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ORDINANCE NO. 74-2
SPRING HILL, TENNESSEE

MUNICIPAL

ZONING

ORDINANCE

AUGUST 1974

AN ORDINANCE, IN PURSUANCE OF THE AUTHORITY GRANTED BY SECTIONS 13-701 THROUGH 13-715, TENNESSEE CODE ANNOTATED, TO PROVIDE FOR THE ESTABLISHMENT OF DISTRICTS WITHIN THE CORPORATE LIMITS OF SPRING HILL, TENNESSEE; TO REGULATE WITHIN SUCH DISTRICTS THE LOCATION, HEIGHT, BULK, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOT OCCUPANCY, THE SIZE OF OPEN SPACES, THE DENSITY OF POPULATION, AND THE USES OF LAND, BUILDINGS, AND OTHER STRUCTURES: TO PROVIDE METHODS OF ADMINISTRATION OF THIS ORDINANCE AND TO PRESCRIBE PENALTIES FOR THE VIOLATION THEREOF.

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF SPRING HILL, TENNESSEE, AS FOLLOWS:

ARTICLE I. TITLE

This ordinance shall be known as the "Municipal Zoning Ordinance of Spring Hill, Tennessee", dated August , 1974. The map herein referred to as the "Municipal Zoning Map of Spring Hill, Tennessee", dated August , 1974, and all explanatory matter thereon is hereby adopted and made a part of this ordinance.

ARTICLE II. PURPOSE

The zoning regulations and districts as herein set forth have been made in accordance with a comprehensive plan for the purpose of promoting the public health, safety, morals, convenience, order, prosperity, and general welfare of the community. These provisions have been designed to lessen congestion in the streets; to secure safety from fires, panic, and other dangers; to allow adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to promote adequate transportation, water, sewer, school, park, and other public systems; to conserve the value of buildings; and to encourage the most appropriate uses of land.

ARTICLE III. DEFINITION OF TERMS

Unless otherwise stated the following words shall, for the purpose of this ordinance, have the meanings indicated. The present tense includes the future; singular includes the plural, and the plural the singular; "shall" in all cases is mandatory.

- 1. Abuts or Abutting. Lots or land adjoining but separated by a common property line.

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2. Building. Any structure built for, or occupied by, residence, business industry, or other use, including a tent, lunch wagon, dining car, mobile home, travel trailer, or a similar structure, whether stationary or movable.
 - 2.1 Floor Area Ratio (FAR). The floor area in square feet of all buildings on a lot, divided by the area of such lot in square feet.
 - 2.2 Half-Story. A story under a sloping roof, the finished floor area of which does not exceed one-half of the floor area of the floor immediately below it; or a basement used for human occupancy if the floor area of the part of the basement thus used does not exceed fifty (50) percent of the floor area of the floor immediately above.
 - 2.3 Height of Building. The 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 a building.
 - 2.4 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.
 - 2.5 Total Floor Area. The area of all floors of a building, including finished attic, finished basement, and enclosed porches used for habitation.
3. Dwelling. A house, mobile home, apartment building, boarding house, tourist home, or other structure designed or used primarily for human habitation. For the purpose of this ordinance the word "dwelling" shall not include a travel trailer, hotel, motel, or tourist court.
 - 3.1 Apartment. A housing structure containing four (4) or more separate dwelling units.
 - 3.2 Dwelling Unit. That area in a dwelling structure designed and constructed for the occupancy of one family.
 - 3.3 Group Housing Development. Two (2) or more dwellings located on the same tract in one ownership and constructed as a planned development.
 - 3.4 Mobile Home or House Trailer. A detached residential dwelling designed for transient use when utilized with a motor vehicle, and considered as a permanent dwelling when all sanitary and utility connections are in place.
 - 3.5 Mobile Home Stand. A permanent, horizontal foundation or pad, composed of concrete or compacted gravel, upon which the mobile home is placed; normally, concrete blocks are utilized vertically upon the foundation to secure and balance the structure.

- 3.6 Mobile Home Space. A well defined area of sufficient size to accommodate one mobile home within a mobile home park and also to allow for sufficient yard space.
- 3.7 Mobile Home Park. A place or tract of land upon which two (2) or more mobile homes, occupied for dwelling or sleeping purposes, are located.
- 3.8 Travel Trailer. A structure, built on a vehicular chassis, having a body width not exceeding eight (8) feet, and designed for use as temporary housing for travel and recreational purposes.
4. Family. One or more persons living as a single housekeeping unit.
5. Fallout Shelter. A structure or portion of a structure intended to provide protection to human life during periods of danger from nuclear fallout, air raids, storms, and other emergencies.
6. Home Occupation. An incidental occupation customarily carried on in the residence, utilizing no more than twenty-five (25) percent of the usable floor area of all buildings; provided, (1) no article or service be sold or offered for sale on the premise other than that produced by such occupation or incidental to that occupation, and (2) such occupation shall not require the alteration of buildings, new construction, or equipment and machinery not customarily used in residential areas.
7. 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.
8. Loading and Unloading Space. An area for the loading and unloading of trucks or other vehicles at least fifty (50) feet in depth, twelve (12) feet in width, (with an overhead clearance of not less than fourteen (14) feet), exclusive of access, platform, or maneuvering area.
9. 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 or more principal structures and accessory structures and including the open spaces required under this ordinance.
- 9.1 Coverage. The relationship between the size of the building site and the amount of land utilized by principal and accessory structures.
- 9.2 Lot Lines. The boundaries dividing a given lot from the street, an alley, or adjacent lots.
- 9.3 Lot of Record. A lot whose existence, location, boundaries, and dimensions have been legally recorded in a deed or plat and filed as a legal record.
10. Nonconforming Use. The use of a structure or of land that does not conform with the provisions of this ordinance for the district in which it is located.

11. Parking Space. One vehicular parking space at least two hundred and forty (240) square feet in area and, at least, ten (10) feet in width.
 - 11.1 Automobile Storage Area. An off-street area reserved and suitable for automobile storage or parking, providing safe vehicular access to a public street or alley. See definition of Parking Space.
12. Shopping Center. A group of compatible commercial establishments planned, developed, and managed as a unit, with an automobile storage area provided on the property; the center must also be related in location, size, and type of shops to its trade area.
13. Sign. Any structure or part thereof or device attached thereto, painted on, or in any other manner represented on a building or other structure, which is used to announce, direct attention to, or advertise, and is visible from outside a building, which displays any writing (including letter, word, or numeral); pictorial representation (including illustration or decoration); emblem (including device, symbol, or trademark); flag (including banner or pennant); or any other figure of similar character. Any of the above characteristics constitutes a sign within a building, only when illuminated and located in a window.
 - 13.1 Flashing Sign. A directly or indirectly illuminated sign on which artificial light is not maintained stationary and constant in intensity and color at all times in use.
 - 13.2 Ground Sign or Billboard. Any sign not attached to any part of any building and which is supported by uprights or braces, placed upon the ground.
 - 13.3 Off-Site Sign. A sign which directs attention to a business commodity or service to be, or being, conducted, sold, rented, leased, or otherwise offered for disposition elsewhere than on the premise.
 - 13.4 On-Site Sign. Any sign other than an off-site sign.
 - 13.5 Projecting Sign. Any sign extending over the public sidewalk or beyond the street line.
 - 13.6 Roof Sign. Any sign erected, constructed, or maintained upon the roof of any building.
 - 13.7 Sign Area. The area of the sign, excluding the structural elements lying outside the limits of such sign and not forming an integral part of the display.
 - 13.8 Temporary Sign. Any sign which is by reason of construction or purpose intended to be displayed for a short period of time. Unless specifically stated elsewhere in this ordinance, a period of six (6) months is the maximum time limit for the display of a temporary sign.

- 13.9 Wall Sign. Any sign on any surface or plane that may be affixed parallel to or painted on the wall of any building.
14. Street. Any public or private way set aside for public travel which is thirty (30) feet or more in width. The word "street" shall include the words "road," "highway," and "thoroughfare."
- 14.1 Alley. Any public or private way less than thirty (30) feet in width set aside for public travel.
- 14.2 Arterial Street or System. A continuous highway or system of highways which connects cities and concurrently absorbs collector traffic.
- 14.3 Center Line of Street. That line surveyed or approved by appropriate governmental authority as the center of a street. If such line has not been surveyed, it shall be that line running midway between the outside curbs or ditches of such street.
- 14.4 Circulation. The flow of traffic, goods, or people within and through an area.
- 14.5 Collector Street. An urban street which collects traffic from minor streets and feeds it into the arterial system.
- 14.6 Curb Line. The line formed by a curb extending along its roadbed.
- 14.7 Point of Access. On a public street, a driveway cut not exceeding twenty-five (25) feet in width, except as otherwise provided in this ordinance.
- 14.8 Right-of-way Line of Street. That line surveyed or approved by appropriate governmental authority as the outer boundary of a street. Such line is identical to or contiguous with any property line abutting a street, and is often referred to as "street line."
15. Structure. Any constructed or erected material or combination of materials, requiring space, including but not limited to, buildings, stadiums, radio towers, sheds, storage dens, fallout shelters, swimming pools, fences, and signs.
- 15.1 Accessory Structure. A subordinate structure, the use of which is incidental to that of a principal structure on the same lot.
- 15.2 Principal Structure. A structure in which is conducted the principal use of the lot on which it is situated. In any residential district any dwelling shall be deemed the principal structure on the lot on which the same is situated. Carports and garages if permanently attached to the principal structure shall be deemed a part of the principal structure. Awnings, porches, patios, or similar attachments shall be deemed a part of the principal structure with regard to meeting any yard requirement.

16. Yard. Open space on the same lot with one or more principal structures, unoccupied, and unobstructed by buildings from the ground to the sky, except as otherwise provided in this ordinance.

16.1 Front Yard. The yard extending across the entire width of a lot between the right-of-way line of a street and the nearest part of a principal structure. In the case of a corner lot, the city building inspector shall identify the front yard for the purpose of compliance with this ordinance.

16.2 Rear Yard. The yard extending across the entire width of a lot between the rear lot line and the nearest part of a principal structure.

16.3 Side Yard. The yard extending along a side lot line from the front yard to the rear yard, and lying between the side lot line and the nearest part of a principal structure.

16.4 Yard Depth. The shortest distance between the right-of-way line of a street and the nearest part of a principal structure on a lot.

ARTICLE IV. GENERAL PROVISIONS

Except as herein provided, no structure or land shall be used and no structure or parts thereof shall be erected, moved, or altered, unless for a use permitted by and in conformity with the regulations for the district in which it is located.

1. Continuance of Nonconforming Uses and/or Structures.

Any existing structure or use which does not conform to the provisions of this ordinance or subsequent amendment thereto may be continued with these limitations:

1.1 A nonconforming use shall not be changed to another nonconforming use.

1.2 A nonconforming use shall not be re-established after discontinuance of one year.

1.3 A nonconforming use of land shall be restricted to the lot occupied by such use.

1.4 A nonconforming use of a structure shall not be enlarged to include either additional land or structures.

1.5 A nonconforming use may be extended throughout those parts of a structure which were manifestly arranged or designed for such use prior to the time of enactment of this ordinance, but shall not be extended to additional structures on the same lot or another lot.

- 1.6 A nonconforming use shall not be structurally altered. This provision shall not be construed to prevent normal maintenance required for structural safety.
- 1.7 A nonconforming use shall not be rebuilt or repaired after damage exceeding fifty (50) percent of the fair sales value of the structure immediately prior to damage.
- 1.8 All nonconforming uses of land shall be discontinued and all nonconforming structures shall be torn down, altered, moved, or otherwise made to conform within twenty-five (25) years, with the exception of junkyards, commercial animal yards, and lumber yards not on the same lot with a plant or factory, which shall be torn down, altered, moved, or otherwise made to conform within four (4) years from the date of enactment of this ordinance.
 - 1.8(1) Nonconforming signs and mobile homes shall be made to conform within three (3) years from the date of enactment of this ordinance.

2. Number of Structures and Uses Associated with a Lot.

- 2.1 No part of a yard or other open space, or automobile storage area, or loading and unloading space, required about or in connection with any structure for the purpose of complying with this ordinance, shall be included as a part of a yard, or other open space, or automobile storage area, or loading or unloading space similarly required for any other structure.
- 2.2 Only one principal structure and its customary accessory structures shall hereafter be erected on any lot in a residential district except for additional uses allowed in paragraph 2 of Article VI.
- 2.3 No building shall be erected on a lot which does not abut at least one street for at least forty (40) feet. This section shall not apply to properties abutting a cul-de-sac.

3. Fallout Shelters.

Fallout shelters are permitted as principal or accessory uses and structures in any district, subject to the yard and coverage regulations of the district. Such shelters may contain or be contained in other structures or may be constructed separately; and in addition to shelter use, may be used for any principal or accessory use permitted in the district, subject to the district regulations of such use, but shall not be used for principal or accessory uses prohibited expressly or by implication in the district.

4. Minimum Lot Area.

No existing yard or lot shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the

effective date of this ordinance shall meet at least the minimum requirements established by this ordinance. This section shall not apply when a portion of a lot is acquired for a public purpose.

5. Rear Yard Abutting 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, 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.

6. Obstruction to Vision at Street Intersection.

In all districts except Central Business, on a corner lot within the area formed by the center lines of intersecting streets and a line joining points on such center lines at a distance of one hundred (100) feet from their intersection, 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 at the center line thereof. This section shall not be deemed to prohibit any necessary retaining wall.

7. Automobile Storage.

An automobile storage area shall be provided on each lot in which any of the following uses are hereafter established. Such parking area shall meet the minimum requirements set forth below:

7.1 Amusement Places (Auditoriums, Stadiums, Theaters, or Similar Uses). One parking space for the number of employees; plus the number of patron seats divided by three (3).

7.2 Churches. Five (5) parking spaces for the first thirty (30) individual seating spaces; plus five (5) parking spaces for every twenty (20) individual seating spaces; thereafter.

7.3 Dining Places (Restaurants, Tea Rooms, Night Clubs, Coffee Shops, or Similar Uses.) Three (3) square feet of automobile storage area for every square foot of customer service area; plus one parking space for every four (4) employees.

7.4 Dwellings. Two parking spaces for every family.

7.4(1) One- and Two-family Dwellings. Two parking spaces for each family.

- 7.4 (2) Boarding Houses or Tourist Homes. One parking space for every two hundred (200) square feet of sleeping room area.
- 7.5 Funeral Homes or Mortuaries. One parking space for every six (6) seats; or in the case of no fixed seats, one parking space for every one hundred (100) square feet of chapel area; plus one parking space for every funeral vehicle and one for every resident family.
- 7.6 Hospitals. One parking space for every six (6) beds; plus one parking space for every doctor; plus one parking space for every two (2) nurses and other employees.
- 7.7 Hotels. One parking space for every guest room; plus one parking space for every three (3) employees.
- 7.8 Industrial or Manufacturing Establishments. One parking space for every three (3) employees; plus one parking space for every business vehicle.
- 7.9 Motels or Cabins. One parking space for every unit; plus one parking space for every three (3) employees.
- 7.10 Medical or Dental Clinics. Three (3) parking spaces for every doctor; plus one parking space for every two (2) employees.
- 7.11 Office, Professional, or Public Buildings. Four (4) square feet of automobile storage area for every square foot of office space; plus one parking space for every three (3) employees.
- 7.12 Passenger Terminals. Three (3) square feet of automobile storage area for every square foot of commercial floor area; plus one parking space for every three (3) employees.
- 7.13 Recreational Areas (Bowling Alleys, Swimming Pools, Skating Rinks, or Similar Uses). Four (4) square feet of automobile storage area for every square foot of floor area devoted to recreational use.
- 7.14 Retail Business or Personal Service Establishments. Four (4) square feet of automobile storage area for every square foot of customer service area; plus one parking space for every three (3) employees.
- 7.15 Roadside Service Facilities (Service Stations, Repair Shops, or Similar Uses). One parking space for every gasoline pump; plus one parking space for every car wash room, every grease rack, every mechanic's stall, or similar area; plus one parking space for every two (2) employees.
- 7.16 Shopping Centers. Four (4) square feet of automobile storage area for every square foot of building area; plus one parking space for every three (3) employees.

- 7.17 Wholesale Businesses or Warehousing. One parking space for every three (3) employees; plus one parking space for every business vehicle.
- 7.18 Other Structures or Uses Customarily Requiring Automobile Storage Areas. One parking space for every one hundred (100) square feet of floor area occupied.
- 7.19 Parking Angle. Where ninety (90) degree parking is planned or required, a width of sixty-five (65) lineal feet shall be provided for two (2) tiers of automobiles separated by a two-way aisle.

8. Other Automobile Storage Requirements.

- 8.1 If a required automobile storage area cannot be provided on the same lot with a principal use, the Spring Hill Municipal Board of Zoning Appeals (ARTICLE XII) may permit such space on other property not in a residential district to be used; provided, that it lies within four hundred (400) feet of the main entrance to such principal use. Except, that one-half of the automobile storage area required for a church, theater, or other place of assembly, whose peak attendance is at another time, may be assigned to another use.
- 8.2 If loading or unloading space is required, one loading space for standing, loading, and unloading shall be provided for each twenty-five thousand (25,000) square feet of gross floor area.

9. 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 rights-of-way as shown on the latest official Spring Hill, Tennessee Thoroughfare Plan.

10. Vehicular Access Control.

- 10.1 In a residential or industrial district, a point of access shall not be permitted within thirty (30) feet of the curb line (or street line when there is no curb) of any public street intersection.
- 10.2 In business districts, a point of access shall not be permitted within twenty (20) feet of the curb line (or street line when there is no curb) of any public street intersection.
- 10.3 In nonresidential districts, vehicular service uses may be permitted points of access exceeding twenty-five (25) feet but not exceeding thirty-five (35) feet in width; provided, that they do not exceed fifty (50) percent of their respective street frontage.

10.4 On lots with less than one hundred (100) feet of street frontage, there shall be only one point of access per adjoining street; however, on lots with more than one hundred (100) feet, there shall be not more than two (2) points of access per adjoining street.

11. Signs.

11.1 Signs Permitted in All Districts.

- 11.1(1) Signs of duly constituted governmental bodies including warnings at crossroads.
- 11.1(2) Flags or emblems of political, civic, philanthropic, educational, or religious organizations.
- 11.1(3) Temporary signs, totaling not over two (2) square feet of surface area on any lot, appertaining to campaigns, drives, or events of political, civic, philanthropic, educational, or religious organizations; provided, that such surface area may exceed two (2) square feet for a single period of not more than seven (7) days in any quarter calendar year.
- 11.1(4) Memorial plaques, cornerstones, historical tablets, and the like.
- 11.1(5) Signs not visible off the lot upon which they are situated.
- 11.1(6) Signs posted in conjunction with door bells or mail boxes, not exceeding seven (7) square inches of surface area.
- 11.1(7) Signs required by law or governmental order, rule, or regulation, unless specifically prohibited, limited, or restricted.
- 11.1(8) Small unilluminated signs, not exceeding one and one-half (1-1/2) square feet in surface area, displayed strictly for the direction, safety, and convenience of the public, including signs which identify rest rooms, parking area entrances or exits, freight entrances, and the like.
- 11.1(9) Address signs, not more than one for each street frontage of each principal use on a lot and not exceeding seventy-two (72) square inches in surface area, showing only the numerical address designations of the premise upon which they are situated.

- 11.1(10) One sign of not more than six (6) square feet pertaining to the sale, lease, hire, or rental of the property on which the sign is displayed; provided, that if said property faces more than one street, one sign shall be allowed on each frontage. Each such sign shall be located not nearer than ten (10) feet to an adjoining premise, and not nearer than five (5) feet to a street line.
- 11.1(11) One unilluminated sign of not more than two (2) square feet indicating the name of the occupant and his profession or business and attached flat against a wall of a building.
- 11.1(12) One bulletin board of not more than ten (10) square feet for purposes of charitable, educational, or religious institutions.
- 11.1(13) One temporary sign not to exceed six (6) square feet in area indicating the name of the contractors, engineers, and/or architects of a project during a construction period.

11.2 Signs Prohibited in All Districts.

- 11.2(1) Signs on any vacant lot or parcel of land lying between two (2) residential structures or uses where said structures or uses are less than one hundred (100) feet apart or located within fifty (50) feet of any residential use in the same block frontage.
- 11.2(2) Off-site signs within one hundred (100) feet of any public school ground or public park.
- 11.2(3) Except for public safety, signs within three hundred (300) feet of railroad crossings.
- 11.2(4) Signs painted on or attached to fence posts, trees, rocks, canopy posts, utility poles, and the like.

12. Landscape Treatment. Landscaping or screening shall be required, if deemed necessary by the planning commission, not to exceed ten (10) percent of the total site area.

13. Plot Plan Requirements.

The purpose of this provision is to prevent undesirable site development which would unduly create inadequate circulation and unnecessary congestion; to obtain maximum convenience, safety, economy, and identity in relation to adjacent sites; and to provide maximum flexibility for expansion, change in use, and adaptation to individual needs. Thus,

applicants for building permits must submit scale drawings, according to the particular types of development proposals, to the Spring Hill Municipal Planning Commission (hereafter referred to as the planning commission), in accordance with the following procedures:

13.1 Proposals for the construction or location of one 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', and must exhibit required automobile storage areas, loading and unloading spaces, maneuvering areas, openings for ingress and egress to public streets, and landscape treatment, in accordance with General Provisions previously outlined in this ordinance.

13.2 The above applications must be supported by any other information or data as might be deemed necessary by the planning commission.

ARTICLE V. ESTABLISHMENT OF DISTRICTS

1. Classification of Districts.

1.1 For the purpose of this ordinance, the Town of Spring Hill Tennessee, is hereby divided into six (6) districts as follows:

Residential (R)
Central Business (CB)
Local Business (LB)
Light Industrial (LI)
Heavy Industrial (HI)
Agricultural (A)

1.2 The boundaries of these districts are hereby established as shown on the "Municipal Zoning Map of Spring Hill, Tennessee dated August 1974, (hereafter referred to as the municipal zoning map), which is on file in the office of the building inspector.

1.3 Unless otherwise indicated on the zoning map, the district boundaries follow lot lines, the center lines of streets or alleys, railroad rights-of-way, or the corporate limit lines as they existed at the time of enactment of this ordinance.

1.4 Where a district boundary divides an existing lot, and the major portion of said lot is in a less restricted district, the regulations pertaining to that district may apply twenty (20) feet within the more restricted district.

1.5 While this ordinance provides for six (6) districts, only three (3), Residential, Central Business, and Agricultural are being used at this time, the others being reserved for future use.

2. Zoning of Annexed Lands.

2.1 Upon annexation of land by the Town of Spring Hill, said land shall be zoned automatically "Agricultural", until such time as all or any portion of such land is rezoned by amendment (ARTICLE XIII).

ARTICLE VI. PROVISIONS GOVERNING RESIDENTIAL DISTRICTS

1. Residential Districts.

Within the Residential Districts, as shown on the municipal zoning map, the following regulations shall apply:

1.1 Uses Permitted.

1.1 (1) Single-family and two-family dwellings

1.1(2) The taking of boarders or the renting or leasing of rooms by the family resident on the premise; provided, that not over fifty (50) percent of the total floor area is used for such purpose.

1.1(3) Professional offices, except medical clinics accepting bed patients; studios or customary incidental home occupations conducted within the principal structure, but only by a person resident of the premise; provided, that not more than one person, not a resident of the premise, is employed.

1.1(4) One unilluminated temporary on-site sign not exceeding one hundred (100) square feet in area, with no dimension exceeding twelve (12) feet, at each major approach to a subdivision advertising the sale of houses or lots. The display of such sign shall be limited to a period of one year; any remaining nonconforming sign may be removed by the city at the expense of the owner.

1.1(5) One unilluminated temporary on-site sign not exceeding sixteen (16) square feet in area, advertising the sale of farm or garden products for the duration of the harvest season.

1.1(6) Farming uses.

1.1(7) Accessory uses or structures customarily incidental to the above permitted uses.

1.2(1) Mobile homes in accordance with provisions set forth in Paragraph 2, this article.

1.2(2) Public uses except major warehousing and storage uses and office structures; semipublic uses; provided, that no permit shall be issued except with the written approval of the Spring Hill Municipal Board of Zoning Appeals, and subject to such conditions (normally involving the possible prevention of traffic, parking, health, and aesthetic problems) as the Board of Zoning Appeals may require in order to preserve and protect the character of the district in which the proposed use is located.

1.3 Uses Prohibited.

1.3(1) Uses not specifically permitted, permitted on appeal, or permitted by implication.

1.4 Lot Area, Lot Width, Rear and Side Yards. The principal structure or structures shall be located to comply with the following requirements:

1.4(1) Lot Area, Lot Width, Rear and Side Yards

1.4(1.1) For single and two-family dwellings:

Minimum lot area for single family . . .	15,000	sq. ft.
Minimum lot area for each additional family or mobile home	5,000	sq. ft.
Minimum lot width at building line	80	ft.
Minimum rear yard	30	ft.
Minimum side yard	15	ft.
Minimum side yard on streetside portions of corner lots	25	ft.

1.4(2) Front Yards. All principal and accessory structures shall be set back from the right-of-way lines of streets the minimum distance shown below according to their classifications as indicated on the latest official municipal-regional thoroughfare plan.

Arterial Streets	50 feet
Collector Streets	35 feet
Minor Streets	30 feet

1.4(3) Building Area. On any lot or tract the area occupied by the principal structure, and any accessory structures, shall not exceed thirty(30) percent of the total area. Accessory structures shall not cover more than thirty (30) percent of any required rear yard.

1.5 Height. No principal or accessory structure shall exceed two (2) stories in height.

1.6 Location of Accessory Structures.

1.6(1) With the exception of signs, accessory structures shall not be erected in any front or side yard.

1.6(2) Accessory structures shall be located at least five (5) feet from all lot lines and from any building on the same lot.

2. Mobile Homes

This section is intended to provide for mobile homes or other installations involving two residential structures on a single lot or tract of land, not subdivided.

2.1 Site Plan In applying for such an installation a sketch at a scale no smaller than 1"=200' shall be submitted to the Planning Commission indicating its location with regard to other structures, lot lines, etc. for the tract in question.

2.2 Required Improvements The following shall be required:

2.2(1) Utilities All necessary water and electrical lines, sanitary sewer connections or septic sewage disposal as required by the County Sanitarian, driveways, gas lines, etc.

2.2(2) Mobile Home Stands

2.2(2.1) Mobile home stands shall be of gravel or concrete and shall have sufficient area to accommodate appurtenances, such as canopies, patios, and porches.

2.2(2.2) Anchors and underpinning shall be required as specified by the Civil Defense Preparedness Agency in Technical Memorandum 73-1, February 1973 or as later amended.

AN ORDINANCE TO REPEAL ORDINANCE NUMBER 71-1;
TO AMEND CHAPTER THREE (3) OF TITLE SIX (6) OF
THE SPRING HILL MUNICIPAL CODE BY ADDING A
SECTION 6-303; AND TO ADOPT THE MINIMUM TAX
IMPOSED BY CHAPTER 387 OF THE PUBLIC ACTS OF
1971 KNOWN AS THE "BUSINESS TAX ACT".

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMAN OF
THE TOWN OF SPRING HILL:

Section 1: That Ordinance Number 71-1 of the town of
Spring Hill, passed on third reading on December 7, 1971, be and
the same is hereby repealed.

Section 2: That chapter Three (3), Title Six (6) of the
Spring Hill Municipal Code be amended by adding at the end of
Section 6-302, the following Section:

"6-303. Business-Tax Act. The minimum taxes provided
for in Chapter 387 of The Public Acts of 1971, know as the
"Business Tax Act" are hereby enacted, ordained, and levied
on the businesses, business activities, vocations or
occupations carried on in the Town of Spring Hill, Tennessee,
in the manner prescribed by the said Act, but only the
minimum tax on said business activities shall apply, it
being the intention of the governing body of the Town of
Spring Hill not to adopt the gross receipts tax rates
contained in the Act."

Do Pr. Dos
MAYOR

PASSED:

First reading: FEB. 1, 1972

Second reading: MAR. 4, 1972

Third reading: MAR. 7, 1972

ARTICLE VII. PROVISIONS GOVERNING BUSINESS DISTRICTS

I. Central Business District.

Within the Central Business District, as shown on the municipal zoning map, the following regulations shall apply:

1.1 Uses Permitted.

1.1(1) Any retail or wholesale business or service use, except as specifically indicated or implied below under Uses Prohibited.

1.1(2) Manufacturing incidental to retail business or service establishments where products are sold on the premise by producers.

1.1(3) Printing and publishing establishments.

1.1(4) Accessory uses or structures customarily incidental to the above permitted uses.

1.2 Uses Permitted on Appeal.

Central Business District,
Uses or structures permitted on appeal in the District, excluding exceptions listed thereunder; provided, that no permit shall be issued except with the written approval of the Spring Hill Municipal Board of Zoning Appeals, and subject to such conditions as the municipal board of zoning appeals may require in order to preserve and protect the character of the district in which the proposed use is located.

1.3 Uses Prohibited.

1.3(i) Residential and industrial uses.

1.3(2) Warehousing and storage, except those uses within and incidental to a permitted business or service structure.

1.3(3) Traffic and/or noise generating uses not dependent upon a central location such as truck terminals, service stations, and funeral homes.

1.4 Yards.

1.4(1) On lots adjacent to residential districts, all buildings shall be located to conform to the side yard requirements for the adjacent residential districts.

1.5 Height.

1.5(1) Buildings shall not exceed three (3) stories nor thirty-five (35) feet in height.

2. Local Business Districts.

Local Business Districts are established on the municipal zoning map strictly for the convenience of automobile shoppers and/or neighboring residents. Within the Local Business Districts, the following regulations shall apply:

2.1 Uses Permitted.

2.1(1) Convenience stores such as drug, grocery, hardware and apparel; beauty and barber shops; and similar uses.

- 2.1(2) Service stations, except major auto repairs; self-service laundry, car wash, and dry cleaning facilities; and similar uses.
 - 2.1(3) Manufacturing incidental to retail business or service establishments where products are sold on the premise by producers.
 - 2.1(4) Accessory uses or structures customarily incidental to the above permitted uses.
- 2.2 Uses Permitted on Appeal. Uses or structures permitted on appeal in the Local Business District; provided, that no permit shall be issued except with the written approval of the Spring Hill Municipal Board of Zoning Appeals, and subject to such conditions as the municipal board of zoning appeals may require in order to preserve and protect the character of the district in which the proposed use is located.
- 2.3 Uses Prohibited.
- 2.3(1) Residential and industrial uses.
 - 2.3(2) Warehousing above ground, except those uses within and incidental to a permitted business or service structure.
 - 2.3(3) Storage above ground consisting of inflammable liquids in excess of seven hundred (700) gallons.
 - 2.3(4) Storage of explosives.
 - 2.3(5) Truck terminals; junkyards; specialized recreation facilities; funeral homes; motels.
- 2.4 Yards.
- 2.4(1) Lots shall be considered fronting on either arterial or collector streets. All principal and accessory structures shall be set back from the right-of-way lines of streets the maximum distance shown below, according to their classifications as indicated on the latest official municipal-regional thoroughfare plan:
- | | |
|------------------------|---------|
| Arterial Streets..... | 50 feet |
| Collector Streets..... | 35 feet |
- 2.5 Height. Buildings shall not exceed three (3) stories nor thirty-five (35) feet in height.

ARTICLE VIII. PROVISIONS GOVERNING INDUSTRIAL DISTRICTS

1. Light Industrial Districts.

Within the Light Industrial Districts, as shown on the municipal zoning map, the following regulations shall apply:

1.1 Uses Permitted.

- 1.1(1) Industrial uses, such as the manufacture of textiles and apparel; fabrication and assembly of machinery and other products of metal, wood, or other materials; and similar uses.
- 1.1(2) Wholesaling, warehousing, and storage uses; heavy commercial uses; truck terminals.
- 1.1(3) Accessory uses or structures customarily incidental to the above permitted uses.

1.2 Uses Permitted on Appeal. Public and semipublic uses except educational, cultural, medical, and recreational facilities; provided, that no permit shall be issued except with the written approval of the Spring Hill Municipal Board of Zoning Appeals, and subject to such conditions as the municipal board of zoning appeal may require in order to preserve and protect the character of the district in which the proposed use is located.

1.3 Uses Prohibited.

- 1.3(1) Residential uses; commercial uses not requiring major warehousing or storage facilities; and similar uses.
- 1.3(2) Industrial uses considered dangerous or unsafe, such as the manufacture of explosives; industrial uses considered objectionable or noxious by reason of odor, dust, fumes, smoke, noise, vibration, refuse matter, or water-carried waste; and uses considered objectionable due to adverse effect on adjoining uses, such as junkyards.

1.4 Yards.

1.4(1) Lots shall be considered fronting on either arterial or collector streets. All principal and accessory structures shall be set back from the right-of-way line of streets the maximum distance shown below, according to their classifications as indicated on the latest official municipal-regional thoroughfare plan:

Arterial Streets.....	50 feet
Collector Streets.....	35 feet

- 1.4(2) On corner lots, all principal and accessory structures shall conform to the setback requirements for the adjoining street with the highest classification.
- 1.4(3) The minimum side yards and rear yards shall be twenty (20) feet and twenty-five (25) feet, respectively.
- 1.4(4) The minimum yard adjoining nonindustrial districts shall be thirty-five (35) feet.
- 1.4(5) No yard shall be required for that portion of a lot which fronts on or abuts a railroad right-of-way.

2. Heavy Industrial Districts.

Within the Heavy Industrial Districts, as shown on the municipal zoning map, the following regulations shall apply:

2.1 Uses Permitted.

2.1(1) Uses permitted in Light Industrial Districts.

2.2 Uses Permitted on Appeal. Uses considered noxious such as fat rendering, inflammable liquids storage, slaughter houses, junkyards, stockyards, smelting plants, and manufacturing of acids; public uses; and similar uses; provided, that no permit shall be issued except with the written approval of the Spring Hill Municipal Board of Zoning Appeals and subject to such conditions as the municipal board of zoning appeals may require in order to preserve and protect the character of the district in which the proposed use is located.

2.3 Uses Prohibited.

2.3(1) Residential and commercial uses; semipublic uses; and similar uses.

2.3(2) Industrial uses considered dangerous or unsafe.

2.4 Yards.

2.4(1) Lots shall be considered fronting on either arterial or collector streets. All principal and accessory structures shall be set back from the right-of-way line of streets the maximum distance shown below, according to their classifications as indicated on the latest official municipal-regional thoroughfare plan:

Arterial Streets.....	50 feet
Collector Streets.....	35 feet

- 2.4(2) On corner lots, all principal and accessory structures shall conform to the setback requirements for the adjoining street with the highest classification.
- 2.4(3) The minimum side yards and rear yards shall be twenty (20) feet and twenty-five (25) feet, respectively.
- 2.4(4) The minimum yard adjoining nonindustrial districts shall be thirty-five (35) feet.
- 2.4(5) No yard shall be required for that portion of a lot which fronts on or abuts a railroad right-of-way.

ARTICLE IX. PROVISIONS GOVERNING AGRICULTURAL DISTRICTS

1. Within the Agricultural Districts, as shown on the zoning maps, the following regulations shall apply:

- 1.1 Uses Permitted.

- 1.1(1) Agricultural uses and structures.

- 1.1(2) Accessory uses or structures customarily incidental to above permitted uses.

- 1.2 Uses Prohibited.

All uses not specifically permitted under section 1.1 of this Article.

ARTICLE X. EXCEPTIONS AND MODIFICATIONS

1. Lot of Record.

- 1.1 Where the owner of a lot consisting of one or more adjacent lots of official record at the time of the adoption of this ordinance does not own sufficient land to enable him to conform to the yard or other requirements of this ordinance, an application may be submitted to the municipal board of zoning appeals for a variance from the terms of this ordinance, in accordance with ARTICLE XII, Section 4. Such lot may be used as a building site; provided, however, that the yard and other requirements of the district are complied with as closely as in the opinion of the municipal board of zoning appeals is possible.

- 1.2 No lot shall be so reduced in area that the yards and open space will be smaller than prescribed by this ordinance; and no yard,

court, or open space provided around any building for the purpose of complying with these provisions shall again be considered as a yard, court, or other open space for another building.

2. Front Yards.

The front yard requirement of this ordinance for dwellings shall not apply to any lot where the average depth of existing front yards on developed lots located within two hundred (200) feet of each side of such lot and within the same block and zoning district and fronting on the same streets as such lot is less than the minimum required front yard depth. In such case the minimum front yard shall be the average of the existing front yard depths on the developed lots.

3. Adjoining Substandard Lots of Record.

Where two (2) or more substandard lots of record with a continuous frontage are under the same ownership, or where a substandard lot of record has continuous frontage with a large tract under the same ownership, such lots shall be combined to form one or more building sites meeting the minimum requirements of the district in which they are located.

4. Exception on Height Limits.

The height limitations of this ordinance shall not apply to church spires, belfries, cupolas, and domes not intended for human occupancy, monuments, water towers, observation towers, transmission towers, chimneys, silos, smoke stacks, derricks, conveyors, flag poles, radio towers, masts, aerials, and the like.

ARTICLE XI. ENFORCEMENT

1. Enforcing Officer.

The provisions of this ordinance shall be administered and enforced by a building inspector appointed by the Spring Hill Mayor and approved by the Spring Hill Board of Mayor and Aldermen, and he shall have the power to make inspection of buildings or premises necessary to carry out his duties in the enforcement of this ordinance.

2. Building Permit.

2.1 Building Permit Required.

It shall be unlawful to commence excavation for the construction of any building including accessory buildings, or to commence the moving or alteration of any building including accessory buildings, until the building inspector has issued a building permit for such work.

2.2 Issuance of a Building Permit.

In applying to the building inspector for a building permit the applicant shall submit a dimensional sketch or a scale plan indicating the shape, size, and location of all buildings already on the lot. He shall also state the existing and intended use of all such buildings and supply such other information as may be required by the building inspector for determining whether the provisions of this ordinance are being observed. If the proposed excavation or construction as set forth in the application are in conformity with the provisions of this ordinance and other ordinances of the Town of Spring Hill then in force the building inspector shall, after at least three (3) days, issue a building permit for such excavation and/or construction. If a building permit is refused the building inspector shall state such refusal in writing with the cause.

2.2(1) The issuance of a building permit shall in no case be construed as waiving any provision of this ordinance.

2.2(2) A building permit shall become void twelve (12) months from the date of issuance unless substantial progress has been made by that date on the project described therein.

3. Issuance of Certificate of Occupancy.

No land or building or part thereof hereafter erected or altered in its use or structure shall be used until the building inspector shall have issued a certificate of occupancy stating that such land, building, or part thereof, and the proposed use thereof are found to be in conformity with the provisions of this ordinance.

Within three (3) days after notification that a building or premise or part thereof is ready for occupancy or use, it shall be the duty of the building inspector to make a final inspection thereof and to issue a certificate of occupancy if the land, building, or part thereof are found to conform with the provisions of this ordinance; or, if such certificate is refused, the building inspector shall state refusal in writing with the cause.

4. Records.

A complete record of such applications, sketches, and plans shall be maintained in the office of the building inspector, based in whole or in part upon the provisions of this ordinance.

5. Penalties.

Any person violating any provision of this ordinance shall be guilty of a misdemeanor and upon conviction shall be fined not less than two dollars (\$2.00) nor more than fifty dollars (\$50.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense; payment of fine shall not constitute compliance.

6. Remedies.

In case any building or structure is erected, constructed, reconstructed, repaired, converted, or maintained, or any building, structure, or land is used in violation of this ordinance, the building inspector or any other appropriate authority or any adjacent or neighboring property owner who would be damaged by such violation, in addition to other remedies, may institute injunction, mandamus, or other appropriate action in proceeding to prevent the occupancy or use of such building, structure, or land.

ARTICLE XII. BOARD OF ZONING APPEALS

1. Creation and Appointment.

A Spring Hill Municipal Board of Zoning Appeals is hereby established in accordance with Sections 13-705, 13-706, and 13-707 of the Tennessee Code Annotated. The municipal board of zoning appeals shall consist of at least three (3) members, at least one of whom shall be a member of the Spring Hill Municipal Planning Commission. They shall be appointed by the Mayor of Spring Hill and confirmed by a majority vote of the Spring Hill Board of Mayor and Aldermen. The term of membership shall be three (3) years except that the initial individual appointments to the board shall be terms of one, two (2), and three (3) years, respectively. Vacancies shall be filled for any unexpired term by the chief executive officer with confirmation by the Spring Hill Board of Mayor and Aldermen.

2. Procedure.

Meetings of the Spring Hill Municipal Board of Zoning Appeals (hereafter referred to as the board) shall be held at the call of the chairman, and at such other times as the board may determine. All meetings of the board shall be open to the public.

The board shall keep minutes of its proceedings, showing the vote of each member upon each question; or if absent, of failing to vote, the board shall explain its actions. The minutes shall be immediately filed in the office of the board and shall be a public record.

3. Appeals, How Taken.

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

The building inspector shall transmit to the board all papers constituting the record upon which the action appeal was taken. The board shall fix a reasonable time for the hearing of the appeal; give proper notice of a public hearing before the board by publishing such notice in a newspaper of general circulation in the Town of Spring Hill, Tennessee, at least ten

(10) days prior to the date set for the public hearing; provide written notice to the parties of interest, mailed five (5) days prior to the date set for the hearing, any person or party may appear and be heard in person, by agent, or by attorney.

4. Powers.

The board shall have the following powers and duties:

4.1 Administrative Review.

To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, permit, decision, implication, determination, or refusal made by the building inspector or other administrative official in the carrying out or enforcement of any provision of this ordinance; and to interpret the zoning map and ordinance.

4.2 Special Exceptions.

To hear and decide applications for special exceptions upon which the board is specifically authorized to pass.

4.3 Variances.

To hear and decide applications for variances from the terms of this ordinance, but shall grant variances only where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property which at the time of adoption of this ordinance was a lot of record, or where by reason of exceptional topographic situations or conditions of a piece of property the strict application of the provisions of this ordinance would result in practical difficulties to or undue hardship upon the owner of such property; provided that such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purposes of this ordinance.

4.3(1) In granting a variance the board may attach thereto such conditions regarding the location, character, and other features of the proposed building, structure, or use as it may deem advisable in furtherance of the purpose of this ordinance.

4.3(2) Before any variance is granted, it shall behsown that special circumstances attached to the property do not generally apply to other properties in the neighborhood.

ARTICLE XIII. AMENDMENTS

1. Introduction of Amendments.

The Spring Hill Board of Mayor and Aldermen (hereafter referred to as the board) may amend the regulations, restrictions, boundaries, or any

provision of this ordinance. Any member of the board may present a petition to the board requesting an amendment or amendments to this ordinance.

2. Review by the Planning Commission.

No amendment shall become effective unless it is first submitted for approval, disapproval, or suggestions to the regional planning commission. If the planning commission within sixty (60) days of such submission disapproves the amendment, it shall require the favorable vote of a majority of the entire membership of the city board to become effective. Failure of the planning commission to either approve or disapprove the amendment within ninety (90) days of its submission shall be deemed approval.

3. Notice of Public Hearing.

Upon the introduction of an amendment to this ordinance, or upon the receipt of a petition to amend this ordinance, the board shall publish a notice of such request for an amendment together with the notice of time set for a public hearing by the city board on the requested change. Said notice shall be published one time in a newspaper of general circulation in the Town of Spring Hill, Tennessee. Said hearing by the board shall take place not sooner than fifteen (15) days after the publication of such notice.

At the time and place signified in the above notice, the board shall meet; and all persons affected by such amendment or change may appear in person, by agent, or by attorney to petition against the making of such amendment.

4. Fee.

A fee of fifteen dollars (\$15.00) due and payable at the time of filing of petition shall be posted with request to amend the zoning ordinance; said fee to be used by the Town of Spring Hill to defray costs resulting from such petition and any subsequent amendment of the zoning ordinance.

ARTICLE XIV. LEGAL STATUS PROVISIONS

1. Conflict with Other Ordinances.

In case of conflict between this ordinance or any part thereof, and the whole or part of any existing or future ordinance of the Town of Spring Hill, the most restrictive provision shall in all cases apply.

2. Validity.

If any section, clause, provision, or portion of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this ordinance which is not of itself invalid or unconstitutional.

3. Effective Date

This ordinance shall take effect and be in force fifteen (15) days from and after its final passage, the public welfare demanding it.

Approved and certified by Planning Commission:

J. Gordon Frimm July 8, 1974
J. Gordon Frimm, Chairman Date

Passed by Board of Mayor and Aldermen:

1st. Reading July 8, 1974

2nd. Reading July 29, 1974

3rd. Reading August 12, 1974

Ralph P. Boyd Jr.
Ralph P. Boyd Jr., Mayor

Marvin H. Wright
Marvin H. Wright, Recorder

Effective Date August 27, 1974

APPENDIX

ENABLING LEGISLATION

TENNESSEE CODE ANNOTATED

13-701. Grant of power. For the purpose of promoting the public health, safety, morals, convenience, order, prosperity and general welfare, the board of aldermen, board of commissioners or other chief legislative body of any municipality by whatever title designated (and hereinafter designated as "chief legislative body"), is empowered, in accordance with the conditions and the procedure specified in this chapter, to regulate the location, height, bulk, number of stories and size of buildings and other structures, the percentage of the lot which may be occupied, the sizes of yards, courts and other open spaces, the density of population, and the uses of buildings, structures and land for trade, industry, residence, recreation, public activities and other purposes. Special districts or zones may be established in those areas deemed subject to seasonal or periodic flooding, and such regulations may be applied therein as will minimize danger to life and property, and as will secure to the citizens of Tennessee the eligibility for flood insurance under Public Law 1016, 84th Congress or subsequent related laws or regulations promulgated thereunder.

13-702. Zoning plan. Whenever the planning commission of the municipality makes and certified to the chief legislative body a zoning plan, including both the full text of a zoning ordinance and the maps, representing the recommendations of the planning commission for the regulation by districts or zones of the location, height, bulk, number of stories and size of buildings and other structures, the percentage of the lot which may be occupied, the size of yards, courts and other open spaces, the density of population, and the uses of buildings, structures and land for trade, industry, residence, recreation, public activities and other purposes, then the chief legislative body may exercise the powers granted and for the purposes mentioned in 13-701, and may divide the municipality into districts or zones of such number, shape and areas it may determine, and, for said purposes, may regulate the erection, construction, reconstruction, alteration and uses of buildings and structures and the uses of land.

13-703. Hearing on ordinance or amendment—Notice—Procedure. Before enacting the zoning ordinance or any amendment thereof, the chief legislative body shall hold a public hearing thereon, at least fifteen (15) day's notice of the time and place of which shall be published in the official municipal journal or in a newspaper of general circulation in the municipality. No change in or departure from the text or maps as certified by the planning commission shall be made, unless such change or departure be first submitted to the planning commission and approved by it, or, if disapproved, receive the favorable vote of a majority of the entire membership of said chief legislative body.

13-704. Amendments to zoning ordinances. The zoning ordinance, including the maps, may from time to time be amended; but no amendment shall become effective unless it be first submitted to and approved by the planning commission or, if disapproved, shall receive the favorable vote of a majority of the entire membership of the chief legislative body.

13-705. Board of appeals—Creation—Members, appointment—Terms—Rules governing organization. The chief legislative body may create a board of zoning appeals of three (3) or five (5) members, may specify the mode of appointment of members of such board and their terms, which terms shall be of such length and so arranged that the term of one (1) member shall expire each year, or the chief legislative body may designate the planning commission of the municipality as the board of zoning appeals. The compensation of members of said board shall be as fixed by said chief legislative body.

Said chief legislative body may provide and specify, in its zoning or other ordinance, general rules to govern the organization and procedure and jurisdiction of said board of appeals, which rules shall not be inconsistent with the provisions of this chapter, and the board of appeals may adopt supplemental rules of procedure, not inconsistent with this chapter or such general rules.

13-706. Jurisdiction of board—Parties to appeals. The zoning ordinance may provide that the board of appeals may, in appropriate cases and subject to the principles, standards, rules, conditions and safeguards set forth in the ordinance, make special exceptions to the terms of the zoning regulations in harmony with their general purpose and intent. The chief legislative body may also authorize the board of appeals to interpret the zoning maps and pass upon disputed questions of lot lines or district boundary lines or similar questions as they arise in the administration of the zoning regulations.

Appeals to the board of appeals may be taken by any person aggrieved or by any officer, department, board or bureau of the municipality affected by any grant or refusal of a building permit or other act of decision of the building commissioner of the municipality or other administrative official based in whole or part upon the provisions of this ordinance enacted under this chapter.

13-707. Powers of board of appeals. The board of appeals shall have the following powers:

(1) To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, permit, decision, or refusal made by the municipal building commissioner or any other administrative official in the carrying out or enforcement of any provision of any ordinance enacted pursuant to this chapter.

(2) To hear and decide, in accordance with the provisions of any such ordinance, requests for special exceptions or for interpretation of the map or for decisions upon other special questions upon which such board is authorized by any such ordinance to pass.

(3) Where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the enactment of the zoning regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, the strict application of any regulation enacted under this chapter would result in peculiar and exceptional practical difficulties to or exception or undue hardship upon the owner of such property, to authorize, upon an appeal relating to said property, a variance from such

strict application so as to relieve such difficulties or hardship, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinance.

13-708. Enforcement of ordinances—Remedies. The chief legislative body may provide for the enforcement of any ordinance enacted under this chapter. A violation of any such ordinance is hereby declared to be a misdemeanor. In case any building or structure is or is proposed to be erected, constructed, reconstructed, altered, converted or maintained, or any building, structure or land is or is proposed to be used in violation of any ordinance enacted under this chapter, the building commissioner, municipal counsel or other appropriate authority of the municipality, or any adjacent or neighboring property owner who would be specially damaged by such violation, may, in addition to other remedies, institute injunction, mandamus or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use, or to correct or abate such violation, or to prevent the occupancy of said building, structure or land.

ord Book

TOWN OF SPRING HILL
SPRING HILL, TENNESSEE

Subject: Tennessee Occupational Safety and Health
Act of 1972.

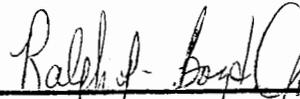
Mr. J. Russell Dugger, Director,
Division of Occupational Safety,
Tennessee Department of Labor,
Cordell Hull Building,
Nashville, Tennessee 37919

about 6/21/74

Dear Mr. Dugger:

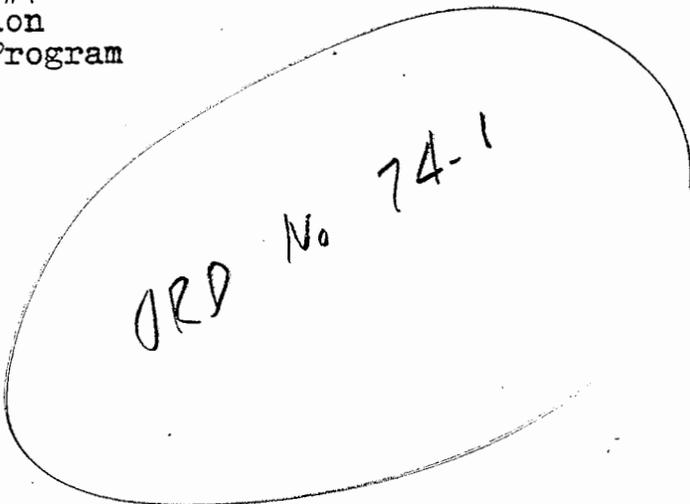
Transmitted are data required of
the Town of Spring Hill, Tennessee, in connection
with the Tennessee Occupational Safety and Health
Act of 1972.

Very truly yours,



RALPH P. BOYD JR., Mayor

- 3 Incls.
#1 Ordinance #74-1
#2 Notification
#3 Proposed Program



ORD No 74-1

TO THE COMMISSIONER OF LABOR, STATE OF TENNESSEE
NOTIFICATION REQUIRED UNDER TENNESSEE CODE ANNOTATED 50-569

You are hereby notified pursuant to the provisions of Tennessee Code Annotated 50-569, that the Town of Spring Hill, Maury County, Tennessee has elected to develop its own program of compliance setting forth the conditions of employment consistent with the objectives of Chapter 50, Tennessee Code Annotated, and to comply with the standards developed under Tennessee Code Annotated 50-507 through 50-518.

A program has been developed and has been reduced to writing, and said program may be inspected at the City Hall on McLemore Street in Spring Hill, Tennessee.

The employees of the Town of Spring Hill, Tenn. have been informed of the program and have access to such writings during the regular office hours of the Town Recorder

This program incorporates standards consistent with Chapter 50 and will be changed to comply with the standards developed by the Department of Labor and the Department of Public Health as provided under Tennessee Code Annotated 50-507 through 50-518, as such standards are developed and published.

This program includes provisions for inspection and record keeping which are as effective as the provisions required by Chapter 50 of Tennessee Code Annotated.

Responsibility for inspection and enforcement of this program has been delegated to the Mayor who may delegate responsibility as he sees fit for inspection, enforcement, and record keeping under the provisions of this Chapter