

ORDINANCE NO. 21-27

AN ORDINANCE TO AMEND SECTION 401 OF THE ZONING ORDINANCE FOR THE TOWN OF MONTEAGLE, TENNESSEE TO INCLUDE PROVISIONS FOR INCREASED BUILDING HEIGHT IN COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS

WHEREAS, *Tennessee Code Annotated (TCA)* § 13-7-201 provides the authority for the zoning of territories within a municipality; and

WHEREAS, the Monteagle Regional Planning Commission has certified zoning districts as provided for in *TCA* § 13-7-202; and

WHEREAS, *TCA* § 13-7-204 authorizes amendments to a zoning map and text of the zoning ordinance; and

WHEREAS, in accordance with *TCA* § 13-7-203, subsection (a), the Monteagle Regional Planning Commission has approved and recommended the zoning ordinance amendments herein described to the Monteagle Mayor and Board of Aldermen; and

WHEREAS, in accordance with *TCA* § 13-7-203 subsection (a), an advertised public hearing was held regarding this zoning ordinance amendment.

BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF MONTEAGLE, TENNESSEE, that the Monteagle, Tennessee Zoning Ordinance should be amended as shown on Attachment 1.

BE IT FURTHER ORDAINED THAT this Ordinance shall be effective immediately upon final passage, the public welfare requiring it.

First Reading: 12-13-21

Second Reading 1-31-22

Date of Public Hearing: 1-31-22

Maipw Rodman
Mayor, Town of Monteagle

Attest: Debbie Taylor
Town Recorder

ATTACHMENT 1

CHAPTER 4

SETBACKS, BUILDING, AND LOT DIMENSIONS

401 Dimensions for C-1, C-2, C-3, and I-1 Districts

The following table outlines the general height, area, and dimensional requirements for Monteagle’s commercial and industrial zoning districts. Unless another measurement is explicitly provided, these standards shall be in effect.

DIMENSION	C-1	C-2	C-3	I-1
Front yard setback ^[A]	0 feet	30 feet	40 feet	30 feet
Rear yard setback (standard)	0 feet	10 feet	10 feet	30 feet
Rear yard setback (when serviced from the rear)	30 feet	30 feet	30 feet	30 feet
Rear yard setback (when abutting a public street)	Equal to the front yard setback required for adjacent properties fronting the rear street			
Side yard setback (standard)	0 feet	10 feet	10 feet	20 feet
Side yard abutting a local street, alley, or cul-de-sac	25 feet	25 feet	25 feet	25 feet
Side yard abutting a major thoroughfare or collector road	35 feet	35 feet	35 feet	35 feet
Setback when abutting any residential district (applies to front, side, and rear yard)	25 feet	25 feet	25 feet	50 feet
<u>Minimum lot size:</u>				
Public water + sewer	0 ft ²	10,000 ft ²	10,000 ft ²	15,000 ft ²
Public water + septic system ^[B]	15,000 ft ²	15,000 ft ²	15,000 ft ²	20,000 ft ²
Private well + septic system ^[B]	25,000 ft ²	25,000 ft ²	25,000 ft ²	25,000 ft ²
Lot width at building setback line	0 feet	75 feet	75 feet	150 feet
Maximum building height**	3 stories or 40 feet	3 stories or 40 feet	3 stories or 40 feet	3 stories or 40 feet

** Building height may be increased as a special exception per Section 1107 of this ordinance. Developments that exceed the maximum established height shall provide adequate fire suppression in the event that reciprocating fire protection is unavailable. Property Owners / Developers shall understand the risk that this increase in building height causes in the event of a fire.

- A. The setback measurement shall apply to the principal building. Accessory structures, fencing, landscaping, parking areas, signs, and other permitted structures may be placed within the setbacks in accordance with the provisions of this ordinance.
- B. TDEC or the county health authority may require larger lot sizes when a septic system is utilized. The planning commission may approve smaller lots if TDEC has certified that the smaller area is adequate for a septic system, but not smaller than 10,000 square feet.