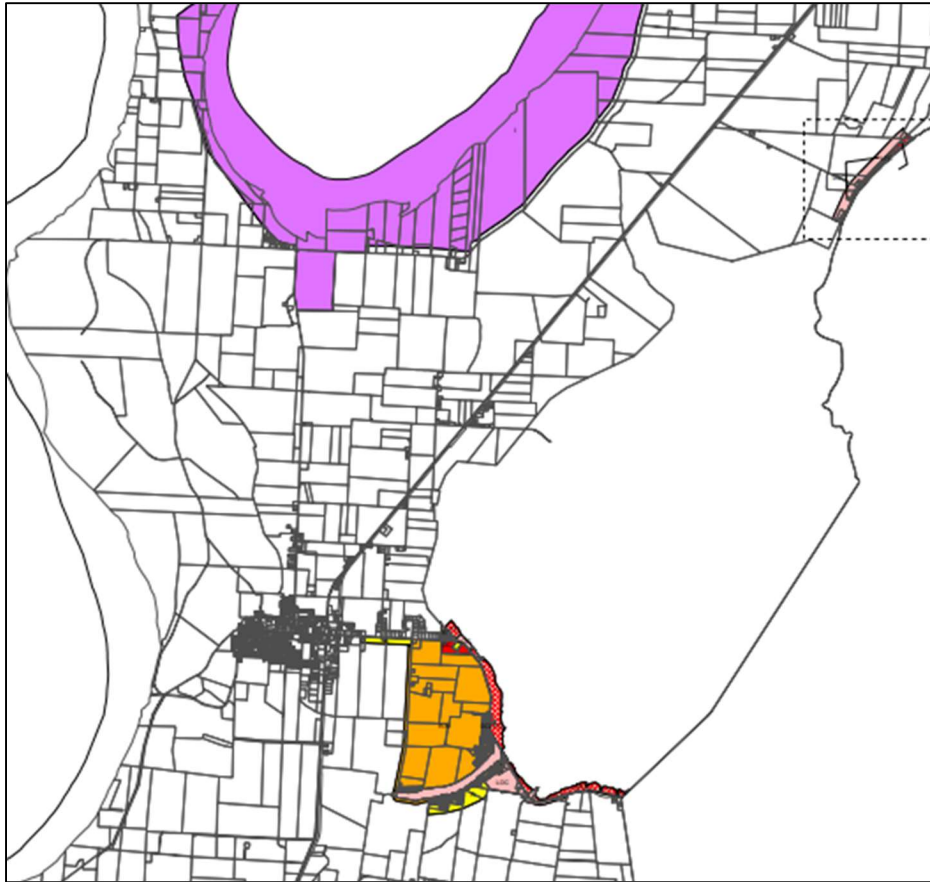


LAKE COUNTY



ZONING RESOLUTION

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LAKE COUNTY ZONING RESOLUTION

AUTHORITY

A resolution, in pursuance of the authority granted in Section 13-7-101 through 13-7-115, Tennessee Code Annotated, to regulate within the Lake County; the location, height, and size of buildings and other structures; the percentage of lot which may be occupied; the sizes of yards, courts, and other open spaces; the density and distribution of population; the uses of buildings and structures for trade, industry, residence, recreation or other purposes; and the uses of land for trade, industry, residence, recreation, agriculture, forestry, soil conservation, water supply conservation or other purposes.

BE IT RESOLVED by the County Commission of Lake County, Tennessee as follows:

CHAPTER I

INTRODUCTION AND DEFINITIONS

SECTION 1. Title and Map. This resolution shall be known as the The Zoning Resolution of Lake County, dated January, 1984. The zoning map shall be referred to as the The Zoning Map of the Lake County, and all explanatory matter thereon are hereby adopted and made a part of this Resolution.

SECTION 2. Purpose. The zoning regulations and districts as herein set forth have been made in accordance with a comprehensive plan for the purpose of promoting the public health, safety, morals, convenience, order prosperity and general welfare of the Lake County. They have been designed to lessen congestion in streets; to secure safety from fires, floods, 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 provision of transportation, water, waste water, schools, parks and other public requirements. They have been made with reasonable consideration among other things as to the character of each district and its peculiar uses, and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the Lake County.

SECTION 3. Definitions. In this resolution, words used in the present tense include the future, singular includes the plural, and the plural the singular. The word "use" includes "design intended or arranged to be used". The word "shall" is mandatory not directory. For the purpose of this resolution, the following terms are defined as follows:

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

ANTENNA ARRAY – Poles, rods, panels, reflecting dishes, or similar devices used for the transmission or reception of radio frequency signals.

BUILDING - Any structure constructed or used for residence, business, industry, or other public or private purposes, or accessory thereto, and including tents, lunch wagons, dining cars, and similar structures whether stationary or movable.

BUILDING, ACCESSORY - A subordinate building, the use of which is incidental to that of a principal building on the same lot.

BUILDING, PRINCIPAL - A building in which is conducted the principal use of the lot on which it is situated.

BUILDING, COVERAGE - The proportion of the lot area, expressed as a percent, that is covered by the maximum horizontal cross section of a building. Structures which are below the finished lot grade shall be included in the building coverage. Building coverage shall not include any required yard space.

DWELLING, MOBILE HOME - A detached residential dwelling unit built with a chassis and otherwise designed for transportation, after fabrication, on streets on its own wheels or on a flatbed or other trailers, 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 operations location jacks, and other temporary or permanent foundations, connection to utilities and the like. The character of a mobile home as a non-permanent dwelling shall not be changed in view of this Resolution by removal of the wheels and/or carriage or placement on a permanent foundation. A travel trailer is not considered a mobile home.

DWELLING, TWO-FAMILY - A detached residential dwelling unit other than a mobile home designed for and occupied for two families only.

DWELLING, MULTI-FAMILY - A residential building containing three or more dwelling units, with the number of families in residence not exceeding the number of dwelling units provided.

DWELLING, SINGLE-FAMILY - A detached residential dwelling unit other than a mobile home designed for and occupied by on family only.

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

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

HEIGHT OF BUILDING - The vertical distance from the finished grade at the building line to the highest point of the building.

LOT - A piece, parcel, or plat of land in one ownership, which may include one or more lots or record, occupied or to be occupied by one principal building and its accessory buildings. Such a lot shall be of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open space as required. All lots shall front on and have access to a private or public street which meets county requirements at the time of its development.

LOT, CORNER - A lot abutting upon two (2) or more streets at their intersection.

LOT, DOUBLE FRONTAGE - A lot having frontage on two (2) non-interior the right-of-way of a street or alley.

LOT OF RECORD - A lot, the boundaries of which are filed as a legal record.

LOT WIDTH - The width of a lot shall be determined by measurement across the rear of the required front yard, provided that the width between the lot lines at the points where they intersect the street shall not be less than eighty (80) percent of the required minimum lot width, except in

the case of lots on the turning circle of cul-de-sac turnarounds, a minimum street abutment distance of twenty-five (25) feet shall apply to cul-de-sac turnarounds.

MOBILE HOME PARK - Any plot of ground one and one half (1 1/2) acres or more in size upon which three (3) or more mobile homes occupied for dwelling or sleeping purposes, are located regardless as whether or not a charge is made for such accommodations.

NON-CONFORMITY - A building, use of land, or combination of the two which was lawful when established, the now establishment of which would be prohibited by current zoning regulations.

PORT FACILITY - a facility in which ships or boats may take on or discharge cargo.

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

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

TELECOMMUNICATIONS STRUCTURE - A building, tower, or other structure and equipment used for the transmission, re-transmission, broadcast, or promulgation of telephone, telegraph, radio, television, or other communications signals. (See Code 47 in the Standard Land Use Coding Manual).

TINY HOUSE - A principal residential structure, which has the same general appearance as a traditional site built home, but contains less than 800 square feet of heated living space and is designed to be used as a dwelling. Proposed residential structures fashioned from previously purposed structures (such as storage containers, grain bins, water tanks, train boxcars, or other similar structures) and less than 800 square feet in size shall not be considered tiny houses. For the purposes of these regulations the term "tiny house" does not include the terms "mobile home" or "manufactured home."

STREET - Any public or private way set aside for public travel twenty-one (21) feet or more in width. The word "street" shall include the words "road", "highway", and "thoroughfare".

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

TRAVEL TRAILER PARK - Any plot of ground one (1) acre or more in size upon which two (2) or more travel trailers, occupied for temporary living purposes, are located, regardless of whether or not a charge is made for such accommodation.

YARD - A required open space other than a court unoccupied and unobstructed by any structure or portion of a structure from thirty (30) inches above the general ground level of the graded lot upward, provided, however; that fences, walls, poles, posts, and other customary yard accessories, ornaments, and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility. Swimming pools shall be allowed in yards provided that such pools are not closer than ten (10) feet to a principal building or any lot line.

YARD, FRONT - A yard extending between side lot lines across the front of a lot adjoining a street. A depth of required front yards shall be measured at right angles to a straight line joining the foremost point of the side lot line; in the case of rounded property corners at street intersection, shall be assumed to be the point at which the front and side lot lines would have met without such rounding. Front and rear yard lines shall be more or less parallel.

1. Double Frontage Lots - Unless the prevailing lot patterns indicate otherwise, front yards shall be provided on all frontage in accordance with the general regulations of the district concerning minimum depth of front yards.
2. Corner Lot Abutting Two Streets - A front yard of the depth generally required by the district shall be provided on both frontages.
3. Corner Lots Abutting Three Streets - A front yard of the depth generally required by the district shall be provided on both frontages.

YARD, REAR - The yard extending across the entire width of the lot between the rear lot line and the nearest part of the principal building, including covered porches, attached sheds and carports.

YARD, SIDE - The yard extending along the side lot line from the front yard to other rear yard, and lying between the side lot line and the nearest part of the principal building, including covered porches, attached sheds and carports.

ADULT ORIENTED BUSINESS - A commercial enterprise that exploits sex in one form or another comprising a large variety of sexually oriented businesses including movie theaters, bookstores, video rental outlets, houses of prostitution, escort agencies, massage parlors and topless/bottomless bars. Adult oriented business also refers to the materials or services that these businesses market including movies, videos, photographs, books, magazines, sexual devices as well as nude or semi-nude dancing and massages. The following are further definitions of specific adult oriented businesses and related terms:

A. Adult Entertainment Establishments

1. Adult Arcade - means an establishment where, for any form of consideration, one or more motion picture projectors, slide projectors or similar machines, for viewing by five or fewer persons each are used to show films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by emphasis upon the depiction or description of "specified sexual activities" or "specified anatomical areas."
2. Adult Bookstore - means an establishment which has as any of its stock-in-trade and offers for sale for any form of consideration any one or more of the following:
 - (a) books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, slide or other visual presentations which are characterized by an emphasis of the depiction or description of "specified sexual activities" or "specified anatomical areas; or

- (b) instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities".
3. Adult Cabaret - means a nightclub, bar, restaurant or similar establishment which regularly features live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities," or films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by an emphasis upon the depiction or description of "specified sexual activities" or "specified anatomical areas."
 4. Adult Motel - means a motel or similar establishment offering public accommodations for any form of consideration which provides patrons which closed circuit television transmission, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by an emphasis upon the depiction or description of "specified sexual activities" or "specified anatomical areas."
 5. Adult Motion Picture Theater - means a establishment where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are shown, and in which a substantial portion of the total presentation time is devoted to the showing of material which is characterized by an emphasis upon the depiction or description of "specified sexual activities" or "specified anatomical areas."
 6. Adult Theater - means a theater, concert hall, auditorium, or similar establishment which, for any form of consideration, regularly features live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities."
 7. Massage parlor - means an establishment where, for any form of consideration, massage, alcohol rub fomentation, electric or magnetic treatment, or similar treatment or manipulation of the human body is administered unless such treatment or manipulation is administered by a medical practitioner, chiropractor, acupuncturist, physical therapist or similar professional person licensed by the state. This definition does not include an athletic club, health club, school, gymnasium, reducing salon, spa or similar establishment where massage or similar manipulation of the human body is offered as an incidental or accessory service.
 8. Sexual encounter establishment - means an establishment, other than a hotel, motel or similar establishment offering public accommodations, which, for any form of consideration, provides a place where two or more persons may congregate, associate or consort in connection with "specified sexual activities" or the exposure of "specified anatomical areas." This definition does not include an establishment where a medical practitioner, psychologist, psychiatrist or similar professional person licensed by the state engages in sexual therapy.

B. Specified Anatomical Areas means any of the following:

1. Less than completely and opaquely covered human genitals, pubic region, buttocks, anus or female breasts below a point immediately above the top of the aureole; or
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

C. Specified Sexual Activities means any of the following:

1. Human genitals in a state of sexual stimulation or arousal;
2. Acts of human masturbation, sexual intercourse or sodomy;
3. Fondling or other erotic touching of human genitals, pubic regions, buttocks or female breasts;
4. Flagellation or torture in the context of a sexual relationship;
5. Masochism, erotic or sexually oriented torture, beating or the infliction of pain;
6. Erotic touching, fondling or other such contact with an animal by a human being;
or
7. Human excretion, urination, menstruation, vaginal or anal irrigation as part of or in connection with any of the activities set forth in “1” through “6” above.

CHAPTER 2

GENERAL PROVISIONS

For the purpose of this Resolution there shall be certain general provisions which shall apply to all portions of the Lake County.

SECTION 1. Zoning Affects Every Building and Use. No building or land shall hereafter be used and no building or part hereof shall be erected, moved, or altered unless for a use expressly permitted by and in conformity with the regulations herein specified for the district in which it is located, whether operated for or without compensation. However, this shall not be construed as authorizing the requirement of building permits or any regulation of building other than setback requirements from the right-of-way of a street or alley on lands devoted to agricultural uses. Nor shall it be construed as limiting or affecting in any way or controlling the agricultural uses of land.

SECTION 2. Non-conforming Uses and Building. Within the districts established by this Resolution or amendments that may later be adopted, there existing uses and/or structures which were lawful before this Resolution was passed or amended, but which would be prohibited, regulated or restricted under the terms of this Resolution or future amendment, the following shall apply.

- A. Any non-conforming building may not be:
1. Extended except in conformity with this Resolution.
 2. Rebuilt or repaired after damage exceeding seventy-five (75) percent of replacement cost except in conformity with the provisions of this resolution.
 3. Any non-conforming use of land may not be:
 1. Changed to another non-conforming use.
 4. Any non-conforming use of building may not be:
 1. Changed to another non-conforming use.
 2. Re-established after discontinuance of one year.
 3. Rebuilt or repaired after damage exceeding seventy-five (75) percent of replacement cost unless the use and building conform to the provisions of this Resolution.

SECTION 3. Erection of More than One Principal Building on a Lot. In any district more than one structure housing a permitted use may be erected on a single lot, provided that yard and other requirements of this Resolution shall be met for each structure as though it were on an individual lot. However, only two (2) mobile homes shall be allowed on a lot occupied by any other principal building unless said mobile homes are located in a Mobile Home Park.

SECTION 4. Accessory Building. No accessory building shall be erected in any required front yard or side yard and no separate accessory buildings shall be erected within ten (10) feet of any principal building.

SECTION 5. Temporary Buildings Permitted. A temporary building for construction materials and/or equipment and a temporary office for the sale or rental of real property, if in connection with and incidental and necessary to a real estate development, shall be permitted in any district provided that any building permit issued for such a building shall be valid for not more than six (6) months and may not be extended more than three (3) consecutive times.

SECTION 6. Required Yards Cannot Be Used by Another Building. No part of the yard, parking space or other open space required about any building or use for the purpose of comply with the provisions of this Resolution shall be included as part of the yard, parking space or other open space required under this resolution for another building.

SECTION 7. Obstruction to Vision at Street Intersection Prohibited. On a corner lot within the area formed by the centerline of the intersecting of intercepting streets and a line joining points of such center line at a distance of one hundred (100) feet from their intersection, there shall be no obstruction to vision from two and one-half (2 1/2) feet and a height of ten (10) feet above the average grade of each street at the centerline thereof. These requirements shall not construed to prohibit any necessary retaining wall.

SECTION 8. Signs.

- A. Signs Hindering Traffic Prohibited. No sign shall be erected or maintained at any location where by reason of its position, working, illumination, size, shape, or color it may obstruct, impair, obscure, interfere with the view of, or be confused with, any authorized traffic control sign, signal, or device. No sign shall contain or make use of any word, phrase, symbol, shape, form or character in such a manner as to interfere with or confuse traffic.
- B. Privately Owned Signs Prohibited in Public Right-of-way.
No sign shall be placed in any public right-of-way except publicly owned signs.
- C. Public Owned Signs. Publicly owned signs, such as traffic control signs and directional signs, are allowed in all districts.
- D. Certain Electrical Signs. No signs having flashing intermittent or animated illumination shall be permitted within three hundred (300) feet of property in districts permitting residential uses unless such sign is not visible from such property. No illuminated sign shall be permitted within fifty (50) feet of property in any residential district unless the illumination of such sign is so designed that it does not shine or reflect light on such property.
- E. Rotating Signs. No rotating signs, whether powered by electricity or some other source of energy will be allowed in any district where they are visible from a public street.
- F. Ground Sign. No ground sign shall be located closer than ten (10) feet to a street right-of-way unless such sign is at least ten (10) feet above the ground and vision under the sign is only incidentally obstructed by supporting members.

SECTION 9. Off-Street Parking Requirements.

- A. General - There shall be a permanent off-street parking provided for all uses in accordance with this Resolution, at the time of erection, enlargement, or when increased capacity is provided for any principal structure prior to either occupancy or the conversion from one use to another. Parking established prior to the enactment of this Resolution shall not be counted as serving a new building or addition, nor shall any parking space be substituted for loading space, nor any loading space substituted for a parking space.

- B. Location - Off-street parking shall be located on the same lot which it serves. If the parking cannot be reasonably provided on the same lot, the Board of Zoning appeals may permit parking space to be provided on other off-street property provided such space lies within two hundred (200) feet of the main entrance to such principal use.
- C. Signs and Maneuvering Room - Each parking space shall be equal to an area of two hundred (200) square feet. The width shall not be less than eight (8) feet and the length shall not be less than eighteen (18) feet. A minimum of four hundred (400) square feet per parking space shall be used when computing parking area to include maneuvering space.
- D. Access - Each parking space shall be directly accessible from a street or alley or from an adequate access aisle or drive way leading to or from a street or alley.
- E. May Serve as Yard Space - Parking space may be included as part of the required yard space associated with the permitted use.
- F. Number of Space for Specific Uses -
 1. Dwelling units - two (2) spaces for each unit.
 2. Hotel, rooming, or board house - one (1) space for each room or unit to be rented.
 3. Motel, tourist rooms, or tourist courts - one (1) space for each unit to be rented.
 4. Elementary school or junior high school - one (1) space for each teacher and administrative staff personnel and one (1) space for each ten (10) students for which the facility was designed.
 5. Senior high school - one (1) space for each teacher and administrative office staff plus one (1) space for each ten (10) students for which the building was designed.
 6. Stadium - one (1) space for each four (4) spectator seats.
 7. Hospital - one (1) space for each bed intended for patient use, exclusive of bassinets.
 8. Any theater, auditorium, church, or other place of public assembly - at least one (1) space for each four (4) seats provided in such place of assembly. In places where seating is not a measure of capacity, such as funeral parlors and club houses, at least one (1) space for each one hundred (100) square feet of floor space devoted to the particular use.
 9. Public utility buildings - one (1) space for each one hundred and fifty (150) square feet of total floor space.
 10. Banks and office buildings - one (1) space for each one hundred and fifty (150) square feet of total floor space.
 11. Bus and railroad terminals - one (1) space for each employee, plus one (1) space for each two hundred (200) square feet in waiting room.
 12. Clinic - Five (5) spaces for each doctor, plus one (1) space for each employee.
 13. Automobile service station - eight (8) spaces for each grease rack or similar facility, plus one (1) space for each gasoline pump.

14. Outdoor or indoor retail business use not previously listed - one (1) space for each one hundred (100) square feet of total sales area plus one (1) space for each employee.
15. Wholesale and distribution uses - one (1) space for each employee plus one (1) for each 50 square feet of sales or display area.

SECTION 10. Off-street Loading Requirements.

- A. Applicability - Within commercial and industrial districts as shown on the map entitled "Lake County Regional Zoning Map", no land shall be used or occupied and no structure shall be erected or used for commercial or industrial purposes unless the off-street loading spaces required herein are possible.
- B. Location - The off-street loading spaces required herein shall be in all cases on the same lot or parcel of land as the use of they are intended to serve. The off-street loading required herein shall in no case be used to satisfy the off-street parking requirements of this Resolution.
- C. Requirements -
 1. Commercial Districts - For uses which are permitted as a matter of right, one (1) space of at least 450 sq. ft. in area shall be provided. the off-street loading requirements for uses permitted on appeal shall be determined by the Board of Zoning Appeals.
 2. Industrial Districts - To be determined on an individual basis by the Lake County Regional Planning Commission. Detailed plans for off-street loading may be required before the issuance of any building permit.

SECTION 11. Access Control. In order to promote the safety of the motorist and pedestrian and to minimize traffic congestion and conflict by reducing contact, the following regulations shall apply:

- A. Plan Submission - In order to obtain access to a street, a workable plan relative to openings for ingress and egress, maneuvering, parking and loading spaces may be required by the Building Inspector. Such a plan shall include a scale drawing with not less than one (1) inch equalling twenty (20) feet.
- B. Number of Access Points - There shall be no more than two (2) points of access to any one (1) public street on a lot of less than three hundred (300) feet, but more than one hundred (100) feet in width. Lots in excess of three-hundred (300) feet may have two (2) points of access to any one (1) public street for each three hundred (300) feet of frontage. Lots less than one hundred (100) feet in width shall have no more than one (1) point of access to any one (1) public street.
- C. Distance to Intersections - All vehicular access points shall be located at least thirty (30) feet from the intersection of any right-of-way lines of streets a street and a railroad.
- D. Width - A point of access, i.e., a driveway or other opening for vehicles onto a public street, shall not exceed twenty-five (25) feet in width for one-way, one lane ingress or egress and shall not exceed thirty-five (35) feet in width for two-way ingress and/or egress. The County Highway Engineer may issue permits for a point of access up to fifty (50) feet in width for businesses engaged primarily in the servicing of motor vehicles.

- E. Affect on Curbs, Drainage Ditches, and Sidewalks - No curbs shall be cut or altered or drainage ditches covered for the purpose of access without written approval by the County Highway Engineer. Where sidewalks exist, the area existing between the street and an interior parking space or driveway parallel to the street shall have an effective barrier to prevent harm to pedestrians or sidewalk by encroachment of vehicles on to the sidewalk area.
- F. Relation to State Highway Regulations - Access control on property abutting state or federal highways shall be governed by official regulations of the Tennessee Department of Transportation.
- G. Variances - Causes requiring variance relative to this section and hardships not caused by the property owner shall be heard and acted upon by the Board of Zoning Appeals.

SECTION 12. Manufactured Residential Dwellings, Mobile Homes, and Tiny Houses. Manufactured residential dwellings, mobile homes and tiny houses as defined in Section 4.1 of this Resolution where allowed as a permitted use by this Resolution shall meet the following conditions:

- A. The manufactured residential dwelling, mobile home, or tiny house shall have the same general appearance as required for site-built homes.
- B. Manufactured Residential Dwellings and Tiny Houses must be installed on a permanent foundation system in compliance with all applicable requirements of the adopted building code. Mobile Homes must be securely underpinned in compliance with the adopted building code.
- C. The home must be covered with an exterior material customarily used on conventional dwellings. The exterior covering material shall extend to the ground except that, when a solid concrete or masonry perimeter foundation is used, the exterior covering material need not extend below the top of the foundation.
- D. Any hitches or towing apparatus, axles and wheels must be removed from Manufactured Residential Dwellings and Tiny Houses (but not from Mobile Homes).
- E. On Manufactured Residential Dwellings and Tiny Houses (not Mobile Homes) the roof must be pitched so there is at least a two-inch vertical rise for each twelve (12) inches of horizontal run. The roof must consist of material that is customarily used for conventional dwellings.
- F. The unit shall be required to connect to a public utility system which includes gas, electric, water and sewer. If water and/or sewer service is unavailable the unit must connect to a septic system and/or well approved by the Tennessee Department of Environment and Conservation.
- G. Manufactured residential dwelling units and mobile homes must not exceed one (1) story in height. Tiny houses may not exceed two (2) stories in height.

- H. The allowance of tiny houses in specific zoning districts shall not preclude them from being subject to private restrictive covenants which may be filed upon specific properties and which may serve to limit or disallow their placement on such properties.
- I. Lot width minimum requirements for individual zoning districts shall not be applicable for lots proposed for tiny house usage.
- J. Multiple tiny houses may be located on a single property so long as lot requirements are met for each tiny house as if it were on its own property.

SECTION 13 Site Plan Review - In instances where site plan review is required by either the Planning Commission or the Board of Zoning Appeals (BZA) for a new structure or addition larger than 10,000 square feet in size, the submitted site plan shall be drawn to scale of not less than 1"=50' and shall include, at a minimum, the following:

- A. Name and address of development.
- B. Name and address of the applicant and owner of record.
- C. Present zoning of the site and abutting properties.
- D. Date, graphic scale, and north point with reference to source of meridian.
- E. Courses and distances of center of all streets and all property lines, setback lines, property restricting lines, easements, covenants, reservations and rights-of-way.
- F. The total land area.
- G. A vicinity map showing the location of the property in relation to the County.
- H. Topography of the existing ground and paved areas and elevations in relation to mean sea level of streets, alleys, utilities, sanitary and storm sewers, and buildings and structures. Topography to be shown by dashed line illustrating one (1) foot contours and by spot elevation where necessary to indicate flat areas.
- I. Certification as to the following: Certificate of accuracy of the plan by a licensed architect or engineer; and, certificate of approval by either the Lake County Regional Planning Commission or the Lake County BZA (whichever is applicable).
- J. The location, dimensions, site and height of the following when existing:
 - 1. Sidewalks, streets, alleys, easements and utilities.
 - 2. Buildings and structures.
 - 3. Public waste water systems.
 - 4. Slopes, terraces and retaining walls.
 - 5. Driveways, entrances, exits, parking areas and sidewalks.
 - 6. Water mains and fire hydrants.

7. Trees and shrubs.
8. Recreational areas and swimming pools.
9. Natural and artificial water courses.
10. Limits of flood plains.

K. The location, dimensions, site and height of the following when proposed:

1. Sidewalks, streets, alleys, easements and utilities.
2. Buildings and structures including the front (street) elevation of proposed buildings.
3. Public waste water systems.
4. Slopes and terraces, and retaining walls.
5. Driveways, entrances, exits, parking areas and sidewalks.
6. Water mains and fire hydrants.
7. Trees and shrubs.
8. Recreational areas.
9. Distances between buildings.
10. Estimates of the following when applicable:
 - (a) Number of dwelling units.
 - (b) Number of parking spaces.
 - (c) Number of loading spaces.
 - (d) Number of commercial or industrial tenants and employees.
11. Proposed grading, surface drainage terraces, retaining wall heights, grades on paving area, and ground floor elevations of proposed building and structures. Proposed topography of the site shall be shown by one (1) foot contours.

L. In instances where the proposed construction is for a new building or addition less than 10,000 square feet in size the site plan shall consist of the following:

1. All property lines.
2. All building restricting lines, setback lines, easements, covenants, reservations and rights-of-way.
3. Total land area.
4. Present zoning of site and abutting properties.
5. Name, address of owner of record and applicant.
6. Provisions for utilities (water, sewer, etc.)
7. Location and dimensions of the proposed structures.
8. Parking spaces (new and proposed), internal drives, driveway access points.

The Planning Commission or BZA reserves the right to require appropriate screening and buffering, and/or increased minimum building setback lines, prior to site plan approval, in order to preserve the character of a surrounding neighborhood. If specific site plan criteria is already established in the provisions of a specific zoning district, then the specific zoning district criteria shall apply.

CHAPTER 3

ESTABLISHMENT OF DISTRICTS

SECTION 1. Classification of Districts. For the purpose of this resolution, the lands within Lake County are divided into eight (8) classes of districts designated as follows:

- FAR - Forestry-Agricultural-Residential District
- R - Residential District
- R-M - Residential-Mobile Home District
- GC - General Commercial District
- LFC - Lake-Front Commercial District
- LOC - Lake-Oriented Commercial District
- I - Industrial District
- FH - Flood Hazard District (overlay district)
- S-C - Special Commercial Districts

SECTION 2. Boundaries of Districts. The boundaries of the above described districts are shown upon maps, which are made a part of this Resolution and are designated as the Lake County Regional Zoning Map. The originals of the Lake County Regional Zoning Map are on file at the County Judge's office and are available for inspection by the public at all reasonable times, as long as this Resolution remains in effect.

- A. Exact Determination - Unless otherwise indicated, boundaries as shown on the Official Zoning Maps are indicated as following lot lines, the center lines of streets or alleys, the center lines of railroad right-of-way lines or regional boundary lines shall be construed to follow such lines. Questions concerning the exact locations of district boundaries shall be determined by the Lake County Board of Zoning Appeals.

CHAPTER 4

PROVISIONS GOVERNING ZONING DISTRICTS

The following regulations shall apply in the six zoning districts established in Chapter 3 of this resolution.

SECTION 1. (FAR) Forestry-Agricultural-Residential District.

- A. District Description - This district is established to allow for a minimal amount of land regulations within an area to be used primarily for agriculture, forestry and low density residential development. The principal intent of the FAR District will be to maintain the rural character of Lake County.
- B. Uses Permitted - In the (FAR) Forestry-Agricultural-Residential District, the following uses and their accessory uses are permitted:
1. Agricultural and forestry uses.
 2. Detached single-family and two-family dwellings.
 3. Mobile homes on individual lots.
 4. Roadside stands for sale of farm products produced on the premises.
 5. Signs, as provided in Chapter 2, Section 8.
 6. Tiny Houses
- C. Uses Permitted Contingent on Site Plan Approval - In the (FAR) Forestry-Agricultural-Residential District, the following uses and their accessory uses may be permitted subject to site plan review and approval by the Lake County Regional Planning Commission.
1. Mobile Home Parks, provided the following minimum requirements and provisions are met:
 - a. Each mobile home park shall have a minimum of one and one-half (1 1/2) acres and shall consist of 3 or more mobile home spaces.
 - b. Mobile homes shall not be used for commercial, industrial, or other non-residential uses within the mobile home park.
 - c. Access roads within a mobile home park shall be paved to a width of not less than twenty (20) feet. Where access roads are paved to a width of thirty (30) feet or more, the required guest parking area shall be waived.
 - d. All mobile homes shall be secured to the site through an anchorage system consisting of over the top tie downs to restrict overturning and frame tie downs to restrict the unit from being pushed from its piers. These tie downs shall meet the anchorage requirements specified by Tennessee State Statutes.

- e. Each mobile home park shall provide a central utility system for the supply of water and the collection and disposal of sanitary waste approved by the County Health Department and/or the Tennessee Department of Public Health.
 - f. Utility connections shall be provided in a permanent type installation at each mobile home space.
 - g. Minimum area per mobile home space shall be 3,600 square feet with the following yard space requirements:
 - (1) Front Yard - 10 feet
 - (2) Rear Yard - 10 feet
 - (3) Side Yard - 5 feet
 - h. Each mobile home shall be setback a minimum of twenty-five (25) feet from all street or road right-of-ways.
 - i. There shall be a setback of 10 feet from other property lines.
 - j. A mobile home park must have direct access to an improved all-weather county road, as determined by the Planning Commission.
 - k. Recreation areas and facilities, such as playgrounds, swimming pools, and community buildings should be provided to meet the anticipated needs of the clientele the park is designated to serve.
2. Private Landing Strips, for fixed-wing single engine aircraft, provided the following minimum requirements are met:
- a. A site plan of the proposed landing strip shall be presented at the time of the proposals.
 - b. A minimum of 15 acres of land (under one ownership) is required.
 - c. The landing strip shall be a minimum of one hundred (100) feet wide and two thousand (2,000) feet long.
 - d. No landing strip shall be located any closer than two hundred (200) feet from any residence (other than owner's residence).
 - e. The landing strip shall be situated in such a manner that under no circumstances shall an approach or departure be over a residence, provided that the residence located a minimum of two hundred (200) feet beyond the end of the required two thousand (2,000) feet for the landing strip.
 - f. Any other requirements which in the opinion of the Planning Commission would be required to protect the safety and welfare of the surrounding area.
3. Solar Farms, subject to site plan review by the Planning Commission and the following conditions:
- a. Solar farms shall be enclosed by perimeter fencing to restrict unauthorized access with a minimum height of six (6) feet.

- b. Solar farms shall adhere to the maximum height requirement of the district. Solar farms shall be allowed to span multiple properties under either the same ownership or when two or more properties that are under different ownership are leased to a single entity, with all involved properties being treated as a single property for zoning purposes. When a solar farm is permitted to span multiple properties, the setback requirements of the district shall be adhered to, but only along the perimeter boundaries of the entire solar farm project and not for each interior property boundary involved.
- c. Solar farm structures must be set back a minimum of 250 feet from residentially used structures.
- d. Solar farms must not create increased noise levels that are discernible to nearby residential uses.
- e. Solar farms must not produce glare that would constitute a nuisance to occupants of neighboring properties or persons traveling neighboring roads.
- f. Solar farms which have not been active for a period of one (1) year shall be removed at the owners or operators expense.

D. Uses Permitted on Appeals - In the (FAR) Forestry-Agricultural-Residential District, the following uses and their accessory uses may be permitted subject to approval by the Lake County Board of Zoning Appeals.

- 1. Churches, cemeteries, schools, golf courses and country clubs, public and semi-public uses, and public and private recreational uses.
- 2. Medical facilities.
- 3. Commercial livestock feeding and sales yards.
- 4. Riding stables and kennels.
- 5. Greenhouses and nurseries.
- 6. Subsurface extraction of natural mineral resources.
- 7. Sanitary landfill operations, subject to approval of Tennessee Department of Public Health, but not to include hazardous waste or chemical waste landfills.
- 8. Customary incidental home occupations subject to such conditions as the Board of Zoning Appeals may require in order to preserve and protect the character of the neighborhood in which the proposed use is located and provided further that:
 - a. Location - the proposed use shall be located and conducted in the principal building only.

- b. Principals and employees - the principal and employees engaged in the proposed use shall be residents of the dwelling unit in which the proposed use is located.
 - c. Floor Area - not more than fifteen (15) percent of the total floor area in a dwelling unit shall be devoted to the proposed use, except that up to thirty (30) percent of the total floor area may be devoted to the taking of borders, tourists, or leasing of rooms.
 - d. Storage - the proposed use shall not be the primary or incidental storage facilities for business, industrial or agricultural activity conducted elsewhere.
 - e. Visibility - no activity, materials, goods or equipment indicative of the proposed use shall be visible from any public street or alley.
 - f. Advertising - the proposed use may advertise by the use of signs on the lot on which the proposed use is located, however, the size of the sign shall not exceed twelve (12) square feet.
 - g. Undesirable effects - the proposed use shall not generate noise, odor, fumes, smoke, vehicular or pedestrian traffic, nor nuisance of any kind which would tend to depreciate the residential character of the neighborhood in which the proposed use is located.
9. Telecommunication structures and equipment subject to the following standards as determined by the Board of Zoning Appeals:
- a. That a documented attempt has been made by the applicant to make shared use of existing or planned telecommunications structures in the County and that such shared use has been denied. A list shall be provided of all owners contacted, the date of such contact, and the form and content of such contact.
 - b. That 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 uses to a shared site. The Board of Zoning Appeals may consider expert testimony to determine whether the fee and costs are reasonable. Costs exceeding new tower development are presumed unreasonable.
 - c. That any shared use of existing telecommunications structures is technically impractical as supported by technical documentation from a licensed professional independent of the applicant.
 - d. That any proposed telecommunications structure may not be situated within one (1) mile of any existing telecommunications structures.
 - e. That any proposed telecommunications structure may not be situated closer than 500 feet to any residential structure.
 - f. That telecommunications structures may not be situated such that a collapse from any cause may pose a hazard to any residential or other structures, or vehicular traffic.
 - g. That all towers shall be located a distance equal to their height plus ten (10) feet from any property line.

- h. That the Board of Zoning Appeals may not allow any telecommunications structures except in compliance with the above standards.
- E. Uses Prohibited - In the (FAR Forestry-Agricultural-Residential) District, all uses except those uses or their accessory uses specifically permitted or permitted on appeal are prohibited.
- F. Dimensional Regulations - All use permitted without appeal in the (FAR) Forestry-Agricultural- Residential District shall comply with the following requirements except as provided in Chapter 5 (Dimensional Requirements for uses permitted on appeal shall be determined by the Lake County Board of Zoning Appeals).
 - 1. Front Yard - The minimum depth of the front yard shall be forty (40) feet.
 - 2. Rear Yard - The minimum depth of the rear yard shall be twenty-five (25) feet for the principal structure and fifteen (15) feet for any permitted accessory structures.
 - 3. Side Yard - The side yards shall be a minimum of twenty (20) for a single-store structure, plus an additional five (5) feet for each additional story.
 - 4. Land Area - No parcel of land shall be reduced in size to provide separate lots or building sites of less than one (1) acre in a usable area.
 - 5. Maximum Lot Coverage - Permitted non-agricultural uses, excluding solar farms, both principal and accessory, shall cover no more than thirty (30) percent of the total land area. Solar farms shall not be subject to any maximum lot coverage requirements.
 - 6. Lot Width - No lot shall be less than one hundred (100) feet wide at the building setback line.
 - 7. Height Requirement - No building shall exceed three (3) stories or thirty-five (35) feet in height, except as provided in Chapter 5.
 - 8. Parking Space Requirements - as regulated in Chapter 2.

SECTION 2A. (R) Residential District.

- A. District Description - This district is intended primarily to allow low-density residential developments within unincorporated urban areas, adjacent to or near incorporated areas, and in other areas suitable for such development. These areas may have access to a public water system and a public sewerage system. The principal uses of land ranges from single-family to low-density multi-family uses provided that appropriate conditions and safeguards are met.
- B. Uses Permitted - In the (R) Residential District, the following uses and their accessory uses are permitted:
 - 1. Detached single-family and two-family dwellings.
 - 2. Signs as provided in chapter 2, Section 8.
 - 3. Tiny Houses

C. Uses Permitted Contingent on Site Plan Approval - In the (R) Residential District, the following uses and their accessory uses may be permitted subject to site plan review and approval by the Lake County Regional Commission.

1. Multi-Family Dwellings, provided the following minimum requirements and provisions are met.
 - a. Each multi-family development shall provide a minimum lot area calculated at 12,000 square feet for the first unit plus 3,000 square feet for each additional unit.
 - b. Each multi-family development shall be serviced by a public water system and public sewer system.
 - c. No part of any building group shall be nearer than thirty (30) feet to any other building group.
 - d. Lot Area Requirements:
 - (1) Front Yard - 50 feet
 - (2) Rear Yard - 30 feet
 - (3) Side Yard - 25 feet
 - e. In its review and approval of the multi-family development, the Planning Commission may attach such conditions as are necessary to preserve and protect the character of the district in which the proposed use is located.

D. Uses Permitted on Appeal - In the (R) Residential District, the following uses and their accessory uses may be permitted subject to approval by the Lake County Board of Zoning Appeals.

1. Churches, cemeteries, schools, golf courses and country clubs, public and semi-public uses, and public recreational uses.
2. Medical facilities.
3. Rest homes.
4. Riding stables and kennels.
5. Greenhouses and nurseries.
6. Kindergartens and day nurseries.
7. Customary incidental home occupations subject to such conditions as the Board of Zoning Appeals may require in order to preserve and protect the character of the neighborhood in which the proposed use is located and provided further that:
 - a. Location - the proposed use shall be located and conducted in the principal building only.
 - b. Principals and employees - the principals and employees engaged in the proposed use shall be residents of the dwelling unit in which the proposed use is located.

- c. Floor Area - not more than fifteen (15) percent of the total floor area in a dwelling unit shall be devoted to the proposed use, except that up to thirty (30) percent of the total floor area may be devoted to the taking of borders, tourists, or the leasing of rooms.
 - d. Storage - the proposed use shall not be the primary or incidental storage facilities for a business, industrial, or agricultural activity conducted elsewhere.
 - e. Visibility - no activity, materials, goods or equipment indicative of the proposed use shall be visible from any public street or alley.
 - f. Advertising - the proposed use may advertise by use of signs on the lot on which the proposed use is located, however, the size of the sign shall not exceed twelve (12) square feet.
 - g. Undesirable Effects - the proposed use shall not generate noise, odor, fumes, smoke, vehicular or pedestrian traffic, nor nuisance of any kind which would tend to depreciate the residential character of the neighborhood in which the proposed use is located.
- E. Uses Prohibited - In the (R) Residential District, all uses except those uses or their accessory uses specifically permitted or permitted on appeal are prohibited.
- F. Dimensional Regulations - All uses permitted without appeal in the (R) Residential District shall comply with the following requirements except as provided in Chapter 5 (Dimensional Requirements for uses permitted on appeal shall be determined by the Lake County Board of Zoning Appeals).
- 1. Front Yard - The minimum depth of the front yard shall be thirty (30) feet.
 - 2. Rear Yard - the minimum depth of the rear yard shall be twenty (20) feet from the principal structure and ten (10) feet for any permitted accessory structures.
 - 3. Side Yard - The side yards shall be a minimum of ten (10) feet for a single-story structure, plus an additional five (5) feet for each additional story.
 - 4. Land Area - No parcel of land shall be reduced in size to provide separate lots or building sites of less than 20,000 square feet, except as specified below:
 - a. Residential lots served by both public water and sewer may be reduced in size to 7,500 square feet for single-family dwellings and 12,000 square feet for two-family dwellings.
 - 5. Maximum Lot Coverage - Permitted non-agricultural uses both principal and accessory, shall cover no more than forty (40) percent of the total land area.
 - 6. Lot Width - No lot shall be less than sixty (60) feet wide at the building setback line.
 - 7. Height Requirement - No building shall exceed three (3) stories or thirty-five (35) feet in height, except as provided in Chapter 5.
 - 8. Parking Space Requirements - As regulated in Chapter 2.

SECTION 2B. (R-M) Residential-Mobile Home District.

- A. District Description - This district is intended primarily to allow low-density residential developments within unincorporated urban areas, adjacent to or near incorporated areas, and in other areas suitable for such development. These areas may have access to a public water system and a public sewerage system. The principal uses of land ranges from single-family to low-density multi-family uses provided that appropriate conditions and safeguards are met.
- B. Uses Permitted - In the (R-M) Residential-Mobile Home District, the following uses and their accessory uses are permitted:
1. Detached single-family and two-family dwellings.
 2. Mobile Homes on individual lots.
 3. Signs as provided in chapter 2, Section 8.
 4. Tiny Houses
- C. Uses Permitted Contingent on Site Plan Approval - In the (R-M) Residential-Mobile Home District, the following uses and their accessory uses may be permitted subject to site plan review and approval by the Lake County Regional Commission.
1. Multi-Family Dwellings, provided the following minimum requirements and provisions are met.
 - a. Each multi-family development shall provide a minimum lot area calculated at 12,000 feet for the first unit plus 3,000 square feet for each additional unit.
 - b. Each multi-family development shall be serviced by a public water system and public sewer system.
 - c. No part of any building group shall be nearer than thirty (30) feet to any other building group.
 - d. Lot Area Requirements:
 - (1) Front Yard - 50 feet
 - (2) Rear Yard - 30 feet
 - (3) Side Yard - 25 feet
 - e. In its review and approval of the multi-family development, the Planning Commission may attach such conditions as are necessary to preserve and protect the character of the district in which the proposed use is located.
 2. Mobile Home Parks, provided the following minimum requirements and provisions are met:
 - a. Each mobile home park shall have a minimum of one (1) acre and shall consist of three (3) or more mobile home spaces.
 - b. Mobile homes shall not be used for commercial, industrial, or other non-residential uses within the mobile home park.

- c. Access roads within a mobile home park shall be paved to a width of not less than twenty (20) feet. Where access roads are paved to a width of thirty (30) feet or more, the required guest parking area shall be waived.
 - d. All mobile homes shall be secured to the site through an anchorage system consisting of over the top tie downs to restrict overturning and frame tie down to restrict the unit from being pushed from its piers. These tie downs shall meet the anchorage requirements specified by Tennessee State Statutes.
 - e. Each mobile home park shall have direct access to a public water and sewer system.
 - f. Utility connections shall be provided in a permanent type installation at each mobile home space.
 - g. Minimum area per mobile home space shall be 3,600 square feet with the following yard space requirements:
 - (1) Front Yard - 10 feet
 - (2) Rear Yard - 10 feet
 - (3) Side Yard - 5 feet.
 - h. Each mobile home park shall be setback a minimum of twenty-five (25) feet from all street or road right-of-ways.
 - i. There shall be a setback of ten (10) feet from other property lines.
 - j. A mobile home park must have direct access to an improved, all weather county road, as determined by the Planning Commission.
 - k. Recreation areas and facilities, such as playgrounds, swimming pools, and community buildings should be provided to meet the anticipated needs of the clientele the park is designed to serve.
3. Group Camps (Tents and Camping Trailers), provided the following minimum requirements and provisions are met:
- a. There shall be at least fifteen (15) feet between all trailers with their tow vehicles and any other trailer or tow vehicle. There shall be at least fifteen (15) feet between all tents.
 - b. There shall not be more than one (1) sign for each group camp, and it shall be setback twenty-five (25) feet from the road right-of-way. It shall not exceed twenty (20) square feet in sign area, per face.
 - c. No trailer or tent may be located within:
 - (1) Thirty-five (35) feet of the front property line.
 - (2) Fifteen (15) feet of the side property lines.

(3) Twenty (20) feet of the rear property lines.

- d. All travel trailer camps shall comply with the requirements of the Tennessee Trailer Court Act, TCA, Section 53-3201 thru 53-3220, regarding water supply, sewage disposal facilities, refuse storage, collection and disposal.
- e. Each group camp must have access to a public water and sanitary sewer.
- f. There shall be a minimum lot size of one (1) acre for each group camp.

D. Uses Permitted on Appeal - In the (R-M) Residential-Mobile Home District, the following uses and their accessory uses may be permitted subject to approval by the Lake County Board of Zoning Appeals.

- 1. Churches, cemeteries, schools, golf courses and country clubs, public and semi-public uses, and public and private recreational uses.
- 2. Medical facilities.
- 3. Rest homes.
- 4. Riding stables and kennels.
- 5. Greenhouses and nurseries.
- 6. Kindergartens and day nurseries.
- 7. Customary incidental home occupations subject to such conditions as the Board of Zoning Appeals may require in order to preserve and protect the character of the neighborhood in which the proposed use is located and provided further that:
 - a. Location - the proposed use shall be located and conducted in the principal building only.
 - b. Principals and employees - the principals and employees engaged in the proposed use shall be residents of the dwelling unit in which the proposed use is located.
 - c. Floor Area - not more than fifteen (15) percent of the total floor area in a dwelling unit shall be devoted to the proposed use, except that up to thirty (30) percent of the total floor area may be devoted to the taking of borders, tourists, or the leasing of rooms.
 - d. Storage - the proposed use shall not be the primary or incidental storage facilities for a business, industrial, or agricultural activity conducted elsewhere.
 - e. Visibility - no activity, materials, goods or equipment indicative of the proposed use shall be visible from any public street or alley.
 - f. Advertising - the proposed use may advertise by use of signs on the lot on which the proposed use is located, however, the size of the sign shall not exceed twelve (12) square feet.
 - g. Undesirable Effects - the proposed use shall not generate noise, odor, fumes, smoke, vehicular or pedestrian traffic, nor nuisance of any kind which would tend to

depreciate the residential character of the neighborhood in which the proposed use is located.

- E. Uses Prohibited - In the (R) Residential District, all uses except those uses or their accessory uses specifically permitted or permitted on appeal are prohibited.
- F. Dimensional Regulations - All uses permitted without appeal in the (R) Residential District shall comply with the following requirements except as provided in Chapter 5 (Dimensional Requirements for uses permitted on appeal shall be determined by the Lake County Board of Zoning Appeals).
 - 1. Front Yard - The minimum depth of the front yard shall be thirty (30) feet.
 - 2. Rear Yard - the minimum depth of the rear yard shall be twenty (20) feet from the principal structure and ten (10) feet for any permitted accessory structures.
 - 3. Side Yard - The side yards shall be a minimum of ten (10) feet for a single-story structure, plus an additional five (5) feet for each additional story.
 - 4. Land Area - No parcel of land shall be reduced in size to provide separate lots or building sites of less than 20,000 square feet, except as specified below:
 - a. Residential lots served by both public water and public sewer may be reduced in size to 10,000 square feet for single-family and 12,000 for two-family.
 - 5. Maximum Lot Coverage - Permitted non-agricultural uses both principal and accessory, shall cover no more than forty (40) percent of the total land area.
 - 6. Lot Width - No lot shall be less than sixty (60) feet wide at the building setback line.
 - 7. Height Requirement - No building shall exceed three (3) stories or thirty-five (35) feet in height, except as provided in Chapter 5.
 - 8. Parking Space Requirements - As regulated in Chapter 2.

SECTION 3. (GC) GENERAL COMMERCIAL DISTRICT

- A. District Description - The (GC) General Commercial District is established to provide areas in which the principal use of land is devoted to general and highway commercial activities along the principal thoroughfares and collector roads in the Lake County. Regulations are designed to preserve the traffic carrying capacity of the roads and highways and to provide for necessary off-street parking and loading.
- B. Uses Permitted - In the (GC) General Commercial District, the following uses and their accessory uses are permitted:
 - 1. Hotels, motels and tourist courts.
 - 2. Drive-in commercial establishments.
 - 3. Travel trailer parks.
 - 4. Automobile service, sales, and repair establishments.

5. Truck stops, truck sales, service and repair.
 6. Individual retail stores, professional and service offices and commercial recreation uses.
 7. Wholesaling and distribution centers.
 8. Governmental buildings.
 9. Signs, as provided in Chapter 2, Section 8.
- C. Uses Permitted on Appeal - In the (GC) General Commercial District, the following uses and their accessory uses may be permitted subject to approval of the Lake County Board of Zoning Appeals.
1. Churches, cemeteries, schools, public and semi-public uses, and recreational uses.
 2. Manufacturing establishments which are judged by the Board of Zoning Appeals to have no detrimental effect on the general commercial center and which employ no more than twelve (12) employees.
 3. Any business or service, which in the opinion of the Board of Zoning Appeals, is the same general character as the above permitted uses, and subject to such conditions and safeguards as the board may specify to preserve the character of the district.
- D. Uses Prohibited - In the (GC) General Commercial District, all uses, except those uses or their accessory uses specifically permitted or permitted upon appeal are prohibited.
- E. Dimensional Regulations - All uses permitted without appeal in the (GC) general Commercial District shall comply with the following requirements except as provided in Chapter 5. (Dimensional requirements for uses permitted on appeal shall be determined by the Lake County Board of Zoning Appeals).
1. Front Yard - The minimum depth of the front yard shall be thirty (30) feet.
 2. Rear Yard - The minimum depth of the rear yard shall be twenty (20) feet.
 3. Side Yard - The minimum side yard requirement shall be 20 feet for single-store structures, plus 5 additional feet for each additional story.
 4. Land Area - No parcel of land shall be reduced in size to provide separate lots or building sites of less than 20,00 square feet in usable area, except as specified below:
 - (a) Lots served by both public water and public sewer may be reduced in size to 10,000 square feet.
 5. Maximum Lot Coverage - No maximum lot coverage shall be imposed in the (GC) General Commercial District.
 6. Lot Width - No lot shall be less than sixty (60) feet wide at the building setback line.
 7. Height Requirement - No building shall exceed three (3) stories or thirty-five (35) feet in height, except as provided in Chapter 5.

8. Parking Space Requirements - As regulated in Chapter 2.

SECTION 4. (LFC) Lake Front Commercial District.

- A. District Description - This district is developed to allow highly specialized commercial establishments specifically related to fishing and boating to be located on Lake County. It limits the types of businesses with direct access to the lake in order that water activities can be serviced protecting the environment from unnecessary and excessive development.
- B. Uses Permitted - In the (LFC) Lake Front Commercial District, the following uses and their accessory uses are permitted.
1. Boat docks, fish docks and marine service stations.
 2. Public parks, playgrounds and community buildings.
 3. Signs, as provided in Chapter 2, Section 8.
- C. Conditional Uses Permitted on Appeal - Except as limited by Subsection D. of this section the following uses and their accessory uses may be permitted by the Lake County Board of Zoning Appeals:
1. Stores for the sale of fishing tackle and bait, sporting goods and refreshments.
 2. Group Camps (Tents and Camping Trailers), provided the following minimum requirements and provisions are met:
 - a. There shall be at least fifteen (15) feet between all trailers with their tow vehicles and any other trailer or tow vehicle. There shall be at least fifteen (15) feet between all tents.
 - b. There shall not be more than one (1) sign for each group camp, and it shall be setback twenty-five (25) feet from the road right-of-way. It shall not exceed twenty (20) square feet in sign area, per face.
 - c. No trailer or tent may be located within:
 - (1) Thirty-five (35) feet of the front property line.
 - (2) Fifteen (15) feet of the side property lines.
 - d. All travel trailer camps shall comply with the requirements of the Tennessee Trailer Court Act, TCA, Section 53-3201 thru 53-3220, regarding water supply, sewage disposal facilities, refuse storage, collection and disposal.
 - e. Each group camp must have access to a public water and sanitary sewer.
- D. Limitations on Conditional Uses - In addition to the standards and conditions that are attached to the approval of conditional uses as provided in Subsection C., the following limitations shall apply to conditional uses in the LFC zone.
1. It is the opinion of the Board of Zoning Appeals that the proposed use is specifically related to the fishing and boating to be located on Lake County.

2. It is the opinion of the Board of Zoning Appeals that the proposed use will not adversely affect the water quality or scenic character of Lake County. The Board of Zoning Appeals may also attach conditions for approval relative to the following factors:
 - a. Changed in natural grade.
 - b. Access to and setback from water front.
 - c. Establishment and maintenance of buffers and easements.
- E. Uses Prohibited - In the (LFC) Lake Front Commercial District, all uses except those uses or their accessory uses specifically permitted or permitted on appeal or prohibited.
- F. Dimensional Regulations - All uses permitted without appeal in the (LFC) Lake Front Commercial District shall comply with the following requirements except as provided in Chapter 5. (Dimensional Requirements for uses permitted on appeal shall be determined by the Lake County Board of Zoning Appeals).
1. Front Yard - The minimum depth of the front yard shall be thirty-five feet.
 2. Rear Yard - No rear yard requirement will be imposed on permitted uses in the (LFC) Lake Front Commercial zone.
 3. Side Yard - The side yards shall be a minimum of fifteen (15) feet for a single-story structure, plus an additional five (5) feet for each additional story.
 4. Land Area - All lots permitted must be of sufficient size to meet all dimensional regulations of this section and parking space requirements as regulated in Chapter 2.
 5. Maximum Lot Coverage - Permitted non-agricultural uses, both principal and accessory, shall cover no more than forty (40) percent of the total land area.
 6. Lot Width - No lot shall be less than fifty (50) feet wide at the building setback line.
 7. Height Requirement - No building shall exceed three (3) stories or thirty-five (35) feet in height, except as provided in Chapter 5.
 8. Parking Space Requirements - as regulated in Chapter 2.

Section 5. (LOC) Lake-Oriented Commercial District

- A. District Description - This district is developed to allow commercial establishments to service recreational and lake-oriented demands generated by the proximity of Lake County. It provides adequate access to goods and services through concentrations of lake-oriented activities rather than through extended strip commercial areas surrounding the lake.
- B. Uses Permitted - In the (LOC) Lake-Oriented Commercial District, the following uses and their accessory uses are permitted.
1. Hotels, motels and resort lodges.
 2. Restaurants

3. Recreation supply stores
4. Marine service supply stores and other similar lake-oriented uses.
5. Detached single-family permanent and seasonal dwellings.
6. Mobile homes on individual lots.
7. Public parks, playgrounds and community buildings.
8. Signs, as provided in Chapter 2, Section 8.
9. Cultural Centers, such as museums, libraries, and aquariums.
10. Amusements, such as, private parks, miniature golf, go cart parks, bowling alleys, inflatable parks, water related parks to include swimming pools and splash pads, trampoline parks, skate parks, and golf driving ranges.
11. Recreational activity centers, such as theaters and auditoriums (indoor and outdoor).
12. Tiny Houses.

C. Uses Permitted Contingent on Site Plan Approval - In the (LOC) Lake-Oriented Commercial District, the following uses and their accessory uses may be permitted subject to site plan review and approval by the Lake County Regional Planning Commission.

1. Mobile Home Parks, provided the following minimum requirements and provisions are met:
 - a. Each mobile home park shall have a minimum of one (1) acre and shall consist of three (3) or more mobile home spaces.
 - b. Mobile homes shall not be used for commercial, industrial, or other non-residential uses within the mobile home park.
 - c. Access roads within a mobile home park shall be paved to a width of not less than twenty (20) feet. Where access roads are paved to a width of thirty (30) feet or more, the required guest parking area shall be waived.
 - d. All mobile homes shall be secured to the site through an anchorage system consisting of over the top tie downs to restrict overturning and frame tie down to restrict the unit from being pushed from its piers. These tie downs shall meet the anchorage requirements specified by Tennessee State Statutes.
 - e. Each mobile home park shall have direct access to a public water and sewer system.
 - f. Utility connections shall be provided in a permanent type installation at each mobile home space.
 - g. Minimum area per mobile home space shall be 3,600 square feet with the following yard space requirements:

- (1) Front Yard - 10 feet
 - (2) Rear Yard - 10 feet
 - (3) Side Yard - 5 feet.
- h. Each mobile home park shall be setback a minimum of twenty-five (25) feet from all street or road right-of-ways.
 - i. There shall be a setback of ten (10) feet from other property lines.
 - j. A mobile home park must have direct access to an improved, all weather county road, as determined by the Planning Commission.
 - k. Recreation areas and facilities, such as playgrounds, swimming pools, and community buildings should be provided to meet the anticipated needs of the clientele the park is designed to serve.
2. Group Camps (Tents and Camping Trailers), provided the following minimum requirements and provisions are met:
- a. There shall be at least fifteen (15) feet between all trailers with their tow vehicles and any other trailer or tow vehicle. There shall be at least fifteen (15) feet between all tents.
 - b. There shall not be more than one (1) sign for each group camp, and it shall be setback twenty-five (25) feet from the road right-of-way. It shall not exceed twenty (20) square feet in sign area, per face.
 - c. No trailer or tent may be located within:
 - (1) Thirty-five (35) feet of the front property line.
 - (2) Fifteen (15) feet of the side property lines.
 - (3) Twenty (20) feet of the rear property lines.
 - d. All travel trailer camps shall comply with the requirements of the Tennessee Trailer Court Act, TCA, Section 53-3201 thru 53-3220, regarding water supply, sewage disposal facilities, refuse storage, collection and disposal.
 - e. Each group camp must have access to a public water and sanitary sewer.
- D. Uses Permitted on Appeals. In the (LOC) Lake Oriented Commercial District, the following uses and their accessory uses may be permitted subject to approval of the Lake County Board of Zoning Appeals.
- 1. Churches, cemeteries, schools.
 - 2. Any other similar use or service, which in the opinion of the Board of Zoning Appeals is of the same general character as the above permitted uses, and subject to such conditions and safeguards as the Board may specify to preserve the character of the district.

- E. Dimensional Regulations - All permitted without appeal in the (LOC) Lake-Oriented Commercial District shall comply with the following requirements except as provided in Chapter 5. (Dimensional Requirements for uses permitted on appeal shall be determined by the Lake County Board of zoning Appeals.)
1. Front Yard - The minimum depth of the front yard for:
 - a. Residential uses - 30 feet
 - b. Non-residential uses - 25 feet
 2. Rear Yard - The minimum depth of the rear yard for:
 - a. Residential uses - 20 feet
 - b. Non-residential - 15 feet
 3. Side Yard - The minimum depth of the side yard for:
 - a. Residential and non-residential uses - 10 feet for single-story structures, plus 5 additional feet for each additional story.
 4. Land Area - No parcel of land shall be reduced in size to provide separate lots or building sites of less than 20,000 square feet in usable area, except as specified below:
 - a. Residential or Commercial lots served by both public water and public sewer may be reduced in size to 10,000 square feet.
 5. Maximum Lot Coverage - No maximum lot coverage shall be imposed in the (LOC) Lake-Oriented Commercial District, except residential buildings and their accessory building shall cover no more than forty (40) percent of the total land area.
 6. Lot Width - No lot shall be less than sixty (60) feet wide at the building setback line.
 7. Height Requirement - No building shall exceed three (3) stories or thirty-five (35) feet in height, except as provided in Chapter 5.
 8. Parking Space Requirements - As regulated in Chapter 2.

SECTION 6. (I) Industrial District.

- A. District Description - The (I) Industrial District is intended to provide areas in which the principal use of land is for manufacturing, processing, assembling fabrication of materials, and warehousing or storage. These land uses generally do not depend primarily on frequent personal visits by clients or customers, but generally require good accessibility to major rail, or highway transportation.
- B. Uses Permitted - In the (I) Industrial District, the following uses and their accessory uses are permitted:
 1. Industrial uses such as the manufacture of textiles or apparel; fabrication and assembly of machinery and other products of metal, wood, or other materials; provided they are

of a type considered neither unsafe nor objectionable by reasons of odor, dust, fumes, smoke, noise, vibration, refuse matter, or water carried waste.

2. Freighting, trucking yard and terminals.
 3. Wholesaling, warehousing, and storage activities.
 4. Agricultural implement warehousing and distribution facilities.
 5. Subsurface extraction of natural mineral resources.
 6. Scrap processing and junk yards, and automobile storage yards.
 7. Signs, as provided in Chapter 2, Section 8.
 8. Port facilities
- C. Uses Permitted on Appeal - In the (I) Industrial District, the following uses and their accessory uses may be permitted subject to approval by the Lake County Board of Zoning Appeals.
1. Sanitary land fill operations, subject to approval of the Tennessee Department of Public Health, but not to include hazardous waste or chemical waste landfills.
 2. Any other similar use or service, which in the opinion of the Board of Zoning Appeals is of the same general character as the above permitted uses or any complimentary service which might be needed to serve the employees of adjacent industries.
 3. Telecommunications Structures and equipment subject to the following standards as determined by the Board of Zoning Appeals:
 - a. That a documented attempt has been made by the applicant to make shared use of existing or planned telecommunications structures in the County and that such shared use has been denied. A list shall be provided of all owners contacted, the date of such contact, and the form and content of such contact.
 - b. That a 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 uses to a shared site. The Board of Zoning Appeals may consider expert testimony to determine whether the fee and costs are reasonable. Costs exceeding new tower development are presumed unreasonable.
 - c. That any shared use of existing telecommunications structures is technically impractical as supported by technical documentation from a licensed professional independent of the applicant.
 - d. That any proposed telecommunications structure may not be situated within one (1) mile of any existing telecommunications structures.
 - e. That any proposed telecommunications structures may not be situated closer than 500 feet to any existing residential structure.

- f. That telecommunications structures may not be situated such that a collapse from any cause may pose a hazard to any residential or other structures, or to vehicular traffic.
 - g. That all towers shall be situated a distance equal to their height plus ten (10) feet from any property line.
 - h. That the Board of Zoning Appeals may not allow any telecommunications structures except in compliance with the above standards.
- D. Uses Prohibited - In the (I) Industrial District, all uses, except those uses or their accessory uses, prohibited.
- E. Dimensional Regulations - All uses permitted without appeal in the (I) Industrial District shall comply with the following requirements except as provided in Chapter 5. (Dimensional requirements for use permitted on appeal shall be determined by the Lake County Board of Zoning Appeals.)
- 1. Front Yard - The minimum depth of the front yard shall be fifty (50) feet.
 - 2. Rear Yard - The minimum depth of the rear yard shall be thirty (30) feet.
 - 3. Side Yard - The minimum depth of the side yard shall be twenty (20) feet, except where a side line adjoins another district, in which case the side yard shall be increased to fifty (50) feet.
 - 4. Land Area - No parcel of land shall be reduced in size to provide separate lots or building sites of less than one (1) acre in area.
 - 5. Maximum Lot Coverage - No maximum lot coverage shall be imposed in the (I) Industrial District.
 - 6. Lot Width - No lot shall be less than one hundred (100) feet wide at the building setback line.
 - 7. Height Requirement - No building shall exceed three (3) stories or thirty-five (35) feet in height, except as provided in Chapter 5.
 - 8. Parking Space Requirements - As regulated in Chapter 2.

SECTION 7. (F-H) Flood Hazard District. The Flood Hazard district is an overlay district on the Lake County Zoning Map. The regulations of the underlying regular zones shall be applicable unless specifically altered within the following regulations of the Flood Hazard district. Within the Flood Hazard district as shown on the Lake County Zoning Map the following regulations shall apply:

- A. Statement of Purpose. It is the purpose of these regulations to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:
- 1. restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;

2. require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;
4. control filling, grading, dredging and other development which may increase erosion or flood damage, and;
5. prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

SECTION 2. That Chapter 4, Section 7 (C) Definitions be amended by adding the following definitions in alphabetical order within the existing section:

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

Area of Special Flood-related Erosion Hazard - is the land within a community which is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area in preparation for publication of the FIRM, Zone E may be further refined.

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

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

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

Flood Elevation Determination - means a determination by the Administrator of the water surface elevations of the base flood, that is the flood level that has a one percent or greater chance of occurrence in any given year.

Flood Elevation Study - means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and / or flood-related erosion hazards.

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

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

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

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

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

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

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

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

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

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

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

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

D. GENERAL PROVISIONS

1. Lands to Which this Resolution Applies. These regulations shall apply to all areas of special flood hazard within Lake County excluding incorporated municipalities.
2. Basis for Establishing the Areas of Special Flood Hazard. The areas of special flood hazard identified on the Lake County, Tennessee FEMA Flood Insurance Rate Maps 470334, 0001 to 0150, effective March 16, 1981 with accompanying maps and other supporting data, and any revision thereto, are adopted by reference and declared to be a part of these regulations.
3. Establishment of Development Permit. A Development Permit shall be required in conformance with the provision of this resolution prior to the commencement of any development activities with the following exception. No development permit shall be required for any accessory structure of a total value not to exceed \$5,000.00, provided that any such accessory structure
 - a. shall not be used for human habitation,
 - b. shall be designated to have low flood damage potential,
 - c. shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters,
 - d. shall be firmly anchored to prevent flotation which may result in damage to other structures, and
 - e. shall have service facilities such as electrical and heating equipment elevated or floodproofed.
4. Compliance. No structure or land shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of these regulations and other applicable regulations.
5. Abrogation and Greater Restrictions. These regulations are not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where these regulations and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
6. Interpretation. In the interpretation and application of these regulations all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body, and; (3) deemed neither to limit nor repeal any other powers granted under state statutes
7. Warning and Disclaimer of Liability. The degree of flood protection required by these regulations are considered reasonable for regulatory purposes and area based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. These regulations do not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. These regulations shall not create liability on the part of Lake County or by any officer or employee thereof for any flood damages that result from reliance on this resolution or any administrative decision lawfully made thereunder.

8. Penalties for Violation. Violation of the provisions of these regulations or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Lake County from taking such other lawful actions as is necessary to prevent or remedy any violation.

E. ADMINISTRATION.

1. Designation of the Building Inspector. The Building Inspector of Lake County is hereby appointed to administer and implement the provisions of this resolution.
2. Permit Procedures. Application for a Development Permit shall be made to the Building Inspector on forms furnished by him or her prior to any development activities, and may include, but not be limited to, the following: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill, storage of materials or equipment, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

a. Application Stage

- (1) Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all buildings.
- (2) Elevation in relation to mean sea level to which any non-residential building will be flood-proofed.
- (3) Certificate from a registered professional engineer or architect that the non-residential flood-proofed building will meet the flood-proofing criteria in subsection F.2.b.
- (4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

b. Construction Stage

Within unnumbered A zones on the Flood Insurance Rate Map (FIRM) the Building Inspector shall record the elevation of the lowest floor on the required development permit. The elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building and the highest adjacent grade. USGS Quadrangle maps may be utilized when no better reference exists to establish reference elevations.

In areas adjacent to streams in unnumbered A zones, no encroachments including fill material or structures shall be located within an area of at least equal to twice the width of the stream along each side of the stream, unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.

Within all numbered A zones (A4 and A14) on the Flood Insurance Rate Maps (FIRM) the Building Inspector shall require that upon placement of the lowest floor and/or flood-proofing by whatever construction means, it shall be the duty of the permit holder to submit to the Building Inspector a certification of the elevation of the lowest floor, and/or flood-proofed elevation, whichever is applicable, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. When flood-proofing is utilized for a particular building, said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Building Commissioner shall review the floor elevation survey data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

3. Duties and Responsibilities of the Building Inspector. Duties of the Building Inspector shall include, but not be limited to:
 - a. Review all development permits to assure that the permit requirements of these regulations have been satisfied.
 - b. Advise permittee that additional federal or state permits may be required, and if specific federal or state permit requirements are known, require that copies of such permits be provided and maintained on file with the development permit.
 - c. Notify adjacent communities and the Tennessee Department of Economic and Community Development, Local Planning Office prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
 - d. Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.
 - e. Verify and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved buildings, in accordance with subsection E.2.b.
 - f. Verify and record the actual elevation (in relation to mean sea level) to which the new or substantially improved buildings have been flood-proofed, in accordance with subsection E.2.b.
 - g. When flood-proofing is utilized for a particular building, the Building Commissioner shall obtain certification from a registered professional engineer or architect, in accordance with subsection F.2.b.
 - h. Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Building Inspector shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in these regulations.

- i. When base flood elevation data or floodway data have not been provided in accordance with subsection D.2, then the Building Inspector shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer the provisions of subsection F.

Within unnumbered A zones on the Flood Insurance Rate Map (FIRM), where base flood elevations have not been established and where data is not available necessitating a higher elevation, the Building Inspector shall require a minimum two (2) foot elevation or floodproofing, as set forth in subsection F.2, of the lowest floor (including basement) of the building as measured between the lowest floor or level of floodproofing of the building and the highest adjacent grade in order to administer the provisions of subsection F.

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

4. Variance Procedures.

- a. The Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this resolution.
- b. The Board of Zoning Appeals shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination by the Building Inspector in the enforcement or administration of this resolution.
- c. Any person aggrieved by the decision of the Board of Zoning Appeals or any taxpayer may appeal such decision to the Chancery Court, as provided in Section 5-1-105, Tennessee Code Annotated.
- d. Variances may be issued for the repair or rehabilitation of historic structures (see definition) upon a determination that the proposed repair or rehabilitation will not preclude the structure's continue designation as a historic structure and the variance is the minimum to preserve the historic character and design of the structure.
- e. In passing upon such applications, the Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this resolution, and:
 - (1) the danger that materials may be swept onto other lands to the injury of others;
 - (2) the danger to life and property due to flooding or erosion damage;
 - (3) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (4) the importance of the services provided by the proposed facility to the community;

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

building is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation and or reduced floodproofing height.

- (4) The Building Inspector shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

F. PROVISIONS FOR FLOOD HAZARD REDUCTION.

1. General Standards. In all areas of special flood hazard the following provisions are required:
 - a. New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure;
 - b. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces;
 - c. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
 - d. New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
 - e. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
 - f. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
 - g. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
 - h. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding; and,
 - i. Any alteration, repair, reconstruction or improvements to a building which is in compliance with the provisions of this resolution, shall meet the requirements of "new construction" as contained in this resolution.
 - j. Any alteration, repair, reconstruction or improvements to a building which is not in compliance with the provision of this resolution, shall be undertaken only if said non-conformity is not furthered, extended, or replaced.
2. Specific Standards. These provisions apply to all areas of special flood hazard as provided herein, provided that in all areas of special flood hazard where base flood elevation data or floodway data have not been provided, the provisions of subsection

E.3.i shall be utilized for all requirements relative to the base flood elevation of floodways as contained herein.

- a. Residential Construction. New construction or substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement elevated no lower than one (1) foot above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with standards of subsection F.2.c
- b. Non-Residential Construction. New construction or substantial improvement of any commercial, industrial, or non-residential building (or manufactured home) shall have the lowest floor, including basement, elevated no lower than one (1) foot above the level of the base flood elevation. Buildings located in all A-zones may be flood-proofed in lieu of being elevated provided that all areas of the building below the required elevation are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in subsection E.3.g.
- c. Elevated Building. New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.
 - (1) Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria.
 - (a) Provide a minimum of two openings having a total new area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - (b) The bottom of all openings shall be no higher than one foot above grade; and
 - (c) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both direction.
 - (2) Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator); and
 - (3) The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.
- d. Standards for Manufactured Homes and Recreational Vehicles
 - (1) All manufactured homes placed, or substantially improved, on individual lots or parcels, in expansions of existing manufactured home parks or

subdivisions, or in substantially improved manufactured home parks or subdivisions, must meet all the requirements of new construction, including elevations and anchoring.

- (2) All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that:
 - (a) The lowest floor of the manufactured home is elevated no lower than one (1) foot above the level of the base flood elevation, or
 - (b) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least an equivalent strength, of no less than 36 inches in height above grade.
 - (c) The manufactured home must be securely anchored to the adequately anchored foundation system to resist flotation, collapse and lateral movement.
 - (d) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, any manufactured home placed or substantially improved must meet the standards of subsection F.2.d.(2)(a and b) above.
- (3) All recreational vehicles placed on sites must either:
 - (a) Be fully licensed and ready for highway use, or
 - (b) Meet all the requirements for new construction, including anchoring and elevation requirements of Section F.2.d.(1) or F.2.d.(2)(a and b) above, or
 - (c) be on the site for fewer than 180 consecutive days.

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

3. Standards for Subdivision Proposals.

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

SECTION 8. S-C (Special Impact Commercial) Districts.

- A. District Description The Primary purpose of this district is to recognize and allow a limited range of commercial establishments with the potential for high traffic generation. Such districts should be situated in areas of the City having a minimal proximity to religious and educational facilities and residential neighborhoods. Areas zoned S-C (Special Impact Commercial) should be situated along major thoroughfares, with access to adequate utilities.
- B. Uses Permitted.
1. Wholesale and Retail Trade.
 2. Services Limited to:
 - (a) Finance, Insurance and real estate services (61).
 - (b) Personal Services (62).
 - (c) Business Services (63) excluding: Warehousing and storage services (637).
 - (d) Professional Services (65) excluding: Hospitals (6513) and Sanitariums, convalescent and rest home services (6516).
 - (e) Governmental Services (67).
 - (f) Miscellaneous Services (69).
 3. Hotels, Motels and Transient Lodging
 4. Transportation, Communication and Utilities Limited to:
 - (a). Utilities (48) Limited to:
 - (i) Electric (481)
 - (ii) Gas (482)
 - (iii) Water (483)
 5. Cultural, Entertainment and Recreational Uses

6. Adult Oriented Businesses: Adult oriented businesses as defined in Chapter 1 of this Resolution may be permitted provided that the proper distance requirements are met.
 7. Signs, as provided in Chapter 2, Section 8.
- C. Uses Permitted on Appeal. Within the (S-C) Special Impact Commercial District, the following uses and their accessory uses may be permitted subject to approval of the Lake County Board of Zoning Appeal.
1. Churches, cemeteries, schools, public and semi-public uses, and recreational uses.
 2. Manufacturing establishments which are judged by the Board of Zoning Appeals to have no detrimental effect on the general commercial center and which employ no more than twelve (12) employees.
 3. Any business or service, which in the opinion of the Board of Zoning Appeals, is the same general character as the above permitted uses, and subject to such conditions and safeguards as the board may specify to preserve the character of the district.
- D. Uses Prohibited. In the (S-C) Special Impact Commercial District, all uses, except those uses or their accessory uses specifically permitted or permitted upon appeal are prohibited.
- E. Dimensional Regulations - All uses permitted without appeal in the (S-C) Special Impact Commercial District shall comply with the following requirements except as provided in Chapter 5. (Dimensional requirements for uses permitted on appeal shall be determined by the Lake County Board of Zoning Appeals).
1. Front Yard
 - A) All lots fronting arterial streets - 60 feet
 - B) All other Lots - 45 feet
 2. Rear Yard - All uses - 30 feet except when abutting residential property, 40 feet
 3. Minimum Side Yard - All uses - 20 feet
 4. Land Area - All uses - 1 acre or greater if required by the county environmentalist based on soil characteristics
 5. Maximum Lot Coverage (total all buildings)

All uses - Forty (40%) percent

6. Lot Width

All uses - 100 feet

7. Height Requirement

A) Buildings in General: No building shall exceed 35 feet in height. This limitation shall not apply to belfries, chimneys, church spires, flagpoles, radio and television antennas and water tanks or stand pipes provided they comply with the provisions of all pertinent codes and ordinances and provided that they are located a distance equal to their height plus ten (10) feet from the nearest property line.

B) Accessory Buildings: No accessory building shall exceed 35 feet in height.

8. Parking Requirements.

These requirements are specified in Chapter 2.

9. Locations and Standards

A) The Lake County Regional Planning Commission is hereby mandated to impose the following restrictions on the location of adult entertainment establishments:

(1) No adult entertainment establishment shall be permitted to locate within (1,000) feet of any pre-established residential use of any zoning district which is zoned for residential use. For the purpose of this section districts zoned for residential use include (FAR, R, and R-M).

(2) No adult entertainment establishment shall be permitted to locate within one thousand (1,000) feet from pre-existing public or private school, child-care facility or established place of worship.

(3) No adult entertainment establishment shall be permitted to locate within one thousand (1,000) feet from a public park, public space or other similar open space, which caters to family groups and children.

- (4) No adult entertainment establishment shall be permitted to locate within one thousand (1,000) feet from any other adult entertainment business.
- (5) No adult entertainment shall be permitted to locate within one thousand (1,000) feet from any liquor store.
- B) For the purpose of this section, measurements shall be made in a straight line, without regard to intervening structures or objects from the nearest portion of the proposed building housing the adult entertainment business to the nearest portion of the exterior wall of the existing specified business or land use, or to the nearest residential zoning district line, as appropriate.

10. Procedure and Requirements for a Site Plan

- A) Before a permit is issued for any use permitted by right or on appeal, a site plan for the proposed development shall be submitted for review and approval by the Lake County Planning Commission. The Planning Commission shall have the power to impose conditions regarding the location of buildings, parking, access fencing, screening, outdoor advertising and other features affecting the character of the area and the compatibility of the proposed use with existing nearby uses.
- B). In order to make an accurate determination of the design and compliance with ordinance standards, the applicant shall submit an accurately and legibly drawn site plan at a scale not less than one (1) inch equals one hundred (100) feet, showing all required design elements of the site including, but not necessarily limited to, the following:
 - (1) a survey plot certified by a registered land surveyor showing land area and all property lines and dimensions, and existing or proposed easements, utilities, right-of-ways street centerlines, drainage ways and other pertinent physical information on or adjacent to the site;
 - (2) topographic contours at two foot intervals;
 - (3) location, size and arrangement of proposed buildings and existing buildings, including height in stores and feet, gross floor area in square feet for individual buildings and total for all buildings, and total land area covered by buildings;
 - (4) location and dimensions of all parking spaces, parking drives, sidewalks, and access points to streets;

- (5) any proposed re-grading of the site and any significant natural, topographical or physical features of the site, including at least water courses and large trees;
- (6) existing and proposed surface and subsurface drainage facilities;
- (7) location, size, design and arrangement of all outdoor signs and lighting;
- (8) landscaping, and the design of any fencing, screening or buffering;
- (9) the name, address, and the telephone number of the applicant, and owner, and preparer of the site plan.

The Planning Commission, upon referral, may make other requirements for information when necessary for the proper review and judgement of the site plan.

- C) The Planning Commission shall act upon any application within thirty-five (35) days form the date of the first meeting at which a complete and properly prepared site plan is presented. Failure to act within these time periods shall constitute approval of the site plan, unless an extension is agreed to by the applicant. When a site plan is denied, the reasons for such action shall be stated in writing to the applicant. When a site plan is approved upon referral to the Planning Commission, and such approval is conditioned upon specific revisions or addition of design elements, the conditions shall be stated in writing to the applicant and entered in the official records minutes Planning Commission.

CHAPTER 5

EXCEPTIONS AND MODIFICATIONS

This chapter is devoted to providing for the necessary exceptions and modifications to the specific zoning district provisions provided in chapter 4.

SECTION 1. Exceptions to Height Limitations. The height limitations of this Ordinance shall not apply to church spires, belfries, cupolas and domes not intended for human occupancy, monuments, water towers, silos, grain elevators, observation towers, transmission towers, windmills, chimneys, smokestacks, derricks, conveyors, flag poles, radio towers, masts and aerials.

SECTION 2. Lots of Record. The following provisions shall apply to all existing lots of record.

- A. Where the owner of a lot consisting of one or more adjacent 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, an application may be submitted to the Board of Zoning Appeals.
- B. No lot which is now or hereafter built upon shall be so reduced in area that the yards and open space will be smaller than prescribed by this Resolution, and no yard, court, or open space provided around any building for the purpose of comply with the provisions hereof, shall again be considered as a yard, court, or other open space for another building.
- C. Where two or more lots of records with a continuous frontage are under the same ownership, or where a substandard lot of record has continuous frontage with a larger tract under the same ownership, such lots shall be combined to form one or more building sites meeting the minimum requirements of the district in which they are located.

SECTION 3. Exceptions to Setback Requirements. The front setback requirement of this Resolution for dwellings shall not apply to any lot where the average depth of existing setbacks on the developed lots located with the one hundred (100) feet on each side of such lot is less than the minimum required front yard depth. In such cases, the front yard setback may be less than required, but not less than the average of the existing depth for front yards on developed lots within one hundred (100) feet on each side of the lot. In residential districts, however, the setback shall in no case be less than fifteen (15) feet from the street right-of-way.

CHAPTER 6

ADMINISTRATION AND ENFORCEMENT

The enforcement and administration of this Resolution shall be the duty of the Lake County Building Inspector. It shall also be the duty of all officers and employees of the County to assist the Building Inspector by reporting to him upon new construction, reconstruction, or upon seeming violations.

SECTION 1. Lake County Building Inspector. In addition to the general duties related to administration and enforcement of this Resolution, the building Inspector shall have the following responsibilities:

- A. Issue all Building Permits and make and maintain records thereof.
- B. Issue and renew, where applicable, all Temporary Use Permits and make and maintain records thereof.
- C. Maintain and keep current zoning maps, and records of amendments thereto.
- D. Conduct inspections as required in this resolution and such other inspections as are necessary to insure compliance with various other general provisions of this Resolution. The building inspector shall possess the right to enter upon any premises for the purpose of making inspections of buildings or premises necessary to carry out this authorized duties.

SECTION 2. Building Permits. It shall be unlawful to commence the excavation for or the construction of any building or other structure, including accessory structures, to commence the moving, alteration, or repair of any structure, including accessory structures or to commence the filling of land until the building inspector has issued for such work a Building Permit containing a statement that the plans, specifications and intended use of such structure in all respects conform with the provisions of this Resolution. Application for a Building permit shall be made in writing to the building inspector on forms provided for that purpose. It shall be unlawful for the building inspector to approve the plans or issue a Building Permit for any excavation or construction until he has inspected such plans in detail and found them to be in conformity with this Resolution. To this end, the Building Permit for excavation, construction, moving or alteration shall be accompanied by a plan or plat drawn to a scale and showing the following in sufficient detail to enable the building inspector to ascertain whether the proposed excavation construction, moving or alteration is in conformance with this resolution:

- A. The actual shape, location, and dimensions of the lot to be built upon.
- B. The shape, size, and location of all buildings or other structures to be erected, altered, or moved and of buildings or other structures already on the lot.
- C. The existing and intended use of all such buildings or other structures.
- D. Location and design of off-street parking areas and off-street location areas. Such other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of this Resolution are being observed.

If the proposed excavation, construction, moving or alteration as set forth in the application is in conformity with the provisions of this Resolution, the building inspector shall issue a Building Permit for such excavation or construction. If an application for a building permit is not approved, the building inspector shall state in writing on the application the cause of such

disapproval. Issuance of a permit shall in no case be construed as waiving any provisions of this Resolution, and building permits shall be void after six (6) months from date of issue unless substantial progress of the project has been made by that time. If a single construction project is located on more than one adjacent property, then only one building permit for the entire project shall be required.

SECTION 3. Temporary Use Permits. It shall be unlawful to commence construction or development of any use of a temporary nature until a permit has been secured from the building Inspector as provided in Chapter 2, Section 5 of this Resolution. Application for a Temporary use Permit shall be made in writing to the building inspector on forms provided for that purpose.

SECTION 4. Penalties. Any persons violating any provisions of this Resolutions hall be guilty of a misdemeanor, and upon conviction shall be fined accordingly as established by the courts. Each day such violation shall continue constitutes a separate offense.

SECTION 5. Remedies. In case any building or other structure is erected, constructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this resolution, the building inspector or any other appropriate authority or any adjacent or neighboring property owner who would be specifically damaged by such violation, in addition to other remedies, may institute injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use; or to correct or abate such violation; or to prevent occupancy of such building structure, or land.

CHAPTER 7

BOARD OF ZONING APPEALS

A Lake County Board of Zoning Appeals is hereby established in accordance with Section 13-7-106 through 13-7-109 of Tennessee Code Annotated.

SECTION 1. Membership. A Board of Zoning Appeals is hereby established in accordance with Tennessee Code Annotated, Section 13-7-106. The Board of Zoning Appeals shall consist of three (3) members, one of which shall be a member of the Lake County Regional Planning Commission. The members shall be appointed by the County Commission. The term of membership shall be five (5) years except that the initial individual appointments to the Board of Zoning Appeals shall be terms of one, two, and three respectively. Vacancies shall be filled for any unexpired term by the Lake County Commission.

SECTION 2. Procedure. Meetings of the Board of Zoning Appeals shall be held at the call of the chairman, 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 adopt rules and procedure and shall keep records of applications and action taken thereon which shall be public records.

SECTION 3. Appeals. An appeal to the Lake County Board of Zoning Appeals may be taken by any person, firm, or corporation aggrieved, or by any governmental office, department, board, or bureau affected by any decision of the building inspector based in whole or in part upon the provisions of this Resolution. Such appeal shall be taken by filing with the Board of Zoning Appeals a notice of appeal specifying the grounds thereof. The building inspector shall transmit to the Board of all papers constituting the record upon which the action appealed was taken. The Board shall fix a feasible 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 the hearing, any person or party may appear in person, by agent, or by attorney.

SECTION 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 building inspector or other administrative official in the carrying out of enforcement of any provision of this Resolution.
- B. Uses Permitted on Appeal - To hear and decide applications for uses permitted on appeal as specified in this Resolution, hear requests for interpretation of the zoning map, and for decision on any special questions upon which the Board of Zoning Appeals is authorized to pass.
- C. Variances - To hear and decide applicants for variances from the terms of this Resolution.

SECTION 5. Variances. The purpose of a variance is to modify the strict application of the specific requirements of this Ordinance in the case of exceptionally irregular, narrow, shallow, or steep lots, or other exceptionally physically conditions, whereby such strict application would result in practical difficulty or unnecessary hardship which would deprive an owner of the reasonable use of this land. The variance shall be used only where necessary to overcome some obstacle which is preventing an owner from using his property under this resolution.

- A. Application - After written denial of permit, a property owner may make application for a variance, using any form which might be made available by the Board of Zoning Appeals.
- B. Hearings - Upon receipt of an application and fee, the Board shall hold a hearing, to decide whether a variance to the resolution provisions is, in fact, necessary to relieve unnecessary hardship which act to deprive the property owner of the reasonable use of his land. The Board shall consider and decide all applications for variance within thirty (30) days of such hearing and in accordance with the standards provided below.
- C. Standards for Variances - In granting a variance, the Board shall ascertain that the following criteria are met:
 - 1. Variances shall be granted only where special circumstances or conditions, fully described in the finding of the Board, do not apply generally in the district.
 - 2. Variances shall not be granted to allow a use otherwise excluded from the particular district in which requested.
 - 3. For reasons fully set forth in the findings of the Board, the aforesaid, circumstances or conditions are such that the strict application of the provisions of this Resolution would deprive the applicant of any reasonable use of his land. Mere loss in value shall not justify a variance. There must be a deprivation of beneficial use of land.
 - 4. The granting of any variance shall be in harmony with the general purposes and intent of this Resolution and shall not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with the comprehensive plan for development.
 - 5. In reviewing an application for a variance, the burden of showing that the variance should be granted shall be upon the person apply therefor.

CHAPTER 8

AMENDMENTS AND LEGAL STATUS PROVISIONS

SECTION 1. Amendments to the Resolution. The regulations and the number, or boundaries of districts established by this Resolution, may be amended, supplemented, changed, modified, or repealed by the Lake County Commission; but, in accordance with the Tennessee enabling legislation, no amendment shall become effective unless it is first submitted to and approved by the Lake County Regional Planning Commission or, if disapproved, shall receive a majority vote of the entire membership of the Lake County Commission. Before finally adopting any such amendment, the County Commission shall have a public hearing thereon, at least fifteen (15) days notice of the time and place of which shall be given by at least one (1) publication in a newspaper of general circulation in the County; and a complete summary such amendment shall be published at least once in the official newspaper of the County or in a newspaper of the County or in a newspaper of general circulation in the County.

The summary shall include a statement that the complete copy of the amendment is available and where such a copy of the amendment may be obtained. If the zoning amendment rezones property, a description of the property shall be included in the summary.

SECTION 2. Validity. Should any section, clause, or provision of this Resolution be declared by a court or competent jurisdiction to be unconstitutional or invalid, this judgment shall not affect the validity of this Ordinance as a whole or any other part than the part judged invalid.

SECTION 3. Interpretation. Where the conditions imposed by a provision of this Resolution are less restrictive than comparable conditions imposed by any other provision of this Resolution or any other resolution, the provisions which are more restrictive shall govern.

SECTION 4. Effective Date. This Resolution shall take effect from and after the effective date of its passage, the public welfare requiring it.

DATE OF PASSAGE OF RESOLUTION _____

COUNTY CHAIRMAN OF LAKE COUNTY

ATTESTED BY:

LAKE COUNTY COURT CLERK