

**ZONING ORDINANCE:**

AN ORDINANCE PROVIDING FOR AND PRESCRIBING A ZONING PLAN FOR THE TERRITORY WITHIN THE CORPORATE LIMITS OF THE TOWN OF LOOKOUT MOUNTAIN; REGULATING THE ERECTION, CONSTRUCTION, AND ALTERATION OF BUILDINGS; REGULATING THE HEIGHT, NUMBER OF STORIES, AND THE SIZE OF ALL YARDS AND OTHER OPEN SPACES SURROUNDING BUILDINGS; REGULATING THE DENSITY OF POPULATION; PRESCRIBING PENALTIES FOR THE VIOLATION OF ITS PROVISIONS; AND PROVIDING FOR ITS ENFORCEMENT, CHANGES AND AMENDMENTS.

WHEREAS, by the provisions of Chapter 519, Private Acts of Tennessee of 1933, the Board of Commissioners of the Town of Lookout Mountain is authorized to establish districts or zones within its corporate limits for the purpose of regulating the use of land and buildings; and, WHEREAS, the Board of Commissioners of the Town of Lookout Mountain deems it necessary in order to lessen congestion in the streets, to secure safety from fire, panic and other dangers; to promote health and general welfare; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements, to make and promulgate such regulations with reasonable consideration among other things, to the character of the district and its peculiar suitability for particular uses, and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout said Town in accordance with a comprehensive plan; now therefore,

BE IT ORDAINED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF LOOKOUT MOUNTAIN, TENNESSEE, That:

**SECTION 1:**

This Ordinance shall be known and cited as the "LOOKOUT MOUNTAIN ZONING ORDINANCE".

**SECTION 2: DEFINITIONS.**

For the purpose of this Ordinance, words and terms are defined as follows:

Words used in the present tense include the future; words in the singular number include the plural, and words in the plural number include the singular; the word "building" includes the word "structure"; the word "shall" is mandatory ad not directory.

**ACCESSORY BUILDING:** A building subordinate to the main building on the lot and used for purposes customarily incidental to those of the main building.

**ALLEY:** A way which affords only a secondary means of access to abutting property.

**BASEMENT:** A story partly underground and having at least one-half of its height above grade. A basement shall be counted as a story if the average vertical distance from the grade at the front of the building to the ceiling is over five (5) feet or if used for business purposes or for dwelling purposes by other than a janitor or his family.

**BUILDING:** Any structure used or built for the shelter or enclosure of persons, animals or chattels.

**BUILDING, HEIGHT OF:** The vertical distance between the curb level and the highest point of the roof surface of a flat roof, the deck line of a mansard roof and to a point two-thirds the height of a gable, hip or gambrel roof. If the building is set back from the street line, the height may be measured from the average elevation of the finished grade at the front of the