

ORDINANCE 2022-106

AN ORDINANCE TO AMEND ORDINANCE 95-34 AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF RIDGETOP, TO EXPAND ACCESSORY STRUCTURE SIZE AND LOCATION

WHEREAS, the City's Zoning Ordinance intent and purpose includes but is not limited to dividing the city into zones and districts restricting and regulating therein the use of buildings and accessory uses; and,

WHEREAS, the City's Zoning Ordinance intent and purpose includes but is not limited to protecting the character and maintaining the stability of residential, business, commercial, and manufacturing areas within the city, and to promote the orderly and beneficial development of such areas; and,

WHEREAS, the Board of Mayor and Aldermen of the City of Ridgetop finds that accessory uses accessory structure size and location should be defined, formulated, and regulated to enhance and maintain the respective zones and districts and the respective principal uses and surrounding properties; and,

WHEREAS, The Ridgetop Planning and Zoning Commission at the August 25, 2022 regularly scheduled meeting reviewed and discussed this proposed amendment and voted to recommend its passage to the Board of Board of Mayor and Aldermen.

NOW, THEREFORE, BE IT ORDAINED AND IT IS HEREBY ORDAINED BY THE BOARD OF BOARD OF MAYOR AND ALDERMEN OF THE CITY OF RIDGETOP, TENNESSEE, AS FOLLOWS:

SECTION 1. That Ordinance No. 95-34 adopted on second and final reading on March 21, 1995, being the Zoning Ordinance of Ridgetop, Tennessee, be and the same is hereby amended by establishing the maximum size of accessory structures by deleting the current sub-sections A through F of Article III, Section 3.100 and replacing it with new language of Article III, Section 3.100, sub-sections A through F in Exhibit A attached hereto.

SECTION 2. That the Board of Mayor and Aldermen of the City of Ridgetop, Tennessee, hereby certify that this Ordinance has been submitted to the Planning and Zoning Commission of the City of Ridgetop for a recommendation, and a notice of hearing thereon has been ordered after at least ten (10) days' notice of the time and place of said meeting has been published in a newspaper circulated in the City of Ridgetop, Tennessee. This Ordinance shall take effect fifteen (15) days from the date of its final passage, the public welfare demanding it.

SECTION 3. If any section, clause, provision, or portion of this Ordinance is for any reason declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause,

provision, or portion, of this Ordinance which is not itself invalid or unconstitutional.

SECTION 4. In case of conflict between this Ordinance or any part thereof and the whole or part of any existing or future Ordinance of the City of Ridgetop, the most restrictive shall in all cases apply.

Passed First Reading: September 20, 2022

Public Hearing: _____

Passed Second Reading: _____

MAYOR TIM SHAW

CITY RECORDER

APPROVED AS TO LEGALITY AND FORM:

CITY ATTORNEY

Exhibit A

Article III 3.100 ACCESSORY USE REGULATIONS

The use of land, buildings, and other structures permitted in each of the districts established by this ordinance are designed by listing the principal uses. In addition to such principal uses, accessory uses which are customarily incidental to the permitted 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.
- E. In the R-1A zoning district the maximum size of any accessory structure shall be determined by the table below or may be twice the size of the primary structure, whichever is greater. In the R-1, R-1B and R-2 zoning districts any accessory structure shall be limited in size based on the table below.

Table for calculating accessory structure maximum size per square ft. lot size.

Lot Size	Maximum allowed sq. ft. combined for all accessory structures*
less than 1/2 acre (21,780 sq ft)	1000 sq. ft.
1/2 acre or more	5% of the total lot size

**Unless as regulated by the Tennessee Code.*

- i. Under no circumstances shall the combined lot coverage of all principle and accessory structures exceed 40% of the total lot size in any residential zoning district.
- F. Accessory structure location**
- i. Accessory Structures in the R-1A zoning district with three or more acres, shall be permitted to be placed anywhere on the property, but shall be located no closer than 50 ft. from the front lot line, outside of the public right-of-way, meet all other accessory structure setback requirements and if the house is visible from the street it cannot block the direct line of sight of the house from the street without prior approval by the Planning and Zoning board.
 - ii. Any lot zoned R-1 or R-2 or any lot zoned R-1A that contains less than 3 acres, all accessory structures shall not extend in front of the front line of the primary structure and shall meet all accessory structure setback requirements for the zoning district.
 - iii. In the R-1B zoning district any accessory structure shall not extend in front of the rearmost plane of the house.
 - iv. No accessory building or structure shall be located closer than five (5) feet from any adjoining property line. See SECTIONS 3.040 and 3.050, for other related setback requirements and SECTION 6.070 regarding exceptions.