

ARTICLE III

GENERAL PROVISIONS

SECTION

- 3.010 Scope
- 3.020 Only one (1) principal building on any residential lot
- 3.030 Structure to have access
- 3.040 Rear yard abutting a public street
- 3.050 Corner lots
- 3.060 Future street lines
- 3.070 Reduction in lot area prohibited
- 3.080 Obstruction to vision at street intersection prohibited
- 3.090 Access control
- 3.100 Accessory use regulations
- 3.110 Buffer strips
- 3.120 Plot plan requirements
- 3.130 Solar orientation

3.010. Scope. 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.

3.020. Only one (1) principal building on any residential lot. Only one (1) principal building and its customary accessory buildings may hereafter be erected on any residential lot. This provision does not prohibit planned development complexes as permitted under ARTICLE IV, Section 4.070, of this ordinance, or multi-family dwellings.

3.030. Structure to have access. No building shall be erected on a lot which does not abut at least one public street for at least 50 feet (or as specifically stated in the district dimensional regulations). In any district, properties on cul-de-sacs shall abut a public street for at least fifty (50) feet. This section shall not apply to properties whose access is provided by a private easement; provided, however, that when a permanent easement to a public street is used as access to a lot or tract of land having been or being separated by deed or plat from other property, such easement shall be at least 50 feet in width from and after the time of adoption of this ordinance and shall not be used to provide access to more than one lot or tract of land. Provided further that absolutely no subdivision shall hereinafter be allowed on a private easement. This section shall not be construed to prohibit the development of

buildings on lots or tracts with permanent access provided by private streets provided such development is in the form of condominium ownership of such private improvements which has been approved by the planning commission and will be in private ownership and control in perpetuity.

3.040. Rear yard abutting a public street. When the rear yard of a lot abuts a public street, all structures built in the rear yard shall observe the same setback from the street right-of-way line, center line of the street, or property line, as required for adjacent properties which front on that street. In addition, any structure located within twenty-five (25) feet of that setback line shall be no closer to any side property line than the distance required for side yards on adjoining properties fronting on that street.

3.050. Corner lots. The side yard setback requirements for corner lots shall be the same as the front setback requirements for the next adjacent lot fronting on the street that the side yard of the corner lot faces.

3.060. Future street lines. For the purpose of providing adequate space for the future widening of streets, required setbacks, or front yards shall be determined by the right-of-way as shown in the most current official Pegram, Tennessee Major Thoroughfare Plan.

3.070. Reduction 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.

3.080. Obstruction to vision at street intersections and railroad intersections prohibited. On a corner lot in any district within the area formed by the center lines of the intersecting or intercepting streets and/or railroads and a line joining pints on such center lines at a distance of seventy-five (75) feet from their intersection, there shall be no obstruction to vision between the height of three and one-half (3 1/2) feet and a height of ten (10) feet above the average grade of each street and/or railroad at the center line thereof. The requirements of this section shall not be construed to prohibit any necessary retaining wall.

3.090. 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 thirty (30) feet in width for all residential, retail and commercial services land uses. All points of access shall be so constructed as to provide for proper drainage of property and public street. A minimum of a eighteen (15) inch culvert shall be provided in the ditch line. For industrial land uses a point of access for vehicles onto a street shall not exceed forty-five (45) feet in width.
- B. There shall be no more than two (2) points of access to any one public street for each four hundred (400) 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. No point of access shall be allowed within twenty-five (25) feet of the right-of-way line of and public intersection. On collectors or arterials this minimum shall be forty (40) feet.
- D. No curbs on city streets or rights-of-way shall be cut or altered without written approval of the Building Inspector, and if a state highway, a permit must also be obtained from the Tennessee Department of Transportation.
- E. Where two driveways are provided for one lot frontage, the clear distance between the driveways shall not be less than twenty-five (25) feet.
- F. Cases requiring variances relative to the above provisions due to topographic limitations 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 onto a public street.

3.100. Accessory use regulations. The use of land, buildings, and other structures permitted in each of the districts established by this ordinance are designed by listing the principal uses. In addition to such principal

uses, accessory uses which are customarily incidental to the permitted uses are also permitted in each district. Each accessory use shall:

- A. Be customarily incidental to the principal use established on the same lot.
- B. Be subordinate to and serve such principal use.
- C. Be subordinate in area, intent, and purpose to such principal use.
- D. Contribute to the comfort, convenience, or necessity of users of such principal use.
- E. Total accessory uses in residential lot shall be limited in size to no more than one-half the size of its principal use on any lot.

3.110. Buffer strips. Where a use is established in areas zoned nonresidential (C-1, C-2, I-1 and I-2) which abuts at any point upon property zoned residential (R-1, R-2, and R-3), or whenever a planned unit development is established in any zoning district the developer of said use shall provide a buffer strip as defined herein at the point of abutment. Furthermore, there shall be installed around the rear and sides of all drive-in restaurants, a four (4) foot metal, mesh fence or wall designed to confine any litter or trash that may be generated on the site, unless peculiar conditions deem otherwise as determined by the Board of Appeals.

3.120. Plot plan requirements.

- A. Proposals for the construction or location of one (1) or more principal structures on a lot (with the exception of single-family and two-family dwellings) shall be submitted at a scale no smaller than 1"=100', showing contours at five (5) foot intervals, and must exhibit required automobile storage areas, servicing utilities with reference to location, availability, compatibility, and related easements, loading and unloading spaces, maneuvering areas, openings for ingress and egress to public streets, a proposed drainage plan, the density of development or the required open space, the number of dwelling units per acre if applicable, all required building setbacks and other yard requirements, and landscape treatment in accordance

with ARTICLE III, GENERAL PROVISIONS outlined in this ordinance.

- B. Proposals for planned development and mobile home parks shall follow separate provisions outlined in ARTICLE VI, SECTION 4.070 and 4.090 in this ordinance.
- C. The above applications must be supported by any other information or data as might be deemed necessary by the Pegram Municipal Planning Commission.

3.130. Solar orientation. Solar orientation devices shall be subject to the setbacks affecting dwellings, buildings, and other major improvements. The use of solar/energy devices for the purpose of providing energy is a permitted use within all zones, either as a part of the structure, or an independent structure. In order to maximize solar access, whenever possible the development should place highest densities on south facing slopes. Furthermore, all streets should be oriented on an east/west axis to the greatest possible extent in order that all lots be oriented with their greatest dimension on a north/south axis. Whenever possible, lot orientation from the north/south axis should vary no more than 20 degrees from the north/south axis. There shall be no solar device between the front yard setback line and the principal structure.