, truck campers, and motor homes).
53. **RESORT.** A facility for transient guests where the primary attraction is generally recreational features or activities.
54. **ROOMING OR BOARDING HOUSE.** A building containing a single dwelling unit and not more than five guest rooms where lodging is provided with or without meals for compensation.
55. **SIGN.** Any device, structure, placard, surface, or fabric using graphics, letters, symbols, pictures, or sculptured matter designed to convey information visually and exposed to public view from the outside.
56. **SIGN, PORTABLE.** Any sign designed to be moved easily and not permanently attached to the ground or to a structure or building.
57. **SOLAR FARM. (added 4/19/2012)** A solar-power generating facility which serves as the primary use of the land on which it is located that converts solar energy (energy from the sun) into electrical power. Solar farming includes but is not limited to, both photovoltaic and concentrating solar power (CSP) methods utilized at a large scale for commercial purposes. The solar farm consists of a solar array composed of multiple solar panels on ground-mounted racks or poles.
58. **STRUCTURAL ALTERATION.** Any change to the supporting members of a structure including foundations, bearing walls or partitions, columns, beams, girders, or any structural change in the roof or in the exterior walls.

59. **STRUCTURE.** Something constructed or built and having a fixed base on, or fixed connection to, the ground or another structure.
60. **STRUCTURE, PRINCIPAL.** (Added 12/17/2020) A structure in which the primary use of the lot on which the structure is located is conducted.
61. **TELECOMMUNICATIONS STRUCTURE.** (Added 06-19-00) A building, tower, or other structure and equipment used for the transmission, re-transmission, broadcast, or promulgation of telephone, telegraph, radio, television, or other electronic communications signals. (See Code 47 in the Standard Land Use Coding)
62. **TRAVEL TRAILER.** A vehicular unit, mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use and of such size or weight as not to require special highway movement permits when drawn by a motorized vehicle, and with a living area of less than two hundred twenty square feet (220 sq. ft.), excluding built-in equipment (such as wardrobes, closets, cabinets, kitchen units or fixtures) and bath and toilet rooms.
63. **TRAVEL TRAILER PARK.** An area of land where two or more travel trailer spaces are located; and the **term travel trailer park** shall not normally include land put to a non-commercial use by the owner or the portion of land which serves as the principal dwelling place of the owner.
64. **TRUCK CAMPER.** A portable unit constructed to provide temporary living quarters for recreational, travel or camping use, consisting of a roof, floor and sides, designed to be loaded onto and unloaded from the bed of a pickup truck.
65. **USE.** The purpose for which land or a structure is designed, arranged, or intended, or for which it is occupied or maintained.
66. **UTILITIES, PUBLIC.** Any agency that provides the public with electricity, telephone, water or sewer piping system including pumping stations and water storage tanks, natural gas distribution lines and storm water drainage, but excluding generation or treatment facilities.
67. **YARD.** An open space on a lot which is unobstructed from the ground upward except as otherwise provided in this Resolution.
68. **YARD, FRONT.** A yard between side lot lines and measured horizontally at right angles to the centerline of the road from the nearest point of a building. Any yard meeting this definition and abutting on a road shall be considered a front yard.
69. **YARD, REAR.** A yard between side lot lines and measured horizontally at right angles to the rear lot line from the rear lot line to the nearest point of a building.
70. **YARD, SIDE.** A yard between the front and rear yard measured horizontally at right angles from the side lot line to the nearest point of a building.
71. **ZONING COMPLIANCE PERMIT.** The permit required for residential, commercial or industrial structure construction or expansion to assure compliance with those regulations established herein.
72. **ZONING COMPLIANCE PERMIT APPLICATION.** The application and necessary procedures required prior to receiving a Zoning Compliance Permit.

## ARTICLE III

### APPLICATION OF REGULATIONS

Except as hereinafter provided.

1. **USE.** No building, structure 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.
2. **NUMBER OF BUILDINGS ON EACH LOT. (amended 12/17/2020)** In any district, up to three (3) principal structures containing permitted uses may be erected on a single lot which is at least ten (10) acres in size, provided that yard and other requirements for this Resolution shall be met for each structure as though it were an individual lot. On lots smaller than ten (10) acres in size, only one (1) principal structure is allowed per lot. A site plan or accurate sketch shall be submitted to the Meigs County Zoning Compliance Officer when an additional structure is added to a parcel with issuance of a zoning compliance permit contingent on meeting area regulations. Each structure shall have access to a public road either through direct road frontage or access to a public road through a permanent private road/easement. Exceptions are as otherwise provided by this resolution, e.g. approved mobile home parks, apartment complexes, or shopping malls
3. **ROAD FRONTAGE.** No dwelling shall be erected on a lot which does not abut at least fifty (50) feet, except that lots fronting on cul-de-sacs may have a minimum road frontage of thirty (30) feet if the lot is at least fifty (50) feet in width at the minimum setback line.
4. **CORNER LOTS.** The side yard setback requirements for corner lots shall be the same as the front yard setback requirements for the next adjacent lots fronting on the road that the side yard of the corner lot faces.
5. **YARD AND OTHER SPACES.** No part of a yard or other open space required about any building for the purpose of complying with the provisions of this Resolution shall be included as a part of a yard or other open space required under this Resolution for another building.
6. **REDUCTION OF LOT SIZE.** No lot shall be reduced in area so that required yards, lot area per family, lot width, building area or other provisions of this Resolution are not maintained. This section shall not apply when a portion of a lot is acquired for a public purpose.
7. **HEIGHT AND DENSITY.** No building or structure shall hereafter be executed or altered so as to exceed the height limit, to accommodate or house a greater number of families, to have narrower or smaller front yards or side yards than are required or specified in the regulations herein for the district in which it is located.
8. **DEED RESTRICTIONS. (amended 10/27/05)** Deed restrictions shall not be construed to be superseded nor abrogated by this Zoning Resolution. The Meigs County government is not a party to deed restrictions and does not enforce deed restrictions nor shall be a party to any action in regard to the enforcement of deed restrictions.

## ARTICLE IV

### GENERAL PROVISIONS

1. **CONTINUANCE OF NONCONFORMING USES.** (amended 11/18/04) Any lawful use of any building or land existing at the time of the enactment of this Resolution or whenever a district is changed by an amendment thereafter, may be continued although such use does not conform with the provisions of this Resolution with the following limitations:
  - a. No building or land containing a nonconforming use shall hereafter be extended unless such extensions shall conform with the provisions of this Resolution for the district in which it is located; provided, however, that a nonconforming use may be extended throughout those parts of a building which were manifestly arranged for such use prior to the enactment of this Resolution.
  - b. Any residential nonconforming building, which has been damaged by fire or other causes, may be reconstructed and used as before, unless it is determined by the Tax Assessor that the building is damaged to the extent of more than seventy-five (75) percent of the fair market cash value of the structure, in which case any repair or reconstruction shall be in conformity with this Resolution.
  - c. When a residential nonconforming use of any building, structure or land has ceased for a period of one (1) year, it shall not be re-established or changed to any use not in conformity with the provisions of this Resolution.
  - d. Any building containing a nonconforming use shall not be changed to another nonconforming use unless it is determined by the Board of Zoning Appeals that such use is less offensive than the previous use.
  - e. Notwithstanding any other section of this paragraph, any non-conforming mobile home, used as a residence, which is partially or totally destroyed by fire or other cause, may be replaced. Provided, such replacement occurs within one (1) year of the date of such destruction as provided in section c. above, and said mobile home conforms to the applicable codes in effect on the date of replacement.
  - f. Any non-conforming mobile home used as a residence, may be replaced by another mobile home superior in condition to the mobile home replaced and which conforms to the building and other codes in effect on the date of such replacement. Provided, however, the mobile home which is replaced is removed from said lot.
  - g. No non-conforming industrial and commercial use that intentionally and voluntarily ceases to operate for a period of 30 continuous months may be reestablished. Such 30-month period shall be counted from:
    - 1) The final settlement, order, decree, or judgement when said use or establishment is a party to any action in a court of competent jurisdiction regarding the use of said property.
    - 2) Any period in which a facility is being constructed, reconstructed, renovated, or refurbished, provided that all necessary building permits were obtained within the thirty (30) month of cessation of continuous use. Provided also that any structure so constructed or rebuilt shall conform to the setbacks and height requirements of the zoning district in which it shall be located.
    - 3) The filing of an application for a building permit for the alteration, renovation or reconstruction of a non-conforming structure that a non-conforming industrial or commercial use operated from or was located in.

- 4) The use is reactivated within the thirty (30) month period.
  - 5) Provided however, any non-conforming industrial establishment with twenty-five (25) percent or more of gross annual sales or sales as a subcontractor to contractors, are to local, state or federal governments; or where said industrial use/location where seventy-five (75) percent of gross annual sales are made to agriculture or construction business.
- h.** Off-site Signs. No off-site non-conforming sign may be re-established after being discontinued or abandoned for thirty (30) continuous months. Any expansion of said non-conforming sign shall be limited as follows:
- 1) Any off site sign smaller than overall dimensions between 5-feet 4-inches to 6-feet 2-inches in height and 11-feet 4-inches to 12-feet 2-inches in width may be expanded to this size but no greater.
  - 2) Any standard 8 sheet poster with maximum dimensions as described above may be expanded to a 30 poster size with overall dimensions not greater than 12-feet 3-inches and 24-feet 6-inches in width.
  - 3) Any standard 30-sheet poster shall not be expanded to a size greater than any standard bulletin size, no more than 10-feet to 14-feet in height and 36-feet to 48-feet in width.
  - 4) Any standard bulletin size sign, as described in section 3 above, shall not be expanded to a size greater than 16-feet to 20-feet in height and 60-feet in width.
  - 5) Any off-site sign that does not meet the standards shown above may be expanded by not more than 100 percent of its surface area, provided however, the size of no sign shall exceed the maximum size permitted in section 4 above.
- i.** No non-conforming building or building housing a nonconforming use shall be structurally altered except in conformance with the provisions of this resolution. This provision shall not be construed so as to prevent normal maintenance, or repairs and alterations required to maintain structural safety.

**2. OFF-ROAD AUTOMOBILE PARKING.** Off-road automobile parking space shall be provided at the time of erection of any building or structure or at the time any main building or structure is enlarged or increased in capacity.

The number of automobile parking spaces provided shall be at least as great as the number specified for the various uses below:

- a. *Banks, Business or Professional Offices:*** One (1) Space for each three hundred square feet (300 sq. ft.) of usable floor space plus one (1) space for each two (2) employees.
- b. *Hotels, Motels, and Tourist Courts:*** One (1) space per guest bedroom, plus one (1) for each two (2) employees.
- c. *Industry:*** One (1) space for each two (2) employees computed on the basis of the greatest number of persons employed at any period during day or night, plus

adequate parking space for customer and visitor vehicles as determined by the planning commission.

- d. **Places of Public Assembly:** One (1) space for each five (5) seats in the building or structure based on the maximum seating capacity.
- e. **Residential:** Two (2) spaces per dwelling unit in single and two family structures, and one and one-half (1-1/2) spaces per dwelling unit in multiple family dwellings. Residential parking shall consist of a parking lot, driveway, garage, or combination thereof.
- f. **Retail stores, supermarkets, department stores, and personal service establishments except as otherwise specified herein:** One (1) space for each two hundred square feet (200 sq. ft.) of retail floor space.

**For uses not specifically mentioned herein, off-road parking requirements shall be determined by the planning commission.**

- 3. **OFF-ROAD LOADING AND UNLOADING SPACE.** On every lot on which a business, trade, or industry use is hereafter established, space with access to a public road shall be provided as indicated below for the loading and unloading of vehicles off the public road.
  - a. **Retail Business:** One (1) space of at least ten feet (10') by twenty feet (20') for each three thousand square feet (3,000 sq. ft.) of floor area of part thereof.
  - b. **Wholesale and Industrial:** One (1) space of at least twelve feet (12') by fifty feet (50') for each ten thousand square feet (10,000 sq. ft.) of floor area or part thereof.
- 4. **VISION CLEARANCE.** No fence, wall, shrubbery, sign, or other obstruction to vision between the height of three feet (3') and fifteen feet (15') shall be permitted within twenty feet (20') of the intersection of the right-of-way lines of any road.
- 5. **ACCESS CONTROL.** In order to promote the safety of the motorist and pedestrian and to minimize traffic congestion and conflict by reducing the points of contact, the following regulations shall apply.
  - a. No point of access shall be allowed within ten feet (10') of the right-of-way of any public road intersection.
  - b. Access control on property abutting state or federal highways shall be governed by official regulations of the Tennessee Department of Transportation, Division of Highways or the provisions of this resolution, whichever is higher.
- 6. **ACCESSORY USE REGULATIONS.** The uses of land, buildings and other structures permitted in each of the districts are designated by listing the principal uses. In addition to such principal uses, accessory uses which are customarily incidental to the permitted uses are also permitted in each district. Each accessory use shall:
  - a. Be customarily incidental to the principal use established on the same lot.
  - b. Be subordinate to and serve such principal use.

- c. Be subordinate in area, intent, and purpose to such principal use.
- d. Contribute to the comfort, convenience, or necessity of uses of such principal use.

7. **TEMPORARY USE REGULATIONS.** The following regulations are necessary to govern the operation of certain necessary or seasonal uses non-permanent in nature. Application for a Temporary Use Permit shall be made to the Codes Compliance Coordinator. Said application shall contain a graphic description of the property to be utilized and a site plan, a description of the proposed use, and sufficient information to determine yard requirements, setbacks, sanitary facilities, and parking space for the proposed temporary uses and shall be subject to the specific regulations and time limits which follow and the regulations of any district in which such use is located.

- a. **Carnival or Circus:** May obtain a Temporary Use Permit in the R, C, FAR, or WF district; however such permit shall be issued for a period of not longer than fifteen (15) days.
- b. **Temporary Buildings:** In any district, a Temporary Use Permit may be issued for a contractor's temporary office, and equipment sheds incidental to a construction project, or for the placement of a temporary structure (i.e. mobile home, travel trailer) for living quarters while a permanent structure is being built. Such permit shall not be valid for more than one (1) year but may be renewed for six (6) - month extensions; however, not more than three (3) extensions shall be granted to a particular use. Such use shall be removed upon the completion of the construction project or upon expiration of the Temporary use Permit, whichever occurs sooner.
- c. **Real Estate Sales Office:** In any district, a Temporary Use Permit may be issued for a temporary real estate sales office in any new subdivision. Such offices shall contain no living accommodations. The permit will be valid for one (1) year, but may be granted two (2) six-month extensions. Such office shall be removed upon completion of the development of the subdivision or upon expiration of the Temporary Use Permit, whichever occurs sooner.
- d. **Temporary Dwelling Units in Case of Medical Hardships:** In any district, a temporary use permit may be issued to place a mobile home (double-wides excluded) on a lot which already contains a residential structure, provided that the purpose of such placement temporarily shall be to make it possible for a resident of either structure to provide assistance to a person who requires daily assistance due to physical or mental disability, and provided further that such a temporary structure does not represent a hazard to the safety, health, or welfare of the community, An applicant for a temporary use permit as provided under this subsection must produce a written statement from a physician certifying that the specific disability requires assistance from someone in close proximity as evidence of such disability, and a written statement from the Meigs County Health Department approving the sewage disposal system of the proposed temporary structure.
- e. **Recreational Vehicles:** In the R district, a temporary use permit may be issued for the placement of a recreational vehicle on a vacant lot. The recreational vehicle shall be used as the sole residency of the permit holder and his/her quest for a period not to exceed six (6) continuous months. The temporary use permit shall state the date of placement of the recreational vehicle and also the expiration date in which the recreational vehicle shall be removed. ***(It is the intent of this subsection to allow vacant-lot owners, whether local or absentee, in the R district(s) to utilize their property on a temporary and***

*vacational basis while at the same time not disturbing or disrupting the general character of the surrounding neighborhood(s).*

**8. SITE PLAN REQUIREMENTS. (Amended 11/17/2022)**

A site plan shall be required for all commercial, multifamily, industrial, public, and semi-public developments and redevelopments. All site plans shall be prepared and stamped by a licensed engineer, surveyor or architect. "Redevelopment" shall be defined as a change in land use or an increase in the gross floor area by 100 square feet.

Exceptions. The following shall be exempt from the site plan requirements and may instead submit a sketch plan:

1. Accessory Structures and uses
2. Detached single-family residences, including mobile homes
3. Duplexes
4. New developments less than 1,000 square feet in size.

The applicant shall submit their site plan for review no later than 14 calendar days prior to the next regularly scheduled planning commission meeting. Staff shall review the proposed site plan for compliance with all applicable requirements of this resolution and provide any comments or suggested revisions to the applicant, allowing sufficient time to address the comments and make revisions before the planning commission meeting.

On the day of the planning commission meeting, the applicant or his representative shall bring seven copies of the revised site plan, or more if requested by planning staff.

It shall be unlawful for any person to construct, erect, or alter any building or structure, or to develop, change, or improve land except in accordance with the approved final site plan.

No zoning compliance permit shall be issued to erect or alter any building or structure until a site plan has been submitted and approved in accordance with this section.

**1. Site Plan Content**

Site Plans shall contain the following components and information, as applicable. The planning commission may require missing items be added or other corrections made as a condition for approval.

- A. Name, address and contact information of the owner of record and the applicant.
- B. Name, contact information and original stamp of the licensed engineer, surveyor or architect who prepared the site plan.
- C. Name of the development and the physical address of the site.
- D. Tax map and parcel number of the property to be developed.
- E. Current zoning of the site and all abutting properties.
- F. Date, graphic scale and north point.
- G. Courses and distances of all property lines and street centerlines.
- H. All property setback lines, easements, covenants, reservations, and rights-of-way.
- I. The area of site in acreage or square feet and the total calculated area of land disturbance.
- J. Topography of existing ground and paved areas and elevations of streets, alleys, utilities, buildings and structures. When required by the planning commission, 5-foot contours shall be shown.
- K. Floodplain limits and natural and artificial watercourses. If the property is in a floodplain, elevations for all structures shall be included.
- L. Existing and proposed sidewalks, streets, alleys, easements, and utilities.
- M. Existing and proposed buildings and structures, including signs.

- N. Existing and proposed public sewer systems with line sizes noted.
- O. Existing and proposed water mains with line sizes and fire hydrant locations noted.
- P. Plans for collecting stormwater and methods of treatment.
- Q. Grading and drainage plan including any existing and proposed slopes, terraces, and retaining walls.
- R. Existing and proposed natural areas, recreation areas, and open space.
- S. Detailed design of access points and parking lots showing internal circulation lanes, total number of parking spaces, loading areas, drainage plans and systems and location of ADA-accessible parking spaces.
- T. Distances between buildings.
- U. Number of existing and proposed dwelling units.
- V. Total gross floor area of each building.
- W. Lot coverage in square feet and as a percentage of total tract area.
- X. Certificate of Zoning Compliance, to be signed and dated by the planning commission secretary:

Certification of Zoning Compliance

This site plan and the development shown hereon has been found in compliance with all applicable standards of the Meigs County Zoning Resolution and was approved by the Meigs County Planning Commission on the date indicated.

\_\_\_\_\_  
Secretary, Meigs County Planning Commission    Date

**2. Sketch Plan Content.**

Sketch plans contain less detail than a site plan and do not require Planning Commission approval; instead, they may be administratively approved by the Meigs County Codes Compliance Officer. Sketch plans may be prepared by the applicant and do not require a stamp from a surveyor, architect, or engineer.

Sketch plans for a development requiring a variance or special exceptions permit shall be referred to the BZA.

Sketch Plans shall include the following:

- A. Name, mailing address and phone number of owner and applicant.
- B. Physical property Address.
- C. Present zoning classification of the property and adjacent properties.
- D. Approximate property boundary lines.
- E. Total land areas of the site.
- F. Tax map and parcel number for the property.
- G. Adjacent property owner name, subdivision, deed book and page, or plat book and page.
- H. Existing and proposed structure locations.
- I. Distance between structures as well as the distances from front, side, and rear property boundaries.
- J. The intended use of all structures.
- K. Rights-of-way adjacent to the property and road names identified.
- L. Existing and proposed parking area(s).
- M. Existing and proposed access point(s).
- N. Existing and proposed utility providers (Water, sewer, gas, electricity).

9. **CUSTOMARY HOME OCCUPATIONS.** A customary home occupation is a gainful occupation is a gainful occupation or profession conducted by members of a family residing on the premises and no more than one (1) employee. The home occupation shall be conducted entirely within the dwelling unit and the usual accessory buildings for a residence, e.g. a garage, and account for no more than one-third of the total floor area including accessory buildings where use used. No alteration to any building shall indicate from the exterior that the building is being utilized in whole or in part for any purpose other than a residence including permitted accessory buildings. No stock in trade shall be displayed outside the building(s). If the legality of a specific home occupation, the Board of Zoning Appeals shall determine whether said home occupation is in compliance with this Resolution. Activities such as dance instruction, band instrument or electronically amplified music instruction except for piano and acoustic guitar instruction; tea rooms, real estate offices, convalescent homes, animal clinics, mortuaries, any activity involving significant customer traffic, or any other activity deemed by the board of zoning appeals to be incompatible with district or a potential nuisance to the surrounding area shall not constitute an acceptable home occupation.

10. **TELECOMMUNICATIONS STRUCTURES. (Added 06-19-00)**

- a. The purpose of these regulations is to (1) protect residential areas and land uses from potential adverse impacts of telecommunications structures; (2) encourage the location of towers in non-residential areas; (3) minimize the total number of towers in the county by encouraging the joint use of telecommunications structures; (4) minimize visual pollution through careful design, siting, screening and camouflaging of towers; and (5) to minimize potential damage to adjacent properties
- b. Use on Review. Construction and operation of a telecommunications structure in any zoning district shall be considered a "use on review" by the planning commission. The commission shall ensure compliance with the standards of this section prior to granting a special use permit allowing such a structure. Factors to be considered in granting the permit include , but are not limited to: (1) height of the proposed structure, (2) proximity to residential structures, (3) nature of land uses, topography, and foliage on adjacent and nearby properties (4) design of the tower and especially design characteristics reducing visual obtrusiveness, (5) proposed ingress and egress, and (6) availability of shared use, co-location or alternative technologies not requiring use of towers.
- c. Shared Use. The applicant shall submit documentation the applicant has attempted to obtain shared use of an existing or planned telecommunications structure(s) in the County and that such shared use has been denied. Shared use is not precluded simply because a reasonable fee for shared use is charged or because of reasonable costs necessary to adapt the existing and proposed telecommunications structure(s) for shared use. The planning commission may consider expert opinion on the reasonableness of fees and modifications costs. Shared costs exceeding the cost of new tower development shall be presumed to be unreasonable. Shared use of existing telecommunications structures may be technically impractical where supported by technical documentation from a licensed professional independent of the applicant. The applicant shall provide the planning commission a list of all telecommunications structures owner's contacted, the date of such contact, the form and content of said contact and the results of said contacts.
- d. Buffering and Landscaping. Ground structures and buildings shall have special care to minimize the effects on adjacent areas. All ground structures shall be buffered with a minimum of an eight-(8) foot wide landscaped strip around the perimeter of the security fencing. The buffered strip shall consist of a combination of trees, shrubs, vines or other ground covers that blends and

enhances the appearance of the ground structures within the buffered area. The buffer shall be installed for permanent year-round protection of adjacent property by visually shielding internal structures from adjoining property, to a height of eight (8) feet or the height of the proposed accessory structures, whichever, is greater. The landscaping provisions of this section may be varied or reduced by the planning commission if (1) the proposed plan provides for unique and innovative landscaping treatment or physical features, that meet the intent and purpose of this section, or (2) the location is in a well-forested area or shielded by topography from adjoining properties and public streets.

- e. Co-location. The co-location of towers and antennas shall be permitted only on existing and proposed telecommunications structures or on power line structures and water towers over thirty-five (35) feet in height. Where antennas or telecommunications structures are to be co-located on an existing powerline structure or water tower, the maximum height shall not exceed the height of said structure plus twenty (20) feet.
- e. Aesthetics. Towers shall have either a galvanized steel finish or, subject to any Federal Aviation Administration regulations, be painted a neutral color so as to reduce obtrusiveness. The tower site, the design of the buildings and related structures shall to the extent possible, use materials, colors, textures, screening and landscaping that will breakup the outline of the structure and blend the structure(s) into the setting, to make it as visually unobtrusive as possible
- f. Fee. A non-refundable fee of six hundred dollars (\$600) shall accompany any application for a new telecommunications structure.
- g. Security. Towers and associated ground structures shall be enclosed by security fencing not less than six (6) feet in height, equipped with an appropriate anti-climbing device(s); provided however, the planning commission may modify this requirement as it deems appropriate.
- h. Separation Distance. A telecommunications structure shall be separated from another communications structure by a distance of not less than 300 percent (%) of the height of the tower.
- i. Setbacks. All towers and accessory structures shall be setback from the property lines a distance as required by the zoning resolution for that district or a distance equal to twenty (20) percent of the tower height, between the base of the telecommunications structure and the property line, whichever is greater. Provided however, that when a tower is constructed adjacent to an area zoned residential, a developed subdivision, or a public road, the minimum distance between the tower and said residence or road shall be equal to one hundred (100) percent of the tower height plus ten (10) feet.
- j. Site Plan. The applicant shall submit with an application for a special use permit, a site plan containing the information required in Section 9 above AND, except for a structure co-located on an existing tower, power line or water tower; the following additional data:
  - 1. Be drawn by a surveyor or licensed professional engineer to a scale of 1-inch = 100 feet or larger.
  - 2. A letter from a professional engineer certifying the height of the tower and the structure meets all the standards prescribed in latest edition of the Southern Standard Building Code, the Electronic Industries Association, and any applicable standards and regulations of the

- Federal Aviation Administration and the Federal Communication Commission; and describing the tower's capacity including the number and type of antennas that can be accommodated.
3. A letter of intent from the owner, binding successive owners, allowing for the shared use of the tower.
  4. Setbacks, distance to the nearest residence(s), and distance to the nearest telecommunications structure and the owner of said tower.
  5. Landscaping and security plan.
  6. Nature of uses on adjacent properties, topography and surrounding tree coverage and foliage.
  7. Show type and height of the proposed tower with aesthetic design factors
  8. Any other data required by this section.
- k. Exceptions. The provisions of this part shall not apply to antennas or towers under 40-feet in height, or antennas or towers for use by state and local government and cooperative utility districts located by public buildings or co-located on public buildings or water towers. Pre-existing towers shall be allowed continue their use as they presently exist, however, new construction or expansion of a pre-existing telecommunications structure shall comply with this resolution.
- l. Signs. No signs shall be allowed on a telecommunications structure.
- m. Removal of Obsolete Towers
1. Any tower that is no long in use for its original communications purpose shall be removed at the owner's expense. The owner shall provide Meigs County with a copy of the notice of intent to the Federal Communications Commission (FCC) to cease operations and shall be given ninety-(90) days from the date that operations cease to remove the obsolete tower and accessory structure(s). Provided that if another operator submits a request for a telecommunications structure during this time period, a reasonable period of time may be granted to negotiate the sale of said tower to a new operator. In the case of multiple operators sharing a single tower, this provision shall not become effective until all users cease operations.
  2. Prior to the issuance of a permit for any tower, co-use of any tower or co-use of any utility structure, a surety instrument (e.g. letter of credit or bond), shall be provided by the applicant, to ensure prompt removal of the tower after operation of the tower has ceased. The amount of the surety shall be determined by the county executive and approved by the planning commission in the site plan review process.
11. Airport Standards. (added 11/18/04) The following apply to any proposed aviation facility. The site plan, permits, and narrative will be submitted with the application for a "Use on Appeal" to the BZA.
- a. Minimum area requirement. Airport 90 acres; Landing strip 20 acres; Heliport 5 acres; and Helistop 2 acres.
  - b. Length. The length and width of the runway or landing strip shall be appropriate for the size and type of aircraft to use the facility as prescribed in FAA AC 150/5300-13, Appendix 11, as amended, and heliports/helistops by AC 150/5390-2A
  - c. Setback. 400 feet from the property lines at the ends of the runway(s), 250 feet from the property lines on the sides of an airport runway(s) and 100 feet from property lines on the sides of a landing strip.

- d. A site plan as described in section 8 above, and in addition showing the exact location and dimensions of runway(s), taxiway(s), parking areas, fuel storage, hanger(s) and other buildings, access to the facility, adjacent utility lines, and general and use development within 500 feet of the property.
- e. Narrative. Describing the proposed use, hours of operation, number of take-offs per day, types of aircraft based at or using the facility, provision for fuel storage and safety of fuel, and emergency response.
- f. Copies of appropriate permits and letters of approval from the FAA and TDOT, including at a minimum a copy of FAA Form 7480 as submitted to the FAA.
- g. Any other requirements that in the opinion of the Board of Zoning Appeals required to protect the safety and welfare of the surrounding area.

**12. MOBILE HOME APPEARANCE AND SAFETY STANDARDS. (added 10/27/05)** Any mobile home to be used as a residence and installed on an individual lot in Meigs County after January 1, 2006 shall comply with the following standards:

- a. Provisional permit. For the purpose of allowing the installation of a mobile home, the codes enforcement officer may issue a provisional zoning permit that shall be valid for forty-five (45) days from the date of issuance. The applicant must present his/her installer's decal as required by TCA 68-126-406 and septic tank permit. The cost of said permit shall be as stated in Article XIII, section 6, as amended.
- b. Skirting required. The space beneath the mobile home shall be enclosed by a foundation or skirted with a durable, rigid material suitable for contact with the ground. There must be a means of accessing the area beneath the mobile home. If said mobile home is located within a floodplain, the foundation or skirting must comply with FEMA standards for construction and venting.
- c. Steps and Landing Required. Any door or means of egress on a mobile home that is thirty (30) inches or more from the ground shall have a solidly constructed landing not less three (3) feet by three (3) feet in size and steps with a hand rail.
- d. Time extension. The codes enforcement coordinator is authorized to grant one (1) thirty (30) day extension of a provisional permit for a mobile home where there are mitigating circumstances, such as inclement weather, that preclude the timely completion of the improvements in sections **b.** and **c.** above.
- e. Final permit. Upon installation mobile home, inspection of the installers decal, and completion of the items in sections **b.** and **c.** above the codes enforcement coordinator may issue a final zoning permit, allowing electrical power to be supplied to the mobile home. Failure to comply with the requirements of this section nullifies any county permit(s) issued and the mobile home shall be removed from the property at the owner's expense.

**13. COMMUNITY WASTEWATER TREATMENT SYSTEM. (added 10/20/2011)** The following standards apply to any proposed community wastewater treatment system:

- a. Community wastewater treatment systems are a conditional use in all zoning classifications. (See Conditional Use Permits in Article XII Exceptions and Modifications.)
- b. Adequate lot size is to be determined by the Tennessee Department of Environment and Conservation (TDEC).

- c. The following buffer distances shall apply to the dispersal field (drip field or spray field):
  - 1) Fifty (50) feet from wells and springs.
  - 2) 10 (10) feet from dwellings and buildings.
  - 3) 10 (10) feet from property lines.
  - 4) 10 (10) feet from underground utilities.
  - 5) Five (5) feet from an individual septic tank.
  - 6) Twenty-five (25) feet from gullies, ravines, blue line streams, drains, drainways, cutbanks, and sinkholes.
- d. Fencing approved by the Meigs County Regional Planning Commission shall surround the dispersal field.
- e. The exterior perimeter of the fence shall be completely screened with vegetation.
- f. All dispersal fields must have access on a county or state maintained road that is classified no less than a Minor Collector as defined in the adopted Major Road Plan.

**14. PUBLIC WASTEWATER COLLECTION AND TREATMENT PLANT. (added 10/20/2011)** The following standards apply to any proposed public wastewater collection and treatment plant (i.e. sewer treatment plant):

- a. Public wastewater collection and treatment plants are a conditional use in all zoning classifications. (See Conditional Use Permits in Article XII Exceptions and Modifications.)
- b. Adequate lot size is to be determined by the Tennessee Department of Environment and Conservation (TDEC).
- c. The following setbacks shall apply to any proposed public wastewater collection and treatment plant:
  - 1) Front yard – 100 ft.
  - 2) Rear yard – 50 ft.
  - 3) Side yard – 50 ft.
- d. Fencing approved by the Meigs County Regional Planning Commission shall surround the facility.
- e. The exterior perimeter of the fence shall be completely screened with vegetation.
- f. All public wastewater collection and treatment plants must have access on a county or state maintained road that is classified no less than a Minor Collector as defined in the adopted Major Road Plan.

15. **SOLAR FARMS.** (added 4/19/2012) Solar farms shall be permitted in the Forest, Agricultural, Residential (FAR), Commercial (C), General Industrial (I-1), Special Impact Industrial (I-2), and Waterfront, Educational, Recreational (WF) districts as a conditional use. The following regulations apply to any proposed construction and operation of a solar farm. The allowance of a solar farm in the aforementioned districts will only be allowed after review and approval from the Meigs County Planning Commission.
- a. Solar farms shall be enclosed by perimeter fencing to restrict unauthorized access at a height of eight and a half (8.5) feet.
  - b. The minimum lot size for a solar farm shall be one (1) acre.
  - c. A site plan must be submitted in accordance with section 8 of Article IV of this ordinance. In addition, all proposed or existing buffering must be shown on said site plan.
  - d. A solar farm to be placed adjacent to a parcel which contains a residential use may be required to install additional buffering.
  - e. Solar farms shall adhere to the area regulations of the underlying zoning district.

## ARTICLE V

### ESTABLISHMENT OF DISTRICTS

For the purpose of this Resolution, Meigs County, Tennessee is hereby divided into five (5) classes of districts as follows:

- R-1** - Low Density Residential District (**Amended 4/24/03**)
- R-2** - Medium Density Residential District (**Amended 4/24/03**)
- C** - Commercial District
- I-1** - General Industrial District
- I-2** - Special Impact Industrial District
- FAR** - Forestry, Agricultural, Residential District
- WF** - Waterfront, Recreational, Educational District

The boundaries of these districts are hereby established as shown on the map entitled "**Zoning Map of Meigs County, Tennessee**," dated **October 18, 1994**, which accompanies this Resolution and which is on file in the Office of the County Property Assessor. Unless otherwise specifically indicated on the map, the boundaries of districts are lot lines or center lines of roads or such lines extended, the boundary lines with cities, or a line midway between the main track of a railroad or the center lines of streams or other water bodies.

## ARTICLE VI

### LOW DENSITY RESIDENTIAL DISTRICT (AMENDED 6/5/04)

#### (R-1)

1. **INTENT.** It is the intent of this district to provide for areas of higher density residential development. One of the important purposes of this district is to create adequate standards of residential development in order to prevent a recurrence of the overcrowded and unhealthy housing conditions that have long been a major problem. Intensities of development have been established which will not cause traffic congestion and densities are limited in order to provide adequate sunlight, air, and usable open space for dwellings and adequate space for all related facilities.
2. **USES PERMITTED.** Within the Low Density Residential (R-1) District, the following uses *and their accessory uses* are permitted. **(Amended 6/5/04)**
  - a. Single-family residences, *but not mobile homes*, provided however, that one apartment of up to 1,000 square feet is permitted within a single residence.
  - b. Churches or similar places of worship, but not including temporary missions, revival tents or church camps
  - c. Customary accessory buildings or structures, provided they are located in the rear yard and with a side/rearyard setback of ten (10) feet.
  - c. Customary home occupations, as provided in Article 4 Section 9.
3. **USES PERMITTED ON APPEAL.** Within the Low Density Residential (R-1) District of Meigs County, the following uses and their accessory uses may be permitted subject to the review and approval of the Meigs County Board of Zoning Appeals in accordance with the provisions of **Article XIII Board of Zoning Appeals**.
  - a. Swimming pools as an accessory use, with a minimum of a 42-inch fence around said pool.
  - b. Group homes for the elderly and physically or mentally handicapped, subject to a maximum of eight (8) residents and compliance with all state laws governing such facilities.
  - c. Public buildings and public utility stations for local services.
4. **USES PROHIBITED.** In the R-1 Low Density Residential District all uses except those uses specifically permitted or permitted on appeal are prohibited.
5. **AREA REGULATIONS.**
  - a. **Lot area -**  
Minimum required lot area w/ public water *and* sewer .....15,000 sq. ft  
Minimum required lot area with public water .....20,000 sq. ft.  
Minimum required lot area without public water .....25,000 sq. ft.

*(Or more if required by the Tennessee Department of Environment and Conservation)*

- b. **Lot width -**  
Minimum required lot width at front of building (building line) .....50 ft.
- c. **Front Yard -**  
Minimum required front yard depth. ....35 ft.
- d. **Rear yard -**  
Minimum required rear yard depth ..... 15 ft.
- e. **Side yards -**  
Minimum required side yard widths ..... 10 ft.
- f. **Corner Lots -**  
Minimum required ..... 35 ft.

*(In the case of corner lots, the side yard line adjacent to the road shall be the same as required for the front yard.)*

- 6. **PARKING SPACE REQUIREMENTS.** As regulated in **Article IV, Section 2.**
- 7. **VISION CLEARANCE.** As regulated in **Article IV, Section 4.**
- 8. **ACCESS CONTROL.** As regulated in **Article IV, Section 5.**
- 9. **ACCESSORY USES.** As regulated in **Article IV, Section 6**

## ARTICLE VIa

### **MEDIUM DENSITY RESIDENTIAL DISTRICT** **(AMENDED 6/5/04)**

#### **(R-2)**

1. **INTENT.** This residential district is intended to promote and encourage the establishment and maintenance of a suitable environment for urban residence in areas, which by location and character, are appropriate for occupancy by medium density, detached residences and multi-family dwellings. The intent of the provisions of this district is to create adequate standards of residential development to allow for medium density development with desirable conditions. The intensity of land use shall not be so great as to cause congestion of buildings or traffic or to overload existing sanitary facilities.
  
2. **USES PERMITTED.** In the R-2 Medium Density Residential District, the following uses and their accessory uses are permitted:
  - a. Single-family detached dwellings, *but not mobile homes*, provided however, that one apartment of up to 1,000 square feet is permitted within a single residence. **(Amended 6/5/04)**
  - b. Two-family dwellings (duplexes).
  - c. Churches or similar places of worship, but not including temporary missions, revival tents or church camps.
  - d. Recreation facilities associated with housing and residential development.
  - e. Public buildings (except schools) and utility facilities necessary for the provision of local public services.
  - f. Customary accessory buildings or structures provided they are located in the rear yard with a sideyard and rearyard setback of not less than ten (10) feet..
  - g. Customary home occupations, as provided in Article 4, Section 9.
  
3. **USES PERMITTED ON APPEAL.** Within the Medium Density Residential (R-2) District of Meigs County, the following uses and their accessory uses may be permitted subject to the review and approval of the Meigs County Board of Zoning Appeals in accordance with the provisions of **Article XIII Board of Zoning Appeals.**
  - a. Multi-family dwellings, provided they shall be located adjacent to an arterial or collector road, have an approved water and wastewater service, and a site plan in addition to the requirements of **Article IV Section 8**, approved by the planning commission, showing: the site location of the proposed use/structure, the drainage system showing five foot contour intervals, size and dimensions of the proposed buildings including setbacks, parking spaces and design of the parking area, location and dimensions of signs, and location and design of driveways onto public road(s).

- b. Professional offices, in structures that resemble a detached single family residence, not to exceed 3,500 square feet in size.
- c. Public swimming pools, public or private golf courses, private clubs, civic organizations and lodge halls, except clubs in which there are daily uses customarily conducted as a business (e.g. VFW halls, Elks lodges).
- d. Schools, colleges, and other educational institutions.
- e. Group homes for the elderly, physically, or mentally handicapped subject to a maximum of eight (8) residents plus caregivers and in compliance with all state laws governing such facilities.
- f. Day Care Center for six or more children, with required approvals from appropriate state agencies.
- g. Swimming pools as an accessory use, with a minimum of a 42-inch fence around said pool.

4. **USES PROHIBITED.** In the R-2 Medium Density Residential District all uses except those uses specifically permitted or permitted on appeal are prohibited.

5. **AREA REGULATIONS.**

a. **Lot area – Detached Single Family**

Minimum required lot area w/ public water <i>and</i> sewer .....	15,000 sq. ft.
Minimum required lot area with public water .....	20,000 sq. ft.
Minimum required lot area without public water .....	25,000 sq. ft.

**Lot area – Multi-family**

2 dwelling units with public water and sewer.....	25,000 sq. ft.
with public water only .....	30,000 sq. ft.
3 dwelling units with public water and sewer.....	30,000 sq. ft.
with public water only .....	35,000 sq. ft.
4 dwelling units with public water and sewer.....	35,000 sq. ft.
with public water only .....	40,000 sq. ft.

More than 4 dwelling units w/ public water and sewer: 4,000 sq. ft. for each unit over 4. If no public sewer, then as required by the Dept. of Environment and Conservation but not less than 5,000 sq. ft for each unit over 4.

***(Additional space if required by the Tennessee Department of Environment and Conservation on any lot)***

b. **Lot width -**

Minimum required lot width at front of building (building line) .....50 ft.

c. **Front Yard -**

Minimum required front yard depth. ....35 ft.

d. **Rear yard -**

Minimum required rear yard depth ..... 15 ft.

- e. **Side yards -**  
Minimum required side yard widths ..... 10 ft.
- f. **Corner Lots - sideyard**  
Minimum required ..... 35 ft.

*(In the case of corner lots, the side yard line adjacent to the road shall be the same as required for the front yard.)*

- 6. **PARKING SPACE REQUIREMENTS.** As regulated in **Article IV, Section 2.**
- 7. **VISION CLEARANCE.** As regulated in **Article IV, Section 4.**
- 8. **ACCESS CONTROL.** As regulated in **Article IV, Section 5.**
- 9. **ACCESSORY USES.** As regulated in **Article IV, Section 6.**

## ARTICLE VII

### COMMERCIAL DISTRICT

#### (C)

1. **INTENT.** It is the intent of this district to establish areas in which the principal use of land is devoted to commercial uses which cater specifically to the needs of motor vehicle-oriented trade. The intent of this district is to provide appropriate space and sufficient depth from the road to satisfy the needs of modern commercial development where access is entirely dependent on motor vehicle trade; to provide for the orderly development and concentration of highway commercial uses; and to encourage the development of these locations with such uses and in such a manner as to minimize traffic hazards and interference with other uses in the vicinity.
2. **USES PERMITTED.** In order to achieve the intent of the Commercial (C) District, as shown on the Zoning Map of Meigs County, Tennessee, the following uses are permitted:
  - a. Stores and shops conducting retail business.
  - b. Restaurants, hotels, motels.
  - c. Personal business and professional services and offices.
  - d. Public and semi-public buildings.
  - e. Financial institutions.
  - f. Automobile and farm implement sales and service facilities.
  - g. Accessory buildings and structures related to the above uses.
  - h. Residential occupancy required as part of the business.
  - i. Mini-Storage warehouses and outdoor storage.
3. **USES PERMITTED ON APPEAL.** Within the Commercial (C) District of Meigs County, the following uses and their accessory uses may be permitted subject to the review and approval of the Meigs County Board of Zoning Appeals in accordance with the provisions of **Article XIII Board of Zoning Appeals**.
  - a. Public transportation terminals including taxi stands.
  - b. Public golf courses, country clubs, and swimming pools.
  - c. Commercial facilities associated with the storage or processing of toxic, hazardous, or infectious wastes or explosives.
  - d. Certain light manufacturing uses are permitted subject to the provision contained in this section.
    1. The Board of Zoning Appeals shall consider impacts on adjoining properties and determine whether the proposed use meets the spirit and intent of this resolution and the criteria shown below.
    2. The manufacturing use (process and storage) shall not occupy more than 5,000 square feet.
    3. The property shall be not less than two (2) acres in size.

- 4. There shall be no exterior storage of materials; the exterior appearance of the structure shall indicate that this use is similar to other uses in the district or the neighborhood.
- 5. Uses permitted under this section shall be limited to woodworking, furniture upholstery, arts and crafts manufacturing, light metal and plastics fabrication, machine shops, tool & die makers, and uses similar in character.

4. **USES PROHIBITED.** In order to achieve the intent of the Commercial (C) District, the following uses are prohibited:

- a. Residential dwellings.
- b. Mobile homes, mobile home parks, and travel trailer parks.
- c. Industrial processing, assembly, or manufacturing.
- d. Recreational Vehicles when used as a permanent residence.

5. **AREA REGULATIONS.**

- a. **Lot area -**  
 Minimum required lot area with public water .....20,000 sq. ft.  
 Minimum required lot area without public water .....25,000 sq. ft.

*(Or more if required by the Tennessee Department of Environment and Conservation)*

- b. **Lot width -**  
 Minimum required at lot width at front of building (building lines) .....100 ft.
- c. **Front yard -**  
 Minimum required front yard depth .....35 ft.
- d. **Rear yard -**  
 Minimum required rear yard depth .....20 ft.
- e. **Side yards -**  
 Minimum required side yard widths .....20 ft.
- f. **Corner Lots -**  
 Minimum required width .....50 ft.

*(In the case of corner lots, the side yard line adjacent to the road shall be the same as required for the front yard.)*

- g. **Screening adjacent to Residential Districts -**  
 When a commercial district is adjacent to a residential district, the commercial property shall be screened with vegetation or fencing.

6. **PARKING SPACE REQUIREMENTS.** As regulated in **Article IV, Section 2.**

7. **OFF-ROAD LOADING AND UNLOADING.** As regulated in **Article IV, Section 3**

8. **VISION CLEARANCE.** As regulated in **Article IV, Section 4.**

9. **ACCESS CONTROL.** As regulated in **Article IV, Section 5.**
10. **ACCESSORY USES.** As regulated in **Article IV, Section 6.**

# ARTICLE VIII

## GENERAL INDUSTRIAL DISTRICT

### (I-1)

1. **INTENT.** It is the intent of this district to establish industrial areas along with open areas which will likely develop in a similar manner. It is the intent that permitted uses be conducted so that the noise, odor, dust, and glare of each operation are kept to a minimum. The industrial district is established to provide areas in which the principal use of land is for manufacturing and assembly plants, processing, storage, warehousing, wholesaling and distribution.
2. **USES PERMITTED.** Within the General Industrial (I-1) District, as shown on the Zoning Map of Meigs County, Tennessee, the following uses are permitted:
  - a. Warehousing and distribution centers.
  - b. Lots or yards for processing, storage, display or sales of any salvage, or building materials.
  - c. Food processing, meat processing not involving animal slaughter, dairy products processing, and large commercial bakeries. Notwithstanding any other provision of this resolution, retail sales of food items is allowed provided the majority of sales are of products produced or manufactured on site. **(Amended 5/20/02)**
  - d. Dying and finishing of textiles.
  - e. Paper and allied products manufacturing.
  - f. Chemicals and allied products manufacturing
  - g. Rubber and miscellaneous plastic products manufacturing.
  - h. The manufacturing of other products.
  - i. Equipment Storage yards.
  - j. Mini-warehouses.
3. **USES PERMITTED ON APPEAL.** Within the General Industrial (I-1) District of Meigs County, the following uses and their accessory uses may be permitted subject to the review and approval of the Meigs County Board of Zoning Appeals in accordance with the provisions of **Article XIII Board of Zoning Appeals.**
  - a. Stock yards and kennels.
  - b. Any other use similar in character.
  - c. Airports, landing strips, heliports, and helistops. (Added 11/18/04)
4. **CONDITIONAL USES (Added 12-18-00)**  
The following activities may be permitted as conditional uses in accordance with Article XII, Section 3.
  - a. Quarries, crushing plants, mining operations, cement plants, masonry block plants, asphalt plants, sewer treatment plants, electric generating plants and similar operations.
  - b. Adult-oriented establishments. **(Added 05-21-01)**

- c. Abattoirs, slaughterhouses, and butcher shops where animal are slaughtered. Any other provision of this Resolution notwithstanding, retail sales of food items is permitted provided the majority of sales are of products produced or processed on site. The minimum conditions include, but are not limited to:
  - 1.) All buildings and animal holding pens shall be located not less than one hundred (100) feet from any property line and three hundred (300) feet from any residence or property used for residential purposes. Additional buffering, such as an opaque fence, may be required.
  - 2) The application for a permit shall be accompanied by a sworn affidavit by the applicant/operator that all permits and approvals required by any local, state and federal environmental laws and regulations have been or will be secured, and that the use shall be operated in accordance with said regulations and U.S. Department of Agriculture (USDA) laws and regulations. **(Added 5/20/02)**

5. **USES PROHIBITED.** Within the Industrial (I) District the following uses are prohibited.

- a. Residential dwellings.
- b. Mobile homes, mobile home parks, travel trailers and travel trailer parks.
- c. Retail commercial sales or professional services.
- d. Any industry which causes injurious or obnoxious noise, vibrations, gas, fumes, odors, dust, fire hazard or other objectionable conditions.
- e. Storage of explosives.

6. **AREA REGULATIONS. (Amended 7/18/2013)**

- a. **Lot area -**  
Minimum required lot area for all lots other than a non-hazardous solid waste disposal facility.....2 acres
- b. **Lot Width -**  
Minimum required lot width at front of building (building line) .....100 ft.
- c. **Front yard -**  
Minimum required front yard depth .....35 ft.
- d. **Rear yard -**  
Minimum required rear yard depth .....25 ft.
- e. **Side yards -**  
Minimum required side yard width.....25 ft.
- f. **Corner Lots -**  
Minimum required width .....50 ft.
- g. **Screening adjacent to Residential Districts -**  
When an industrial district is adjacent to a residential district, the industrial property shall be completely screened with vegetation or fencing.

7. **PARKING SPACE REQUIREMENTS.** As regulated in **Article IV, Section 2.**

8. **OFF-ROAD LOADING AND UNLOADING.** As regulated in **Article IV, Section 3**
9. **VISION CLEARANCE.** As regulated in **Article IV, Section 4.**
10. **ACCESS CONTROL.** As regulated in **Article IV, Section 5.**
11. **ACCESSORY USES.** As regulated in **Article IV, Section 6.**

# ARTICLE IX

## SPECIAL IMPACT INDUSTRIAL DISTRICT

### (I-2)

1. **INTENT.** This district is designed to provide suitable areas for those uses which have some special impact or uniqueness such that their effect on the surrounding area and environment cannot be determined in advance of the use being proposed for a particular location. It is the intent that permitted uses be conducted so that the noise, odor, dust, and glare of each operation are kept to a minimum.
2. **USES PERMITTED.** Within the Special Impact Industrial (I-2) District, as shown on the Zoning Map of Meigs County, Tennessee, the following uses are permitted:
  - a. Lots or yards for processing, storage, display or sales of any salvage, or building materials.
  - b. Automobile wrecking, salvage and junk yards provided that all such yards shall be so maintained as to be in a sanitary condition and so as not to be a menace to public health or safety.
  - c. Any use permitted in the I-1 District.
3. **USES PERMITTED ON APPEAL.** Within the Special Impact Industrial (I-2) District of Meigs County, the following uses and their accessory uses may be permitted subject to the review and approval of the Meigs County Board of Zoning Appeals in accordance with the provisions of **Article XIII Board of Zoning Appeals**.
  - a. Non-hazardous solid waste disposal provided that:
    1. The site is approved by the Tennessee Department of Health.
    2. The total tract contains a minimum of fifty (50) acres with no more than seventy-five (75) percent of said site being utilized for disposal. The remainder shall be utilized as a buffer.
    3. The site is located on an arterial road as shown on the Zoning Map, Major Road Plan of Meigs County, or on a road built to State of Tennessee Department of Transportation (TDOT) highway specifications.
    4. Trenches and areas for burial or refuse shall be located at least one thousand (1,000) feet from any existing residence under construction or, a platted subdivision at the time the landfill operation is begun.
    5. Existing trees shall be maintained within one hundred (100) feet of the adjoining property lines. Where the natural growth within one hundred (100) feet of the adjoining property line is inadequate to effectively screen the landfill site from the view from adjoining properties and roads, trees shall be planted for such screening purposes.
  - b. Any other use similar in character.
4. **USES PROHIBITED.** Within the Special Impact Industrial (I-2) District the following uses are prohibited.
  - a. Residential dwellings.
  - b. Mobile homes, mobile home parks, travel trailers and travel trailer parks.
  - c. Retail commercial sales or professional services.

- d. Toxic, hazardous, and infectious waste processing, storage, and disposal facilities.
- e. Those uses permitted in the FAR, R and C zones.

5. **AREA REGULATIONS.**

- a. **Lot area -**  
Minimum required lot area for all lots other than a non-hazardous solid waste disposal facility.....5 acres
- b. **Lot Width -**  
Minimum required lot width at front of building (building line) .....500 ft.
- c. **Front yard -**  
Minimum required front yard depth .....200 ft.
- d. **Rear yard -**  
Minimum required rear yard depth .....100 ft.
- e. **Side yards -**  
Minimum required side yard width.....100 ft.
- f. **Corner Lots -**  
Minimum required width .....100 ft.
- g. **Screening adjacent to Residential Districts -**  
When an industrial district is adjacent to a residential or commercial district, the industrial property shall be completely screened with vegetation or fencing. In the case of automobile wrecking or salvage yards abutting a state or federal highway, fencing shall be in compliance with the requirements of the Tennessee Department of Transportation (TDOT).

6. **PARKING SPACE REQUIREMENTS.** As regulated in **Article IV, Section 2.**

7. **OFF-ROAD LOADING AND UNLOADING.** As regulated in **Article IV, Section 3**

8. **VISION CLEARANCE.** As regulated in **Article IV, Section 4.**

9. **ACCESS CONTROL.** As regulated in **Article IV, Section 5.**

10. **ACCESSORY USES.** As regulated in **Article IV, Section 6.**

# ARTICLE X

## FORESTRY, AGRICULTURAL, RESIDENTIAL DISTRICT

### (FAR)

1. **INTENT.** It is the intent of this district to provide space for forestry, agriculture and agriculturally-oriented uses and structures which provide an important part in the economy of Meigs County, and at the same time provide space for residential development for an ever expanding population. It is the intent here to protect the physical and economic well-being of agriculture operations and to prevent the encroachment of urban and other incompatible land uses on farm lands. This district is intended to provide locations for urbanization which are compatible with agriculture uses.
2. **USES PERMITTED.** In order to achieve the intent of the Forestry, Agricultural, Residential (FAR) District, as shown on the Zoning Map of Meigs County, Tennessee, the following uses are permitted:
  - a. Farming uses, and farming's accessory structures and related uses including roadside stands for the sale of farm produce.
  - b. Aquaculture.
  - c. Detached single-family dwellings.
  - d. Two-family and multi-family dwellings.
  - e. Mobile homes, mobile home parks, travel trailers and travel trailer parks.
  - f. Churches, cemeteries, and schools.
  - g. Golf courses, parks, playgrounds, marinas, and publicly-owned recreational uses.
  - h. Public utility facilities necessary for public service.
  - i. Customary home occupations.
  - j. Commercial nurseries.
  - k. Customary accessory buildings or structures.
  - l. Riding/boarding stables, kennels, veterinarian services and animal hospitals.
3. **USES PERMITTED ON APPEAL.** Within the Forestry, Agricultural and Residential (FAR) District of Meigs County, the following uses and their accessory uses may be permitted subject to the review and approval of the Meigs County Board of Zoning Appeals in accordance with the provisions of **Article XIII Board of Zoning Appeals**.
  - a. Public transportation terminals including taxi stands.
  - b. Airports, landing strips, heliports and helistops. (Amended 11/18/04)
4. **USES PROHIBITED.** In order to achieve the intent of the Forestry, Agricultural, Residential (FAR) District, the following uses are prohibited:
  - a. Automobile wrecking, salvage and junk yards.
  - b. Industrial processing, assembly, or manufacturing.

- c. Commercial landfill, waste disposal, or waste processing facilities.
- d. Hazardous, toxic, infectious wastes or explosives.
- e. Wholesale or retail businesses.

5. **AREA REGULATIONS.** All buildings shall be set back from road right-of-way line and lot lines to comply with the following yard requirements.

- a. **Lot area -**  
 Minimum required lot area except for single-family detached residential structures ..... 1/2 acre.  
 Minimum required lot area for single family detached residential structures with public water ..... 20,000 sq. ft.  
 structures without public water ..... 25,000 sq. ft.  
*(Or more if required by the Tennessee Department of Health and Environment.)*  
*(See "Definitions" Section for Lot Area requirements for Mobile Home Parks and Travel Trailer Parks. Also See Mobile Home Park/Travel Trailer Park Resolution.)*
- b. **Lot width -**  
 Minimum required lot width at front of building for all buildings except farm buildings..... 50 ft.
- c. **Front yard -**  
 Minimum required front yard depth for all buildings except farm buildings..... 35 ft.
- d. **Rear yard -**  
 Minimum required rear yard depth for all buildings except farm buildings..... 15 ft.
- e. **Side yards -**  
 Minimum required side yard widths for all buildings except farm buildings..... 10 ft.
- f. **Corner Lots -**  
 Minimum required width ..... 35 ft.

*(In the case of corner lots, the side yard line adjacent to the road shall be required for the front yard.)*

6. **PARKING SPACE REQUIREMENTS.** As regulated in **Article IV, Section 2.**

7. **OFF-ROAD LOADING AND UNLOADING.** As regulated in **Article IV, Section 3**

8. **VISION CLEARANCE.** As regulated in **Article IV, Section 4.**

9. **ACCESS CONTROL.** As regulated in **Article IV, Section 5.**

10. **ACCESSORY USES.** As regulated in **Article IV, Section 6.**

## ARTICLE XI

### WATERFRONT, RECREATIONAL, EDUCATIONAL DISTRICT

#### (WF)

1. **INTENT.** It is the intent of this district to preserve the natural beauty and recreational-oriented character of the county's lakeside/waterfront property. The district shall also be used for educational purposes and commercial activity directly related to waterfront/resort development. Permitted uses shall include those which promote a water-related recreational, educational, resort atmosphere. The abundant natural beauty of the waterfront shall be maintained by allowing only those activities which are harmonious with the character of the district.
  
2. **USES PERMITTED.** In order to achieve the intent of the Waterfront, Recreational, Educational (WF) District, as shown on the Zoning Map of Meigs County, Tennessee, the following uses are permitted. **(Amended 5/20/02)**
  - a. Public and Semi-Public recreation parks and facilities.
  - b. Boat launches.
  - c. Marina and accessory buildings incidental to marina use which include the following:
    1. Boat and boat motor sales and service.
    2. Gas and oil sales (boat).
    3. Dock construction for off-premise use.
    4. Dock construction and maintenance for on-premises use (see #5 "Area Regulations" below).
    5. Boat construction.
    6. Yacht clubs.
    7. On-premise sales of refreshments, tackle, bait and other accessories.
    8. Rental of boats.
  - d. Resort cottage/cabin rental and lease.
  - e. Boys' and girls' youth camps.
  - f. Educational/nature trails.
  - g. Ponds and hatcheries.
  - h. Public buildings and public utility stations.
  - i. Restaurants primarily serving the resort.

- j. Bed-and-Breakfast operations.
3. **CONDITIONAL USES.** The following uses may be permitted as conditional uses in accordance with Article XII, Section 3:
- a. Resorts and accessory buildings incidental to resort use.
  - b. Hotels and motels
  - c. Condominiums, apartments, and time-share facilities.
  - d. Membership campgrounds, recreational vehicle campgrounds, primitive campgrounds, and recreational vehicle subdivisions. The area requirements in Section 5 notwithstanding, recreational vehicle and membership campgrounds shall comply with the requirements of the *Meigs County Mobile Home Park and Recreational Vehicle Campgrounds Regulations*, as amended.
  - e. Restaurants serving the general public
  - f. Construction of boat slips as regulated by the Tennessee Valley Authority and U.S. Army Corps of Engineers. **(Amended 5/20/02)**

4. **USES PROHIBITED.** In the Waterfront, Recreational, Educational (WF) District, all uses except those uses specifically permitted, permitted on appeal and approval by the Meigs County Board of Zoning Appeals, or any outdoor storage other than for boats and motors are prohibited.

5. **AREA REGULATIONS**

- a. **Lot area -**  
 Minimum required lot area.....3 acres  
  
*(Or more if required by the Tennessee Department of Health and Environment and also depending upon the number of proposed structures.)*
- b. **Front Yard -**  
 Minimum required front yard depth any from edge of the right-of-way .....30 ft.
- c. **Side Yard -**  
 The width of any side yard which abuts the waterfront shall not be less than .....30 ft.  
  
 In all cases each side yard shall not be less than .....25 ft.
- d. **Rear Yard -**  
 Each lot shall have a rear yard of not less than ..... 20 ft.  
  
 Where the rear yard of a building abuts the waterfront there shall be a rear yard of not less than .....25 ft.  
  
*(For dock, slip and pier structures, see "exceptions to setbacks" below.)*
- e. **Lot Width -**  
 At the building setback line, each lot shall have a width of not less than.....200 ft.

- f. **Height Restrictions -**  
No building or structure shall exceed three stories or .....40 ft.

- 6. **PARKING SPACE REQUIREMENTS.** As regulated in **Article IV, Section 2.**
- 7. **OFF-ROAD LOADING AND UNLOADING SPACE.** As regulated in **Article IV, Section 3.**
- 8. **ACCESS CONTROL.** As regulated in **Article IV, Section 5.**
- 9. **EXCEPTIONS TO SETBACK REQUIREMENTS.** In the case of a structure that is to be used as a marina, boat launch, fishing pier, or other water-related structure that will require direct access to or over water, the setback requirements may be modified to the situation. This modification will be based upon a recommendation of the planning commission who shall take into account the situation, proposed purpose of the structure, et cetera.

In the case of a structure to be built close to, in or above the water, a determination shall be made by the Tennessee Valley Authority and the U.S. Corps of Engineers as to the safety of the structure including depth of pier poles, height of structure above the water's maximum pool elevation, actual construction materials of the proposed structure, and the first floor elevation of any adjoining structures on the shoreline property.

In the case of a planned resort consisting of multiple principle structures, the development shall meet the setback requirements of Section 5 for external lot lines. Internal setbacks between structures will be determined upon review of a site plan by the planning commission but in no case shall the density exceed 5 structures per acre.

In the case of individual lot ownership, a common area of no less than twenty-five percent (25%) of the total land area and a homeowners association to maintain such an area shall be required prior to the issuance of any permits for development.

## ARTICLE XII

### EXCEPTIONS AND MODIFICATIONS

1. **LOT OF RECORD.** Where the owner of a lot consisting of one or more lots of official record, at the time of the adoption of this Resolution, does not own sufficient land to enable him to conform to the yard or other requirements of this Resolution, the owner may submit an application to the Board of Zoning Appeals for a variance from the terms of this Resolution. Such 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.
2. **GROUP HOUSING PROJECTS.** In case of a group housing project, not inclusive of correctional facilities, of two or more buildings to be constructed on a plot of ground of at least three acres not subdivided into the customary roads and lots, and which will not be so subdivided, or where the existing or contemplated road and lot layout make it impracticable to apply the requirements of this Resolution to the individual building units in such housing projects, a special exception to the terms of this Resolution may be made by the planning commission in a manner that will be in harmony with the character of the neighborhood, will insure substantially the same character of occupancy and an intensity of land use no higher and a standard of open space no lower than that permitted by this Resolution in the district in which the project is to be located. However, in no case shall the planning commission authorize a use prohibited in the district in which the project is located, or a smaller lot area per family than the minimum required in such district, or a greater height, or a larger coverage than the requirements of this Resolution permit in such a district.
3. **CONDITIONAL USE PERMITS.** (Added 12-18-00) The Commission may hear and decide requests for conditional use permits. Application for a conditional use permit shall be made by the property owner or his/her designated agent and filed in writing with the Commission. No building/zoning permit shall be issued or construction commenced until the Commission has approved a site plan as shown in Article IV, Section 8 and the additional requirements shown below, which the Commission may require in order to preserve and protect the character of the neighborhood in which the proposed use is located. The Planning Commission shall conduct a hearing on the application within seventy-five (75) days of the submission of the application. General requirements applicable to all applications for conditional use permits are as follows:
  - The use is so designed, located, and proposed to be operated so that the public health, safety and welfare is protected;
  - Will not adversely affect other property in the area in which it is located;
  - Is provided for as a "Conditional Use" in this Resolution;
  - Conforms to all applicable provisions of this Resolution for the district in which it is to be located and is necessary for the public convenience in that location and meets the specific standards shown below.

The commission may impose such other conditions and restrictions upon the premises benefited by a conditional use permit as may be necessary to comply with provisions contained herein in order to reduce or minimize the injurious effect of such conditional use upon and obtain reasonable compatibility with surrounding property, and to better carry out the general intent of this ordinance. *The commission may establish expiration dates for any conditional use permit as a condition of approval. No conditional use permit may be transferred to another owner or type of use without a rehearing before the commission.*

a. Specific Standards for Mines and Quarries

- 1) The applicant shall take such measures as deemed necessary and proper by the county road supervisor to improve and maintain county roads proposed for use by the applicant to ensure the safety and serviceability of these county roads. A bond, in an amount adequate to correct damages occurring as a result of use of the road by the applicant, shall be required. The amount of the bond shall be determined by the county road supervisor and held by the county trustee.
- 2) For the uses listed in Article VIII, Section 4(a) in addition to the requirements of the site plan, Article IV Section 8:
  - a) Owner(s) of the mineral rights
  - b) Owner(s) of the surface rights.
  - c) A detailed topographic map on a scale not greater than four hundred (400) feet to the inch:
    - Prepared by a registered professional engineer or land surveyor.
    - Showing the total number of acres to be disturbed.
    - The boundaries of the area to be permitted.
    - Location of any stream(s), ponds or lakes into which the area drains, with planned siltation traps or other impoundments.
    - Location of all haul or other access roads used in the operation.
    - Location of any existing structures, public lands, and utility structures within the affected area and one thousand (1,000) feet of the permitted boundary.
    - The approximate location of the cuts or excavations, fill areas and no mine/use areas.
    - Buffer about the perimeter: a minimum of one hundred (100) feet, showing existing and proposed vegetation.
    - A description of the general geology of the area and a detailed description of the geology of the area of operation.
    - A description of the materials sought, an estimate of the total volume of such material, and the anticipated time schedule for mining and quarrying activities, including the number of years of such proposed quarrying.
    - An estimate of the number of trucks proposed to enter and leave the property per day.
- 3) Reclamation. For mining and quarrying uses, a detailed reclamation plan to be implemented when the operation is abandoned. Where appropriate, over burden shall be retained on a suitable portion of the site and used for backfill. The land shall be restored, regraded, resloped, and revegetated for an appropriate agricultural, recreational, or other approved economic use, provided that no slope on such land shall be steeper than twenty (20) percent and no greater quantities of drainage water shall flow onto adjoining properties or flow at a faster rate onto adjoining properties than before said operation began. Upon completion of the reclamation, the permittee shall furnish the Planning Commission a plat of the property showing the actual topography and vegetation. Any serious differences with the plan of reclamation submitted above

and the plat shall be resolved prior to release of the bond required in Section 7) below.

- 4) Other Required Permits. A statement setting forth the type, location, and conditions of such operations, including any permits required before and during operations by the State of Tennessee Department of Environment and Conservation, the Federal Government, and mining and blasting permits, for review by the Commission. The issuance and proper enforcement of said permits are included in and a necessary part of any zoning permit issued by the Commission.
- 5) Fee. In lieu of the zoning permit fee required by Article XIII, Section 6, a non-refundable fee of \$250.00, payable to Meigs County.
- 6) Performance Standards.
  - a) No excavation shall be made within two hundred (200) feet of the boundary of the mine or quarry property for any extraction operation, within two hundred (200) feet of any road right-of-way, or within five hundred (500) feet of a residence. There shall be no crushing of rock or other processing of stone, gravel, and the like within six hundred (600) feet of a residence. The minimum distance between any blasting and a residence shall be one thousand (1000) feet.
  - b) Equipment used shall be operated in such a manner that noise, dust and vibration are prevented from emanating beyond the boundaries of the site, to the extent possible.
  - c) The top of all open excavations having a depth of more than ten (10) feet or more, and a slope of forty-five (45) degrees or more from the horizontal and which shall remain for a period of more than twenty-four (24) hours, shall be enclosed by a chain-link or other substantial fence erected not less than twenty (20) feet outside the excavation. Such fence shall be not less than six (6) feet in height and effectively control access to such excavation.
- 7) Bond. Prior to the commencement of quarrying or mining operations, the applicant shall submit to the Planning Commission a performance bond as determined by the Board of Zoning Appeals, but in any event not less than \$10,000, to ensure the reclamation of the land as provided herein. Said bond shall be increased by an amount determined by the Board of Zoning Appeals, but in any event not less than \$10,000, for each and every year of operation of said quarry or mine.
- 8) Revocation. In the event any person holding a permit hereunder fails, neglects or refuses to fulfill any of the requirements of the chapter, or any of the conditions of the permit, or violates any other applicable law or ordinance, or conducts or carries on said operation in such a manner as to have a material adverse affect on the health, welfare or safety of persons residing or working in the neighborhood of the property wherein the operation is being conducted, or conducts or carries on the operation so that it is materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, the Planning Commission may revoke or suspend the permit.

No permit shall be revoked or suspended until the commission holds a hearing. Written notice of the hearing shall be served upon the permittee and shall state:

- a) The grounds for complaint or reasons for the proposed revocation or suspension.
- b) The time and place where the hearing is to be held. Such notice shall be served on the permittee at least ten (10) days prior to the date of the hearing.

Upon conclusion of such hearing, the Commission may suspend or revoke the permit upon such terms and conditions as in the judgment of the Commission, are proper.

9) Abandonment. The permit shall presumed to be abandoned when any of the following has occurred:

- a) The owner has, in writing or by public statement, indicated intent to abandon the use;
- b) The owner has physically changed or removed buildings, structures, and/or equipment in such a way as to indicate clearly a change or cessation in use or activity;
- c) The owner ceases to increase the reclamation bond as provided for in Section 7) above.

b. Specific Standards for Adult Entertainment Establishment and Uses  
**(Added 05-21-01)**

1) Restrictions. In no case shall an adult-oriented establishment be permitted to locate within five hundred feet (500') of any boundary to any residential zone, nor shall any proposed adult-oriented establishment be permitted to locate within five hundred feet (500') of a residential use within any zone, nor shall any proposed adult-oriented establishment be permitted to locate within five hundred feet (500') from the nearest property line of a site which is used for the purpose of a recreation park, campground, playground (not including ornamental only parks); swimming pool or lake front public swimming area, place of worship, public or private school, day care center, or another adult-oriented establishment. Measurements shall be made from the nearest recorded property line of the adult-oriented establishment to the nearest property line or boundary of said uses.

2) Evaluation. For the purpose of enforcing this section, it shall be the responsibility of the codes enforcement coordinator to measure, evaluate, and advise the Planning Commission regarding compliance of a proposed adult-oriented establishment with the restrictions set forth herein. It shall be the responsibility of the applicant to supply a site plan, as set forth in Article IV, Section 8, and any other maps, surveys, or other such special information as might reasonably be required and requested by the planning commission or its designee for use in making a thorough evaluation of the application.

- 3) Adult-oriented Establishments-Unlawful Acts. It shall be unlawful for any person to own, manage, or operate an adult-oriented establishment in any zone other than the General Industrial District, I-1, or to own, manage or operate such an establishment without obtaining a conditional use permit as required herein and any other permit Meigs County Government may require. Obtaining any other required permits shall be a requirement of the conditional use permit.
- 4) Hours of Operation. Under the authority of *TCA 7-51-1402(b)* the hours of operation for an adult-oriented establishment shall be opening not earlier than one (1) o'clock p.m. and closing not later than eleven (11) o'clock p.m. Monday through Thursday, and not later than twelve (12) midnight on Fridays and Saturdays. No adult-oriented establishment shall be open for business on any Sunday or a legal holiday as designated in *TCA 15-1-101*.
- 5) Physical Design of Premises. As provided in *TCA 7-51-1403* no person shall own, operate, manage, rent, lease or exercise control over any commercial building, structure, premises or portion or part thereof, which is an adult-oriented establishment and which contains:
  - a) Partitions between subdivisions of a room, portion or part of a building structure or premises having an aperture which is designed or constructed to facilitate sexual activity between persons on either side of the partition; or
  - b) Booths, stalls, or partitioned portions of a room or individual rooms, used for the viewing of motion pictures or other forms of entertainment, having doors, curtains, or portal partitions, unless such booths, stalls, partitioned portions of a room or individual rooms so used shall have at least one (1) side open to adjacent public rooms so that the area inside is visible to persons in adjacent public rooms. Such areas shall be lighted in a manner that the persons in the areas used for viewing motion pictures or other forms of entertainment are visible from the adjacent public rooms, but such lighting shall not be so such intensity as to prevent the viewing of motion pictures or other offered entertainment.
- 6) Revocation and Hearing: Expansion, relocation, substantial misrepresentation, violation of: a) any of the terms of the ordinance, b) a change in the dominant sales items or services offered to the public, or c) failure to operate the establishment in conformity with any terms and specifications set forth in the conditions attached to the special permit shall constitute grounds for revocation of the special permit after notice and hearing. Notice of the hearing before the commission for revocation of the permit shall be given in writing setting forth the grounds of the complaint and the time and place of the hearing. Such notice shall be mailed by certified mail to the applicant's or owners last known address at least five (5) days prior to the date set for the hearing.
- 7) Signs and Other Visible Messages. Signs and visible messages based on the allowable sign area of the zoning district as shown in this resolution are permitted provided:

- a) Sign messages shall be limited to a written description of material or services available on the premises;
- b) Sign messages may not include any graphic or pictorial depiction of material or services available on the premises;

Messages which are visible or intended to be visible from outside the property (such as on or within doors or windows) shall not display materials, items, publications, pictures, films, or printed material available on the premises; or pictures, films, or live presentation of persons performing or services offered on the premises.

## ARTICLE XIII

### ENFORCEMENT

1. **ENFORCEMENT OFFICER.** The provisions of this Resolution shall be administered and enforced by the Meigs County Codes Compliance Coordinator. This official shall have the right to enter upon any premises necessary to carry out his duties in the enforcement of this Resolution, and in addition shall:
  - a. Issue all Zoning Compliance Permit Applications and maintain records thereof.
  - b. Issue all Zoning Compliance Permits and make and maintain records thereof.
  - c. Maintain and keep current zoning maps, and records of amendments thereto.
  - d. Conduct inspections as prescribed by this Resolution, and such other inspections as are necessary to insure compliance with the various provisions of this Resolution.
  
2. **ZONING COMPLIANCE PERMIT REQUIRED.** It shall be unlawful to commence the excavation for or the construction of any residential, commercial, or industrial building or structure, except those specifically excluded, including accessory buildings, or to commence the moving or alteration of any residential, commercial, or industrial building or structure, including accessory buildings, until the Codes Compliance Coordinator has issued for such work a zoning compliance permit application including a statement that the plans, specifications, and intended use of such building or structure in all respects conform with the provisions of this Resolution. Application for a zoning compliance permit application shall be made to the Codes Compliance Coordinator. However, no zoning compliance permit shall be required and there shall be no regulation of the erection, construction, or reconstruction of any structure on lands now devoted to agriculture uses or which may hereafter be used for agriculture purposes. ***NOR SHALL THIS RESOLUTION BE CONSTRUED AS LIMITING OR AFFECTING IN ANY WAY OF CONTROLLING THE AGRICULTURE USES OF LAND.***
  
3. **ISSUANCE OF ZONING COMPLIANCE PERMIT.** In applying to the Codes Compliance Coordinator for a zoning compliance permit, the applicant shall state the existing and intended use of all such buildings and supply such other information as may be required by the Codes Compliance Coordinator for determining whether the provisions of this Resolution have been observed. If the proposed excavation or construction as set forth in the application are in, or have been installed in conformity with the provisions of this Resolution, the Codes Compliance Coordinator shall issue a zoning compliance permit for such excavation or construction. If a zoning compliance permit is refused, the Codes Compliance Coordinator shall state such refusal in writing with cause. ***The zoning compliance permit must be renewed if not exercised within six months.***
  
4. **PENALTIES.** Any person violating any provision of this Resolution shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00) for each offense. Each day such violation shall continue shall constitute a separate offense.
  
5. **REMEDIES.** In case any building or structure is erected, constructed, reconstructed, repaired, converted or maintained, or any building, structure or land is used in violation of this Resolution, the Codes Compliance Coordinator 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 or use of such building.

6. **SCHEDULE OF PERMIT FEES.** On all new residential, commercial, or industrial buildings, the zoning compliance permit fee shall be:

a.	Single family residence and duplex . . . . .	\$100.00
b.	Multifamily, mobile park and commercial . . . . .	150.00
c.	Industrial . . . . .	200.00
d.	Rezoning Application . . . . .	45.00
e.	For a Use on Review, special exception or conditional use . . . . .	75.00

The fee for an appeal for a variance or interpretation to the Board of Zoning Appeals shall be \$45.00. **(Amended 2/19/04)**

A zoning compliance permit shall be required but no fee shall be charged for said permit and there shall be no regulation of the erection, construction, or reconstruction of any agricultural structure (i.e. barns, tool sheds, stables, wellhouses, etc.) on lands now devoted to agriculture uses or which may hereafter be used for agriculture purposes. **NOR SHALL THIS RESOLUTION BE CONSTRUED AS LIMITING OR AFFECTING IN ANY WAY OF CONTROLLING THE AGRICULTURE USES OF LAND.**

If construction is started before a zoning compliance permit application is obtained, the price of the application will double. This applies to all applications. No zoning compliance permit application or zoning compliance permit will be required and no fee will be charged for repair and maintenance of a building. The fee shall be collected by the Meigs County Codes Enforcement Officer. A record shall be kept of all fees collected and these fees shall be placed in the county treasury and disbursed by the Meigs County Board of County Commissioners.

## ARTICLE XIV

### BOARD OF ZONING APPEALS

1. **CREATION AND APPOINTMENT.** A Board of Zoning Appeals is hereby established in accordance with Section 13-7-106, *Tennessee Code Annotated*. Such Board of Zoning Appeals shall consist of five members, appointed by the Meigs County Board of Commissioners to serve terms of one, two, three, four and five years respectively; thereafter, terms to be for five years and vacancies filled for the unexpired term only.

The Board of Commissioners shall have power to remove any member of the board for cause, after public hearing.

2. **PROCEDURE.** Meetings of the Board of Zoning Appeals shall be held at the call of the chairman or by a majority of the membership and at such other times as the board may determine. Such chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact; shall take all evidence necessary to justify or explain its action, and shall keep records of its examinations and of other official action, all of which shall be immediately filed in the office of the board and shall be a public record.
3. **APPEALS: HOW TAKEN.** An appeal to the Board of Zoning Appeals may be taken by any person, firm or corporation aggrieved, or by any governmental officer, department, board or bureau affected by any decision of the Codes Compliance Coordinator based in the whole or part on provisions of this Resolution. Such appeal shall be taken within a reasonable time, as provided by the rules of the board, by filing with the Codes Compliance Coordinator and with the Board of Zoning Appeals a notice of appeal, specifying the grounds thereof. The Codes Compliance Coordinator shall transmit forthwith to the board all papers constituting the record upon which the action appealed was taken. The board shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon hearing, any party may appear in person or by agent or attorney.
4. **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 appellant that there is error in any order, requirement, permit, decision, determination or refusal made by the Codes Compliance Coordinator or other administrative official in the carrying out or enforcement of any provision of this Resolution.
  - b. **Special Exceptions.** To hear and decide special exceptions to this Resolution as set forth.
  - c. **Variance.** To hear and decide applications for variance from the terms of this Resolution, 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 Resolution was a lot of record; or where by reason of exceptional topographical conditions or other extraordinary or exceptional situations or conditions of a piece of property, the strict application of the provisions of this Resolution would result in exceptional practical difficulties to or exceptional and undue hardship upon the owner of such property, provided that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this Resolution. 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 the purpose of this Resolution. Before any variance is granted it

shall be shown that special circumstances are attached to the property which do not generally apply to other property in the neighborhood.

5. **ACTION OF THE BOARD OF ZONING APPEALS.** In exercising the aforementioned powers, the Board of Zoning Appeals may, in conformity with the provisions of this Resolution, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and to that end shall have all powers of the Codes Compliance Coordinator. The concurring vote of a majority of the board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under this Resolution, or to authorize any variance from the terms of this Resolution.

## **ARTICLE XV**

### **AMENDMENT**

1. **PROCEDURE.** The Meigs County Board of Commissioners may amend the regulations, restrictions, boundaries, or any provision of this Resolution. Any member of the Board of Commissioners may introduce such amendment, or any official, board or any other person may present a petition to the Meigs County Board of Commissioners requesting an amendment or amendments to this Resolution. All changes and amendments shall be effective only after official notice and public hearing.
2. **APPROVAL BY REGIONAL PLANNING COMMISSION.** No such amendment shall become effective unless it is first submitted to the Meigs County Regional Planning Commission (MCRPC) for approval, disapproval, or suggestions. If such amendment is disapproved by the Meigs County Regional Planning Commission, it shall receive the favorable vote of a majority of the entire membership of the Meigs County Board of Commissioners to become effective.
3. **INITIATION OF AMENDMENTS.** An amendment of this Resolution may be initiated by any one of the following three methods: a verified petition of one or more persons interested in the proposed amendment, a resolution of the Meigs County Regional Planning Commission (MCRPC); or by resolution of the Meigs County Board of Commissioners.

## ARTICLE XVI

### LEGAL STATUS PROVISIONS

1. **CONFLICT WITH OTHER RESOLUTIONS.** In case of conflict between this Resolution or any part thereof, and the whole or part of any existing or future Resolution of Meigs County, Tennessee, the most restrictive shall in all cases apply.
2. **VALIDITY.** If any section, clause, provision, or portion of this Resolution shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Resolution which is not of itself invalid or unconstitutional.

**ARTICLE XVII**

**EFFECTIVE DATE**

Be it ordained by the Meigs County Board of Commissioners that this Resolution shall take effect immediately from and after its passage, the welfare of the county requiring it.

**Certified by Planning Commission**

\_\_\_\_\_

**Approved by County Commission**

\_\_\_\_\_

\_\_\_\_\_

**County Executive**

**Attest:**

\_\_\_\_\_

**County Clerk**