

HICKMAN COUNTY, TENNESSEE

RESOLUTION NO. 07 – 04

AMENDING THE HICKMAN COUNTY ZONING RESOLUTION TO ESTABLISH GUIDELINES FOR NEW CEMENTERIES.

WHEREAS, Resolution No. 05-32 consisted of a document titled “Final Draft No. 2-2005, Zoning Resolution for Hickman County, Tennessee”;

WHEREAS, in the document referenced above, Article IV, Section 4.041, Subsection C, Item 7, authorizes the establishment of a cemetery as a “special exception” in the A – 1 Zoning District;

WHEREAS, the Hickman County Board of Zoning Appeals, which is required to approve or deny requests for “special exceptions” has recommended a set of guidelines for the establishment of a new cemetery;

WHEREAS, these guidelines will not affect any cemetery in existence on the date of this resolution;

WHEREAS, at the December 14, 2006 meeting of the Hickman County Planning Commission, the members present voted unanimously to recommend that these guidelines be adopted.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Hickman County, Tennessee, assembled in regular session this 22nd day of January, 2007, that:

SECTION 1: The Hickman County Zoning Resolution, Article IV, Section 4.041, Subsection C, Item 7, Cemeteries, be amended as set forth in Attachment A of this resolution.

SECTION 2: The Hickman County Zoning Resolution be further amended by adding Article III, Section 3.100, Subsection A, Items 1 – 7 as set forth in Attachment B of this resolution.

SECTION 3: If any section, subsection, sentence, clause or phrase of this resolution is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this resolution.

SECTION 4: The provisions of this resolution shall become effective upon its passage, the public welfare requiring it:

SPONSORS:

Ricky Murray

Danny Clark

BOARD ACTION: _____Aye _____Nay _____Pass _____Absent

ADOPTED:

ATTEST:

Mark McFarlin, Chairman

Randel Totty, County Clerk

APPROVED/DISAPPROVED:

Steve Gregory, County Mayor

DATE: _____

A Public Hearing regarding this matter was held at 7 P. M., January 22, 2007.

ATTACHMENT "A"

4.040. Specific district regulations. The following regulations shall apply in all zoning districts established in SECTION 4.010.

4.041. A-I, Agriculture-Forestry District.

A. District Description.

This district is intended to preserve space for agricultural and forestry uses which together comprise an important segment of the economy of Hickman County. The primary intent of the A-I District is to minimize conflicts between agricultural and forestry activities and various non-agricultural activities; to permit lands best suited for intense agricultural uses to be preserved for these suited purposes; and to prevent lands unsuitable for development of an urban or non-rural nature, due to topographic problems, location, or the inability to provide necessary urban services, from being encroached upon by these incompatible land uses. Areas assigned to the A-I District are primarily areas where growth of an urban or non-rural nature is deemed undesirable for one or more of the reasons outlined above. The following regulations shall apply in the A-I, Agriculture-Forestry District, as defined on the Zoning Atlas of Hickman County, Tennessee.

AGRICULTURAL USES OF LAND - THIS RESOLUTION SHALL NOT BE CONSTRUED AS LIMITING OR AFFECTING IN ANY WAY OR CONTROLLING THE AGRICULTURAL USES OF LAND. REFER TO ARTICLE V. EXCEPTIONS AND MODIFICATIONS. SECTION 5.070. (TN CODE ANNOTATED 13-7-114)

B. Uses Permitted.

In the A-I, Agriculture-Forestry District, the following uses and their accessory uses are permitted:

1. Agricultural and forestry uses and their accessory structures, as defined in ARTICLE VI.
2. Detached single-family and two-family dwellings.
3. Private residential garages, barns, sheds, stables, farm buildings and other accessory structures and uses customarily incidental to permitted uses.
4. Agricultural processing including ginning and compressing, shelling, baling and threshing services.
5. Animal husbandry services including veterinarian services, animal hospital services and poultry hatchery services,
6. Forestry activities and related services.
7. Utility facilities necessary for the provision of public services.
8. Feed lots and egg production houses.
9. Roadside stands for the sale of agriculture or forestry products provided that such stand does not exceed an area of three hundred (300) square feet and that it is located off the public right of way.
10. Customary home occupations as regulated in Article HI, Section 3.040.
11. Signs as regulated by the Tennessee Department of Transportation. Local permits are not required.

12. Fisheries and related services.
13. Community Facilities-- including all government buildings such as fire departments, post offices, libraries, police and civil defense.
14. Private recreational facilities as an integral part of a proposed development.
15. Hunting leases with cabins
16. Catfish Fanning, trout farming, aquatic farms--"Do it yourself" or retail related farm uses.
17. Fishing lakes, hiking and biking trails
18. Educational farm activities—farm tours, classes, school group activities
19. Wineries
20. Pick it yourself fruits, produce, etc.
21. Home made furniture and crafts made and sold from a farm.
22. Mazes
23. Bed and Breakfast Inns
24. Agri-Tourism
25. All other activities defined as Agriculture by the State of Tennessee.

C. Uses Permitted as Special Exceptions.

In the A- I, Agriculture-Forestry Districts, the following uses and their accessory uses may be permitted as special exceptions after review and approval in accordance with ARTICLE VII, SECTION 7.060.

1. Public or private educational institutions.
2. Religious Facilities and other places of assembly, including civic, social, fraternal associations and private clubs, lodges, meeting halls, community centers, etc.
3. Airports and medical facilities.
4. Marinas.
5. Community shopping facilities, providing the total floor space devoted to retail sales does not exceed 4,000 square feet in area.
6. Mobile Home Parks. Refer to Section 3.080.
7. Cemeteries. *Add: Refer to Section 3.100 for regulations.*
8. Public or private recreational facilities.

9. Professional offices.
10. Art galleries, museums, zoological gardens, aquariums, etc.
11. Rooming and Boarding houses, bed and breakfast establishments.
12. Mobile homes provided they are used as accessory uses on lots used for agricultural purposes which exceed 1/2 acres. Two mobile homes may be placed on these tracts provided the principle residential unit on the tract is a single detached permanent dwelling. These mobile homes are intended for farm help or family members of the property owner.

D. Uses Prohibited.

In the A-I, Agriculture-Forestry District, all uses except those uses or their accessory uses specifically permitted or permitted upon approval as a special exception by the Board are prohibited.

F. Dimensional Regulations.

All uses permitted in the A-i, Agriculture-Forestry District shall comply with the following requirements except as provided in Article V.

1. Front yard setback requirement is 35 ft.
2. Rear yard setback requirement is 25 ft.
3. Side yard setback requirement is 20 ft.
4. Land Area: No farm, ranch or other parcel of land shall be reduced in area to provide separate lots or building sites of less than one (1) acre in area. However, where there is an existing lot of record of less than one (1) acre at the time of the adoption of this resolution, this lot may be utilized for the construction of one single-family dwelling. In the event that the property proposed to be subdivided is less than five (5) acres in area, then a soil analysis of the property must be conducted and the results of such an analysis shall be transmitted to the Health

ATTACHMENT "B"

Add Section 3.100, Guidelines for new cemeteries: The following guidelines shall apply to all new cemeteries established after the passage of Hickman County Resolution 07 – 04.

1. All State and County regulations for Private/Family Cemeteries must be followed.
2. Must be at least 100 feet away from ponds, streams, rivers, springs and wells.
3. Must have a perimeter fence around the cemetery at least 36 inches high.
4. Must have an easement to a public roadway at least 18 feet wide.
5. Cemetery dimensions and location must be recorded in the property deed and filed with the Register of Deeds.
6. All gravesites must be marked with a permanent marker or headstone.
7. A written record of who is buried in the cemetery and where they are buried must be kept and updated after each burial.