ARTICLE III

GENERAL PROVISIONS

SECTION

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3-1 SCOPE

For the purpose of the zoning resolution, the following general provisions which shall apply, except as specifically noted, to the county as a whole.

3-2 ONLY ONE (1) PRINCIPAL BUILDING ON ANY LOT

Only one (1) principal building and its accessory structures may hereafter be erected on any zone lot. This provision shall not apply to planned unit developments, group housing developments, and mobile home parks as permitted in this resolution. On lots used for agricultural purposes which exceed fifteen (15) acres up to two (2) additional dwelling units may be located, for members of the immediate family thereof, or persons employed full-time thereon and their families. The site of each dwelling unit shall meet all minimum lot and yard requirements of the district such that the site can be subdivided from the remaining acreage if necessary.

3-3 LOT MUST ACCESS TO A PUBLIC ROAD *(Amended by Resolution 051605061, May 16, 2005.)*

All buildings and building lots shall have permanent access to a public road. This access must meet one of the following criteria for access and be constructed to maximize sight distance and limited to ensure that traffic congestion as a result of turning movements is reduced to a minimum.

A. Agricultural and Residential lots located on existing roads or those constructed as a part of a subdivision shall front on a accepted public road a minimum of fifty (50) feet, unless the lot abuts a cul-de-sac in which case the frontage shall be thirty (30) feet or is part of an approved Planned Unit Development as authorized by Article VI of this resolution.

B. Individual Agricultural and Residential lots are permitted that only have access provided by thirty (30) foot ingress-egress easement. This easement shall only serve one individual building lot and not be part of the required road frontage for another lot.

C. All commercial, industrial and nonresidential uses are required to have a minimum frontage of fifty (50) feet on any public road. Lots with minimum frontage are encouraged to develop shared access points with additional tracts, subject to approval by the Planning Commission.

D. Residential subdivisions or tract developments containing lots meeting the frontage requirements set forth in A or B in this section, but constructing a private road to provide access to each are required to meet the following standards.

1. Provide a separate fifty (50) foot ingress-egress easement for these lots and construct a twenty- (20) foot double bituminous drive to each lot for access.

2. Obtain a driveway permit from the Robertson County Highway Department and install a minimum fifteen- (15) inch culvert with headwalls in the ditch where the drive intersects with the public road. In cases where a larger culvert is needed, the county engineer will determine the size of pipe.

3. All private roads shall provide adequate drainage along the roadway and have all ditches stabilized to the requirements established in the Subdivision Regulations.

4. Each development containing private roads must adopt a permanent covenant containing a yearly assessment to each lot for the maintenance of the road. Such covenants shall also contain the provisions and requirements by which the owners may petition the county to accept the private road as a public road.

5. Maintain a minimum separation of two hundred (200) feet between any other easement or public road.

E. In the A (Agricultural) District subdivisions of no more than five (5) parcels with a lot size of five (5) acres or greater are permitted provided they meet the following conditions:

1. All lots must meet the minimum setback requirements for an A (Agricultural) lot as set forth in section 5.041 of this ordinance.

2. Provide a thirty- (30) foot ingress-egress easement for these lots and construct a twenty- (20) foot double bituminous drive to each lot for access. All portions of this easement shall be constructed with the capacity to support all emergency vehicles and have a turnaround every 1,000 feet with a minimum forty (40) foot radius.

3. All private roads shall provide adequate drainage along the roadway and have all ditches stabilized to the requirements established in the Subdivision Regulations.

4. Obtain a driveway permit from the Robertson County Highway Department and install a minimum fifteen- (15) inch culvert with headwalls in the ditch where the drive intersects with the public road. In cases where a larger culvert is needed, the county engineer will determine the size of pipe.

5. Each development containing private roads must adopt a permanent covenant containing a yearly assessment to each lot for the maintenance of the road. Such covenants shall also contain the provisions and requirements by which the owners may petition the county to accept the private road as a public road.

6. Provide a statement on the recorded plat and covenants stating that the owners of the private road are required to obtain the required right-of-way and bring the road up to current road standards for a residential road as set forth in the Robertson County Subdivision Regulations before petitioning the County to accept it as a public street.

7. All private roads are required to be a minimum of two hundred (200) feet apart on minor and collector streets and four hundred (400) feet apart on arterial roads.

8. All large lot subdivisions established under this provision of the ordinance are required to meet the standards established in the Robertson County Subdivision Regulations for plat approval and be approved by the Planning Commission.

F. Residential subdivisions or developments containing lots not meeting the frontage requirements set forth in A or B, in this section, but constructing a private controlled entrance road to provide access to each are required to meet the following standards.

1. Provide a separate thirty (30) foot public ingress-egress easement for these lots and construct a twenty-two (22) foot paved road equal to requirements established in the Robertson County Subdivision Regulations.

2. All private roads shall provide adequate drainage along the roadway with either curbs or stabilized ditches with headwalls on all culverts that meet the requirements established in the Subdivision Regulations. All portions of this easement shall be constructed with the capacity to support all emergency vehicles.

3. Construction plans for all improvements shall be submitted to the Planning Commission and approved by the county engineer.

4. Each development containing private roads must adopt a permanent covenant containing a yearly assessment to each lot for the maintenance of the road. Such covenants shall also contain the provisions and requirements by which the owners may petition the county to accept the private road as a public road.

5. Private roads must at all times allow for public safety access to the development in the event of an emergency. Should a gate be installed limiting access to the site, it shall be manned at all times or gated so that public safety vehicles will be able to open the gate at all times.

3-4 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 yards, lot area per family, lot width, building area, or other 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.

No part of any yard or other open space or automobile storage area or loading or unloading space provided about any building for the purpose of complying with these regulations shall be considered as providing such space similarly required for any other structure.

3-5 REAR YARD ABUTTING A PUBLIC ROAD

When the rear yard of a lot abuts a public road, all structures built in that rear yard shall observe the same setback as required for adjacent properties which front on that road. 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 road.

3-6 CORNER LOTS

The side yard setback requirements for corner lots shall be the same as the front setback requirements for the next adjacent lot fronting on the road that the side yard of the corner lot faces.

3-7 FUTURE ROAD LINE

For the purpose of providing adequate space for the future widening of roads, required setbacks, or front yards, shall be determined by the right-of-way as shown on the latest official Robertson County Major Thoroughfare Plan.

3-8 OBSTRUCTION TO VISION AT STREET INTERSECTION PROHIBITED

In all districts, on a corner lot within the area formed by the center lines of intersecting roads and a line joining points on such center lines at a distance of ninety (90) feet from the 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 road at the center line thereof. This section shall not be deemed to prohibit any necessary retaining wall.

3-9 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. A point of access for vehicles onto a street shall not exceed thirty (30) feet in width. In nonresidential districts, vehicular service uses may be permitted points of access exceeding thirty (30) feet but not exceeding forty (40) feet in width providing that they do not exceed fifty (50) percent of their respective road frontage.

   All points of access shall be constructed as to provide for proper drainage.

B. There shall be no more than two (2) points of access to any one public street for each four hundred (400) feet of lot frontage, or fraction thereof, provided, however, that lots less than one hundred (100) feet in width shall have no more than one point of access to any one public street.

C. No point of access shall be allowed within twenty (20) feet of the right-of-way line of a public intersection.

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

E. Where two (2) driveways are provided for one (1) lot frontage, the clear distance between the driveways shall not be less than twenty-five (25) feet.

F. Cases requiring variances relative to the above provisions due to topographic limitations shall be heard and acted upon by the Board of Zoning Appeals, provided, further, that no curb cuts for off-street automobile storage or parking space shall be permitted where the arrangement would require that vehicles back directly into a public street.

3-10 ACCESSORY USES AND BUILDINGS (Amended by Resolution 012312003, January 23, 2012.)

3-10.1 General Provisions

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 which are customarily incidental to the permitted principal uses are also permitted in each district. 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.

3-10.2 Location of Accessory Buildings

A. No accessory building shall be erected or maintained in any required front yards, except under the following conditions:

1. Tracts fifteen (15) acres or larger used for agricultural purposes located in an AG-1 and AG-2 districts provided that any new buildings maintain a minimum seventy-five (75) foot setback from any public road and five (5) feet from any side or rear lot line. Any existing building closer than seventy-five (75) feet is allowed to rebuild in said front yard as long as the replacement building maintains a twenty-five (25) foot setback from the front property line.

2. Tracts five (5) acres or larger may request a “Variance” from the Appeals Board to allow an existing or new accessory building to remain or be constructed in a front yard providing it presents no sight distance issues with adjoining lots, roadway intersections, located outside all public rights-of-way and is structurally sound.

B. Accessory buildings shall be at least five (5) feet from any side or rear property line or drainage or utility easement except for agricultural buildings which shall comply with the above provisions.

C. On any corner lot adjoining in the rear another lot which is in a residential district, no part of any accessory structure within twenty-five (25) feet of the common lot line shall be nearer the side street line existing or proposed than the depth of any required front yard for a dwelling along such side street.

D. Accessory dwellings and barracks are permitted as accessory uses in the AG-1 and AG-2 Districts provided they are constructed to meet minimum building setbacks for the district and situated in such a manner that the

structure could be converted to a single family dwelling and divided from the tract.

3-11 BUFFER STRIPS

Where a use is established in areas zoned commercial or industrial which abuts at any point upon property zoned residential or agricultural, the developer of said use shall provide a landscaped buffer strip at the point of abutment. Buffers are required between industrial and commercial districts. (See definitions section.) The buffer strip shall be no less than fifteen (15) feet in width.