

TITLE 14

ZONING AND LAND USE CONTROL

CHAPTER

1. MUNICIPAL PLANNING COMMISSION.
2. ZONING ORDINANCE.

CHAPTER 1

MUNICIPAL PLANNING COMMISSION

SECTION

- 14-101. Creation and membership.
- 14-102. Organization, powers, duties, etc.
- 14-103. Removal for cause.

14-101. Creation and membership. Pursuant to the provisions of Tennessee Code Annotated, § 13-4-101 there is hereby created a municipal planning commission, hereinafter referred to as the planning commission. The planning commission shall consist of nine (9) members; two (2) of these shall be the mayor or a person designated by the mayor, and another commissioner selected by the board of commissioners; the other seven (7) members shall be appointed by the board of commissioners. All members of the planning commission shall serve as such with their compensation to be set by resolution of the board of commissioners. Except for the initial appointments, the terms of the seven (7) members appointed by the board of commissioners shall be for three (3) years each. The seven (7) members first appointed shall be appointed for terms of one (1), two (2), three (3), four (4), five (5) six (6) and seven (7) years respectively so that the terms of members expire each year. The terms of the mayor and the commissioner selected by the board of commissioners shall run concurrently their terms of office. Any vacancy in an appointive membership shall be filled for the unexpired term by the board of commissioners, which shall also have the authority to remove any appointive member at its will and pleasure. (1973 Code, § 11-101, as amended by Ord. #589, Sept. 2004, and Ord. #661, March 2007)

14-102. Organization, powers, duties, etc. The planning commission shall be organized and shall carry out its powers, functions, and duties in accordance with all applicable provisions of Tennessee Code Annotated, title 13. (1973 Code, § 11-102)

14-103. Removal for cause. Any member of the planning commission, the board of zoning appeals or the board of adjustment and review, whose term

is not expired may be removed from office by the Fairview City Commission and a replacement for the unexpired term may be appointed, upon three (3) successive absences by the member from regularly scheduled or specially called meetings. (1973 Code, § 11-103, as amended by Ord. #660, March 2007)

CHAPTER 2

ZONING ORDINANCE

SECTION

14-201. Land use to be governed by zoning ordinance.

14-202. Violations and penalty.

14-201. Land use to be governed by zoning ordinance. Land use within the City of Fairview shall be governed by Ordinance #134, titled "Zoning Ordinance, Fairview, Tennessee," and any amendments thereto.¹

14-202. Violations and penalty. Violations of the zoning ordinance shall subject the offender to a penalty of up to five hundred dollars (\$500) for each offense. Each day a violation is allowed to continue shall constitute a separate offense.

14-203. Fees to be charged to defray costs of administering zoning ordinance. The following fee schedules are established to partially defray the processing and administrative costs associated with each type of application required in the zoning ordinance. All fees are to be paid at the time of filing. Fees shall be waived for the following:

- (1) Applications initiated by any federal or state agency or any department of the City of Fairview or the County of Williamson; and
- (2) Any changes in zoning initiated by the planning commission and board of commissioners to implement the general plan. (Ord. #453, Feb. 1999)

14-204. Schedule of Fees. Development review fees are as follows:

- (1) Subdivisions, including re-approvals.
 - (a) Preliminary plat \$100 + \$20 per acre
+ \$5 per lot
 - (b) Final plat \$25 + \$5 per lot
(major and minor)
 - (c) Re-approval \$25
- (2) Planned unit developments:
 - (a) Preliminary approval \$300 + \$25 / acre for the
portion proposed for
residential use, plus \$500.00 + \$100 / acre for the
portion proposed for
nonresidential use

¹Ordinance #134, and any amendments thereto, are published as separate documents and are of record in the office of the city recorder.

(In determining the amount of the preliminary approval fees, the entire acreage within the PUD shall be considered, without subtraction of areas proposed for roads, utility easements, open space, etc. Open space areas shall be characterized as residential or non-residential according to whether the area with which such open space is most closely associated is residential or non-residential. If a road or other easement not intended to be part of a lot divides a residential from a non-residential area, the dividing line between the two areas shall be considered to be the centerline of such road or easement.)

(b) Final master plan approval	
Residential portions	\$100 + \$10 per dwelling unit
Non-residential portions	\$25 + \$01/s.f. of building gross floor area

(Ord. #453, Feb. 1999)

14-205. Professional consultant review fee deposits. Each applicant who files a subdivision, or planned unit development plat, shall deposit with the city a sum of money to be utilized for review by professional consultants. Any sums not actually utilized by the consultants may be returned to the applicant when the entire review process is completed. Those deposits will be as follows:

(a) Residential portions for site	\$15 per dwelling unit
(b) Non-residential portions of site plans	\$.02 per square foot of building gross floor area

(Ord. #453, Feb. 1999)