

ORDINANCE NO. 67

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWN OF MOUNT CARMEL, TENNESSEE (ORDINANCE NO. _____), FIRST, BY DELETING ARTICLE III (DEFINITIONS) IN IT'S ENTIRETY AND SUBSTITUTING A NEW SET OF DEFINITIONS IN LIEU THEREOF, AND SECOND, BY RE-CLASSIFYING CERTAIN PROPERTY ADJACENT TO MAIN STREET FROM RESIDENTIAL TO BUSINESS.

BE IT ORDAINED by the Board of Mayor and Aldermen of the Town of Mount Carmel as follows:

SECTION 1: That Article III of the Zoning Ordinance of the Town of Mount Carmel be amended by deleting definitions one through fifteen in their entirety and substituting the following set of definitions in lieu thereof, to wit:

1. ALLEY: A public way which affords only a secondary means of access to property and public travel, less than 20 feet in width.
2. BOARDING OR ROOMING HOUSE: A building containing a single dwelling unit and not more than five guest rooms where lodging is provided with or without meals for compensation.
3. BUFFER STRIP: A plant material acceptable to the building inspector which has such growth characteristics as will provide an obscuring screen not less than six feet in height. In

certain instances the Planning Commission may require additional screening features.

4. BUILDING: Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of persons, animals or chattel.
 - (a) Principal building: A building in which is conducted the main or principal use of the lot on which said building is located.
 - (b) Accessory building or use: A building or use customarily incidental and subordinate to the principal building or use and located on the same lot with such building or use. An accessory use shall not be placed in front or side yard.
5. BUILDING HEIGHT: The vertical distance measured from the finished grade at the building line to the highest point of the roof.
6. BUSINESS SIGN: A sign which directs attention to a business or profession conducted on the premises. A "For Sale" sign or a "To Let" sign for the property on which it is displayed shall be deemed a business sign.
7. DWELLING UNIT: One or more rooms in a building designed for occupancy by one family and having not more than one principal cooking facility.

- (a) Dwelling, Multi-family. A building or portion thereof designed for occupancy by three or more families living independently of each other.
- (b) Dwelling, Single-family. A detached building containing one dwelling unit and designed for occupancy by one family only.
- (c) Dwelling, Two-family. A detached building containing two families.

- 8. FAMILY: An individual or two or more persons related by blood marriage, legal adoption, or legal guardianship, living together as one housekeeping unit using one kitchen, and providing meals or lodging to not more than three unrelated persons living together as one housekeeping unit using one kitchen.
- 9. LOT: A parcel of land which fronts on and has access to a public street and which is occupied or intended to be occupied by a building or buildings with customary accessories and open space.
 - (a) Lot Area. The total horizontal area within the lot lines of a lot exclusive of streets and easements of access to other property.
 - (b) Lot, Corner. A lot abutting on two or more streets other than an alley, at their intersection.

- (c) Lot Line. The property line bounding a lot.
 - (d) Lot Line, Front. The lot line separating the lot from the street other than an alley, and in the case of a corner lot, the shortest lot line along a street other than an alley.
 - (e) Lot Line, Rear. The lot line which is opposite and most distant from the front lot line. In the case of an irregular, triangular or other shaped lot, a line 10 feet in length within the lot parallel to and at a maximum distance from the front lot line.
 - (f) Lot Line, Side. Any lot line not a front or rear lot line.
 - (g) Lot Width. The average horizontal distance between the side lot lines, ordinarily measured parallel to the front lot line.
10. MOBILE HOME: A detached single-family dwelling unit with all of the following characteristics: Designed for long-term occupancy, and containing sleeping accommodations, a tub or shower bath, and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems; designed to be transported after fabrication on its own wheels, or on flatbed or other trailers or detachable

wheels; and arriving at the site where it is to be occupied as a dwelling complete, including major appliances and furniture, and ready for occupancy except for minor and incidental unpacking and assembly operations, location on foundation supports, connection to utilities, and the like.

11. MOBILE UNIT: A structure which has all of the following characteristics: Designed to be transported after fabrication on its own wheels, or on flatbed or other trailer or detachable wheels. Arriving at the site where it is to function as an office, commercial establishment, assembly hall, storage governmental or other similar purpose and ready for use except for minor and incidental unpacking and assembly operations, location on foundation supports, connections ~~to~~ utilities and the like.
12. MOBILE HOME PARK: Shall mean any plat of ground containing a minimum of two acres upon which two or more mobile homes are located or are intended to be located (does not include sites where unoccupied mobile homes are on display for sale).
13. NONCONFORMING STRUCTURE OR USE: A lawful existing structure or use at the time this ordinance or any amendment thereto becomes effective, which does not conform to the requirements of the zone in which it is located.

14. NURSING HOME: One licensed by the State of Tennessee.
15. OUTDOOR ADVERTISING: An attached, free standing or structural poster panel or painted or lighted sign for the purpose of conveying some information, knowledge or idea to the public.
16. STORY: That portion of a building included between 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 other than for a janitor or domestic employee shall not be counted as a story.
17. STREET: Any public or private way set aside for public travel, 20 feet or more in width. The word "street" shall include the words "road," "highway" and "thoroughfare."
18. STRUCTURE: Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground.
19. TOTAL FLOOR AREA: The area of all floors of a building including finished attic, finished basement and covered porches.
20. YARD: An open space on a lot which is unobstructed from the ground upward except as otherwise provided in this ordinance.

- (a) Yard, Front. A yard between side lot lines and measured horizontally at right angles to the front lot line from the nearest point of a building. Any yard meeting this definition and abutting on a street other than an alley, shall be considered a front yard.
- (b) Yard, Rear. A yard between side lot lines and measured horizontally at right angles to the rear lot line from the rear lot line to the nearest point of a principal building.
- (c) Yard, Side. A yard between the front and rear yard measured horizontally at right angles from the side lot line to the nearest point of a principal building.
- (d) Yard, Street Side. A yard adjacent to a street between the front yard and rear lot line measured horizontally and at right angles from the side lot line to the nearest point of a principal building.

SECTION 2: That the current zoning map of the Town of Mount Carmel be amended by deleting in it's entirety all of the present neighborhood business zone (B-1).

SECTION 3: That the current zoning map of the Town of Mount Carmel be amended by re-classifying and/or rezoning the area shaded in red on the attached map (attachment No. 1) from low density and medium density residential (R-1 and R-2) to central business (B-2).

SECTION 4: This ordinance shall take effect ten(10) days from and after its final passage, the public welfare requiring it.

Passed First Reading March 9, 1978

Passed Second Reading April 13, 1978

Passed Third Reading May 11, 1978

C. Sidney Snodgrass
Mayor

Attest:

Kim Marsh
Recorder