

**ZONING ORDINANCE
MORRISON, TENNESSEE**

**PREPARED BY
THE MORRISON REGIONAL PLANNING COMMISSION**

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ORDINANCE NO. 96-02
ZONING ORDINANCE
FOR
THE TOWN OF MORRISON, TENNESSEE

ARTICLE I
TITLE, PURPOSE, AND ENACTMENT

SECTION 1

TITLE

AN ORDINANCE ESTABLISHING COMPREHENSIVE ZONING REGULATIONS FOR THE TOWN OF MORRISON, TENNESSEE, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT THEREFORE, IN ACCORDANCE WITH THE PROVISIONS OF SECTIONS 13-7-201 THROUGH 13-7-210, *TENNESSEE CODE ANNOTATED*, AND TO REPEAL AND SUPERSEDE ALL ORDINANCES IN CONFLICT HEREWITH.

SECTION 2

PURPOSE AND ENACTMENT

WHEREAS, Sections 13-7-201 through 13-7-210, *Tennessee Code Annotated*, empowers the Municipality to enact a zoning ordinance and to provide for its administration, enforcement, and amendment; and

WHEREAS, the Board of Mayor and Aldermen deems it necessary for the purpose of promoting the health, safety, and general welfare of the Municipality to enact such an ordinance; and

WHEREAS, the Board of Mayor and Aldermen, pursuant to the provisions of Sections 13-7-201 through 13-7-210, *Tennessee Code Annotated*, has appointed the Morrison Regional Planning Commission to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein; and

WHEREAS, the Morrison Planning Commission has made a preliminary report and held meetings thereon, and submitted its final report to the Board of Mayor and Aldermen; and

WHEREAS, the Board of Mayor and Aldermen has given due public notice of hearings related to zoning districts, regulations, and restrictions, and has held such public hearings; and

WHEREAS, all requirements of Sections 13-7-201 through 13-7-210, *Tennessee Code Annotated*, with regard to the preparation of the report of the Morrison Planning Commission and subsequent action of the Board of Mayor and Aldermen have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF MORRISON, TENNESSEE, THAT THE ZONING ORDINANCE AND MAP BE HEREBY ADOPTED.

ARTICLE II

DEFINITIONS

Unless otherwise stated, the following words shall, for the purpose of this ordinance, be interpreted as follows:

The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.

The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.

The word "shall" is mandatory; the word "may" is permissive.

The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied".

The word "lot" includes the words "plot" or "parcel".

Alley. Any public or private way set aside for public travel less than twenty-two (22) feet in width which affords a secondary means of vehicular access to abutting property.

Automobile Storage or Parking Space. An area reserved and suitable for automobile storage, standing or parking space. Each parking or standing space shall be a minimum of two-hundred (200) square feet in area. Such area shall be provided with a safe vehicular access to a public street or alley.

Boarding or Rooming House. Any dwelling in which three (3) or more persons either individually or as families are housed for hire with or without meals.

Building. Any structure constructed or used for residence, business, industry or other public or private purposes, or accessory thereto, including tents, lunch wagons, dining cars, trailers (mobile homes), billboards, signs, and similar structures whether stationary or movable.

Principal Building. A building in which is conducted the principal use of the lot on which it is situated. In a residential district, any dwelling shall be deemed to be the principal building on the lot on which it is situated. Carports and garages if attached to the building are deemed part of the principal building.

Accessory Building. A subordinate building, the use of which is incidental to that of a principal building on the same lot.

Dwelling. A house, apartment building, mobile home, or other building designed or used primarily for human habitation. The word "dwelling" shall not include boarding or rooming houses, hotels or other permanent structures designed for transient residence.

Single-Family. A detached residential dwelling unit other than a mobile home, designed for and occupied by one family only.

Multi-Family. A residential building designed for or occupied by two or more families, with the number of families in residence not exceeding the number of dwelling units provided.

Dwelling Unit. A building or portion thereof providing complete housekeeping facilities for one family.

Family. One (1) or more persons occupying a premises and living as a single, nonprofit housekeeping unit, as distinguished from a group occupying a hotel, club, fraternity, rooming house, motel, or other structures designed for transient residence.

Height of Building. The vertical distance from the established average sidewalk grade, or street grade, or finished grade at the building line, whichever is the highest, to the highest point of the building, excluding spires, towers, domes not for human occupancy, flag poles, masts, or aerials.

Home Occupation. An occupation having traditional acceptance as being one customarily carried on in the home, provided that such occupation be incidental to the residential use to the extent that no more than 25 percent of the total useable area of the principal and accessory buildings is occupied by such occupation; no article or service be sold or offered for sale on the premises except that produced by such occupation; such occupation shall not require internal or external alteration or construction features, equipment or machinery not customary in residential areas. Should a question arise as to the degree of traditional custom, a decision by the Board of Zoning Appeals shall rule.

Landscape Treatment. The use of both natural and artificial materials to enhance the physical appearance of a site, to improve its environmental setting, or to screen all or part of one land use from another.

Loading Space, Off-Street. Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking space.

Lot. A piece, parcel or plot of land in one ownership, which may include one or more lots of record, occupied or to be occupied by one principal building and its accessory buildings and including the open spaces required in this ordinance. All lots shall front on and have access to a street.

Lot Depth. Depth of a lot shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear.

Lot Frontage. The front of a lot shall be construed to be the portion nearest to the street.

Lot Line. The boundary dividing a given lot from a street, an alley, or adjacent lots.

Lot of Record. A lot which is part of a subdivision recorded in the office of the County Registrar, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot Width. The distance between the side boundaries of the lot measured at the front building line.

Mobile Home. A single family dwelling designed for transportation after fabrication on streets and highways 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 assembling operations, location on jacks or permanent foundation, connection to utilities, and the like.

Mobile Home Park. A lot, portion, or parcel of land designed for or which is intended to be used to the accommodation of two or more residential mobile homes or trailers.

Non-conforming Use. A building, structure, or use of land existing at the time of enactment of this ordinance, and which does not conform to the regulations of the zone in which it is located.

Sign. An attached or free-standing structure conveying some information, knowledge, or idea to the public.

Special Exception (Use Permitted Upon Appeal). A special exception is a use that would not be appropriate generally or without restrictions in a particular zoning district but which, if controlled as to the number, area, location, or relation to the neighborhood would promote the public health, safety, welfare, order, comfort, convenience, appearance or prosperity. The location of such uses is subject to the approval of the Morrison Board of Zoning Appeals.

Story. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, or any portion of a building used for human occupancy between the topmost floor and the roof. A basement not used for human occupancy shall not be counted as a story.

Street. A publicly maintained right-of-way, other than an alley, which affords a primary access to abutting property.

Centerline of Street. That line surveyed and marked by the Town of Morrison as the centerline of the street, or if such centerline has not been surveyed, that line running midway between the outside curbs or ditches of such street.

Street Line. The property line which bounds the right-of-way set aside for use as a street. Where a sidewalk exists and locations of the property line is questioned, the side of the sidewalk farthest from the traveled street shall be considered the street line.

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

Total Floor Area. The area of all floors of a building including finished attics, finished basements, and covered porches for purposes of habitation.

Variance. A variance is a relaxation of the terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance would result in unnecessary and undue hardship. As used in this ordinance, a variance is authorized only for height, area, and size of structure or size of yards and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district.

Yard. A required open space unoccupied and unobstructed by any structure or portion of a structure from 30 inches above the general ground level of the graded lot upward, provided however that fences, walls, poles, posts, and other customary yard accessories, ornaments, and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.

Front Yard. The yard extending across the entire width of the lot between the front lot line and the nearest part of the principal building, including covered porches.

Rear Yard. The yard extending across the entire width of the lot between the rear lot line and the nearest part of the principal building, including carports and covered porches.

Side Yard. A yard extending along the side lot line from the front yard to the rear yard, and lying between the side lot line and the nearest part of the principal building, including carports and covered porches.

ARTICLE III

GENERAL PROVISIONS

For the purpose of the zoning ordinance there shall be certain general provisions which shall apply, except as specifically noted, to the town as a whole.

SECTION 1

ZONING EFFECTS EVERY BUILDING AND USE

No building or land shall hereafter be used and no building or part thereof shall be erected, moved, or altered unless for a use expressly permitted by and in conformity with the regulations herein specified for the district in which it is located, except as hereafter provided.

SECTION 2

ZONING PERMIT REQUIRED

Prior to the construction of any structure, the location of a mobile home or modular structure on any lot, or the moving of a structure or mobile home to another location in the Town of Morrison, a Zoning Permit shall be obtained from the Zoning Compliance Officer. The permit shall be obtained prior to the grading or filling of the land or the demolition or moving of a structure to another location. Applications for the Zoning Permit are available at the Morrison Town Hall. There is hereby established a fee of Twenty-Five Dollars (\$25.00) for the permit due and payable at the time of issuance.

SECTION 3

NON-CONFORMING LOTS AND NON-CONFORMING USES OF LAND

Any non-conforming use which existed lawfully at the time of enactment of this ordinance and which remains non-conforming and any use which shall become non-conforming upon enactment of this ordinance or any subsequent amendments thereto may be continued subject to the following provisions.

A. NON-CONFORMING LOTS OF RECORD

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

If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this ordinance, and if all or part of the lots do not meet the requirements for lot width and

area as established by this ordinance, the lands involved shall be considered to be an undivided parcel for the purposes of this ordinance, and no portion of said parcel shall be used or sold which does not meet lot width and area requirements established by this ordinance, nor shall any division of the parcel be made which leaves remaining any lot with width or area below the requirements stated in this ordinance.

B. CHANGE OF NON-CONFORMING USE

1. General Provisions

For the purpose of this article, a change in use is a change to another use either under the same activity type or any other activity type or major class of activity; however, a change in occupancy or ownership shall not, by itself, constitute a change of use.

2. Change to a Conforming Use

a. A non-conforming use may be changed to any conforming use, and the applicable bulk regulations and accessory off-street parking requirements shall apply to such change of use or to alterations made in order to accommodate such conforming use.

b. Whenever a non-conforming use is changed to a conforming use, such use shall not thereafter be changed to a non-conforming use.

3. Change to Another Non-conforming Use

An existing non-conforming use of a building may be changed to a conforming use or to another non-conforming use of the same classification; provided, however, that establishment of another non-conforming use of the same classification shall be subject to the written approval of the Board of Zoning Appeals and subject to such conditions as the Board of Zoning Appeals may require in order to protect the area.

C. EXPANSION OF NON-CONFORMING USES

1. Non-conforming industrial, commercial or business uses may construct additional facilities that would allow the operations of the establishments to be expanded provided that there is enough space to meet the area requirements of the district. The property on which the expansion will take place must be owned by such industry or business situated within the area which is affected by the change in zoning.

2. Acquisition of additional land for the purpose of expanding the existing industry or business shall not be permitted.

D. DESTRUCTION AND RESTORATION OF NON-CONFORMING USES

1. Non-conforming industrial, commercial, or other business establishments shall be allowed to destroy present facilities and reconstruct new facilities necessary to the conduct of such industry or business in accordance with the regulations specified in *Tennessee Code Annotated*, Section 13-7-208.

2. Any non-conforming industrial, commercial, or business use that is destroyed by fire or other natural disaster may be reconstructed provided that all provisions of Section 13-7-208, *Tennessee Code Annotated*, are followed.

E. DISCONTINUANCE

When a non-conforming use is discontinued for a period of six (6) months, then the land or building or other structure shall thereafter be used only for a conforming use. Intent to resume active operations shall not affect the foregoing provision. The replacement of non-conforming mobile homes shall meet the requirements of Article VI, Section 3.

SECTION 4

NUMBER OF PRINCIPAL STRUCTURES ON A LOT
FRONTAGE AND EASEMENTS

- A. In a residential district only one (1) principal building and its customary accessory buildings shall be erected on any lot. [This provision does not apply to group housing developments, provided they adhere to separate provisions outlined in this ordinance.]
- B. No building shall be erected on a lot which does not abut at least one (1) public street, unless an easement at least fifty (50) feet in width to a street is provided. Such building shall conform to the lot and yard requirements of the district in which it is located.

SECTION 5

REAR YARD ABUTS A PUBLIC STREET

When the rear yard of a lot abuts a public street, all structures built in that rear yard shall observe the same setback from the street line, centerline of the street or property line as required for adjacent properties which front on that street.

SECTION 6

REDUCTIONS IN LOT AREA PROHIBITED

No lot, even though it may consist of one or more adjacent lots of record, shall be reduced in area so that yards, lot area per family, lot width, building area, or other requirements of the zoning ordinance are not maintained. This section shall not apply when a portion of a lot is acquired for a public purpose.

SECTION 7

OBSTRUCTION TO VISION
AT STREET INTERSECTION PROHIBITED

On corner lots, not in the central business district, there shall be no obstruction to vision between a height of three and one-half (3-1/2) feet and a height of ten (10) feet above the average grade of each street within the lot corner nearest the intersection. The requirements of this section shall not be construed to prohibit any necessary retaining wall.

SECTION 8

OFF-STREET AUTOMOBILE STORAGE (PARKING)

- A. In all districts, off-street parking spaces shall be provided whenever any building or structure is erected, enlarged or increased in capacity,. The number of parking spaces provided shall meet the minimum requirements for the specific uses as set forth below. For uses not specifically mentioned herein, off-street parking requirements shall be determined by the planning commission.
1. Single- and two-family dwellings. Not less than two (2) spaces for each dwelling unit.
 2. Multiple-family dwellings. Not less than two and one-half (2.5) spaces per dwelling unit.
 3. Boarding houses and rooming houses. Two spaces for the residents and not less than one (1) space for each one room occupied by boarders or roomers.
 4. Churches, funeral homes, theaters, auditoriums, stadiums, or other uses designed to draw an assembly of persons. One (1) space per three (3) seats; or one (1) space per forty (40) square feet of auditorium floor space, whichever is greater. For places of public assembly where seating is not a measure of capacity such as clubhouses, funeral homes, etc., at least one (1) space for each one-hundred (100) square feet of floor space devoted to the particular use shall be provided.
 5. Day Care Facilities. One (1) space for every four (4) children plus one (1) space per employee.
 6. Hotels, motels and other tourist accommodations. Not less than one (1) space for each guest room plus employee and restaurant parking.
 7. Manufacturing or other industrial use. Not less than one (1) space for each two (2) persons employed or intended to be employed on a single shift, with a minimum of five (5) spaces provided for any establishment, and in addition one visitor parking space for every twenty (20) employees.
 8. Commercial building or use. One (1) space for each two-hundred (200) square feet of gross floor area.
 9. Shopping centers. One (1) space for each two hundred (200) square feet of gross floor area.
 10. Medical or dental clinics. Four (4) spaces per doctor or one (1) space for each hundred (100) square feet of usable floor space, whichever is greater, plus one (1) additional space for each employee.
 11. Filling stations. Five (5) spaces for each grease rack or similar facility, plus one (1) space for each employee.
 12. Offices. One (1) space for each two-hundred (200) square feet of office space.
 13. Restaurants. One (1) space per one-hundred and fifty (150) square feet of floor area, or one (1) space for each two patrons seating, whichever is greater, plus one (1) space for each two employees. (For drive-in restaurants, one (1) space per fifty (50) square feet of floor area).
- B. Certification of minimum parking requirements. Each application for a building permit shall include information as to the location and dimensions of off-street parking and loading space and the means of ingress and egress to such space. This information shall be in sufficient detail to enable the Zoning Compliance Officer to determine whether or not the requirements of this section are met.

- C. Combination of required parking space. The required parking space for any number of separate uses may be combined in one lot but the required space assigned to one use may not be assigned to another use, except that the parking space required for churches, theaters, or assembly halls whose peak attendance will be at night or on Sundays may be assigned to a use which will be closed at night or on Sundays.
- D. Remote parking space. If the off-street parking space required by the zoning ordinance cannot be reasonably provided on the same lot on which the principal use is located, such space may be provided on any land within four-hundred (400) feet of the main entrance to such principal use, provided such land is in the same ownership as the principal use. Such land shall be used for no other purpose so long as no other adequate provision of parking space, meeting the requirements of the zoning code, has been made for the principal use.
- E. Requirements for design of parking lots.
 - 1. Except for parcels of land devoted to one-and two-family residential uses, all areas devoted to off-street parking shall be so designed and be of such size that no vehicle is required to back into a public street to obtain egress.
 - 2. Each parking space shall be no less than two-hundred (200) square feet in area.
 - 3. Entrances and exits for all off-street parking lots shall comply with the requirements of Article 3 Section 8 of this ordinance.
 - 4. The parking lot shall be drained to eliminate surface water.

SECTION 9

ACCESS CONTROL

In order to promote the safety of the motorist and pedestrian and to minimize traffic congestion and conflict by reducing the points of contact, the following regulations shall apply:

- A. A point of access for vehicles onto a street shall not exceed twenty-four (24) feet in width, except in commercial and industrial zones when a left turn lane is provided. In that case, thirty-six (36) feet is allowed.
- B. There shall be no more than two (2) points of access to any one public street for each two-hundred (200) feet of lot frontage, or fraction thereof; provided, however, that lots less than one-hundred (100) feet in width shall have no more than one point of access to any one public street.
- C. Where two driveways are provided for one lot frontage, the clear distance between driveways shall not be less than fifty (50) feet.
- D. No point of access shall be allowed within thirty (30) feet of the right-of-way line of any public intersection.

- E. No curbs on city streets or rights-of-way shall be cut or altered without written approval of the street department, or if a state highway, a permit must be obtained from the Tennessee Department of Highways.
- F. Cases requiring variances relative to the above provisions shall be heard and acted upon by the Board of Zoning Appeals, provided, further, that no curb cuts for off-street automobile storage or parking space shall be permitted where the arrangement would require that vehicles back directly into a public street.

SECTION 10

OFF-STREET LOADING AND UNLOADING SPACE

Every building or structure hereafter constructed and used for industry, business, or trade involving the receipt or distribution of vehicles, materials, or merchandise shall provide space for the loading and unloading of vehicles off the street or public alley.

Such space shall have access to a public or private alley or if there is no alley, to a public street. The minimum required spaces for this provision shall be based on the total usable floor area of each principal building according to the following table:

<u>TOTAL USABLE FLOOR AREA IN SQUARE FEET FOR EACH PRINCIPAL BUILDING</u>	<u>SPACES REQUIRED</u>
0 to 5,000 sq. ft.	One (1) space
5,000 to 10,000 sq. ft.	Two (2) spaces
10,000 to 15,000 sq. ft.	Three (3) spaces
15,000 to 20,000 sq. ft.	Four (4) spaces
Over 20,000 sq. ft.	Four (4) spaces plus one (1) space for each additional 20,000 sq. ft.

SECTION 11

MAXIMUM BUILDING HEIGHT

- A. For all structures the maximum building height shall be thirty-five (35) feet or three (3) stories.
- B. These provisions do not apply to spires, towers, domes not for human occupancy, flag poles, masts, silos or chimneys.

ARTICLE IV

ZONING DISTRICTS AND MAP

SECTION 1

ESTABLISHMENT OF DISTRICTS

For the purpose of this ordinance, the Town of Morrison is hereby divided into zoning districts as follows:

- R-1 Low Density Residential District
- R-2 High Density Residential District
- C-1 Central Commercial District
- C-2 General Commercial District
- I-1 Light Industrial District
- A-1 Agriculture District

SECTION 2

PROVISION FOR OFFICIAL ZONING MAP

- A. The boundaries of the above zoning districts are hereby established as shown on the map entitled, "Official Zoning Map of Morrison, Tennessee," dated October 7, 1996 which is a part of the zoning ordinance and which is on file in the office of the Morrison City Clerk.
- B. If, in accordance with the provisions of this ordinance and Sections 13-7-201 through 13-7-210, *Tennessee Code Annotated*, changes are made in district boundaries or other matter portrayed on the official zoning map, such changes shall be made on the official zoning map promptly after the amendment has been approved by the Board of Mayor and Aldermen, together with an entry on the official zoning map. The amending ordinance shall provide that such changes or amendments shall not become effective until after such change and entry has been made on said map.
- C. No changes of any nature shall be made in the official zoning map or matter shown thereon except in conformity with the procedures set forth in this ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this ordinance and punishable as provided under Article VIII, Section 7 of this ordinance.
- D. Regardless of the existence of purported copies of the official zoning map which may from time to time be made or published, the official zoning map which shall be located in the office of the city clerk shall be the final authority as to the current zoning status of land and water areas, building, and other structures in the town.

SECTION 3

REPLACEMENT OF OFFICIAL ZONING MAP

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

Unless the prior official zoning map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved, together with all available records pertaining to its adoption or amendment.

SECTION 4

RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES

- A. District boundaries, unless otherwise indicated on the official zoning map, shall be platted lot lines, the center line of streets or alleys, the center lines of streams, rivers or other bodies of water, or the corporate limit lines as they exist at the time of the enactment of the zoning ordinance.
- B. Where a district boundary divides a lot existing at the time the zoning ordinance takes effect and the major portion of said lot is in the less restricted district, the regulations relative to that district may extend as well to such portion of said lot as is not more than twenty feet within the more restricted district.
- C. Any questions concerning the exact locations of district boundaries shall be determined by the Board of Zoning Appeals.

SECTION 5

ANNEXATION OF TERRITORY

- A. All territory which may hereafter be annexed to the Town of Morrison shall be considered by the planning commission and assigned an appropriate classification based on the existing land use, the long-range plans of the community, and the land use of the contiguous property inside the previous city limits.
- B. All territory hereafter annexed into the Town of Morrison shall automatically be zoned R-1 upon the effective date of annexation until proper study and action can be taken by the city to rezone to another appropriate use.

ARTICLE V

SPECIFIC DISTRICT REGULATIONS

SECTION 1

R-1, LOW DENSITY RESIDENTIAL DISTRICT

A. GENERAL DESCRIPTION

The purpose of the R-1 District is to provide a low density residential environment having good access to schools, public water and sewer, and other community services, but well separated from other incompatible uses and activities.

Within the R-1 Low Density Residential District, as shown on the Official Morrison Zoning Map, the following regulations shall apply:

B. PERMITTED USES

1. Single and two-family detached dwellings; excluding mobile homes.
2. Accessory buildings or uses customarily incidental to aforementioned permitted uses. Such uses may include noncommercial gardens and greenhouses, tool sheds, private garages, swimming pools and the like.
3. Real estate signs advertising the sale, rental, or lease of only the premises on which they are maintained, and not to exceed eight (8) square feet in area.

C. USES PERMITTED ON APPEAL (SPECIAL EXCEPTIONS)

Following the submittal of a site plan, for the purposes of determining the impact on the surrounding residential uses (including provision of parking, possible traffic or other safety hazards, and nuisances), and after public notice and hearing and subject to appropriate conditions and safeguards, the Board of Zoning Appeals may permit as Special Exceptions:

1. Bed and breakfast establishments and the taking of boarders or the leasing of rooms by the family residing on the premises (See Article VI, Section 8); provided that not over twenty-five (25) percent of the total floor area of the dwelling is so used. For purposes of advertising such use, one sign not over two (2) square feet in area, may be used.
2. Churches and other places of worship; parish houses; public libraries; schools offering general education courses; public parks and public recreational facilities; municipal, county, state or federal uses, except general office buildings; public utilities, except storage and warehouse areas; cemeteries (per Article VI, Section 4-B); and philanthropic institutions and clubs, except a club, the chief activity of which is customarily carried out as a business.
3. Residential Care Homes for the Aged of eight (8) or less beds, provided the provisions of Article VI, Section 9 are complied with.

4. Home Occupations, including professional offices (except medical or dental clinics), studios, in-home day care center for no more than 7 children (per Article VI, Section 10A), or other customary incidental home occupations. All home occupations subject to specific requirements in Article VI, Section 4C.

D. USES PROHIBITED

1. Multi-family, commercial, retail, wholesale and industrial uses are prohibited.
2. The overnight parking of any vehicle in excess of 1 1/2 tons is prohibited.
3. The storage of inoperable or unlicensed motor vehicles outside of an enclosed garage or building is prohibited.
4. Any use not specifically permitted or permissible on appeal is also prohibited.

E. MINIMUM LOT AREA, WIDTH, AND YARD REQUIREMENTS

The principal building shall be located so as to comply with the following requirements:

1. Minimum lot area 15,000 sq. ft.
2. Minimum lot area for two-family dwelling..... 20,000 sq. ft.
3. Minimum lot width at building setback line 100 ft.
4. Minimum depth of front yard:
 - a. Minor street 30 ft.
 - b. Secondary thoroughfare 40 ft.
 - c. Primary street 50 ft.
5. Minimum depth of rear yard 30 ft.
6. Minimum width of side yard on each side:
 - a. One or two story building 20 ft.
 - b. Three story building 30 ft.
7. Minimum width of side yards on corner lots shall be same as the minimum front yard for other structures fronting the side street.

F. LOCATION OF ACCESSORY BUILDINGS

Accessory buildings shall meet the following provisions:

1. No accessory building shall be erected in any required front or side yard. Accessory buildings and detached garages shall not cover more than thirty percent (30%) of the required rear yard and shall be at least five (5) feet from all lot lines and fifteen (15) feet from any other building on the same lot.
2. A carport or garage, if attached to the principal dwelling, is considered a part of the principal structure.

3. On any corner lot, adjoining in the rear, another lot which is in a residential district, no part of any accessory structure within twenty-five (25) feet of the common lot line shall be nearer the side street line than the depth of any required front yard or a dwelling along such side street.
4. No accessory building shall exceed one (1) story in height or sixteen (16) feet total (peak of roof to ground).

G. BUILDING AREA

On any lot the area occupied by all buildings, including accessory buildings, shall not exceed twenty-five percent (25%) of the total area of such lot.

H. MAXIMUM BUILDING HEIGHT

No structure should exceed three (3) stories or thirty-five (35) feet in height.

I. PARKING REQUIREMENTS

Uses in the R-1 District shall conform with the provisions of Article III, Section 8 of this ordinance.

J. ACCESS REQUIREMENTS

Uses in the R-1 District shall conform with the provisions of Article III, Section 9 of this ordinance.

SECTION 2

R-2 HIGH DENSITY RESIDENTIAL DISTRICT

A. GENERAL DESCRIPTION

The purpose of the R-2 District is to provide a high density residential environment having good access to schools, public water and sewer, and other community services, but well separated from other incompatible uses and activities.

Within the R-2 High Density Residential District, as shown on the Official Morrison Zoning Map, the following regulations shall apply:

B. PERMITTED USES

1. Any use permitted in the R-1, Low Density Residential District.
2. Apartments and multi-family residential uses, provided that for more than two units a site plan is submitted to the Planning Commission and approved.
3. Mobile homes on individual lots provided the provisions set forth in Article VI, Section 3 are complied with.
4. Mobile home parks provided the provisions set forth in Article VI, Section 3 are complied with, including the submittal of a site plan.

C. USES PERMITTED UPON APPEAL (SPECIAL EXCEPTIONS)

Following the submittal of a site plan, for the purposes of determining the impact on the surrounding residential uses (including provision of parking, possible traffic or other safety hazards, and nuisances), and after public notice and hearing and subject to appropriate conditions and safeguards, the Board of Zoning Appeals may permit as Special Exceptions:

1. Bed and breakfast establishments and the taking of boarders or the leasing of rooms by the family residing on the premises (See Article VI, Section 8); provided that not over twenty-five (25) percent of the total floor area of the dwelling is so used. For purposes of advertising such use, one sign not over two (2) square feet in area, may be used.
2. Churches and other places of worship; parish houses; public libraries; schools offering general education courses; public parks and public recreational facilities; municipal, county, state or federal uses, except general office buildings; public utilities, except storage and warehouse areas; and cemeteries (per Article VI, Section 4-B).
3. Residential Care Homes for the Aged of eight (8) or less beds, provided the provisions of Article VI, Section 9, are complied with.
4. Home Occupations, including professional offices (except medical or dental clinics), studios, in-home day care center for no more than 7 children (per Article VI, Section 10A), or other customary incidental home occupations. All home occupations subject to specific requirements in Article VI, Section 4C.

D. USES PROHIBITED

1. Commercial, retail, wholesale and industrial uses are prohibited.
2. The parking of any vehicle in excess of 1 1/2 tons is prohibited.
3. The storage of inoperable or unlicensed motor vehicles outside of an enclosed garage or other building is prohibited.
4. Any use not specifically permitted or permissible on appeal is prohibited.

E. MINIMUM LOT AREA, WIDTH, AND YARD REQUIREMENTS

The principal building or buildings shall be located so as to comply with the following requirements:

1. Minimum lot area for single unit 15,000 sq. ft.
2. Minimum for each additional unit over one..... 5,000 sq. ft.
3. Minimum lot width at building setback line...100 ft.

4. Minimum depth of front yard:
 - a. Minor street 30 ft.
 - b. Secondary thoroughfare 40 ft.
 - c. Primary street 50 ft.
5. Minimum depth of rear yard 30 ft
6. Minimum side yard on each side:
 - a. One story building 15 ft.
 - b. Two story building 20 ft.
7. Minimum width of side yards on corner lots shall be same as the minimum front yard for other structures fronting the side street.

F. LOCATION OF ACCESSORY BUILDINGS

Accessory buildings shall meet the following provisions:

1. No accessory building shall be erected in any required front or side yard. Accessory buildings and detached garages shall not cover more than thirty percent (30%) of the required rear yard and shall be at least five (5) feet from all lot lines and fifteen (15) feet from any other building on the same lot.
2. A carport or garage, if attached to the principal dwelling, is considered a part of the principal structure.
3. On any corner lot, adjoining in the rear, another lot which is in a residential district, no part of any accessory structure within twenty-five (25) feet of the common lot line shall be nearer the side street line than the depth of any required front yard or a dwelling along such side street.
4. No accessory building shall exceed one (1) story in height or sixteen (16) feet total (peak of roof to ground).

G. BUILDING AREA

On any lot the area occupied by all buildings, including accessory buildings, shall not exceed thirty-five percent (35%) of the total area of such lot.

H. MAXIMUM BUILDING HEIGHT

No structure shall exceed three (3) stories or thirty-five (35) feet in height.

I. PARKING REQUIREMENTS

Uses in the R-2 District shall conform with the provisions of Article III, Section 8 of this ordinance.

J. ACCESS REQUIREMENTS

Uses in the R-2 District shall conform with the provisions of Article III, Section 9 of this ordinance.

SECTION 3

C-1, CENTRAL COMMERCIAL DISTRICT

A. GENERAL DESCRIPTION

The purpose of the C-1 District is to provide an area for the conduct of community and municipal retail and service business especially for those sales and service uses which require a central location, which generate substantial pedestrian traffic, and which are mutually benefited by close proximity to other uses of similar nature and requirement.

It is further intended to exclude those commercial and industrial activities which are characterized by trucking other than stocking and delivery of retail goods, which cater to automobiles; which interfere with pedestrians or pedestrian circulation, or which create hazards, noise, vibration, smoke, dust, odors, glare, heat or other objectionable influences or nuisances.

Within the C-1, Central Commercial District, as shown on the Official Morrison Zoning Map, the following regulations shall apply:

B. PERMITTED USES

1. Community-wide retail businesses, including the following types of establishments: grocery, general merchandise, apparel, furniture, antiques, household and hardware, electronics, pharmacies and sundries, florists, sporting goods and similar uses.
2. Community-wide retail services including the following types of establishments: barber shops; beauty shops; shoe repair; video rental; game rooms, billiard halls and other places of amusement; laundering and dry cleaning establishments; restaurants (excluding drive-ins); grills; pawn shops; clubs and lodges.
3. Professional offices for doctors, lawyers, dentists, architects, artists, engineers, realtors, employment agencies, insurance agencies, travel agencies and similar uses.
4. Printing and publishing establishments.
5. Financial institutions.
6. Public uses and structures, and public utility structures.
7. Residential, except mobile homes.
8. Churches; indoor theater.
9. Child and adult day care facilities per Article VI, Section 10C.
10. "Bed and Breakfast" per Article VI, Section 8.
11. New and used automobile and other type vehicle sales.
12. Off-street parking lots and parking garages.
13. Accessory uses of structures customarily incidental to the above permitted uses, including on-premise business signs.
14. Real estate signs, per provisions of Article VI, Section 2.
15. Off-premise directional-informational signs not over 25 sq.ft.

C. USES PERMITTED UPON APPEAL (SPECIAL EXCEPTIONS)

After public notice and hearing and subject to appropriate conditions and safeguards, the Board of Zoning Appeals may permit as special exceptions: NONE

D. USES PROHIBITED

1. Industrial uses.
2. Warehousing and storage, except those uses within and incidental to a permitted business or service structure.
3. Mobile homes for residential or commercial use; mobile home parks.
4. Use of mobile homes, trucks or tractor trailers for office space, storage or advertising.
5. Sale or storage of gasoline or other explosives.
6. Truck terminals, junkyards, bus stations, moving companies.
7. Billboards and other similar off-premise advertising signs.
8. All other uses or structures not of a nature specifically permitted herein or permitted by implication. Also, any use dangerous or offensive because of odor, smoke, noise, glare, fumes, gas, fire or vibration, or hazardous because of danger of fire or explosion, even under proper safeguards.

E. MINIMUM LOT AREA, WIDTH, AND YARD REQUIREMENTS

1. Minimum Lot Requirements

- a. All uses and structures 3,000 sq. ft. minimum and meet other requirements herein.
- b. Churches..... 30,000 sq. ft. minimum plus off-street parking area requirements.
- c. Residential uses requirements Same as R-2

2. Minimum Yard Requirements

- a. Twenty (20) foot setback off any street right-of-way.
- b. Twenty (20) foot setback off any property line adjoining a residential district.
- c. Commercial buildings may be built next to a common lot line by common consent, provided the combined lot line walls have a four(4) hour fire resistance rating or as specified by the Standard Building and Fire Prevention Codes.

3. Building Area -- Not to exceed 90%

4. Screening

Where a lot line is shared with an adjoining residential lot the owner of the commercial lot shall plant and maintain adequate landscaping along the entire lot line in order to provide a pleasant screen between these two different but contiguous land uses.

F. MAXIMUM BUILDING HEIGHT

Structures in the C-1 District shall not be higher than three (3) stories or thirty-five (35) feet.

G. PARKING REQUIREMENTS

Structures in the C-1 District shall conform with the provisions of Article III, Section 8 of this zoning ordinance.

H. ACCESS REQUIREMENTS

Uses in the C-1 District shall conform with the provisions of Article III, Section 9 of this zoning ordinance.

I. OFF-STREET LOADING AND UNLOADING SPACE REQUIREMENTS

Uses in the C-1 District shall conform with the provisions of Article III, Section 10 of this zoning ordinance.

SECTION 4

C-2 GENERAL COMMERCIAL DISTRICT

A. GENERAL DESCRIPTION

The purpose of the C-2 General Commercial District is primarily to provide areas for the location of general commercial business and those enterprises which are oriented toward serving occupants of automobiles and trucks and/or their vehicles.

Within the C-2 General Commercial District as shown on the Official Morrison Zoning Map the following regulations shall apply:

B. PERMITTED USES

1. Residential - single, two-family and multi-family.
2. Retail businesses such as Grocery store, drug store, florist, souvenir shop, commercial greenhouse or nursery, hardware store, apparel, furniture, meat or fruit market, restaurant including sit-down and drive-in.
3. Banks, offices, barber and beauty shops, shoe repair shops, video rental, public parking garages and lots.
4. Hospital, clinic, nursing home, funeral home.
5. Child or adult day care - (per Article VI, Section 10-B & 10-C.)
6. Hotel or motel; "Bed and Breakfast" (per Article VI, Section 8.)
7. Churches, schools, library, parks.
8. Theaters and places of amusement or recreation.
9. Automobile service stations and convenience marts provided that inflammable liquids in excess of 500 gallons are not stored above ground, and provided that the provisions of Article VI, Section 4(A) are met.
10. Dry cleaning and laundering facilities (self-service and retail).
11. Mini-warehouses.
12. Automobile, truck and tractor sales and service establishments; mobile home sales lots.
13. Building supplies where new building materials are sold and inventory is kept under roof.

14. Veterinary services for small animal care.
15. Public uses and structures, including governmental and utilities.
16. Accessory buildings or uses customarily incidental to aforementioned permitted uses, including on-premise business signs.
17. Off-premise directional-informational signs not over 25 sq.ft.
18. Billboards located only on Highway 55 one thousand (1000) ft. apart - only single-stack back-to-back permitted, not to project beyond the property line.

C. USES PERMITTED ON APPEAL (SPECIAL EXCEPTIONS)

After public notice and hearing and subject to appropriate conditions and safeguards, the Board of Zoning Appeals may permit as special exceptions:

Residential Homes for the Aged

D. USES PROHIBITED

1. Industrial uses not permitted on appeal.
2. Warehousing, except mini-warehouses or those within and incidental to a permitted business or service structure.
3. Storage of explosives.
4. Storage above ground consisting of inflammable liquids in excess of five-hundred (500) gallons.
5. Truck terminals
6. The overnight storage of inventory out-of-doors is prohibited except for operable motorized vehicles.
7. Storage of mobile homes overnight is not allowed unless located on the premises of a licensed mobile home sales lot.
8. Junkyards
9. Mobile homes for residential or commercial uses, except as the office within a mobile home sales business.
10. Mobile home parks.
11. The use of mobile homes, trucks, and tractor trailers for office space, storage or advertising, except temporary (not to exceed 6 months) at a construction site and except at mobile home sales businesses.
12. All other uses not specifically permitted or permitted on appeal or implied in this district. Also, any use dangerous or offensive because of odor, smoke, noise, glare, fumes, gas, fire or vibration, or hazardous because of fire or explosion, even under proper safeguards.

E. MINIMUM LOT AREA, WIDTH, AND YARD REQUIREMENTS

1. Minimum lot size for commercial uses 15,000 sq. ft.
2. Minimum lot size for single-family residential 15,000 sq. ft.
3. Minimum lot size for two-family residential
(or 1st 2 units in multi-family)..... 20,000 sq. Ft.
4. Minimum lot size for multi-family -- add 5,000 sq.ft. per unit over 2 units.
5. Minimum lot width at building setback line 100 ft.

- 6. Minimum depth of front yard:
 - a. On a major thoroughfare50 ft. from right-of-way
 - b. On all other streets.....35 ft. from right-of-way
 - c. Both sides of a corner lot along a street are considered “front yard”.
- 7. Minimum depth of rear yard:
 - a. Adjoining residential district..... 25 ft.
 - b. All other lots 15 ft.
- 8. Minimum width of side yard on each side:
 - a. One and two story buildings 15 ft.
 - b. Three story building..... 20 ft.
 - c. Adjacent to residential district..... 25 ft.
- 9. Maximum building area 40% of total area
- 10. Screening

Where a lot line is shared with an adjoining residential lot, the owner of the commercial lot shall plant and maintain adequate landscaping along the entire lot line in order to provide a pleasant screen between these two different but contiguous land uses.

F. MAXIMUM BUILDING HEIGHT

No structure in the C-2 District shall exceed three (3) stories or thirty-five (35) feet in height.

G. PARKING REQUIREMENTS

Uses in the C-2 District shall conform with the provisions of Article III, Section 8 of this zoning ordinance.

H. ACCESS REQUIREMENTS

Uses in the C-2 District shall conform with the provisions of Article III, Section 9 of this zoning ordinance.

I. OFF-STREET LOADING AND UNLOADING SPACE REQUIREMENTS

Uses in the C-2 District shall conform with the provisions of Article III, Section 10 of this zoning ordinance.

SECTION 5

I-1 LIGHT INDUSTRIAL DISTRICT

A. GENERAL DESCRIPTION

The intent of the I-1 District is to provide areas in which the principal use of land is for light manufacturing and assembly plants, processing, storage, warehousing, wholesaling and distribution. It is the intent that permitted uses are conducted so that noise, odor, dust and glare of each operation is minimal.

Within the I-1, Light Industrial District, as shown on the Official Morrison Zoning Map, the following regulations shall apply:

B. PERMITTED USES

1. Light manufacturing and assembly uses.
2. Agricultural equipment sales and repair, baking establishments, bottling and distribution plants, business and outdoor advertising signs, public utility structures, wholesale and storage business, heavy equipment sales and service, and any other uses which in the opinion of the Board of Zoning Appeals are similar in character to those enumerated in this section and will not be detrimental to this district.
3. Accessory uses or structures customarily incidental to the above permitted uses.

C. USES PERMITTED ON APPEAL (SPECIAL EXCEPTIONS)

After public notice and hearing and subject to appropriate conditions and safeguards, the Board of Zoning Appeals may permit as special exceptions:

1. Public parks and public recreational facilities.
2. Gasoline, oil, propane or alcohol storage above the ground in excess of five-hundred (500) gallons provided State and Federal Fire Prevention Codes are complied with.
3. Federal, state and municipal uses.
4. Public utilities.
5. Truck terminals and transfer stations.
6. Building material storage yards for the storage of new materials where 75 percent or greater is stored under roof.

D. PROHIBITED USES

1. Residential uses, including hotels and motels; educational facilities.
2. Industrial uses considered dangerous or unsafe.
3. Mobile homes for residential or commercial use and mobile home parks.
4. Uses considered by this Board of Zoning Appeals to be incompatible with neighboring or surrounding uses.
5. Any use which would cause injurious or obnoxious noise, vibrations, smoke, gas, fumes, odors, dust, or other objectionable conditions.

E. MINIMUM LOT AREA, WIDTH AND YARD REQUIREMENTS

1. Minimum Lot Size 1 Acre.
2. Minimum lot width at building line 200 ft.
3. Minimum Front Setback
 - a. On major thoroughfares..... 50 ft.
 - b. On all other streets 40 ft.

4. Minimum Rear Setback
 - a. Minimum requirements..... 30 ft.
 - b. Lots adjoining residential districts..... 50 ft.

5. Minimum Side Setback
 - a. Minimum requirements..... 20 ft.
 - b. Lots adjoining non-industrial districts..... 30 ft.
 - c. Lots adjoining residential districts..... 50 ft.
 - d. Corner lots -- minimum side setback, plus an additional fifty percent (50%).

6. Maximum Lot Coverage
Main and accessory buildings and structures and off-street parking and loading facilities shall not cover more than eighty (80) percent of the lot area.

7. Landscape Treatment
 - a. On-site improvements shall be properly landscaped and buffered to prevent any noticeable noise, dust, or obnoxious odors which would injure or disturb adjoining properties.
 - b. The landscaping used shall not interfere with sight distances of motorists, nor obstruct needed views of buildings or their means of identification. All landscaping should be designed so as to require the minimum amount of maintenance.

F. PARKING REQUIREMENTS

Uses in the I-1 District shall conform with the provisions of Article III, Section 8 of this zoning ordinance.

G. ACCESS REQUIREMENTS

Uses in the I-1 District shall conform with the provisions of Article III, Section 9 of this zoning ordinance.

H. OFF-STREET LOADING AND UNLOADING SPACE REQUIREMENTS

Uses in the I-1 District shall conform with the provisions of Article III, Section 10 of this zoning ordinance.

SECTION 6

A-1 AGRICULTURE DISTRICT

A. GENERAL DESCRIPTION

The purpose of the A-1 District is to provide an area for agriculture and agriculturally oriented uses and structures in a low density environment.

Within the A-1 Agriculture District, as shown on the Official Morrison Zoning Map, the following regulations shall apply:

B. PERMITTED USES

1. Farm homes and single-family detached dwellings, excluding mobile homes.
2. Barns, greenhouses and other structures as accessory buildings customarily incidental to the aforementioned permitted uses.
3. Farms for the growing and storage of farm products such as nursery stock, vegetables, fruits and grain, as well as for the raising of farm poultry and farm animals such as horses, cattle, sheep and swine.

C. USES PERMITTED ON APPEAL (Special Exceptions)

Following the submittal of a site plan, for the purposes of determining the impact on the surrounding residential and agricultural uses including provision of parking, possible traffic or other safety hazards, and nuisances, the Board of Zoning Appeals may also permit as special exceptions:

1. Churches and other places of worship; parish houses; public libraries; schools offering general education courses; golf courses; public parks and public recreational facilities; municipal, county, state or federal uses, except general office buildings; public utilities, except storage and warehouse areas; cemeteries (per Article VI, Section 4-B); and philanthropic institutions and clubs, except a club, the chief activity of which is customarily carried out as a business.
2. Bed and breakfast establishments by the family residing on the premises (see Article VI, Section 8).
3. Home Occupations, including professional offices (except medical or dental clinics), studios, in-home day care center for no more than 7 children (per Article VI, Section 10A), or other customary incidental home occupations. All home occupations subject to specific requirements in Article VI, Section 4C.

D. USES PROHIBITED

Any use not specifically permitted or permitted on appeal is prohibited.

E. MINIMUM LOT AREA, WIDTH AND YARD REQUIREMENTS

The principal building shall be located so as to comply with the following requirements:

1. Minimum lot area 1 acre
2. Minimum lot width at building setback line 125 ft.
3. Minimum depth of front yard:
 - a. Minor street 40 ft.
 - b. Secondary thoroughfare 50 ft.
 - c. Primary street 60 ft.
4. Minimum depth of rear yard 30 ft.
5. Minimum width of side yard on each side:
 - a. One or two story building 25 ft.
 - b. Three story building 35 ft.
6. Minimum width of side yards on corner lots shall be 40 feet.

F. LOCATION OF ACCESSORY BUILDINGS

1. No accessory building shall be erected in any required front or side yard.
2. Accessory buildings and detached garages shall not cover more than thirty (30) percent of the required rear yard and shall be at least five (5) feet from all lot lines and fifteen (15) feet from any other building on the same lot.
3. A carport or garage, if attached to the principal dwelling, is considered a part of the principal structure.
4. On any corner lot, adjoining in the rear another lot which is in an agricultural or residential district, no part of any accessory structure within twenty-five (25) feet of the common lot line shall be nearer the side street line than the depth of any required front yard for a dwelling along such side street.

G. BUILDING AREA

On any lot the area occupied by all buildings, including accessory buildings, shall not exceed twenty-five percent (25%) of the total area of such lot.

H. MAXIMUM BUILDING HEIGHT

No structure should exceed three (3) stories or thirty-five (35) feet in height.

I. PARKING REQUIREMENTS

Uses in the A-1 District shall conform with the provisions of Article III, Section 8 of this Ordinance.

J. ACCESS REQUIREMENTS

Uses in the A-1 District shall conform with the provisions of Article III, Section 9 of this Ordinance.

ARTICLE VI

SUPPLEMENTARY REGULATIONS

For the purpose of the zoning ordinance these supplementary regulations shall apply to specific, to several or to all districts. These regulations pertain to certain specific uses, authorize certain exemptions, or relate to unusual conditions.

SECTION 1

LAND SUBJECT TO FLOODING

A. DELINEATION OF LAND SUBJECT TO FLOODING

For the purpose of this ordinance, land subject to flooding shall be delineated as those areas within the Town of Morrison shown as Areas of Special Flood Hazard on the Warren County Flood Hazard Boundary Map Number (47177C0125C) dated March 16, 1988, or any subsequent amendment or revision to said map.

For the purpose of general identification the Areas of Special Flood Hazard are shown as special overlay zones on the Official Morrison Zoning Map, however, for more exact location of the boundaries of these floodable areas the above mentioned Flood Insurance Rate Maps should be utilized.

B. REGULATIONS FOR DEVELOPMENT

Buildings constructed in identified flood hazard areas or adjacent to any stream shall be set back from the bank of the stream a distance equal to twice the width of the stream or 20 feet, whichever is greater.

Where flood elevation data is available from the Corps of Engineers or other source, the first floor of said building shall be elevated one foot above the base flood elevation. Where elevations are not available, the first floor shall be located 2 feet above the highest adjacent grade.

SECTION 2

SIGNS, BILLBOARDS AND OTHER ADVERTISING STRUCTURES

These conditions are established as a reasonable and impartial method of regulating advertising structures in order to insure light, air, and open space, to reduce hazards at intersections, and to protect property values of the entire community. The regulations for signs, billboards, and other advertising structures are enumerated below:

- A. In **all zoning districts** the following signs are permitted and general regulations shall apply:
1. For parking areas, entrance and exit signs not exceeding two (2) square feet in area and not more than one (1) sign not more than nine (9) square feet in area identifying or designating the conditions of the use of such parking area.
 2. Nonilluminated "For Sale" or "For Rent" signs not exceeding four (4) square feet in area.

3. One (1) sign not more than twelve (12) square feet in area giving the names of the contractors, engineers, or architects, during construction of a building.
4. Signs established by, or by order of, any governmental agency.
5. Small off-premise directional-informational signs not over twenty-five (25) sq.ft.
6. For special events of public interest, one (1) sign, not over twenty-four (24) square feet in area located upon the site of the event. Such signs shall be removed within 24 hours of the event.
7. No sign shall be erected or maintained where, by reason of its position, wording, 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.
8. All signs must be constructed and displayed so as not to impair vision and create safety hazards at any street intersection.
9. No sign shall be located on, or attached to, any public property or on public right-of-way except public signs authorized by the Town of Morrison, Warren County, or the State of Tennessee.
10. Signs erected and overhanging any sidewalk must be placed at least nine (9) feet above the sidewalk and may extend over the sidewalk a distance equal to two-thirds the width of the sidewalk, but in no case exceeding ten (10) feet.
11. No truck or trailer shall be parked or utilized as a permanent sign.

B. In the **R-1, Low Density**, and **R-2, High Density Residential Districts**, the following regulations for signs and other advertising structures shall apply:

1. Nameplates indicating name, address, house number, announcement of boarders or roomers, are permitted.
2. For apartment buildings and mobile home parks, identification signs not exceeding nine (9) square feet in area are permitted.
3. Signs announcing customary home occupations are permitted, but shall not exceed four (4) square feet in area.
4. Church, school, or public building bulletin boards or identification signs, not exceeding twenty (20) square feet in area, are permitted.
5. Flashing or intermittent illumination is prohibited.
6. Billboards are prohibited in all residential districts.

C. In the **C-1, Central Commercial**, and **C-2, General Commercial Districts**

1. On-premise signs shall not exceed three-hundred (300) square feet in area and no more than two signs are allowed per business.
2. For parking areas, entrance and exit signs not exceeding two (2) square feet in area and not more than one (1) sign not more than nine (9) square feet in area identifying or designating the conditions of the use of such parking area.
3. Billboards and other similar outdoor advertising structures:
 - a. Permitted **only** on Highway 55 in the C-2 District.
 - b. Spaced minimum 1000 ft. Apart.
 - c. Not over three hundred (300) sq.ft. in size.
 - d. Must conform with the side, front and rear yard requirements of the C-2 District.
 - e. No billboard shall be erected or placed within one-hundred (100) feet of any residential district.

- f. Only single height back-to-back billboards are allowed; no double-stacks or side-by-sides.
- g. Conform with all applicable state regulations including those in the Tennessee Code Annotated.

D. In the **I-1, Light Industrial District:**

1. Signs shall not exceed three-hundred (300) square feet in area and no more than two signs are allowed per business or industry.
2. Signs pertaining to product manufactured on the premises or the firm occupying the premises are permitted.
3. No billboards are permitted.
4. For parking areas, entrance and exit signs not exceeding two (2) square feet in area and not more than one (1) sign not more than nine (9) square feet in area identifying or designating the conditions of the use of such parking area.

SECTION 3

MOBILE HOMES AND MOBILE HOME PARKS

A. MOBILE HOMES ON INDIVIDUAL LOTS

Where single-wide mobile homes are allowed on individual lots they shall have a permanent concrete or masonry foundation and shall be anchored in accordance with State of Tennessee Regulations, shall have a permanent driveway with off street parking for two cars, shall be underpinned, shall meet all area regulations of the district, and further shall comply with all applicable federal, state and local housing, building and construction codes.

- Materials used for underpinning shall be block, stone, vinyl or metal suitable for external residential construction.
- Underpinning shall be painted to match the mobile home exterior.
- Double-wide mobile homes or modular units shall be underpinned with block or brick and set up to look like conventional houses.

An existing single-wide or double-wide mobile home in the R1, R2 or A1 Districts can be removed and replaced with a new mobile home provided the setback requirements of the district are complied with and provided that the age, tie down, foundation, underpinning and other requirements of this Section are complied with.

No mobile home exceeding five (5) years of age shall be permitted at the time of initial set up or replacement.

B. MOBILE HOME PARKS

1. Application Required

An application for a mobile home park shall be presented to the planning commission for review and approval prior to the issuance of a zoning permit for such use. The application shall consist of a map drawn to a scale no smaller

than 1"=100' setting forth herein the geographical location, boundaries, driveways, drainage, buildings and sanitation facilities including the location of water and sewer lines and the number, location and size of all mobile home spaces and any other information as the planning commission may require.

2. Mobile Home Park Standards

- a. No parcel of land containing less than three (3) acres shall be used for a mobile home park.
- b. Each mobile home park shall contain developed sites for a minimum of five (5) mobile homes at the time of first occupancy.
- c. All mobile home pads, mobile homes, and other structures shall be located on the lot so as to comply with the front, rear, and side yard requirements of the district. A greenbelt planting strip composed of one (1) row of trees spaced not more than thirty (30) feet apart, or a row of shrubs, spaced not more than four (4) feet apart and which will eventually grow to a height of not less than six (6) feet, shall be located along all exterior lot lines of the park.
- d. Individual plot spaces for single-wide mobile homes shall be clearly defined and mobile home pads provided so that the center line of pads are located no closer than thirty five (35) feet apart.
 - Minimum plot width shall be thirty five (35) feet.
 - Minimum plot depth shall be one-hundred ten (110) feet.
 - Each plot shall contain a minimum of two (2) parking spaces.
 - Access to parking spaces shall be from internal drives only, and shall not access directly public streets surrounding the development.
 - Each mobile home pad shall contain electrical, water, and wastewater connections for individual mobile home units.
- e. No mobile home unit exceeding five years of age shall be shall be located in the mobile home park upon initial set up or replacement.
- f. Access roads or driveways into mobile home parks shall be a minimum of eighteen (18) feet in width and shall be of double bituminous or similar construction approved by the planning commission.
- g. Fire hydrant protection shall be provided so that no mobile home is located farther than five-hundred (500) feet from a fire hydrant.
- h. Street lighting or other security lighting shall be provided within the mobile home park.
- i. All Mobile Home Parks shall be connected to the Public Sewer System for the Town of Morrison.
- j. In order to save water, master water meters will not be allowed. Each mobile home space shall be served by an individual water service line and meter.
- k. The anchoring and tie down requirements of the State of Tennessee shall be adhered to.
- l. Mobile homes located in mobile home parks shall be underpinned. Materials used for underpinning shall be block, stone, vinyl or metal suitable for external residential construction. Underpinning shall be painted to match the mobile home exterior.

SECTION 4

SPECIAL STANDARDS FOR CERTAIN USES

To accomplish the purposes of the zoning ordinance, special consideration is hereby given to certain uses. These uses shall comply with the following requirements regardless of the zoning district in which they may be located.

A. AUTOMOBILE SERVICE STATIONS

1. There shall be a building setback from all street right-of-way lines of a distance of not less than forty (40) feet.
2. Gasoline pumps shall not be located closer than fifteen (15) feet to any street right-of-way line.
3. Sign requirements as established in this Article, Section 2.
4. Tanks in excess of 500 gallons shall be underground and shall meet the installation requirements of the State of Tennessee Fire Marshall's Office.

B. CEMETERIES

1. The site proposed for a cemetery shall not interfere with the development of a system of streets and in addition shall have direct access to a thoroughfare.
2. Any new cemetery shall be located on a site containing not less than ten (10) acres.
3. All structures and facilities including but not limited to mausoleums, graves, burial lots, monuments, and maintenance buildings shall be set back at least thirty (30) feet from any property line or street right-of-way.
4. All required yards shall be landscaped and maintained.
5. Proposals for cemeteries shall be approved by the planning commission.

C. CUSTOMARY HOME OCCUPATION

A customary home occupation is a gainful occupation or profession conducted by members of a family residing on the premises and conducted entirely within the principal dwelling unit. For such uses the following regulations shall apply:

1. No stock in trade shall be displayed outside the dwelling.
2. No alterations to any building shall indicate from the exterior that the building is being utilized for any purpose other than a residential unit, including permitted accessory buildings.
3. Only one (1) person, not a resident of the premises, shall be employed.
4. No more than 25 percent of the total floor area in any dwelling unit shall be devoted to such use.
5. Sign not to exceed 4 sq. ft., as established in Section 2-B of this Article.
6. Uses generating excessive traffic volumes or causing on-street parking problems will be prohibited.

D. SWIMMING POOLS

1. No swimming pools or part thereof, including aprons, walks, and equipment rooms, shall protrude into any required front or side open space.
2. The swimming pool area shall be walled or fenced so as to prevent uncontrolled access by children and pets from the street or from adjacent properties. Said fence or wall shall be not less than five (5) feet in height and maintained in good condition.

SECTION 5

GROUP HOUSING DEVELOPMENTS (Apartments)

A. APPLICATION AND SITE PLAN REQUIRED

1. Purpose: To provide a maximum flexibility in design and to ensure a minimum standard of site development for group housing developments in excess of two residential structures on a single lot or tract of land, not subdivided.
2. An application shall be submitted to the planning commission consisting of a site plan drawn to a scale no smaller than 1" = 200' setting forth therein the geographical location, boundaries, surrounding development, drainage, buildings and structures, parking facilities, points of access to public streets, easements, sanitation facilities including the location and size of water and sewer lines, location of fire hydrants, and any other information as the planning commission may require.

B. REQUIRED DEVELOPMENT STANDARDS

1. Location -- The site shall abut a public street and comprise a single lot or tract of land except where divided by public street.
2. Area Requirements must comply with all the requirements of the district in which the project is located.
3. Internal Driveways
 - a. Driveways in the apartment complex shall be a minimum of 18 feet in width.
 - b. Two (2) paved parking spaces shall be provided for each dwelling unit.
 - c. Driveways shall be privately constructed and maintained.
 - d. The base of driveways shall consist of crushed stone or gravel, six (6) inches in depth, compacted.
 - e. The surface of streets shall consist of asphalt or better materials, two (2) inches in depth, compacted.
 - f. The minimum pavement width of driveways shall be eighteen (18) feet.
 - g. Closed ends of dead-end streets shall provide a vehicular turn-around at least eighty (80) feet in diameter.
4. Public Street Access
 - a. The minimum distance between access points along public street frontage, center line to center line, shall be two-hundred (200) feet.
 - b. The minimum distance between the center line of an access point and the nearest curb line or street line of a public street intersection shall be one-hundred (100) feet.
5. Utilities
 - a. The development shall be connected to the Morrison sanitary sewer system.
 - b. Six (6) inch water lines and fire hydrants shall be provided so that each structure is located within 500 feet of a hydrant.

6. **Storage of Waste**
Any central refuse disposal area shall be maintained in such manner as to meet county health requirements, and shall be screened from view.
7. **Service Building**
Service buildings housing laundry, sanitation, or other facilities for use by occupants, when provided, shall be permanent structures of similar construction to other buildings in the development.

SECTION 6

PARKING AND STORAGE OF LARGE VEHICLES AND TRUCKS

In any residential or commercial district, no vehicle or trailer of any kind or type without current license shall be parked or stored on any lot other than in a completely enclosed building.

In any residential district, no truck of a rated capacity 1 1/2 ton or greater nor any other truck painted with any sign nor any other vehicle or heavy equipment may be parked on any lot or in the public right-of-way adjacent to any lot overnight nor stored or parked while loading or unloading for periods in excess of twenty-four (24) hours except in an enclosed building or otherwise screened from view.

SECTION 7

FENCES, WALLS, AND HEDGES

Notwithstanding other provisions of this ordinance, fences, walls, and hedges may be permitted in any required yard, or along the edge of any yard, provided that no fence, wall, or hedge along the sides or front edge of any front yard shall cause any impairment to vision or create safety hazards at any street intersection.

SECTION 8

BED AND BREAKFAST ESTABLISHMENTS

Bed and breakfast establishments and the renting of rooms by the residents on premises, where allowed, provided the floor area used for such purpose may not exceed twenty-five (25) percent of total habitable floor area of the dwelling. Off-street parking must be provided in side and/or rear yards including two (2) off-street parking spaces for the residence plus one (1) additional space for each room offered for rent. Parking cannot be located in any front yard. For purposes of advertising, one (1) sign not over two (2) square feet in area may be used.

SECTION 9

RESIDENTIAL HOMES FOR THE AGED

Residential homes for the aged are allowed in the R-1, R-2 and C-2 Districts as special exceptions provided the following requirements are met:

1. Minimum site one (1) acre or more
2. Building minimum side and rear setbacks of 35 feet

3. Use of double-row landscape plantings or fencing along all property line. Opaque fencing may be required by BZA if necessary.
4. Off-street parking spaces = 1 space per bed, in order to provide sufficient parking for delivery vehicles, emergency vehicles, visitors, employees, etc.
5. Structure to meet Standard Building Code and Plumbing Code, and be hooked to city utilities.
6. Submit detailed site plan of property, showing parking, driveways, adjoining properties, distances to adjoining residences.
7. Licensed by State as Residential Care Home for Aged.

SECTION 10

DAY CARE CENTERS

A. Day Care Centers as a Home Occupation:

Day care centers operated within a home as a Home Occupation for the care of up to seven (7) children are allowed in the R-1, R-2 and A-1 Districts as Special Exception subject to the following provisions:

1. The child day care use will be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling.
2. Outdoor play space shall not be permitted within the front yard area and shall be fenced or otherwise enclosed on all sides and shall not include driveways, parking areas or land unsuited for children's play space.
3. There shall be a fence with the minimum height of four (4) feet surrounding the play space.
4. Operator of a child day care home must be the owner and reside on subject property.
5. Child day care homes, nurseries or kindergartens shall be located within the main structure on the lot only and shall not utilize more than fifty (50) percent of the gross floor area of the main structure.
6. Special approval shall not be transferable to another owner.
7. Shall be licensed by the State of Tennessee.
8. Day care centers for more than seven (7) children shall be located only in commercial zones or in the Industrial Zone as an accessory use.

B. Day Care Centers operated as an Accessory Use to a Business or Church

1. A site plan shall be prepared and submitted to the Planning Commission for review. It shall contain the location of building(s), driveway entrances or access, parking, play areas, fencing, etc.
2. Facility shall be licensed by State of Tennessee.
3. Parking shall be sufficient to accommodate the employees and day care patrons.

C. Day Care Centers operated as the Principal Use of a structure.

1. Shall be located in the C-1, C-2 or I-1 Districts only.
2. Minimum lot area 20,000 sq.ft.
3. Licensed by State of Tennessee.
4. Site plan prepared and submitted to Planning Commission for review
5. Parking in accordance with off-street parking requirements in Article III, Section 8.

ARTICLE VII

ADMINISTRATION AND ENFORCEMENT

SECTION 1

ZONING COMPLIANCE OFFICER

A. ADMINISTRATIVE AND ENFORCING OFFICER

The provisions of this ordinance shall be administered and enforced by a Zoning Compliance Officer appointed by the Mayor of Morrison and approved by the Morrison Board of Mayor and Aldermen.

The Zoning Compliance Officer shall administer and enforce this Ordinance and in addition he shall:

1. Issue all building permits and make and maintain records thereof;
2. Issue all certificates of occupancy and make and maintain records thereof;
3. Issue and renew, where applicable, all temporary use permits and make and maintain records thereof;
4. Maintain and keep current zoning maps, and records of amendments thereto;
5. Conduct inspections as prescribed by this Ordinance, and such other inspections as are necessary to ensure compliance with the various provisions of this Ordinance generally;
6. Receive, file, and forward to the planning commission all applications for conditional uses, and for amendments to this Ordinance;
7. Receive, file, and forward to the Board of Zoning Appeals all applications for variances or other matters, on which the Board is required to pass under the provisions of this Ordinance.

B. POWERS OF THE ZONING COMPLIANCE OFFICER

The Zoning Compliance Officer shall have the power to grant building permits and use and occupancy permits, and make inspections of buildings or premises necessary to carry out his duties in the enforcement of this Ordinance. It shall be unlawful for the Zoning Compliance Officer to approve any plan or issue any permits as certificates of occupancy for any excavation or construction until he has inspected such plans in detail and found them to conform to this Ordinance.

Under no circumstances is the Zoning Compliance Officer permitted to make changes in this Ordinance nor to vary its terms or provisions in carrying out his duties.

C. RIGHT OF ENTRY UPON LAND

The Zoning Compliance Officer or persons engaged by him to perform tests or other duties may enter upon any land within the jurisdiction of the city for the purpose of performing tests, making examinations, or surveys, and placing or removing public notices as may be required by this Ordinance.

SECTION 2

APPLICATION OF ZONING ORDINANCE

Except as otherwise provided, no structure or land shall after the effective date of the zoning ordinance be used and no structure or part thereof shall be erected, made addition to, or moved unless in conformity with the regulations herein specified for the district in which it is located. In their interpretation and application, the provisions of the zoning ordinance shall be considered minimum requirements adopted for the promotion of public health, safety, convenience, order, prosperity, and general welfare of the community. Where other ordinances or regulations impose greater restrictions than those specified herein, compliance with such other ordinances or regulations is mandatory.

SECTION 3

ZONING PERMITS

A. ZONING PERMITS REQUIRED

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 of or addition to any structure, including accessory structures or to commence the filling of land until the Zoning Compliance Officer has issued for such work a zoning permit containing a statement that the plans, specifications and intended use of such structure in all respects conform with the provisions of the zoning ordinance.

Application for a zoning permit shall be made in writing to the Zoning Compliance Officer on forms provided for that purpose.

B. DEVELOPMENT PLAN REQUIRED

It shall be unlawful for the Zoning Compliance Officer 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 the zoning ordinance.

The Zoning Compliance Officer shall require that every application for a building permit for excavation, construction, moving, or addition, shall be accompanied by a plan or plat drawn to a scale and showing the following in sufficient detail to enable the Zoning Compliance Officer to ascertain whether the proposed excavation, construction, moving or addition is in conformance with the zoning ordinance:

1. The actual shape, location, and dimensions of the lot to be built upon.
2. The shape, size, and location of all buildings or other structures to be erected, added to, or moved and of any buildings or other structures already on the lot.
3. The existing and intended use of all such buildings or other structures.
4. The location and design of off-street parking areas and off-street loading areas.
5. Any other information concerning the lot or adjoining lots as may be essential for determining whether the provisions of the zoning ordinance are being observed.

If the proposed excavation, construction, moving or addition as set forth in the application is in conformity with the provisions of the zoning ordinance, the Zoning Compliance Officer shall issue a building permit for such excavation or construction.

If an application for a building permit is not approved, the Zoning Compliance Officer shall state in writing on the application the cause for such disapproval.

Issuance of a permit shall, in no case, be construed as waiving any provision of the zoning ordinance.

Building permits shall be void six (6) months from date of issue unless substantial progress on the project has been made by that time.

C. CERTIFICATE OF OCCUPANCY REQUIRED

No land or building or other structure or part thereof hereafter erected, moved, or added to in its use shall be used until the Zoning Compliance Officer has found such land, structure, or part thereof to be in conformity with the provisions of the zoning ordinance and a Certificate of Occupancy Issued.

SECTION 4

BOARD OF ZONING APPEALS
ESTABLISHMENT AND PROCEDURE

A. ESTABLISHMENT OF THE BOARD OF ZONING APPEALS

A Board of Zoning Appeals is hereby established in accordance with Sections 13-7-205 through 13-7-207 of the *Tennessee Code Annotated*.

As permitted by Section 13-7-205, *Tennessee Code Annotated*, the Morrison Regional Planning Commission is hereby designated as the Morrison Board of Zoning Appeals.

B. CONFLICT OF INTEREST

Any member of the Board who shall have direct or an indirect interest in any property which is the subject matter of or affected by a decision of the Board shall be disqualified from participating in the discussion, decision, and proceedings of the Board in connection therewith. The burden for revealing any such conflict rests with individual members of the Board. Failure to reveal any such conflict shall constitute grounds for immediate removal from the Board for cause.

C. PROCEEDINGS OF THE BOARD OF ZONING APPEALS

The Board of Zoning Appeals shall adopt rules necessary to the conduct of its affairs and in keeping with the provisions of this ordinance. Meetings shall be held at the call of the chairman and at such other times as the Board may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.

The Board of Zoning Appeals shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately filed with official records of the Board.

D. HEARINGS AND APPEALS

An appeal to the Board of Zoning Appeals may be taken by any person, firm, or corporation aggrieved, or by any governmental officer, department, board, or bureau affected by any decision of the Zoning Compliance Officer, based in whole or in part upon the provision of this ordinance. Such appeal shall be taken by filing with the Board of Zoning Appeals a notice of appeal, specifying the grounds thereof.

The Zoning Compliance Officer shall transmit to the Board all papers constituting the record upon which the appeal was taken. The Board shall fix a reasonable time for the hearing of the appeal, give due notice to the parties of interest, and decide the same within a reasonable time.

At the hearing, any person, or party may appear in person, by agent, or by attorney. **The petitioner or the petitioner's authorized agent must be present in order for the matter to be heard.**

E. LIABILITY OF MEMBERS OF THE BOARD OF ZONING APPEALS AND THE ZONING COMPLIANCE OFFICER

Any member of the Board of Zoning Appeals, the Zoning Compliance Officer, or other employee charged with the enforcement of this ordinance acting for the Town of Morrison in the discharge of his duties, shall not thereby render himself liable personally, and he is hereby relieved from all personal liability and shall be held harmless by the Town of Morrison of any damage that may accrue to persons or property as the result of any act required or permitted in the proper discharge of their duties. Any suit brought against any Board member, the Zoning Compliance Officer, or employees charged with the enforcement of any provision of this ordinance shall be defended by legal representative furnished by the Town of Morrison until the final termination of such proceedings.

SECTION 5

BOARD OF ZONING APPEALS: POWERS AND DUTIES

A. ADMINISTRATIVE REVIEW

The Board of Zoning Appeals shall 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 Zoning Compliance Officer or any other administrative official in carrying out or enforcing any provision of this ordinance, or in his interpretation of the zoning map.

B. SPECIAL EXCEPTIONS (USES PERMITTED UPON APPEAL)

The Board of Zoning Appeals may hear and decide only such special exceptions as it is specifically authorized to pass on by the terms of the "Uses Permitted on Appeals" Sections of this ordinance; to decide such questions as are involved in determining

whether special exceptions should be granted; and to grant special exceptions with such conditions and safeguards as are appropriate under this ordinance; or to deny special exceptions when not in harmony with the purpose and intent of this ordinance.

1. Application Fee. An application shall be filed with the Board of Zoning Appeals for review. Said application shall show the location and intended use of the site, the names of the property owners, existing land uses of all adjacent properties, any and other material pertinent to the request which the Board of Zoning Appeals may require.

A nonrefundable fee of Twenty-Five dollars (\$25.00) shall be paid to the Town of Morrison with each application for a request for a special exception from the Board of Zoning Appeals to defray costs of notices, the hearing, and any miscellaneous expenses.

2. General Provisions Governing Uses Permitted on Appeal. Before any special exception shall be issued, the Board of Zoning Appeals shall certify compliance with the specific rules governing individual exceptions and that satisfactory provision and arrangement has been made concerning the following general requirements:
 - a. It is so designed, located and proposed to be operated so that the public health, safety, and welfare will be protected;
 - b. It will not adversely affect other property in the area in which it is located;
 - c. It is within the provision of "Uses Permitted on Appeal" as set forth in this ordinance; and
 - d. It conforms to all applicable provisions of this ordinance for the district in which it is to be located.
3. Validity of Plans. All approved plans, conditions, restrictions, and rules made a part of the approval of the Board of Zoning Appeals shall constitute certification on the part of the applicant that the proposed use shall conform to such regulations at all times.
4. Time Limit. All applications reviewed by the Board of Zoning Appeals shall be decided within forty-five (45) days of the date of the application, and the applicant notified of either the approval or denial of the request.

C. VARIANCES

The Board of Zoning Appeals has the authority to hear and decide applications for variances from the terms of this ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship. In exercising its powers, the Board of Zoning Appeals may, so long as such action is in conformity with the terms of this ordinance, reverse, affirm, or modify the order, requirement, decision, or determination as set forth in the regulations of this ordinance, and to that end shall have the powers of the administrative official from whom the appeal is taken.

1. Application and Fee. An application shall be filed with the Board of Zoning Appeals for consideration. Said application shall show the location and intended variance of the site, the names of the property owners, existing land uses of all adjacent properties, and any other material pertinent to the request which the Board of Zoning Appeals may require.

A nonrefundable fee of Twenty-Five dollars (\$25.00) shall be paid to the Town of Morrison with each application for a request for a variance by the Board of Zoning Appeals to defray costs of notices, the hearing and any miscellaneous expenses.

2. Standards for Variances. In granting a variance the Board shall ascertain that the following criteria are met:
 - a. The particular physical surroundings, shape, or topographic conditions of the specific property involved would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict application of this ordinance were carried out;
 - b. The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same district;
 - c. The variance will not authorize in a zone district activities other than those permitted by this ordinance;
 - d. Financial returns only shall not be considered as a basis for granting a variance;
 - e. The alleged difficulty or hardship has not been created by any person having an interest in the property after the effective date of this ordinance;
 - f. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district;
 - g. The variance is the minimum variance that will make possible the reasonable use of the land, building, or structure;
 - h. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the area in which property is located; and
 - i. The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the area.
3. Non-Conformity Does Not Constitute Grounds for Granting a Variance. No non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted or non-conforming use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.
4. Prohibition of Use Variances. Under no circumstances shall the Board of Zoning Appeals grant a variance to allow a use not permissible under the terms of this ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this ordinance in said district.

5. Conditions and Restrictions by the Board. The Board may impose such conditions and restrictions upon the premises benefited by a variance as may be necessary to comply with the provisions set out in this ordinance to reduce or minimize the injurious effect to such variation upon surrounding property and better carry out the general intent of this ordinance.
6. Time Limit. All applications reviewed by the Board of Zoning Appeals shall be decided within forty-five (45) days of the date of the application, and the applicant notified of either the approval or denial of the request.
7. Variance Appeals. Any person or agency aggrieved by a decision of the Board on a variance may appeal by certiorari to a court of competent jurisdiction. The judgment and findings of the Board on all questions of fact that may be involved in any appeal, cause, hearing or proceeding under this chapter shall be final and subject to review only for illegality or want of jurisdiction.

SECTION 6

AMENDMENTS TO ZONING ORDINANCE

A. PROCEDURE

The regulations, the number, or boundaries of districts established by the zoning ordinance may be amended, supplemented, changed, modified, or repealed by the Board of Mayor and Aldermen after holding a public hearing, 15 days notice of which has been given in the local newspaper; but in accordance with Section 13-7-204 of the *Tennessee Code Annotated*, no amendment shall become effective unless it is first submitted to and approved by the Morrison Regional Planning Commission, or if disapproved, shall receive a majority vote of the entire Board of Mayor and Aldermen.

B. APPLICATION AND FEE

Any person desiring to bring a request for an amendment to the zoning ordinance shall first submit an application for such a request. Said application shall state the purpose of the amendment and any other information or material pertinent to the request which the Planning Commission or Board of Mayor and Aldermen may require.

A nonrefundable fee of Twenty-Five dollars (\$25.00) shall be paid to the Town of Morrison with each application requesting an amendment to the zoning ordinance to defray costs of notices, public hearings, and any miscellaneous expenses.

SECTION 7

PENALTIES

Any person violating any provisions of this zoning ordinance shall be guilty of a misdemeanor, punishable as other misdemeanors as provided by law.

SECTION 8

REMEDIES

In case any building or other structure is erected, constructed, added to, moved or converted, or any building, structure, or land is used in violation of the zoning ordinance, the Zoning Compliance Officer 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 appropriate action or proceeding to prevent such unlawful erection, construction, addition, conversion, moving, or use; or to correct or abate such violation; or to prevent occupancy of such building, structure or land.

SECTION 9

VALIDITY

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

SECTION 10

EFFECTIVE DATE

This ordinance shall take effect from and after its final passage, the public welfare requiring it.

Certified to the Town of Morrison Board of Mayor and Aldermen: 10/7/96

Chairman, Morrison Planning Commission

Secretary, Morrison Planning Commission

ADOPTED BY THE TOWN OF MORRISON BOARD OF MAYOR AND ALDERMEN:

Publication of Notice of Public Hearing: 9/22/96

Public Hearing Held: 10/7/96

Passed First Reading: 9/3/96

Passed Second Reading: 10/7/96

Mayor of Morrison

ATTEST: _____
Morrison City Recorder

_____(Date)

Publication of Caption and Summary: 10/16/96

Effective Date: 10/16/96