ARTICLE IV

INTERPRETATION AND CONSTRUCTION

SECTION 1. RULES OF INTERPRETATION: In interpreting the provisions of these Regulations, the following shall govern:

1. *Minimum Requirements*. In their interpretation and application, the provisions of these Regulations shall be held to be the minimum requirements for the promotion of the public health, safety, morals, and welfare of the citizens of Sumner County.

2. *Overlapping or Contradictory Regulations*. Where the conditions imposed by the provisions of these Regulations upon the use of land or structures are either more restrictive or less restrictive than comparable conditions imposed by any other provision of any other applicable law, ordinance, resolution, rule, or regulation of any kind, the regulations which are more restrictive and impose higher standards or requirements shall govern.

3. *Private Agreements*. The provisions of these Regulations are not intended to abrogate any easement, covenant, or other private agreement provided that where the requirements of these Regulations are more restrictive or impose higher standards or regulations than such easement, covenant, or other private agreement, the requirements of these Regulations shall govern.

4. *District Boundary Lines*. Interpretation of zoning district boundary line locations shall be governed by the following:

    a. Where district boundary lines are indicated as approximately following streets and alleys, highways, or railroads, such boundaries shall be construed as following the centerlines thereof.

    b. Where district boundary lines are indicated as approximately following lot lines or section lines, such lines shall be construed as the said boundaries.

    c. Where a boundary of a district appears to follow a stream, lake, or other body of water, said boundary line shall be deemed to be at the limit of the jurisdiction of the governing body, unless otherwise indicated.

    d. Where a district boundary line divides a lot or un-subdivided property, and the dimensions are not shown on the map, the location of such boundary shall be indicated by using the scale appearing on the Zoning Map.

5. *Vesting of Development Rights.* No Building or zoning permit issued prior to the effective date of these regulations shall be invalidated by the passage of these regulations, or any change or amendment thereto but shall remain a valid and subsisting permit, provided that all such permits shall expire not later than 60 days from the effective date of these regulations, unless actual construction shall have begun and continued pursuant to the terms of said permit.

SECTION 2. RULES OF CONSTRUCTION: Except where clearly required to be otherwise by the context, rules of construction shall include:

1. Words or numbers used singularly or plurally shall include both singular and plural interpretation.

2. The word “may” is permissive; the word “shall” is mandatory.

3. The present tense includes the past and future tenses and the future the present.

4. The phrase “used for” shall include the phrases “arranged for,” “designed for,” “intended for,” “maintained for,” and “occupied for.”

5. The word “person” includes individuals, firms, corporations, associations, governmental bodies, and other legal entities.

6. The words “use,” “used,” “occupy,” or “occupied,” as applied to any land or building, shall be construed to include the words “intended,” “arranged,” or “designed” to be used or occupied.

7. Unless otherwise specified, all distances shall be measured horizontally.

SECTION 3. ZONING PROCEDURE: The requirements of this Zoning Resolution permit only those uses listed in each district under USE REGULATIONS for each district. Any owner of property desiring to use his property for some use other than the listed uses may proceed as follows:

1. When the proposed use intensity varies slightly from regulation, the property owner may file an application with the Zoning Administrator for a hearing with the Board of Zoning Appeals for one (1) of the following:

    a. Variance (height, area and yard).
    b. Exception (special use permit as outlined in the district regulations).
    c. Appeals from Zoning Administrator’s decisions.

2. When the proposed use requires a change of Zoning Resolution and/or change in District Zoning Map, the property owner may file an application for zoning changes and proceed as set out in Article XXXV.

3. Any person intending to perform construction of any sort shall provide certification of proof of compliance with Zoning Requirements from the Zoning Administrator.

4. Any person intending to construct a residence for other than agricultural use shall prepare a plat in accordance with the Subdivision Regulations and shall obtain the approval of the Plat by the Planning Commission and the Governing Body before requesting a zoning permit.