

TITLE 14**ZONING AND LAND USE CONTROL****CHAPTER**

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CHAPTER 1**MUNICIPAL PLANNING COMMISSION****SECTION**

- 14-101. Creation and membership.
- 14-102. Organization, powers, duties, etc.
- 14-103. Additional powers.

14-101. **Creation and membership.** Pursuant to the provisions of Tennessee Code Annotated, § 13-4-101 there is hereby created a municipal planning commission, hereinafter referred to as the planning commission for the Town of Bruceton, Tennessee. The planning commission shall consist of six (6) members; two (2) of these shall be the mayor and another member of the board of mayor and aldermen selected by a majority vote of the board of mayor and aldermen; the other four (4) members shall be appointed by the mayor. All members of the planning commission shall serve as such without compensation. Except for the initial appointments, the terms of the four (4) members appointed by the mayor shall be for three (3) years each. The four (4) members first appointed shall be appointed as follows: one for a term of one (1) year; two for a term of two (2) years, and one for a term of three (3) years, so at least one term will expire each year. The terms of the mayor and the member selected by the board of mayor and aldermen shall run concurrently their terms of office. Any vacancy in an appointive membership shall be filled for the unexpired term by the mayor. Members of the planning commission must be freeholders within the

corporate limits of the Town of Bruceton and must reside within the corporate limits of the Town of Bruceton and shall have been a resident of the Town of Bruceton for at least one (1) year. (1982 Code, § 11-101)

14-102. Organization, powers, duties, etc. The planning commission shall be organized and shall carry out its powers, functions, and duties in accordance with title 13 of the Tennessee Code Annotated, except that the Bruceton City Planning Commission shall not have the authority to contract with city planners or other consultants nor shall they have the power to enter into binding contracts generally without the express prior approval of the mayor and board of aldermen which shall be evidenced by an ordinance duly adopted by the mayor and board of aldermen. (1982 Code, § 11-102)

14-103. Additional powers. The planning commission is empowered and instructed to work and cooperate with the Carroll County Chamber of Commerce and such additional organizations of like nature toward the end of sharing ideas and programs deemed to be in the best interest of the municipality. (1982 Code, § 11-103)

CHAPTER 2

GENERAL ZONING PROVISIONS

SECTION

- 14-201. Purpose.
- 14-202. Definitions.
- 14-203. Official zoning map.
- 14-204. Replacement of official zoning map.
- 14-205. Rules for interpretation of district boundaries.
- 14-206. Application of district regulations.
- 14-207. Non-conforming lots of record.
- 14-208. Non-conforming uses of land.
- 14-209. Non-conforming structures.
- 14-210. Mobile homes and parks.
- 14-211. Government; utility uses permitted.
- 14-212. Servicing, storage, repair, sales of motor vehicles, or salvage thereof.
- 14-213. Schedule of district regulations adopted.

14-201. Purpose. The zoning regulations, zoning map and districts herein set forth are intended to promote the health, safety and general welfare of the community. They have been created to ensure adequate level of service on the town streets, to secure safety from fire and other dangers; to provide adequate light and air; to protect the environment and to avoid undue concentration of population; to facilitate the adequate provision of sewer, water, schools, parks, and other public facilities. They have been made with reasonable consideration, among other things, as to the character of each district and its peculiar suitability for particular uses, and with a view of conserving the value of property and encouraging the most appropriate use of land throughout the town. (Ord. #01-01, Feb. 2001)

14-202. Definitions. For the purposes of chapters 2 through 10 of this title, certain terms or words used herein shall be interpreted as follows:

- (1) The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- (2) The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
- (3) The word "shall" is mandatory, the word "may" is permissive.
- (4) The words "used" or "occupied" include the words "intended, or arranged to be used or occupied."
- (5) The word "lot" includes the words "plot or parcel."
- (6) "Accessory use or structure." A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

(7) "Dwelling, townhouse." Three or more one family residential units having exclusive, direct access for each unit from the ground to the first floor from the front (or side for end units) and with common walls separating the units.

(8) "Dwelling, two-family." A residence designed for or occupied by two families only, with separate housekeeping and cooking facilities for each.

(9) "Dwelling, single-family." A detached residence designed for or occupied by one family only.

(10) "Dwelling, multi-family." A residential building designed for or occupied by three or more families, with the number of families in residence not exceeding the number of dwelling units provided.

(11) "Dwelling, multi-family apartment." A residential building designed or occupied by three or more families, with the number of families in residence not exceeding the number of dwelling units provided, not of townhouse design and with one or more common entrances.

(12) "Family." One or more persons occupying a single non-profit housekeeping unit.

(13) "Height of structure or building." The vertical distance measured from the mean elevation of the proposed finished grade line at the front of the structure to the highest point on the roof for flat roofs, to the deck line of a mansard roofs, and to the mean height between eaves and ridges for gable, hip and gambrel roofs. This shall not include elevator shafts, roof HVAC units, chimneys or cupolas or other similar structures.

(14) "Lot." A piece, parcel, or plat of land in one ownership, which may include one or more lots of record, occupied or to be occupied by one principal building and its accessory buildings and otherwise in conformance with this chapter.

(15) "Lot frontage." The front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under "yard" in this section.

(16) "Lot measurements." (a) Depth of a lot shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in the rear.

(b) Width of a lot shall be considered to be the distance between straight lines connecting front and rear lot lines at each yard, provided, however, that width between side lot lines at their forepoints (where they intersect with the street line) shall not be less than 80 percent of the required lot width except in the case of lots on the turning circle of the cul-de-sacs, where the 80 percent requirements shall not apply.

(17) "Manufactured home." This term means a structure which is transportable and which is described in Tennessee Code Annotated Title 68, Chapter 126, Section 202. Any manufactured home placed in the Town,

however, must be on a solid foundation, anchored, and underpinned with brick, blocks, stone or a like material.

(18) "Lot of record." A lot which is part of a subdivision recorded in the office of the register of deeds, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

(a) "Corner lots." A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.

(b) "Interior lot." A lot other than a corner lot with only one frontage on a street other than an alley.

(c) "Through lot." A lot other than a corner lot with frontage on more than one street other than an alley. Through lots with frontage on two streets may be referred to as "double frontage" lots.

(d) "Reversed frontage lot." A lot in which the frontage is at right angles, or approximately right angles, to the general pattern in the area involved. A reversed frontage lot may also be a corner lot or an interior lot.

(19) "Mobile home." A mobile home is a single-family dwelling designed for transportation, after fabrication, on streets and highways on its own wheels on a single chassis or on flatbed or other trailers or detachable wheels, but not including "manufactured homes" and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy except for minor and incidental unpacking and assembly operation, location on jacks or permanent foundation, connection to utilities and the like.

(20) "Mobile home park." A portion or parcel of land designed for or which is intended to be used to accommodate two (2) or more mobile homes.

(21) "Sexually oriented business." A business or commercial enterprise which includes any or all of the following: adult arcade, adult bookstore or video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude model studio, or sexual encounter center.

(22) "Special exception." A special exception is a use that would not be appropriate generally or without restriction throughout the zoning district but which, if controlled as to the number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or general welfare. Such uses may be permitted in such district as special exceptions, if specific provision for such special exceptions is made in the individual district regulations.

(23) "Street line." The right-of-way line of a street.

(24) "Structure." Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences, billboards, and poster panels.

(25) "Variance." A variance is a relaxation of the terms of this title where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of this title would result in unnecessary and undue hardship. As used in this title, a variance is authorized only for height, area, and size of structure or size of yards and open spaces; establishment of a use otherwise not permitted shall not be allowed by variance, nor shall a variance be granted because of the presence of non-conformities in the zoning district or adjoining zoning districts.

(26) "Yard." A required open space unoccupied and unobstructed by any structure or portion of a structure from 30 inches above the general ground level of the graded lot upward, provided, however, that fences, walls, poles, posts, decks and other customary yard accessories, as well as accessory buildings may be permitted in any rear yard.

(27) "Yard, front." A yard extending between side lot lines across the front of a lot.

In the case of corner lots with more than two frontages, the mayor shall determine the front yard requirements, subject to the following limitations:

(a) At least one front yard shall be provided having the full depth required generally in the district;

(b) No other front yard on such lots shall have less than half the full depth required generally.

Depth of required front yards shall be measured at right angles to a straight line joining the foremost points of the side lot lines. The foremost points of the side lot line, in the case of rounded property corners at street intersections, shall be assumed to be the point at which the side and front lot lines would have met without such rounding. Front and rear front yard lines shall be parallel.

(28) "Yard, side." A yard extending from the rear line of the required front yard to the rear lot line.

In the case of corner lots with normal frontage, there will be only one side yard, adjacent to the interior lot. In the case of corner lots with reversed frontage, the yards remaining after the full and half-depth front yards have been established shall be considered to be side yards.

Width of required side yards shall be measured at right angles to a straight line joining the ends of front and rear lot lines on the same side of the lot. The inner side yard line of a required side yard shall be parallel to the straight line so established.

(29) "Yard, rear." A yard extending across the rear of the lot between inner side yard lines. In the case of through lots and reversed frontage corner lots, there will be no rear yard. In the case of corner lots with normal frontage, the rear yard shall extend from the inner side yard line of the side yard adjacent to the interior lot to the rear line of the half depth front yard.

Depth of required rear yards shall be measured at right angles to a straight line joining the rearmost points of the side lot lines. The forward rear line of a required rear yard shall be parallel to the straight line so established. (Ord. #01-01, Feb. 2001)

14-203. Official zoning map. The town is hereby divided into zones, or districts, as shown on the official zoning map, which together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this title.

The official zoning map shall be identified by the signature of the mayor, attested by the city recorder, and bearing the seal of the town under the following words: "This is to certify that this is the official zoning map referred to in § 14-203 of the Bruceton Municipal Code," together with the date of the adoption of this title.

If, in accordance with the provisions of this title and Tennessee Code Annotated, §§ 13-7-201 through 13-7-210, changes are made in district boundaries or other matter portrayed on the official zoning map, such changes shall be made on the official zoning map promptly after the amendment has been approved by the board of mayor and aldermen, together with an entry on the official zoning map as follows: "On _____, _____, by official action of the board of mayor and aldermen, the following changes were made in the official zoning map."

The amending ordinance shall provide that such changes or amendments shall not become effective until after such change and entry has been made on said map.

No changes of any nature shall be made in the official zoning map or matter shown thereon except in conformity with the procedures set forth in this title. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this title and punishable as provided under the general penalty clause for this code.

Regardless of the existence of purported copies of the official zoning map which may from time to time be made or published, the official zoning map which shall be located in the office of the city recorder shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the town. (Ord. #01-01, Feb. 2001)

14-204. Replacement of official zoning map. In the event that the official zoning map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the board of mayor and aldermen may by ordinance adopt a new official zoning map which shall supersede the prior official zoning map. The new official zoning map may correct drafting or other errors or omissions in the prior official zoning map, but no such correction shall have the effect of amending the original zoning ordinance or any subsequent amendment thereof. The new official zoning map

shall be identified by the signature of the mayor, attested by the city recorder, and bearing the seal of the town under the following words: "This is to certify that this official zoning map supersedes and replaces the official map adopted _____, _____, as part of title 14 of the Bruceton Municipal Code." (Ord. #01-01, Feb. 2001)

14-205. Rules for interpretation of district boundaries. Where uncertainty exists as to the boundaries of districts as shown on the official zoning map, the following rules shall apply:

- (1) Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines;
- (2) Boundaries indicated, as approximately following platted lot lines, shall be construed as following such lot lines;
- (3) Boundaries indicated, as approximately following town limits, shall be construed as following town limits;
- (4) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
- (5) Boundaries indicated, as approximately following the centerlines of streams, rivers, or other bodies of water shall be construed to follow such centerlines;
- (6) Boundaries indicated as parallel to, or extensions of, features indicated in subsections 1 through 5 above shall be so construed. Distances not specifically indicated on the official zoning map, shall be determined by the scale of the map.
- (7) Where other circumstances not covered by subsections 1 through 6 above exist to cause a zoning district boundary to be uncertain, the board of zoning appeals shall interpret the district boundaries. (Ord. #01-01, Feb. 2001)

14-206. Application of district regulations. The regulations set forth by chapters 2 through 10 of this title within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, and particularly, except as hereinafter provided:

- (1) No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered unless in conformity with all of the regulations herein specified for the district in which it is located.
- (2) No building or other structure shall hereafter be erected or altered:
 - (a) To exceed the height;
 - (b) To accommodate or house a greater number of families;
 - (c) To occupy a greater percentage of lot areas; or
 - (d) To have narrower or smaller yards, or other open spaces than herein required, or in any other manner contrary to the provisions of chapters 2 through 10 of this title.

acceptance of right of way conveyance, the yard, lot size and building set-back requirements of chapters 2 through 10 of this title shall not be applied and enforced to prohibit or otherwise decree as unlawful such buildings and structures. Nothing herein shall be construed so as to permit any building or structure to be erected after such an alteration in violation of the provisions of chapters 2 through 10 of this title. (Ord. #01-01, Feb. 2001)

14-209. Non-conforming structures. Where a lawful structure exists at the effective date of adoption or amendment of chapters 2 through 10 of this title that could not be built under the terms of chapters 2 through 10 of this title by reason of restrictions on area, lot coverage, height, yards, or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful. (Ord. #01-01, Feb. 2001)

14-210. Mobile homes and parks. The location of mobile homes and mobile home parks for dwelling purposes are prohibited in all zoning districts within the Town of Bruceton. All existing mobile home parks or lots upon which mobile homes presently exist may remain provided said park or lot does not remain vacant for more than 3 months. Should said lot or lot within a mobile home park remain vacant for 3 months without a mobile home on it, no new mobile home shall replace same unless of a model year manufactured in the year of or year preceding the calendar year in which the lot becomes vacant. Any mobile home will be anchored to the ground and underpinned. (Ord. #01-01, Feb. 2001)

14-211. Government; utility uses permitted. Uses conducted by the federal, state or local government shall be permitted in all districts, as well as all utility installations, structures, appurtenances intended to benefit existing or proposed uses within the Town of Bruceton. (Ord. #01-01, Feb. 2001)

14-212. Servicing, storage, repair, sales of motor vehicles, or salvage thereof. Notwithstanding the provisions of Section 14-208, the following limitations shall apply to structures and uses involving the servicing, storage, repair, sales, or salvaging of motor vehicles:

(1) No public street, parking area, sidewalk or way shall be used for the storage or parking of motor vehicles in connection with the activities of such establishments, except for normal parking by individual private owners or operators of such vehicles.

(2) No operation in connection with such establishments shall be carried on in a way which impedes free flow of vehicular or pedestrian traffic in normal courses on public ways.

(3) All motor vehicles being handled, stored or repaired by such establishments shall be maintained in such condition that they may be moved

under their own power at any time except such vehicles as may be under repair in garages or other buildings as provided in item (4), below.

(4) No repair of motor vehicles or parts thereof shall be made except within garages, service stations, body shops or other buildings used for such purposes.

(5) Any repair business that does not have adequate building space to store vehicles not presently being worked upon must have an area fenced with six foot fencing, such that said vehicles cannot be seen. Said fence shall be no closer than three (3) feet from the nearest street and shall be erected so as not to impede traffic.

(6) There shall be no salvage yards or operation of a salvage yard in Bruceton. Any vehicle kept by an owner for parts or to be later repaired must be in a building or behind a fence as in (5) above.

(7) Any nonconforming use pursuant to this section shall be brought into compliance within six (6) months of the effective date of the ordinance. (Ord. #01-01, Feb. 2001)

14-213. Schedule of district regulations adopted. District regulations shall be as set forth in the schedule of district regulations, hereby adopted by reference and declared to be part of chapters 2 through 10 of this title. For the purpose of chapters 2 through 10 of this title and as shown on the official zoning map, Bruceton, Tennessee, is hereby divided into the following districts:

- R-20 District - (Low Density Residential)
- R-MF District - (Multi-family Residential)
- B-1 District - (Neighborhood Business)
- B-2 District - (Central Business)
- B-3 District - (General Business)
- M-1 District - (Industrial)
- AE District - (Adult Entertainment) (Ord. #01-01, Feb. 2001)

CHAPTER 3

R-20 (LOW DENSITY RESIDENTIAL) DISTRICTS

SECTION

- 14-301. R-20 (Low Density Residential Districts).
- 14-302. Uses permitted.
- 14-303. Uses permissible by special exception.
- 14-304. Minimum lot requirements.
- 14-305. Yard requirements.
- 14-306. Maximum height.
- 14-307. Minimum off-street parking requirements.
- 14-308. Signs and billboards.

14-301. R-20 (Low Density Residential Districts). Within the R-20 districts as designated on the official zoning map, the following regulations shall apply. (Ord. #01-01, Feb. 2001)

14-302. Uses permitted. Uses permitted shall include the following:

- (1) Single-family detached dwellings, excluding mobile homes.
- (2) Private elementary and high schools having courses of study approximately the same as public elementary and high schools.
- (3) Churches and other places of worship, including Sunday schools.
- (4) Parks, playgrounds and play fields.
- (5) Farms, nurseries, truck gardens, greenhouses and other customary agricultural uses and structures.
- (6) The taking of boarders or renting of rooms by a resident family, provided that the total number of boarders and roomers does not exceed two.
- (7) Private garages, tool sheds, and other accessory uses and structures customarily incidental to residential or other permitted uses when located on the same property with the following provisions:
 - (a) Except for attached private garages, all accessory buildings shall be located behind the main building and further provided that on no lot shall any structure be built closer than five (5) feet to any lot line.
 - (b) Customary home occupations, such as the offices of physicians, architects, or engineers, child care up to five children not related to the occupant of the home, tailor, beauty or barbershop limited to a maximum of two chairs, or artist's studios as well as similar uses as determined by the mayor, subject to appeal to the board of zoning appeals, are permitted provided that:
 - (i) Such occupation shall be carried on within the home;
 - (ii) Not more than two persons not a resident of the premises shall be employed;

Changed
Ord 12-01

ORDINANCE NO. 12- 01
TOWN OF BRUCETON, TENNESSEE

AN ORDINANCE AMENDING TITLE FOURTEEN, CHAPTER THREE
OF THE BRUCETON MUNICIPAL CODE
RELATIVE TO ZONING

WHEREAS, the Mayor and Board of Alderman wish to amend Title 14, Chapter 3, Section 14-302(7)(b) of the zoning ordinances of the Town of Bruceton to allow customary home occupations to be carried on in otherwise permissible accessory buildings incidental to a residence.

WHEREAS, proper notice was given and a public hearing was held on February 14, 2012, to solicit comments from citizens about the proposed amendment to the zoning ordinance.

SECTION I. BE IT ORDAINED BY THE MAYOR AND THE BOARD OF ALDERMEN of the Town of Bruceton, Tennessee, that:

Title 14, Chapter 3, Section 14-302(7)(b) of the Bruceton Municipal Code be amended by deleting the relevant sub-section listed above and substituting in lieu thereof the following words and symbols:

14-302 (7)(b) Customary home occupations, such as the offices of physicians, architects, or engineers, child care up to five children not related to the occupant of the home, tailor, beauty or barbershop limited to a maximum of two chairs, or artist's studios as well as similar uses as determined by the mayor, subject to appeal to the board of zoning appeals, are permitted provided that:

- (i) Such occupation shall be carried on within the home, private garages and accessory structures customarily incidental to a residence;
- (ii) Not more than two persons not a resident of the premises shall be employed;
- (iii) Such occupation shall be clearly incidental and secondary to the use of the building for residential purposes and shall in no event constitute more than 25 % of the total floor area of the home;
- (iv) The external appearance of the dwelling shall not be changed as a result of the conduct of the occupation, and there shall be no external evidence of such occupation on the buildings or grounds except that a small professional

- notice or sign, not exceeding ten square feet in area, may be mounted against the side of the dwelling and may not be illuminated.
- (v) Specifically excluded from the definition of customary home occupations are motor vehicle servicing, repair, sales, storage or salvage businesses, unless otherwise allowable pursuant to Section 14-208 and subject to the provisions of Section 14-212.

SECTION II. Be it further ordained that this ordinance shall be in full force and effect after the date of passage, the public welfare requiring it.

PASSED on First Reading 1-10-2012

PASSED on Second Reading 2-14-2012

Robert N. Scott
Robert Scott
Mayor

ATTEST:

Kimberly R. Owens
Kimberly Owens
Town Recorder

Michael U. King
Michael U. King
Town Attorney (*approved as to form*)



(iii) Such occupation shall be clearly incidental and secondary to the use of the building for residential purposes and shall in no event constitute more than 25 % of the total floor area of the home;

(iv) The external appearance of the dwelling shall not be changed as a result of the conduct of the occupation, and there shall be no external evidence of such occupation on the buildings or grounds except that a small professional notice or sign, not exceeding ten square feet in area, may be mounted against the side of the dwelling and may not be illuminated. (Ord. #01-01, Feb. 2001)

14-303. Uses permissible by special exception. After public notice and hearing, submission and approval of a site plan and subject to appropriate conditions and safeguards, the board of zoning appeals may permit by special exception:

- (1) Golf courses,
- (2) Cemeteries,
- (3) Temporary structures and field offices, provided that such permit shall not be for a term of more than one year.
- (4) Private clubs, and lodges, excepting those which are open to the public at large for commercial purposes more than once per month, without adult entertainment.
- (5) Commercial kennels. (Ord. #01-01, Feb. 2001)

14-304. Minimum lot requirements. Minimum lot requirements shall be:

- (1) Lot area: 20,000 sq. ft. - dwellings.
- (2) Lot width: 120 ft.- dwellings.
- (3) Lot area: one acre - churches.
- (4) Lot area: five acres plus one acre for each 100 students - schools.
- (5) Lot area as determined by the board of zoning appeals - Special exception uses. (Ord. #01-01, Feb. 2001)

14-305. Yard requirements. Required front and side yards shall be free of accessory buildings. The following minimum yard dimensional requirements shall apply:

- (1) Front yard (dwellings) - 30 ft. measured from the right-of-way.
- (2) Front yard (other uses) - 40 ft. measured from the right-of-way or more, if required by the board of zoning appeals.
- (3) Rear yard (dwellings) - 20 ft.-
- (4) Rear yard (other uses) - 30 ft. or more, if required by the board of zoning appeals.
- (5) Side yard (dwellings) - 12 ft.

(6) Side yard (other uses) - 30 ft. or more, if required by the board of zoning appeals. (Ord. #01-01, Feb. 2001)

14-306. Maximum height. Maximum height shall be:

(1) Residence: The greater of 35 feet or 2 stories.

(2) Other permitted structures: The lesser of 35 feet or 2 stories.

(Ord. #01-01, Feb. 2001)

*No ladder Truck
top of
Roof*

14-307. Minimum off-street parking requirements. Minimum off-street parking requirements shall be as follows:

(1) Dwellings: Two off-street parking spaces for each dwelling unit.

(2) Schools: One off-street parking space for each staff member, plus one off-street parking space for each ten (10) fixed seats in auditoriums or for each 100 square feet of floor space in assembly rooms with movable seats.

(3) Churches, Sunday schools: One off-street parking space for each five (5) fixed seats or for each 50 square feet in assembly rooms with movable seats.

(4) Public and private non-residential buildings: One off-street parking space for each regular employee plus adequate parking space for public use or for private use based on membership as determined by the mayor. (Ord. #01-01, Feb. 2001)

14-308. Signs and billboards. No signs, billboards, posters, bulletin boards or other similar matter shall be permitted except as follows:

(1) Announcements and professional signs as provided for in connection with home occupations.

(2) Only one sign, not exceeding 10 square feet in area to advertise the premises on which such sign is displayed for sale, rent or lease, provided that such sign shall not be placed closer than ten (10) feet to any property line.

(3) One bulletin board, not to exceed 100 square feet in area, may be erected by any church.

(4) Official public notices may be erected at appropriate locations on property affected. (Ord. #01-01, Feb. 2001)

(3) No yard or lot existing at the time of passage of chapters 2 through 10 of this title shall be reduced in dimension or area below the minimum requirements set forth herein. Yards of lots created after the effective date of chapters 2 through 10 of this title shall meet at least the minimum requirements established by chapters 2 through 10 of this title.

All territory which may hereafter be annexed to the town shall be considered to be zoned in the same manner as the contiguous territory inside previous town limits until otherwise classified. (Ord. #01-01, Feb. 2001)

***14-207. Non-conforming lots of record.** In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of chapters 2 through 10 of this title, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of chapters 2 through 10 of this title. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district; provided that yard dimensions and other requirements not involving area or width, or both, of the lot shall conform to the regulations for the district in which such lot is located.

If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of chapters 2 through 10 of this title, and if all or part of the lots do not meet the requirements for lot width and area as established by chapters 2 through 10 of this title, the lands involved shall be considered to be an undivided parcel for the purposes of this title, and no portion of said parcel shall be used or sold which does not meet lot width and area requirements established by chapters 2 through 10 of this title, nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in chapters 2 through 10 of this title. (Ord. #01-01, Feb. 2001)

14-208. Non-conforming uses of land.

(1) Where, at the effective date of adoption or amendment of chapters 2 through 10 of this title and except as otherwise set forth herein, lawful use of land exists that is made no longer permissible under the terms of chapters 2 through 10 of this title as enacted or amended, such use may be continued, so long as it remains otherwise lawful, provided that such use shall not be extended to adjoining property not in the same ownership as the parcel which contains the non-conforming use at the time said use becomes lawful.

(2) Where buildings and structures located on land are presently lawful in accordance with the yard, lot size, and building set-back requirements of chapters 2 through 10 of this title, but would be rendered unlawful due to alterations in rights of way for streets and alleys which are instituted by or expressly approved by the Town of Bruceton, whether by condemnation or

*14-207 means that vacant lots as of adoption may have a dwelling erected even though the lot does not comply with area, size or yard dimensions required in the other sections of the code if the lot existed on February 13, 2001. Except if the same owner owns an adjacent lot then a portion thereof must be used to bring about compliance.

CHAPTER 4

R-MF (MULTI-FAMILY) DISTRICTS

SECTION

- 14-401. R-MF Multi-family Districts.
- 14-402. Uses permitted.
- 14-403. Uses permissible by special exception.
- 14-404. Minimum lot requirements.
- 14-405. Maximum height.
- 14-406. Minimum off-street parking requirements.
- 14-407. Signs and billboards.
- 14-408. Supplemental regulations.

14-401. R-MF Multi-family Districts. Within the R-MF Districts as designated on the official zoning map, the following regulations shall apply. (Ord. #01-01, Feb. 2001)

14-402. Uses permitted. Any structure or use permitted in R-20 districts shall be permitted, and in addition the following uses shall be permitted:

- (1) Two-family dwellings.
- (2) Townhouses.
- (3) Tourist homes, not exceeding the use of three bedrooms and a total of nine guests for that purpose.
- (4) Any accessory use or building customarily incidental to the above permitted uses. (Ord. #01-01, Feb. 2001)

14-403. Uses permissible by Special Exception. After public notice and hearing, and submission and approval of a site plan and subject to appropriate conditions and safeguards, the board of zoning appeals may permit:

- (1) Multi-family apartment dwellings or any multifamily dwelling exceeding seven units per acre, but not to exceed 16 units per acre and subject to the minimum conditions set forth in this chapter.
- (2) Uses permitted by special exception in the R-20 district.
- (3) Single family uses, subject to the same regulations and standards set forth in the R-20 district, except that the minimum lot area shall be 12,000 square feet, and required yard dimensions may be proportionally reduced. (Ord. #01-01, Feb. 2001)

14-404. Minimum lot requirements. Minimum lot requirements shall be:

- (1) Lot area: 5,000 square feet per unit - two family dwellings.

- (2) Lot width: 40 feet per unit- two family dwellings.
- (3) Lot area: 3,500 square feet per unit- town house dwellings.
- (4) Lot width: 25 square feet per unit- town house dwellings.
- (5) Lot area: One acre - multi-family apartments. (Ord. #01-01, Feb. 2001)

14-405. Maximum height. Maximum height shall be as follows:

- (1) Residences, permitted: same as for the R-20 district.
- (2) Other permitted uses: same as for the R-20 district.
- (3) Residences, special exception: the greater of 35 ft. or two stories. (Ord. #01-01, Feb. 2001)

14-406. Minimum off-street parking requirements. Minimum off-street parking requirements shall be as follows:

- (1) Two family dwellings: same as for the R-20 district.
- (2) Town houses: 2.5 parking spaces for each dwelling unit.
- (3) Multi-family apartments: 1.5 spaces for each two bedroom unit and two spaces for each three bedroom or greater units. (Ord. #01-01, Feb. 2001)

14-407. Signs and billboards. Regulations concerning signs and billboards for this district shall be the same as for the R-20 district, and in addition, not more than two signs with a total area of not more than six square feet for any one establishment may be placed, indicating the name and nature of the establishment and the kind of accommodations offered. Such sign may be mounted on the front or side of establishment, or in front or side yards, provided that no sign shall be placed closer than ten feet to any property line. (Ord. #01-01, Feb. 2001)

14-408. Supplemental Regulations. In addition to all other regulations and general provisions of this title which apply to this district the following supplemental regulations shall also govern the designated uses:

- (1) Dwellings, two family - Exterior front elevations shall be a minimum 50% masonry, metal or stucco type material.
- (2) Dwellings, townhouse - No more than eight units shall be connected via a common firewall and all units shall have a front and rear yard with first floor access from both. Exterior architectural details shall vary by unit and no more than two connecting roof elevations shall be of the same height or design. Developments shall set aside a minimum of 0.5 acre of improved common land for active and passive recreation available to all apartment residents and open space purposes for each 48 units. Front elevation materials shall be a minimum 50% masonry, metal or stucco type material. Off street parking shall be adequately landscaped as determined by the mayor or his designee.

(3) Multi-family apartments approved by special exception - In addition to any conditions or requirements imposed by the board of zoning appeals, no more than 16 units per acre shall be permitted. A minimum of 0.5 acre of improved common land for active and passive recreation available to all apartment residents shall be provided for the first 16 units with an additional 0.5 acre for each additional 32 units. At least one half of the building exterior shall be of masonry, metal or stucco. No more than 32 units per building shall be permitted. Off street parking areas and common grounds shall be adequately landscaped in accordance with the site plan approved by the board of zoning appeals. Buffer and screened areas adjacent to any land used or zoned for single family residential purposes shall also be provided to the satisfaction of the board of zoning appeals. (Ord. #01-01, Feb. 2001)

CHAPTER 5

B-1 (NEIGHBORHOOD BUSINESS) DISTRICT

SECTION

- 14-501. B-1 (Neighborhood Business) District.
- 14-502. Uses permitted.
- 14-503. Uses permissible by special exception.
- 14-504. Minimum lot requirements.
- 14-505. Minimum yard requirements.
- 14-506. Maximum height.
- 14-507. Minimum off-street parking and off-street loading.
- 14-508. Signs.

14-501. B-1 (Neighborhood Business) District. Within the B-1 District as designated on the official zoning map, the regulations of this chapter shall apply. (Ord. #01-01, Feb. 2001)

14-502. Uses permitted. The following uses shall be permitted:

- (1) Neighborhood retail stores and markets, including the following types of stores: food; package beer; general merchandise; apparel; furniture; household and hardware; radio and television; drug and sundries; jewelry and gifts; florists; sporting goods; and similar uses.
- (2) Neighborhood services including the following: barber and beauty shops; shoe repair; eating and drinking establishments, private clubs and lodges and similar uses, all without adult entertainment.
- (3) Professional offices, financial institutions, vegetarians, and medical clinics.
- (4) Any accessory use or building customarily incidental to the above permitted uses.
- (5) Car Washes and Service stations for automobiles, provided there is no major automobile repair.
- (6) Self-service laundry and dry cleaning establishments.
- (7) Residential use incidental to any lawful commercial use.
- (8) Childcare centers.
- (9) Churches or other places of worship.
- (10) Private Schools. (Ord. #01-01, Feb. 2001)

14-503. Uses permissible by special exception. Upon application and following public notice and hearing, subject to appropriate safeguards and conditions and submittal and approval of a site plan, the board of zoning appeals may permit the following uses:

- (1) Light industry, permitted in the M-1 zoning district, where the proposed use, in the opinion of the board of zoning appeals, will not be

detrimental to the area in which it is located. In determining the suitability of the proposed use, the board of zoning appeals may study the particular nature of the use with regard to parking, emergency services, employment, environmental conditions such as noise, smoke, gas, vibrations, fumes, dust or other objectionable conditions, storage of combustible materials and such other factors as may, under the circumstances, be pertinent to whether the proposed use is compatible with the surrounding area. Any such light industry permitted shall be subject to the minimum requirements of the M-1 zoning district and such other conditions imposed by the board of zoning appeals to ensure these uses are compatible with the B-1 zoning district.

- (2) New and used automobile and truck sales. (Ord. #01-01, Feb. 2001)

14-504. Minimum lot requirements. It is the intent of this title that lots of sufficient area and width be required for any business or service use to provide adequate parking and loading space in addition to the space required for the normal operations of the business or service, as determined by the mayor and subject to appeal to the board of zoning appeals. (Ord. #01-01, Feb. 2001)

14-505. Minimum yard requirements. Minimum yard requirements shall be:

- (1) Front: 20 feet.
- (2) Rear: 20 feet.
- (3) Side: None, except wherever this district adjoins a residential district or use without an intervening street or alley, a screened buffer strip of 20 ft. shall be provided on the side adjoining the residential district. (Ord. #01-01, Feb. 2001)

14-506. Maximum height. Maximum height shall be 35 feet or 2 stories which ever is greater. (Ord. #01-01, Feb. 2001)

14-507. Minimum off-street parking and off-street loading. Minimum off-street parking and off-street loading requirements shall be as follows:

- (1) Restaurants: one off-street parking space per 100 square feet of gross floor area.
- (2) Commercial and personal services, offices: one off-street parking space per 200 square feet of gross floor area. Adequate off-street loading space shall be provided so that no part of any commercial vehicle shall encroach upon any street, alley, sidewalk, or public way during loading, unloading, or servicing operations. (Ord. #01-01, Feb. 2001)

14-508. Signs. Signs are permitted subject to the following limitations:

- (1) All signs except those erected by governmental agencies shall be erected on private property and shall not encroach upon or over any public

street, walk, alley or way. Provided that such signs when approved by the town may be erected to overhang a public walk at a height not less than nine feet.

(2) No red, blue or green illumination in connection with any sign or means of attracting attention to any establishment shall be so located as to create the possibility of confusion with any traffic signal, and the chief of police shall be consulted in any case where a question of this kind arises before any permit for the erection of such sign or illumination shall be granted. (Ord. #01-01, Feb. 2001)

CHAPTER 6

B-2 CENTRAL BUSINESS DISTRICT

SECTION

- 14-601. B-2 Central Business District.
- 14-602. Uses permitted.
- 14-603. Uses permissible by special exception.
- 14-604. Minimum lot requirements.
- 14-605. Maximum height.
- 14-606. Signs.

14-601. B-2 Central Business District. Within the B-2 (Central Business) District as designated on the official zoning map, the regulations of this chapter shall apply. (Ord. #01-01, Feb. 2001)

14-602. Uses permitted. Any structure or use permitted in B-1 District (except for gasoline service stations, car washes and child care centers) shall be permitted and in addition:

- (1) Hotels, motels, and tourist homes.
- (2) Recreational structures and uses, including theaters, billiard rooms, and auditoriums.
- (3) Business or commercial schools.
- (4) Bus stations.
- (5) Mortuaries and Funeral Homes.
- (6) Customary accessory uses and structures. (Ord. #01-01, Feb. 2001)

14-603. Uses permissible by Special Exception. After public notice and hearing, submittal and approval of a site plan and subject to appropriate safeguards and conditions, the board of zoning appeals may permit child care centers and new and used automobile dealers. In addition, new construction or conversion of an existing building to multi-family residential/apartment uses or mixed business -multi-family residential uses may be permitted.

When reviewing applications for such residential uses, the board of zoning appeals shall consider the overall effect of the proposal to the area and surrounding properties so that there will not be a detrimental effect to the stability and viability of the business district.

In determining the effect of the proposal to the area, the board of zoning appeals shall consider at a minimum the number of units proposed, availability of off-street parking, provisions for solid waste storage, availability of utilities, compatibility with adjacent uses and the town's capacity to respond effectively to emergencies.

In addition, the following conditions must also be met:

- (1) Floor plans must be submitted to the board of zoning appeals.

(2) Off-street parking must be provided at a ratio of 1 space per unit, located within a reasonable walking distance, and designed so that no vehicle is required to back onto a public thoroughfare. Shared parking, with existing commercial uses may be considered.

(3) A minimum square footage per dwelling unit of 500 square feet for a one-bedroom unit, 675 square feet for a two-bedroom unit, and 900 square feet for a three-bedroom unit must be provided. (Ord. #01-01, Feb. 2001)

14-604. Minimum lot requirements. The intent of this chapter is to require lots of sufficient area and width for any business or service use to provide adequate parking (in conjunction with on street parking and any public parking facilities) and loading space in addition to the space required for the normal operations of the business or service, as determined by the mayor, and subject to appeal to the board of zoning appeals. There are no minimum yard requirements. (Ord. #01-01, Feb. 2001)

14-605. Maximum height. Maximum height shall be the greater of 35 ft. or 2 stories. (Ord. #01-01, Feb. 2001)

14-606. Signs. Regulations regarding signs shall be the same as for the B-1 district, except that projecting signs which do not interfere with pedestrian access may encroach on public right-of way, subject to written approval of the mayor. (Ord. #01-01, Feb. 2001)

CHAPTER 7

B-3 GENERAL BUSINESS DISTRICT

SECTION

- 14-701. B-3 General Business District.
- 14-702. Uses permitted.
- 14-703. Uses permissible by special exception.
- 14-704. Minimum lot requirements.
- 14-705. Minimum yard requirements.
- 14-706. Maximum height.
- 14-707. Minimum off-street parking and off-street loading requirements.
- 14-708. Signs.

14-701. B-3 General Business District. Within the B-3 district as designated on the official zoning map, the regulations of this chapter shall apply. (Ord. #01-01, Feb. 2001)

14-702. Uses permitted. Any structure or use permitted in the B-2 district shall be permitted, and in addition:

- (1) Service stations and car washes.
- (2) Stores specializing in second-hand merchandise.
- (3) Storage warehouses including self-storage.
- (4) New and/or used automobile/truck sales.
- (5) Child care centers.
- (6) Automobile repair, where any outside storage of vehicles is properly screened from adjacent uses and the public right-of-way.
- (7) Retail sales of building materials and supplies, including outdoor storage.
- (8) Retail sales of farm supplies including feeds, fertilizers, farm equipment, and similar products normally associated with the farm supply business. (Ord. #01-01, Feb. 2001)

14-703. Uses permissible by special exception. After public notice and hearing, submittal and approval of a site plan and subject to appropriate conditions and safeguards, the board of zoning appeals may permit:

- (1) Light industry permitted in the M-1 zoning district under the same conditions and criteria set forth for light industry special exceptions in the B-1 zoning district.
- (2) Mobile home sales. (Ord. #01-01, Feb. 2001)

14-704. Minimum lot requirements. Minimum lot requirements shall be the same as for the B-1 district. (Ord. #01-01, Feb. 2001)

14-705. Minimum yard requirements. Minimum yard requirements shall be:

- (1) Front: 20 feet.
- (2) Rear: 20 feet.
- (3) Side: 20 feet required except whenever a lot in this district adjoins a residential district or use without an intervening street or alley, a screen acceptable to the mayor shall be provided within the required side yard. (Ord. #01-01, Feb. 2001)

14-706. Maximum height. Maximum height shall be the greater of 35 feet or 2 stories. (Ord. #01-01, Feb. 2001)

14-707. Minimum off-street parking and off-street loading requirements. Regulations regarding parking and off-street loading shall be the same as for the B-1 zoning district. (Ord. #01-01, Feb. 2001)

14-708. Signs. Regulations regarding signs and billboards shall be the same as for B-1 zoning district. (Ord. #01-01, Feb. 2001)

CHAPTER 8

M-I (INDUSTRIAL) DISTRICT

SECTION

14-801. M-I (Industrial) District.

14-802. Uses permitted.

14-803. Yards, street access and frontage, lot coverage, off-street parking requirements

14-804. Maximum height.

14-805. Signs and billboards.

14-801. M-I (Industrial) District. Within the M-1 district as designated on the official zoning map, the regulations of this chapter shall apply. (Ord. #01-01, Feb. 2001)

14-802. Uses permitted. Any use permitted in the B-3 district except child care centers shall be permitted and in addition:

(1) Services: animal hospital, medical clinics, truck terminals, printing, pest exterminators, sign fabrication, upholstery repair, sheet metal shops.

(2) Manufacturing, processing or fabrication: canned or preserved fruits or vegetables, other food processing, bakery, bottling plants, apparel and other finished products made of fabrics, cotton gin, drug manufacturing, glass products, assembly of various products, and jewelry and plated ware and similar uses as determined by the mayor and subject to appeal before the board of zoning appeals.

(3) Research and development and laboratories.

(4) Accessory uses customarily incidental to any aforementioned permitted use. (Ord. #01-01, Feb. 2001)

14-803. Yards, street access and frontage, lot coverage, off-street parking requirements.

(1) No principal or accessory building above grade shall be located less than 200 feet from the boundary of any residential zone or use, unless a year around screen is provided satisfactory to the mayor.

(2) No parking area, loading or maneuvering area shall be located less than 100 feet from the boundary of any residential zone or use, unless a year around screen is provided satisfactory to the mayor.

(3) No principal or accessory building, parking or maneuvering area shall be located less than 50 feet from the street right of way.

(4) Not more than sixty percent of the area of the lot may be covered by buildings, including accessory buildings.

(5) Off-street parking for uses specifically mentioned in this chapter shall be provided at a minimum of one parking space for each one and one-half employees, or one for each two employees on combined major and second shifts, and in addition one visitor parking space for every 20 employees, except that the mayor may grant fewer visitor parking spaces if he finds that a fewer number will be sufficient for the operation anticipated. Off street parking for uses permitted in other districts as well as the M-1 district shall follow the parking requirements of the district in which it is first mentioned. (Ord. #01-01, Feb. 2001)

14-804. Maximum height. Maximum height shall be the lesser of 35 feet or 2 stories. (Ord. #01-01, Feb. 2001)

14-805. Signs and billboards. Requirements for signs shall be the same as for the B-3 zoning district. (Ord. #01-01, Feb. 2001)

CHAPTER 9

AE ADULT ENTERTAINMENT DISTRICT

SECTION

- 14-901. Adult entertainment district.
- 14-902. Uses permitted.
- 14-903. Minimum lot requirements.
- 14-904. Minimum yard requirements, maximum height, parking and signage.

14-901. Adult Entertainment District. Within the AE district as designated on the official zoning map, the regulations of this chapter shall apply. (Ord. #01-01, Feb. 2001)

14-902. Uses permitted. Any structure or use permitted in the B-3 District (except schools, child care centers, mortuaries and funeral homes and churches) as well as adult sexually oriented businesses as that term is defined by this ordinance and other provisions of the Bruceton Municipal Code, all without the use or consumption of alcohol. (Ord. #01-01, Feb. 2001)

14-903. Minimum lot requirements. Minimum lot requirements shall be the same as for the B-1 district. (Ord. #01-01, Feb. 2001)

14-904. Minimum yard requirements, maximum height, parking and signage. Requirements are the same as for the M-1 district, except as to off street parking which shall be provided at a minimum of one space per employee and in addition a minimum of one visitor spot for every employee. (Ord. #01-01, Feb. 2001)

CHAPTER 10

ADMINISTRATION AND ENFORCEMENT

14-1001. Administration and enforcement. The mayor shall administer and enforce this title. He may be provided with the assistance of such other persons as the board of mayor and aldermen may authorize in the annual budget.

If the mayor shall find that any of the provisions of this title are being violated, he shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of additions, alterations, or structural changes thereto; discontinuance of any illegal work being done; or shall take any other action authorized by this title to insure compliance with or to prevent violation of its provisions. Nothing herein shall be construed as to prohibit or limit the mayor from first seeking voluntary compliance with this title. (Ord. #01-01, Feb. 2001)

14-1002. Zoning permits required. No building or other structure shall be erected, or enlarged without a zoning permit therefor, issued by the mayor to verify that the proposed work is in compliance with this title. (Ord. #01-01, Feb. 2001)

14-1003. Application for zoning permit. All applications for zoning permits shall be accompanied by plans in duplicate, showing the actual dimensions and shape of the lot to be built upon; the exact size and locations on the lot of buildings already existing, if any; and the locations and dimensions of the proposed building or alteration. The application shall include such other information as lawfully may be required by the mayor, including existing or proposed uses of the building and land; the number of families, housekeeping units, or rental units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determined conformance with, and provide for the enforcement of this title.

The mayor shall return one copy of the plans to the applicant after he shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy within five (5) business days of such submission. If disapproved the mayor shall detail the reasons for denial. The second copy of the plans, similarly marked, shall be retained by the codes enforcement officer. (Ord. #01-01, Feb. 2001)

14-1004. Site plan regulations. It is the general purpose and intent of this section to require site plans for all new developments or redevelopments

of commercial, industrial, and multi-family (exceeding 7 units per acre) residential uses to provide for a lessening of traffic congestion and for securing adequate light, air, and aesthetic conditions for residents of the town. These plans shall be approved by the mayor prior to the issuance of a zoning permit. Site plans for small additions to existing buildings shall be exempt from review when, in the opinion of the mayor, the addition will not adversely affect the general purpose and intent of these regulations. The site plan shall be prepared by a licensed engineer, architect, landscape architect, or surveyor and include the following information unless waived by the mayor as unnecessary to ensure the compliance of the proposed project with this title:

- (1) Topography of existing and finished grades at two (2) foot intervals.
- (2) Location of areas as defined by the codes enforcement officer that are subject to flooding. Site plan shall include a storm water drainage plan.
- (3) Location of existing buildings, streets, sidewalks, easements and rights-of-way, and covenants.
- (4) Include a plan for vehicular and pedestrian circulation.
- (5) Location of all structures including signs. Sign details shall include elevation drawings.
- (6) Utility plans for water, sewer, and power. Power service connections shall be located at the rear of the structure or structures, where feasible.
- (7) Plans for landscaping, screening, open space and ingress-egress points. If applicable, the landscaping plan shall include design details for off-street parking areas with the following information:
 - (a) Street frontage.
 - (b) Interior landscaping.
 - (c) Perimeter landscaping.
 - (d) The parking spaces shall be designed and constructed in a manner that will prevent damage to the landscaping by vehicles or pedestrian traffic.
 - (e) The plan shall contain a description of any plants and material proposed for use.
 - (f) The landscaping shall be permanently maintained.
 - (g) A plan for frontage or parallel access street, if applicable.
- (8) General requirements of a north arrow, a scale of not less than 1"= 20 feet, a location map, acreage of site, location of solid waste collection points, and any other information deemed pertinent by the mayor. (Ord. #01-01, Feb. 2001)

14-1005. Certificates of zoning compliance for new or changed uses. It shall be unlawful to use or occupy or permit the use or occupancy of any commercial building or premises, or both, or part thereof hereafter created, erected, changed, converted, or wholly or partly altered in its use until a certificate of zoning compliance shall have been issued therefor by the mayor

stating that the proposed use of the building or land conforms to the requirements of this title.

The mayor shall maintain a record of all certificates of zoning compliance, and copies shall be furnished upon request to any person.

Failure to obtain a certificate of zoning compliance shall be a violation of this chapter and punishable under the general penalty clause for this code. (Ord. #01-01, Feb. 2001)

14-1006. Expiration of zoning permit. If the work described in any zoning permit has not been substantially completed within two years of the date of issuance thereof, said permit shall expire and be canceled by the mayor, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the canceled permit shall not proceed unless and until a new building permit has been obtained. (Ord. #01-01, Feb. 2001)

14-1007. Fees, charges, and expenses. Regulations concerning fees in connection with zoning permits, certificates of zoning compliance, application for zoning map amendment and any application before the board of zoning appeals shall be established from time to time by the board of mayor and aldermen by resolution and posted in the office of the city recorder. Fees must be paid in full before any of the aforementioned applications may be processed. (Ord. #01-01, Feb. 2001) RES. 02-13

14-1008. Amendments. The regulations, restrictions and boundaries set forth in chapters 2 through 10 of this title may from time to time be amended, supplemented or changed; provided, however, that no such action may be taken until each proposed change be first submitted to and approved by the planning commission, or if disapproved, shall receive the favorable vote of a majority of the entire membership of the board of mayor and aldermen. If the planning commission neither approves or disapproves such proposed amendment within sixty days after such submission, the action on such amendment by said commission shall be deemed approval. Before enacting any amendment, the board of mayor and aldermen shall hold a public hearing thereon, at least fifteen days notice of the time and place of which shall be published in a newspaper of general circulation in the Town of Bruceton.

Amendments to the zoning map may also be proposed by the owner of property to be affected. The agent or option holder with signature from the current owner may alternatively file. No such action shall be initiated affecting the same parcel at less than twelve month intervals.

Each such application shall be accompanied by the following:

- (1) A plat prepared by a competent professional showing in accurate dimensions all property lines, adjoining streets and location of all structures.
- (2) Other pertinent information requested by the planning commission or board of mayor and aldermen. (Ord. #01-01, Feb. 2001)

RESOLUTION NO. 01- 02-13


**A RESOLUTION ADOPTING A SCHEDULE OF FEES
PURSUANT TO THE ZONING ORDINANCE
OF THE TOWN OF BRUCETON**

WHEREAS, pursuant to Section 14-1007 of Ordinance No. 01-01 entitled
AN ORDINANCE ESTABLISHING ZONING DISTRICT REGULATIONS,
ENACTING AN OFFICIAL ZONING MAP FOR THE CITY AND PROVIDING
FOR THE ADMINISTRATION AND ENFORCEMENT THEREOF, it is required
that fees in connection with certain actions anticipated by said Ordinance be
established;

NOW, THEREFORE, BE IT RESOLVED by The Mayor and Board of
Aldermen of the Town of Bruceton that the following fees are established and
shall be collected by the Town in connection with each such action:

- 1) Application For Zoning Permit. (as established at
BMC 12-104)
and/or
Application For Certificate of Zoning Compliance. . . . \$ 25.00
*If both Applications are required only one (1) fee
(the greater) will be charged)*
- 2) Application For Review of Site Plan
(in addition to #1 above). 100.00
- 3) Request For Rezoning
Made to Planning Commission. 100.00
- 4) Request For Special Exception or Variance
Made to the Board of Zoning Appeals. 135.00

The public welfare requiring it, it is so resolved and adopted this 13th
day of February, 2001.



Robert T. Keeton, III
Mayor

ATTEST:



Michael Anthony Lancaster
Town Recorder

RESOLUTION 01-02-13 -
ADOPTING A SCHEDULE OF FEES
PURSUANT TO THE ZONING ORDINANCE
OF THE TOWN BRUCETON

14-1009. Violations and penalties. Violation of the provisions of this title or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this title or fails to comply with any of its requirements, shall upon conviction thereof be punished in accordance with the general penalty clause for this code. (Ord. #01-01, Feb. 2001)