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1950
June

CITY PLANNING COMMISSION
CITY HALL
KNOXVILLE 9, TENNESSEE

ZONING REGULATIONS

Knox County
Tennessee

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KNOX COUNTY
PLANNING COMMISSION

MAY, 1941

As Amended June, 1950

Knox County Zoning Regulations

As Amended June, 1950

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Title of Resolution

A RESOLUTION ESTABLISHING ZONE DISTRICTS WITHIN THE UNINCORPORATED TERRITORY OF KNOX COUNTY, REGULATING THE USES OF PROPERTY THEREIN, ADOPTING A MAP OF SAID DISTRICTS, REQUIRING ZONING PERMITS FOR THE CONSTRUCTION AND USE OF BUILDINGS AND PREMISES WITHIN SAID DISTRICTS, ESTABLISHING THE OFFICE OF BUILDING INSPECTOR, ESTABLISHING A BOARD OF ZONING APPEALS AND FIXING THE POWERS AND DUTIES THEREOF, AND PROVIDING FOR THE ADJUSTMENT, ENFORCEMENT, AND PENALTIES FOR VIOLATION OF THIS RESOLUTION.

Authority for Resolution

WHEREAS, Authority has been conferred by the State Legislature in Chapter 33 of the Public Acts of the State of Tennessee for 1935 and Chapter 86 of the Public Acts of 1941, an amendment to the County Zoning Act, to provide for the establishment of districts or zones in portions of the county which lie outside the limits of the municipal corporation of Knoxville, and for the location, height, and size of buildings and structures, the percentage of lot occupancy, the required open spaces, the density and distribution of population, and the uses of lands, buildings, and structures, and

WHEREAS, The Knox County Planning Commission, after a comprehensive study and mapping of present land uses, development, and development trends, has prepared, adopted, and

recommended zones and appropriate regulations to be enforced therein, and public hearings have been held, at which all owners of property affected were given ample opportunity, after public notice as required by law, to file their protests or criticisms thereon, if any:

NOW, THEREFORE, BE IT RESOLVED BY THE QUARTERLY COURT OF KNOX COUNTY, TENNESSEE, as follows:

Section 1—GENERAL PURPOSE

In order to provide for the public health, safety, morals, and general welfare and to secure for the citizens of Knox County, outside the municipal corporation of Knoxville, the social and economic advantages resulting from an orderly planned use of the land resources within the county; to regulate and restrict the location and use of buildings, structures, and land for residence, trade, industry, and other purposes, the height, number of stories and size of buildings and other structures, and the size of yards, courts, and other open spaces on the lot or tract; to provide definite official land use plans for property publicly and privately owned in Knox County outside the municipal corporation of Knoxville; to guide, control, and regulate the future growth and development of said county in accordance with said plan; and to provide for the administration and otherwise carrying out of said plan, there is hereby adopted and established an official zoning plan for Knox County, Tennessee.

Section 2—DEFINITIONS

2A—GENERAL TERMS

For the purpose of this article certain words and terms are defined as follows:

2A1—Words used in the present tense include the future. The singular number includes the plural and the plural the singular.

2A2—The word "shall" is mandatory and not directory.

2B—SPECIFIC TERMS

2B1—ACCESSORY BUILDING. A subordinate building customarily incident to and located on the same lot with the main building.

2B2—ADDITIONAL DWELLING. A subordinate residential building, containing not more than 500 square feet of floor space, customarily in-

- cident to and located on the same lot with the main residential building and housing not more than one family unit.
- 2B3—ALTERATION, INTERIOR. Any change within the outside walls of a building.
- 2B4—ALTERATION, STRUCTURAL. Any change in the exterior walls or foundation of a building.
- 2B5—APARTMENT. A building, or portion thereof, used or designed as a residence for three or more families or households living independently of each other.
- 2B6—AUTO WRECKING YARD. Any space or building used by the owner or operator for the dismantling of three or more vehicles not in running condition, or for storage of such vehicles or the dismantled parts thereof.
- 2B7—BILLBOARD. Any sign or advertisement used as an outdoor display by painting, posting, or affixing on any surface, of a picture, emblem, words, figures, numerals, or lettering for the purpose of making anything known.
- 2B8—BUILDING. A dwelling, commercial establishment, church, or other public building, outdoor advertising sign or billboard, tent, trailer, lunch wagon, dining car, tourist cabin, camp car, or other structure on wheels or other supports and used for advertising, business, or living purposes.
- 2B9—CLUB. An association or group of persons organized for some common purpose, but not including such association or groups organized to render a service which is customarily carried on as a business.
- 2B10—CORNER LOT. A lot abutting upon two or more roads at their intersection, provided the angle at which the roads intersect does not exceed one hundred thirty-five degrees.
- 2B11—FAMILY. Several individuals living together and cooking on the premises as a single housekeeping unit, together with all necessary employees of the family.
- 2B12—HOME OCCUPATION. A gainful occupation conducted by members of the family only within the dwelling, provided that the space used is incidental to residential use and that no article is sold or offered for sale except such as is produced by such home occupation.
- 2B13—LOT. A parcel of land which is or may be occupied by a building and its accessory buildings or uses customarily incident thereto, together with such yards or open spaces within the lot lines as may be required by this resolution.
- 2B14—NON-CONFORMING USE. A use of a building or land that does not agree with the provisions of this article for the zone in which it is located.
- 2B15—OFF-ROAD PARKING SPACE. A yard or loading area off the road

right of way, which space shall be accessible to a road and shall be arranged and maintained for the purpose of providing standing space for vehicles while at rest or while being used to load or unload merchandise or other foods or materials incidental to the occupancy.

2B16—PUBLIC GARAGE. A building or portion thereof used for the purpose of housing, servicing, repair, or hiring of self-propelled vehicles for pay, or where such vehicles are sold.

2B17—ROAD. A public thoroughfare forty feet or more wide, provided however that any existing thoroughfare less than forty feet wide generally known as a road shall be considered a road for the purpose of this article.

2B18—ROAD LINE. Right-of-way line of a road.

2B19—ROADSIDE STAND. A farm structure used or intended to be used solely by the owner or tenant of the farm on which it is located, for the sale of only seasonal farm products of the farm on which it is located.

2B20—SETBACK LINE. A line back of the road line, existing or proposed, between which and the road line no building or portion thereof, except as provided in this resolution, may be erected. "Within a setback line" means between the setback line and the road right of way.

2B21—TOURIST COURT. A tract or parcel of land upon which two or more tourist cabins are located or where temporary accommodations are provided for two or more automobile trailers, tents, or housecars; open to the public either free or for a fee.

2B22—TOURIST HOME. A residential building where lodging is furnished to transients for compensation, and containing not more than five sleeping rooms for such transients.

2B23—YARD, FRONT. The required open space between the road right of way line and the main building.

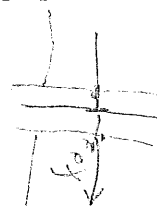
2B24—YARD, SIDE. A space along the side line of a lot, unoccupied by buildings except as herein provided, extending from the setback line to the rear yard..

2B25—YARD, REAR. A space, unoccupied except by a building of accessory use as herein provided, extending from the rear of the main building to the rear lot line for the full width of the lot.

2B26—ZONE. A part or parts of Knox County for which the regulations relating to the use of land and buildings are uniform.

Section 3—ZONES

In order to designate zones for the purpose of this article the County



of Knox, outside the limits of the municipal corporation of Knoxville, is hereby divided into the following zones:

-City-
A, S RA - Residential A Zones *-City-* EFG - CA - Commercial A Zones
C, D RB - Residential B Zones J - CB - Commercial B Zones
Est - Estates Zones K - Ind - Industrial Zones
Ag - Agricultural Zones UNC - Unclassified Zones

3A—BOUNDARIES

3A1—The boundaries of the aforesaid zones are hereby established upon the map which is designated as the "Zoning Map of Knox County, Tennessee," and is on file in the office of the Knox County Planning Commission. Said Zoning Map of Knox County, Tennessee, consisting of a chart explaining symbols and indications which appear on said map, is hereby made a part of this resolution.

3A2—The boundaries of the various zones, as shown on the map, shall be determined by use of the scale shown on said map, unless the actual dimensions are noted. Scale and field measurements and map dimensions shall be figured from the road right-of-way line. Where zone boundaries are approximately parallel to a road the distance of such boundaries from the road line shall be 200 feet unless otherwise shown by dimension.

3A3—All the unincorporated area of Knox County which is not designated on the Zoning Map of Knox County as being in any other zone is hereby declared and established as being in an Unclassified Zone.

3A4—In cases of final uncertainty the board of appeals shall interpret the zoning map to fix the exact location of boundaries.

3A5—The board may allow the extension of a zone where the boundary line thereof divides a lot in one ownership at the time of passage of this resolution, but such extension shall not exceed 100 feet.

3B—LOTS AND BUILDINGS AFFECTED

3B1—Except as hereinafter provided no building or structure shall be erected or altered, or shall any building or premises be used, for any purpose other than a use permitted by this resolution in the zone in which such building or premises is located.

3B2—No lot may be so reduced in area that yards or other open spaces will be smaller than prescribed by this resolution, and no building shall be occupied by more families than hereinafter prescribed for the zone in which it is located.

Section 4—GENERAL PROVISIONS FOR ALL ZONES

4A—HIGHWAY SETBACK LINES

4A1—On corner lots the minimum width of the side yard next to the

side road shall be the same as the width of the front yard for the zone in which located, and no accessory use or building shall be located nearer to the side road line than the main building.

4A2—Where there is no established road line the setback line shall be twenty feet from the center line of the road plus the setback requirements of the zone in which it is located.

4A3—Where a road is in the process of being re-located or altered the setback line shall be from the **proposed** road line.

4B—LOCATION AND NUMBER OF BUILDINGS ON LOT

4B1—On subdivided land where the map is of official record in the Register's office of Knox County, Tennessee, only one dwelling structure may be erected on a lot, except as hereinafter provided for additional dwellings, provided however, that on land sub-divided in tracts of one acre or more where the map is of official record in the Register's office, as many as two dwelling structures may be erected on a tract provided each dwelling structure meets all of the requirements of the zone in which it is located.

4B2—No building shall be erected on a lot which does not abut on a public road, except that as many as three main residential buildings may abut on a public easement not less than twelve feet wide to such public road.

4C—OFF-ROAD PARKING

Except as otherwise herein provided, no structure or land shall be hereafter used, and no structure or part thereof shall be rebuilt, reconstructed, extended, or remodeled, unless in conformity with the following regulations regarding off-road parking:

4C1—RESIDENCES. One parking space per family dwelling unit in single-family dwellings and multi-family structures, provided, however, that for apartments, after the first twenty units in a single structure, a minimum of two parking spaces shall be provided for each three dwelling units, and provided further that in case of apartment hotels where no cooking is done in any individual room or apartment, a minimum of one parking space shall be provided for each two individual rooms or apartments.

4C2—TOURIST HOMES. One parking space for the occupying family, plus one parking space for each room held available for rent to transients.

4C3—HOTELS. One parking space for each two guest rooms.

4C4—THEATERS, AUDITORIUMS, STADIUMS, CHURCHES, OR OTHER USES DESIGNED TO DRAW AN ASSEMBLY OF PERSONS. One parking space for each six seats. Other places of amusement and assembly shall provide one parking space for each six patrons for which the facility is designed or arranged.

4C5—INDUSTRIAL ESTABLISHMENTS. One parking space for each five employees anticipated during maximum production.

4C6—MANUFACTURING ESTABLISHMENTS MAINTAINING SPACE FOR THE SALE OF PRODUCTS AT RETAIL. One parking space for each 500 square feet of floor area devoted to retail sales.

4C7—HOSPITALS. One parking space for each three beds.

4C8—OFFICE AND PROFESSIONAL BUILDINGS. One parking space for each 400 square feet of office space located on the first floor, plus one parking space for each 750 square feet of floor space above or below the first or main floor; provided that office space constructed or arranged on the floors above or below the first floors of retail or other business establishments and not used in connection therewith, shall fall within the meaning of this sub-section.

4C9—RETAIL SALES AND SERVICE ESTABLISHMENTS. One parking space for each 300, or fraction thereof, square feet of floor space.

4C10—Said off-road parking space shall be provided with necessary entrances, exits, and access to a road, and in the case of open air parking space such space or lot shall be improved so as to be usable under all weather conditions.

4C11—If the off-road parking space required by this resolution cannot be reasonably provided on the same lot or parcel of land on which the principal use is conducted the board of appeals may permit such space to be provided on other off-road property, provided all of such space lies within 400 feet of the main entrance by public right of way to such principal use.

4D—NON-CONFORMING USES

4D1—Any lawful use of buildings or land existing at the time of the passage of this resolution, or whenever a zone shall be changed by amendment to this resolution, may be continued, although such use does not conform to the regulations of the zone in which it is located, and such use may be extended throughout the building or land provided no structural alteration except those required by law are made therein, but if such non-conforming use is discontinued for a period of six months, future use of said premises shall be in conformity with the regulations of the zone in which it is located.

4D2—If no structural alterations are made a non-conforming use of a building or land may be changed to another non-conforming use of the same or more restricted classification.

4D3—Nothing in this resolution shall be taken to prevent the restoration of a building destroyed to the extent of not more than fifty per cent of its reasonable value, by fire, explosion or other casualty, or act of God or the public enemy, nor the continued occupancy or use of such building or part thereof which existed at the time of such partial destruction.

4D4—Regardless of any other provisions of this resolution no outdoor advertising sign or outdoor advertising structure which, after the adoption

of this resolution, exists as a non-conforming use in any zone, shall continue, as herein provided for non-conforming uses, but every such sign or structure shall be removed or changed to conform to the regulations of said zone within a period of six months from and after the time that such sign or structure becomes a non-conforming use.

Section 5—GENERAL EXCEPTIONS FOR ALL ZONES

- 5A—LOT OF RECORD. Where the owner of a lot whose deed is of official record at the time of the adoption of this resolution does not own sufficient land to enable him to conform to the yard and other requirements of this resolution, such lot may be used as a building site by the same or subsequent owner, provided that the yard space and other requirements shall conform as closely as possible, in the opinion of the building inspector, to the requirements for the zone in which it is located.
- 5B—PROJECTIONS INTO YARD AREAS. Porches, porticos, porte-cocheres, and similar permanently unenclosed ground-story projections not more than twelve feet in height above the first-floor level may extend into a required yard not more than ten feet.
- 5C—PUBLIC UTILITY FACILITIES. No height limit shall be imposed on the erection of telephone, telegraph, and power transmission lines.
- 5D—SIGNS. The following signs may be erected without securing a building permit:
- 5D1—Signs not exceeding nine square feet in area in a Residential A Zone, and twenty-four square feet in area in all other zones, pertaining only to the prospective sale or lease of the premises upon which displayed.
- 5D2—Signs not exceeding six square feet in area displaying the name only of the property or premises upon which displayed or of the owner or lessee thereof.
- 5D3—Signs not over twenty-four square feet in area advertising the sale of a subdivision and located therein or adjacent thereto.
- 5D4—Directional or informational signs, not over twenty-four square feet in area, of a public or quasi-public nature, erected and maintained by an official or civic body.
- 5D5—Highway and traffic signs.

Section 6—RESIDENTIAL A ZONES

- 6A—USES PERMITTED. In any Residential A Zone no building or premises shall be used and no building shall hereafter be erected or structurally altered, unless otherwise provided in this resolution, except for one or more of the following uses:

- 6A1—Single-family and two-family dwellings.
- 6A2—Accessory buildings.
- 6A3—Additional dwellings.
- 6A4—Apartments.
- 6A5—Tourist homes, provided there is no exterior display or advertising except an announcement sign not over three square feet in area.
- 6A6—Churches, schools, libraries, and museums.
- 6A7—Gardening and horticulture.
- 6A8—Poultry raising—for home consumption only.
- 6A9—Boat liveries—for the hire of small craft only.
- 6A10—Golf courses, golf ranges, public or private, public parks and playgrounds; swimming pools; tennis courts; and country clubs, none of which shall be used for commercial purposes.
- 6A11—Public utilities, such as transmission lines, sub-stations, railroad yards, lines and stations, bus loading or waiting platforms, dams, temporary work camps or other governmental agency uses and buildings, temporary contractors' camps and buildings on public works projects, and other similar public service uses and buildings.
- 6A12—Uses customarily incident to any of the above uses when situated in the same dwelling, including home occupation, such as the office of a physician, surgeon, dentist, musician, artist, or beautician, provided no name plate exceeding two square feet in area shall be permitted in any Residential A Zone.
- 6B—HEIGHT. No building shall exceed thirty-five feet or two and one-half stories, except that apartments shall be not more than three stories or forty feet in height.
- 6C—LOT AREA. The minimum requirements shall be 7500 square feet for a single-family dwelling, 5000 square feet for an additional dwelling, 10,000 square feet for a two-family dwelling, and one-half acre for an apartment; and no building or buildings shall occupy more than thirty per cent of its lot area.
- 6D—LOT WIDTH. No lot shall be less than seventy-five feet wide at the building line.
- 6E—SETBACK. No building shall be located closer than twenty-five feet to the road line; and no accessory building shall be located within or so as to project into the front yard.
- 6F—SIDE YARDS. There shall be a side yard on each side of every main building, the minimum width of which shall be five feet and the least sum of the widths of both side yards shall be fourteen feet; and no accessory building shall be located within or so as to project into either side yard.
- 6G—REAR YARD. There shall be a rear yard on every lot, which rear yard

shall have a minimum depth of twenty-four feet for a one-story building, which depth shall be increased to thirty-six feet for a two or two and one-half story building; and no accessory building shall be located closer to any rear lot line than five feet.

SECTION 7—RESIDENTIAL B ZONES

7A—USES PERMITTED. In any Residential B Zone no building or premises shall be used and no building shall hereafter be erected or structurally altered, unless otherwise provided in this resolution, except for one or more of the following uses:

7A1—Any use permitted in a Residential A Zone.

7A2—Nurseries and greenhouses for the propagating and cultivating of plants.

7A3—Hospitals and sanitariums, but not for contagious diseases, nor for the care of epileptics or drug or liquor patients, nor for the care of the insane or feeble minded.

7B—HEIGHT. No building shall exceed forty-five feet or three stories in height.

7C—LOT AREA. The minimum requirements shall be 15,000 square feet for a single-family dwelling, 5000 square feet for an additional dwelling, 20,000 square feet for a two-family dwelling, and one acre for an apartment; and no building or buildings shall occupy more than thirty per cent of its lot area.

7D—LOT WIDTH. No lot shall be less than one hundred feet wide at the building line.

7E—SETBACK. No building shall be located closer than thirty-five feet to the road line; and no accessory building shall be located within or so as to project into the front yard.

7F—SIDE YARDS. There shall be a side yard on each side of every main building, the ~~maximum~~ width of which shall be eight feet and the least sum of the widths of both side yards shall be twenty feet; and no accessory building shall be located within or so as to project into either side yard.

7G—REAR YARD. There shall be a rear yard on every lot, which rear yard shall have a minimum depth of twenty-four feet for a one-story building, which depth shall be increased to thirty-six feet for a two or two and one-half story building and forty feet for a three-story building, and no accessory building shall be located closer to any rear lot line than five feet.

Section 8—ESTATES ZONES

8A—USES PERMITTED. In any Estates Zone no building or premises shall

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be used and no building shall hereafter be erected or structurally altered, unless otherwise provided in this resolution, except for one or more of the following uses:

- 8A1—Any use permitted in a Residential B Zone.
- 8A2—Farming, including all types of agriculture and horticulture, except commercial dairies; commercial kennels, rabbit, goat, and other animal raising farms; egg-producing ranches and farms devoted primarily to the hatching, raising, fattening and butchering of chickens, pigeons, turkeys, and other poultry on a commercial scale; and hog and other livestock feeding for commercial purposes.
- 8B—HEIGHT. No building shall exceed forty-five feet or three stories in height.
- 8C—LOT AREA. The minimum requirements shall be two acres for a one or two-family dwelling or apartment, and 5000 square feet for an additional dwelling; and no building or buildings shall occupy more than thirty percent of its lot area.
- 8D—LOT WIDTH. No lot shall be less than two hundred feet wide at the building line.
- 8E—SETBACK. No building shall be located closer than fifty feet to the road line.
- 8F—SIDE YARDS. There shall be a side yard on each side of every building, the minimum width of which shall be ten feet and the least sum of the widths of both side yards shall be twenty-five feet; and no accessory building shall be located within or so as to project into either side yard.
- 8G—REAR YARD. There shall be a rear yard on every lot, which rear yard shall have a minimum depth of fifty feet; and no accessory building shall be located closer to any rear lot line than five feet.

Section 9—AGRICULTURAL ZONES

- 9A—USES PERMITTED. In any Agricultural Zone no building or premises shall be used and no building shall hereafter be erected or structurally altered, unless otherwise provided in this resolution, except for one or more of the following uses:
 - 9A1—Any use permitted in an Estates Zone.
 - 9A2—Aircraft landing fields, hangars, and equipment.
 - 9A3—Farming, including all types of agriculture and horticulture; commercial dairies; commercial kennels, rabbit, goat, and other animal or fish and minnow raising farms; egg-producing ranches and farms devoted to the hatching, raising, fattening, and butchering of chickens, pigeons, turkeys, and other poultry; and hog and other livestock feeding for commercial purposes.
 - 9A4—Manufacturing, storage, and processing of natural resources indigen-

ous to Knox County, excepting rock and marble quarries.

9A5—Portable sawmills.

9A6—Signs not over four square feet in area advertising the sale of farm products produced on the premises.

9A7—Lodging and boarding houses.

9A8—Roadside stands.

9A9—Canneries.

9B—LOT AREA. The minimum requirements shall be one-half acre for a one or two-family dwelling, 5000 square feet for an additional dwelling, and one acre for an apartment; and no building or buildings shall occupy more than thirty per cent of its lot area.

9C—SETBACK. No building shall be located closer than thirty-five feet to the road line.

9D—HEIGHT, LOT WIDTH, SIDE YARDS, AND REAR YARD. The provisions of Section 7—Residential B Zones shall apply.

Section 10—COMMERCIAL A ZONES

10A—USES PERMITTED. In any Commercial A Zone no building or premises shall be used and no building shall hereafter be erected or structurally altered, unless otherwise provided in this resolution, except for one or more of the following uses:

10A1—Any use permitted in the Agricultural Zone.

10A2—Hotels and tourist courts, provided that water and sewage disposal plans meet the requirements of the county health department.

10A3—Armories, undertaking establishments, and assembly halls.

10A4—Offices, banks, theatres, indoor and outdoor, except that in any outdoor theatre the screen of such shall be so erected or located that its face, or that side upon which the motion picture image is projected, shall not be visible from any state highway; studios, photograph galleries, barber shops, police and fire stations, service stations, restaurants, cafes and lunch rooms, and other retail business or commercial enterprise which is similar in character and not injurious to adjacent premises or occupants thereof by the emission of dust, fumes, smoke, odor, noise, or vibration.

10A5—Motor vehicles and bicycle service and repair shops, skating rinks, dance halls, and establishments selling beer for consumption on the premises, provided that no such use shall be located within one hundred feet of any residential zone.

10A6—Retail poultry business, provided that the enterprise is conducted in strict compliance with the regulations of the department of health, and that adjacent premises or the occupants thereof are not injured by reason of the emission of dust, odors, or noise.

- 10A7—Dry cleaning shops, except that such use shall not include fabric dyeing.
- 10A8—Billboards and signs, under the following conditions: *
- 10A8A—The company or individual erecting such sign shall post with the building inspector, as agent for the board of appeals, a bond in the amount of two hundred dollars—or such other amount as the board may deem necessary—to cover the cost of removing signs of such company or individual erected in violation of the zoning regulations or which have become unsightly from neglect, in the event that such company or individual has failed to remove such sign within thirty days after having been notified by the building inspector to do so.
- 10A8B—Billboards larger than one hundred square feet in area shall be placed not closer together than 300 feet. Billboards may be double faced but shall not be larger than 12 feet by 52 feet. Signs of less area than fifty square feet may be placed between such billboards but not closer together than 100 feet.
- 10A8C—No red blinking or red flashing lights shall be used on any roadside signs except for traffic control and warning or danger signals.
- 10A8D—Signs and billboards shall observe the front and side yard provisions of the zone in which located.
- 10B—HEIGHT. No building shall exceed forty-five feet or three stories in height.
- 10C—LOT AREA. The minimum requirements for every building or portion of a building used as a dwelling shall be 7500 square feet for the first family and 5000 square feet of lot area for each additional family housed; except that for hotels and tourist courts the minimum lot area shall be one acre, and in addition to the 7500 square feet of lot area required for the owner or operator there shall be at least 1800 square feet of lot area for each sleeping accommodation provided for transient guests of the hotel or tourist court, and the building area of such hotel or tourist court shall be not greater than fifty per cent of the lot area.
- 10D—SETBACK. No building shall be located closer than twenty feet to the road line; no building or portion of a building used as a dwelling shall be located closer than twenty-five feet to the road line; and no hotel or tourist court shall be located closer than fifty feet to the road line.
- 10E—SIDE YARDS. There shall be a side yard on each side of every building or portion of a building used as a dwelling, which side yard shall have a minimum width of five feet, increased by two feet for each story above the first story.
- 10F—REAR YARD. There shall be a rear yard on every lot which rear yard shall have a minimum depth of sixteen feet for a one-story building, twenty feet for a two-story building, and twenty-four feet

for a three story building. If the building is designed for residential purposes only, the provisions of the Residential A Zone shall apply.

Section 11—COMMERCIAL B ZONES

11A—USES PERMITTED. In any Commercial B Zone no building or premises shall be used and no building shall hereafter be erected or structurally altered, unless otherwise provided in this resolution, except for one or more of the following uses:

- 11A1—Any use permitted in a Commercial A Zone.
- 11A2—Amusement resorts.
- 11A3—Automobile race tracks.
- 11A4—Bleaching and dyeing shops.
- 11A5—Bottling works.
- 11A6—Coal, coke, or wood yards.
- 11A7—Contractors' plants.
- 11A8—Flour or grain mill or elevators.
- 11A9—Ice manufacture or storage of not more than twenty tons of ice.
- 11A10—Lumber yards.
- 11A11—Produce markets.
- 11A12—Rock and marble quarries.
- 11A13—Saw, planing, or woodworking mills.
- 11A14—Steam laundries.
- 11A15—Stone yards or monument works.
- 11A16—Any other retail, wholesale, or light industrial use similar in nature to those described.

11B—HEIGHT. No building may be built to a height exceeding twice the width of the road upon which the building abuts. Buildings may exceed this height limit providing the portion of the building higher than twice the width of the road is set back from every road and lot line one foot for each three feet of height in excess of twice the road width.

11C—LOT AREA, SETBACK, SIDE YARDS, AND REAR YARD. The provisions of Section 10—Commercial A Zones shall apply.

Section 12—INDUSTRIAL ZONES

12A—USES PERMITTED. In any Industrial Zone no building or premises shall be used and no building shall hereafter be erected or structurally altered, unless otherwise provided in this resolution, except for one or more of the following uses:

- 12A1—Any use permitted in a Commercial B Zone.
- 12A2—Aluminum, brass, copper, iron, or steel foundries or works.

- 12A3—Acetylene gas manufacture in excess of 15 pounds pressure per square inch.
- 12A4—Ammonia, bleaching powder, or chlorine manufacture.
- 12A5—Asphalt manufacture or refining.
- 12A6—Auto Wrecking.
- 12A7—Blast furnaces.
- 12A8—Boiler works or forge works.
- 12A9—Brick, tile, or terra cotta manufacture.
- 12A10—Celluloid manufacture, treatment, or storage.
- 12A11—Coke manufacture.
- 12A12—Creosote manufacture or treatment.
- 12A13—Disinfectant or insecticide manufacture.
- 12A14—Distillation of bones, coal, tar, or wood.
- 12A15—Dyestuff manufacture.
- 12A16—Dyeing at wholesale.
- 12A17—Fat rendering.
- 12A18—Fertilizer manufacture.
- 12A19—Gas (heating or illuminating) manufacture or storage except where such gas is to be entirely consumed on the same premises.
- 12A20—Glue, gelatin, or size manufacture.
- 12A21—Incineration or reduction of dead animals, garbage, offal or refuse other than garbage, offal, or refuse accumulated and consumed without odor on the same premises.
- 12A22—Lamp black manufacture.
- 12A23—Lime, cement, or Plaster of Paris manufacture.
- 12A24—Match manufacture.
- 12A25—Oilcloth or linoleum manufacture.
- 12A26—Pickle, sausage, sauerkraut, or vinegar manufacture.
- 12A27—Paint, oil, varnish, or turpentine manufacture.
- 12A28—Paper and pulp manufacturing by sulphide processes emitting noxious gases or odors.
- 12A29—Printing ink manufacture.
- 12A30—Rayon or cellophane manufacture.
- 12A31—Refining of petroleum or other crude materials.
- 12A32—Rolling mills.
- 12A33—Rubber manufacture from crude materials.
- 12A34—Shoddy manufacture.
- 12A35—Soda ash, caustic soda, and washing compound manufacture.
- 12A36—Slaughtering of animals, exclusive of poultry killing.

- 12A37—Smelting.
- 12A38—Soap manufacture.
- 12A39—Starch, glucose, or dextrine manufacture.
- 12A40—Stock yards.
- 12A41—Storage of dismantled automobiles or any form of junk.
- 12A42—Storage or baling of scrap paper or rags.
- 12A43—Sugar refining.
- 12A44—Sulphureous, sulphuric, nitric, or hydrochloric acid manufacture.
- 12A45—Tallow, grease, or lard manufacture or refining.
- 12A46—Tanning or curing of leather, raw hides, or skins or storage of raw hides or skins.
- 12A47—Tar distillation or manufacture.
- 12A48—Tar roofing or tar waterproofing manufacture.
- 12A49—Tobacco manufacturing or treatment for chewing purposes.
- 12A50—Wool scouring and hair manufacture.
- 12A51—Yeast manufacture.
- 12A52—Any other industrial use similar in nature to those described.
- 12B—HEIGHT, LOT AREA, SETBACK, SIDE YARDS, AND REAR YARD.
The provisions of Section 11—Commercial B Zones shall apply.

Section 13—UNCLASSIFIED ZONES

- 13A—USES PERMITTED. In any Unclassified Zone any use not otherwise prohibited by law may be located, except that the following uses may be located no nearer than three hundred feet to a public park, school, church, hospital, sanitorium, residential zone, or subdivided land restricted to residential uses by recorded deed restrictions:
- 13A1—Acid manufacture.
- 13A2—Asphalt mixing plants.
- 13A3—Cement, lime, and gypsum manufacture.
- 13A4—Dead animal reduction or disposal.
- 13A5—Distillation of bones.
- 13A6—Dog and cat food factories.
- 13A7—Fertilizer works.
- 13A8—Glue manufacture.
- 13A9—Manufacture or storage of explosives.
- 13A10—Oil refining.
- 13A11—Slaughter houses.
- 13B—HEIGHT AND SETBACK. The provisions of Section 12—Industrial Zones shall apply.

- 13C—SIDE YARDS. No side yards shall be required except on that side of a lot abutting upon the side of a lot zoned for dwelling purposes, in which case there shall be a side yard of not less than five feet.
- 13D—REAR YARD. No rear yard shall be required except where a lot abuts upon a lot zoned for dwelling purposes, in which case there shall be a rear yard of not less than ten feet.

Section 14—ADMINISTRATION AND ENFORCEMENT

14A—PERMITS

- 14A1—Except as hereinbefore provided, a written building permit shall be obtained from the county building inspector before starting or proceeding with the erection, structural alteration, or moving of any building or structure, or changing the use of any building or land, except that no permit shall be required for interior alterations, agricultural uses, and accessory farm buildings, or for home gardening or similar uses in any zone.
- 14A2—Each permit issued for a main building shall cover all accessory buildings constructed at the same time; otherwise, each accessory or other building or structure, including billboards and signs, shall require a separate permit.
- 14A3—A fee of two dollars for the first one thousand dollars', or fraction thereof, cost of construction, and one dollar for each additional one thousand dollars', or fraction thereof, cost of construction shall be charged for issuance of each permit, which fee shall be collected by the building inspector. The above fees shall be doubled if construction of a building is started prior to obtainment of the necessary building permit. A record shall be kept of all fees collected, and these fees shall be placed in the county treasury and disbursed by the County Court.
- 14A4—Whenever the use of a building or land is changed to a use of the same or more restricted classification a "Use and Occupancy" permit shall be obtained from the building inspector, which permit shall be issued free of charge.
- 14A5—A permit shall become invalid six months from date of issuance if foundation walls of a structure have not been started, unless otherwise extended by the board of appeals; and such permit shall not be transferable.
- 14A6—It shall be the duty of the building inspector, among other things, to administer the provisions of this resolution pertaining to the issuance or withholding of permits for the erection, alteration, and use of buildings, signboards, structures, and land as prescribed in the foregoing sections. The building inspector shall issue or withhold any permit, in any form, as directed by the board of appeals; failure to do so shall be a misdemeanor with penalties as provided

by this resolution. The building inspector shall not be liable for legal action for the issuance of any such permit by direction of the board.

14B—ENFORCEMENT

14B1—It shall be the duty of the sheriff of Knox County, and of all officers of said county otherwise charged with the enforcement of the law, to enforce this resolution and all the provisions of the same.

14B2—The provisions of this resolution shall be enforced by or under the direction of the board of appeals. Any person, firm, association, or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or resists the enforcement of any of the provisions of this resolution shall, upon conviction thereof, be subject to a fine of not less than ten dollars nor more than one hundred dollars, together with the costs of the action; and every day of violation shall constitute a separate offense. Compliance therewith may also be enforced by injunctive order at the suit of the county or the owner or owners of real estate within the zone affected by the regulations of this resolution.

14B3—Any building or structure erected, altered, or used, and any use of property, contrary to the provisions of this resolution shall be and the same are hereby declared unlawful and a public nuisance; and the district attorney of Knox County shall, upon order of the board of appeals, immediately commence action for the abatement, removal, and injunction thereof in the manner provided by law, and shall apply to such courts as have jurisdiction to grant such relief as will remove such building, structure, or use, and restrain and enjoin any such building or structure, or using any property contrary to the provisions of this resolution.

14C—APPEALS

14C1—The establishment of a board of zoning appeals, hereafter referred to by the word "board", is hereby authorized. Such board shall consist of five members appointed by the County Court, the members of the first board appointed to serve terms of one, two, three, four and five years respectively; thereafter, terms to be for five years and vacancies filled for the unexpired term only. An alternate member may also be appointed by the County Court but such alternate member shall have power to vote only in the absence of one of the regular members from a board meeting. The County Court shall have power to remove any member of the board for cause, after public hearing.

14C2—The board shall meet at the call of the chairman, and at such other times as the board may determine, at a fixed time and place. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings showing vote of each member upon each question, or, if absent or failing to vote, indicating such fact,

and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record. It shall have power to call on any other county departments for assistance in the performance of its duties, and it shall be the duty of such other departments to render all such assistance as may be reasonably required. In the case of all appeals, the board shall call upon the County Planning Commission for all information pertinent to the decision appealed from.

14C3—POWERS OF THE BOARD OF APPEALS

14C3A—The board shall have the power to hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official.

14C3B—Where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this resolution, the board shall have the power, in passing upon appeals, to authorize such variance from the terms of this resolution as will not be contrary to the public interest and so that the intent of the resolution shall be observed and substantial justice done; provided, however, that no such variance shall have the effect of allowing, in any zone, uses prohibited in that zone. A variance may be granted only in cases of necessity and for substantial compelling reasons, and the mere fact that a lot or property owner will suffer financial hardship if not granted a variance is not sufficient, standing alone, to authorize the variance.

14C4—CASES BEFORE THE BOARD

14C4A—Every appeal shall be made to the board on Form A, which may be secured at the office of the building inspector. The procedure of appeals shall be as follows:

14C4A1—A written appeal shall be filed with the board through the office of the building inspector by the party aggrieved by any order or decision of the building inspector. Said appeal shall be accompanied by accurate plans and specifications of the proposed work showing also the plot of land to be built upon, together with the placement of proposed building and all other existing or proposed structures.

14C4A2—Every appeal shall be taken within 30 days from the date of any refusal by the building inspector to issue the permit.

14C4A3—A fee of ten dollars, due and payable at the time of the appeal, shall be paid to the building inspector, as agent for the board, to cover the cost of notices and other expenses incidental to the hearing. Any unused balance shall be returned to the appellant after the final action of the board in each case.

14C4A4—At the public hearing of the case before the board, the appellant

shall appear in his own behalf or be represented by counsel or agent. The appellant's side of the case shall be heard first and those in objection shall follow. To maintain orderly procedure, each side shall proceed without interruption by the other.

14C4B—Upon receipt in proper form of any such appeal or application, the board shall post such appeal or application, together with maps and accompanying data in its office for public inspection, for a period of not less than one week, and shall hold a public hearing thereon. The board may also adopt regulations requiring notice by personal service or registered mail by the building inspector to property owners within any reasonable radius of the proposed development that the board may determine.

14C5—COURT REVIEW OF BOARD

14C5A—Any person, firm, or corporation aggrieved by any decision of the board may present to a court of competent jurisdiction a petition duly verified, setting forth that such decision is illegal, in whole or in part, and specifying the grounds of illegality. Such petition shall be presented to the court within thirty days after the filing of the decision in the office of the board. Such petition shall not be filed with respect to the decision of the building inspector or any administrative officer without recourse to the board of appeals.

14C5B—Upon the presentation of such petition the court may allow a writ of certiorari directed to the board to review such decision of the board. The allowance of the writ shall not stay proceedings upon the decision appealed from. The board shall be required to turn over to the court certified copies of all papers acted on by it, and any other information as may be pertinent and material to show the grounds of the decision appealed from. If upon the hearing, it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a referee to take evidence, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or partly, or may modify the decision brought up for review.

14C5C—Costs shall not be allowed against the board unless it shall appear to the court that the board acted with gross negligence or in bad faith or with malice in making the decision appealed from.

Section 15—INTERPRETATION

In interpreting and applying the provisions of this resolution, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity, or general welfare.

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