

TITLE 14

ZONING AND LAND USE CONTROL

CHAPTER

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2. ZONING CODE

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CHAPTER 2

ZONING CODE

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14-202. Uses. No building, structure, premises or site shall be used or arranged to be used except as provided below:

- (1) Residential uses. The following residential uses are permitted:

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- (b) Accessory uses. Accessory uses customarily incident to the above permitted uses, but not including the conduct of a commercial enterprise, business, or industry. Such uses shall include, but not be limited to, the following:

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~~(ii) Living quarters, which must be provided as an integral part of the principal residence or, if detached from the principal residence, may not be used for occupancy without the approval of the board of zoning appeals, except that those being so used or which are suitable for such use without modification on September 1, 1997, may continue to be so used without approval of the board of zoning appeals.~~

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(ii) Living quarters, whether provided as an integral part of the principal residence or in an accessory building detached from the principal residence.

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(xi) The property owner may convert the use of an accessory structure to any other permitted accessory use without approval of the board of zoning appeals, and improvements may be made to such structure, so long as they are within the height, set-back, square footage or other bulk standards for such structures in that zone.

14-205. Non Conforming Uses. See Appendix F.

14-206. Board of zoning appeals.

(3) Powers of the board. (a) General powers, regulations. The board of zoning appeals shall have such duties, powers, and authority as are set forth in the various sections of this chapter.

~~(b) Resolve conflicts.~~

(c) ~~Special exceptions.~~ The board of zoning appeals shall have power and authority to authorize the issuance of permits for special exceptions in the following cases;

(iii) The erection, construction, development, arrangement or use of

(A) ~~Accessory buildings, including buildings~~ Buildings, structures or other uses listed or described in § 14-202-(1)(c),

~~(B) Detached garages;~~

~~(C) Living quarters as described in § 14-202(1)(b)(ii);~~

Appendix F

Non Conforming Uses

Non conforming uses. Non conforming uses and structures. Non conforming uses and structures shall be subject to the following restrictions:

(1) Continued use. A non conforming use or structure may be continued, but may not be enlarged or extended, unless the enlargement or extension meets all the requirements of this chapter and there is no enlargement or extension of the particular non conformity. Notwithstanding the foregoing, any non conforming use or structure protected by Tennessee Code Annotated, § 13-7-208 shall be subject to the enlargement or extension requirements contained therein. This section shall not be construed to restrict or prohibit a change of use from

one legally permitted principal or accessory use to another.

(2) Reconstruction. ~~No~~^A nonconforming ~~use or structure~~ or improvement may be reconstructed without approval of the zoning appeals ~~board pursuant to application in accordance with the zoning code.~~ For the purpose of this section, “reconstruction” and “reconstructed” are ~~defined to mean work to be performed on the use or structure necessary to restore it to its as-built condition with a cost of more than fifty percent (50%) of the cost of as-built construction of the use or structure as determined by the current RS Means Construction Data.~~ regardless of the cost of reconstruction, so long as the footprint or other nonconformity of the structure or improvement are not increased or enlarged. The height may also be increased, but only to a maximum of eighteen feet (18’). In all other cases, reconstruction shall be subject to the approval of the board of zoning appeals.