

ARTICLE II GENERAL PROVISIONS

SECTION

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2.010. Scope. For the purpose of the zoning resolution, there shall be certain general provisions which shall apply, except as specifically noted, to the County as a whole.

2.020. Only one (1) principal building on any lot. Only one (1) principal building and its customary accessory buildings may be erected on any lot. Provided, however, that these provisions shall not apply to apartment dwellings and mobile home parks approved under the provisions of Article VIII, Section 8.060, of this resolution. In the A-1 District, not more than two (2) residences may be permitted on one (1) lot, provided that the site of each dwelling unit shall meet all minimum lot and yard requirements of the A-1 District, such that the site may be subdivided, if necessary. **(Amended by Resolution 05-04-12, April 25, 2005)**

On lots which exceed one hundred (100) acres in the A-1 District, not more than three (3) residences (only one (1) which may be a single-wide mobile home) may be located for those persons owning or operating the premises; members of the immediate family of the owner or operator thereon; or persons employed full-time and their families thereon. The site of each dwelling unit shall meet all minimum lot and yard requirements of the A-1 District such that the site can be subdivided from the remaining acreage if necessary.

2.030. Lot must abut a public street. No building shall be erected on a lot which does not abut at least one (1) public street for a distance of at least fifty (50) feet. This section shall not apply to properties abutting a cul-de-sac, which shall abut the street for at least thirty (30) feet; or 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 from other property, such easement shall be at least fifty (50) feet in width and shall not be used to provide access to more than one (1) lot or tract of land. 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.

2.040. 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 any requirements of the zoning resolution are not maintained. This section shall not apply when a portion of a lot is acquired for a public purpose.

2.050. Obstruction to vision at street intersection prohibited. On a corner lot in any district, within the area formed by the center line of intersecting streets and a line joining points on such center lines at a distance of twenty-five (25) feet from their intersection nothing shall be erected, placed, planted, or allowed to be grown in such a manner as materially to impede vision between a height of two and one-half (2 1/2) and ten (10) feet above the center line grades of said intersecting streets. This section shall not be deemed to prohibit any necessary retaining walls.

2.060. 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. No curbs, or shoulders on county streets or rights-of-way shall be cut or altered without approval of the Marshall County Road Superintendent, or if a state highway, a permit must be obtained from the Tennessee Department of Transportation.

2.070. Accessory use regulations. The use of land, buildings, and other structures permitted in each of the districts established by this resolution are designed by listing the principal uses. In addition to such principal uses, accessory uses, such as garages and small out buildings in residential areas, etc., which are customarily incidental to the permitted principal uses are also permitted in each district (see definition of accessory use). 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.

2.080. Site plan requirements for commercial and industrial developments.

A. Proposals (plans) 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 no later than fifteen (15) days prior to the next regularly scheduled planning commission meeting, 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, and compatibility, 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 stories (all residential and commercial structures three (3) or

more stories in height must have their plans approved by the State Fire Marshall's Office), the number of dwelling units per acre if applicable, all required building setbacks and other yard requirements, as well as a location map showing the relationship of the proposal to scale, to other development, land uses, and streets.

B. Proposals for mobile home parks shall follow separate provisions outlined in Article IV, Subsection 4.044. **(Amended by Resolution 05-04-12, April 25, 2005)**

C. The above applications must be supported by any other reasonable information or data as might be deemed necessary by the Marshall County Regional Planning Commission.

2.090. Buffer strips. Where a use is developed in areas zoned (C-1, C-2, M-1, or M-2) which abuts at any point upon property zoned (A-1, A-2, and R-1), the developer of said use shall provide a buffer strip as defined herein at the point of abutment.

2.100. Corner lots. For lots adjacent to the intersection of two (2) public streets, the front yard shall be determined by the public street that provides the address for the lot. The rear yard shall be opposite from the front yard and the remaining yards shall be considered side yards. **(Amended by Resolution 05-04-12, April 25, 2005)**

2.110. Alternative wastewater treatment systems. Alternative wastewater treatment systems shall be allowed in all Zoning Districts. Prior to approval of any development that utilizes an alternative wastewater treatment system, approval must be received, in writing, from the Marshall County Board of Public Utilities and the Tennessee Department of Environment and Conservation. **(Added by Resolution 05-11-06, November 28, 2005)**
(Affirms by Resolution 08-03-05, March 24, 2008)

2.120. Water Supply. In Zoning Districts A-1, A-2, R-1, C-1, C-2 where Public Water is not available, water shall be required for the issuance of a Building Permit from one of the following sources and under the conditions of: **(Added by Resolution 11-11-04, November 28, 2011)**

- a.) **Well** – a minimum of 500 gallons per a 24 hour period shall be certified by a licensed water well driller. The Permit holder shall be responsible for ensuring the water is potable.
- b.) **Spring** – a minimum of 500 gallons per a 24 hour period shall be verified by the Marshall County Building Codes Department. The Permit holder shall be responsible for ensuring the water is potable.
- c.) **Alternative Water Supply** - In cases where the owner of a property wishes to collect and/or store water for domestic use, this shall be allowed provided:

- 1.) The collection system has the ability to store at least 2500 gallons of water.
- 2.) The Building Permit applicant shall be responsible for ensuring that the water is potable.
- 3.) The system shall meet the basic requirements for water storage systems as specified in the 2009 International Plumbing Code.

2.130 . Septic Easements. : In all Zoning Districts, Septic Easements shall be allowed only as a Special Exception, each granted by the Marshall County Board of Zoning Appeals, each decided on the merits of the application.

Excluded from this requirement is any subdivision of property with lot sizes greater than five acres, and is subdivided in such a way that review by the Marshall County Planning Commission would not be required by State or local laws. **(Amended by Resolution 16-06-12 June 27, 2016)**

