

# Zoning Ordinance

FOR THE TOWN OF LOWNDESBORO

PREPARED BY LOWNDESBORO PLANNING COMMISSION

DECEMBER 20, 2023

# ZONING ORDINANCE

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**ZONING ORDINANCE  
OF THE TOWN OF  
LOWNDESBORO, ALABAMA**

**TITLE**

AN ORDINANCE OF THE TOWN OF LOWNDESBORO, ALABAMA, REGULATING THE USES OF BUILDINGS, STRUCTURES, AND LAND FOR TRADE, RESIDENCE, AGRICULTURE, PUBLIC ACTIVITIES, AND OTHER PURPOSES; CREATING DISTRICTS FOR SAID PURPOSES AND ESTABLISHING THE BOUNDARIES THEREOF; DEFINING CERTAIN TERMS USED HEREIN; PROVIDING FOR THE METHOD OF ADMINISTRATION, AMENDMENT, AND APPEAL, AND PROVIDING FOR THE IMPOSITION OF PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE.

**ARTICLE I**

**PREAMBLE AND ENACTMENT CLAUSE**

**WHEREAS** Title 11, Chapter 52, Sections 11-52-70 through 11-52-84 inclusive, Code of Alabama, 1975, empowers the Town of Lowndesboro to enact a zoning ordinance and to provide for the administration, enforcement, and amendment thereof, and

**WHEREAS** the Town Council deems it necessary to protect our American Heritage, since the Town of Lowndesboro was selected December 12, 1973 as a landmark contributing to a deeper understanding of our American Heritage and has been entered on the National Register of Historic Places by the United States Department of the Interior, acting through the Alabama Historical Commission, and

**WHEREAS** the Town Council deems it necessary, for the purpose of promoting the public health, safety, convenience, order, prosperity, and general welfare of the Town to enact such an ordinance, and

**WHEREAS** the Town Council has appointed the Planning Commission to recommend the boundaries of the various districts, and

**WHEREAS** the Planning Commission has divided the Town into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, flood and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population, to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; to promote desirable living conditions and the stability of neighborhoods; to protect property against blight and depreciation; to conserve the value of buildings; and to encourage the most appropriate use of land, buildings, and structures throughout the town, and

**WHEREAS** the Planning Commission has given reasonable consideration, among other things, to the character of the districts and their particular suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the town, and

**WHEREAS** the Planning Commission has prepared a preliminary report and submitted its final report to the Town Council, and

**WHEREAS** the Town Council has given due public notice of hearings related to the adoption of zoning districts, regulations, and restrictions, and has held such public hearings, and

**WHEREAS** all requirements of Title 11, Chapter 52, Sections 11-52-70 through 11-52-84 inclusive, Code of Alabama, 1975, with regard to the preparation of the report by the Planning Commission and subsequent action of the Town Council, have been met:

**NOW, THEREFORE**, the public welfare requiring it, the mayor, and Council of the Town of Lowndesboro, Alabama, do ordain and enact into law the following articles and sections:

**ARTICLE II**

**SHORT TITLE**

This ordinance shall be known and may be cited as the Zoning Ordinance of the Town of Lowndesboro, Alabama.

## ARTICLE III

### ESTABLISHMENT OF DISTRICTS

This article is established to provide districts for the various uses of land within the Town and to provide boundaries for the designated districts.

**Section 301.** For the purposes of this Ordinance, the Town of Lowndesboro, Alabama, is hereby divided into two (2) zones or districts, designated as follows:

**R-A** Residential-Agricultural District

**B-1** Highway Commercial District

**Section 302.** The boundaries of these districts are hereby established as shown on the map entitled "Official Zoning Map, Town of Lowndesboro, Alabama". Said map, together with all explanatory matter thereon, is hereby adopted by reference and declared a part of this ordinance (and hereinafter referred to as Zoning Map).

**302.1** The Official Zoning Map shall be identified by the signature of the mayor attested by the Town Clerk, and shall bear the seal of the Town, together with the date of adoption.

**302.2** If, in accordance with the provisions of this Ordinance, changes are made in district boundaries or other matter portrayed on the Zoning Map, such changes, with a notation of the date of amendment shall be entered on the Zoning Map promptly after the amendment has been approved by the Town Council. No amendment to this Ordinance which involves matters portrayed on the Zoning Map shall become effective until after such changes and entries have been made on said map.

**302.3** No changes of any nature shall be made on the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this ordinance.

**302.4** The Zoning Map which shall be located in the office of the Town Clerk shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the Town.

**302.5** In the event that the Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the Town Council may by resolution adopt a new Zoning Map which shall supersede the prior Zoning Map.

The new Zoning Map may correct drafting or other errors or omissions in the prior Zoning Map, but no such correction shall have the effect of amending the original Zoning Map or any subsequent amendment thereof.

The new Zoning Map shall be identified in the manner specified in Subsection 302.1

Unless the original Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved, together with all available records pertaining to its adoption or amendment.

## ARTICLE IV

### USE PROVISIONS FOR RESIDENTIAL-AGRICULTURE DISTRICT

Residential districts are established to promote desirable, safe, and healthful living conditions; to protect the stability and character of neighborhoods; to ensure orderly and proper development of residential areas; to protect property against blight and depreciation; to conserve the value of buildings; to discourage any use which would generate other than normal residential traffic on minor streets; to secure economy, and in governmental expenditures, to encourage certain public and semipublic uses which are necessary to serve the residents; and to promote the most appropriate use of land and buildings in accordance with the Comprehensive Plan.

**Section 401. R-A Residential-Agricultural District.** It is the intent of the R-A Residential-Agricultural District to provide areas for low-density residential development where continuation of certain farm uses, which are compatible with this type of rural development, are permitted. This district is composed chiefly of existing low-density residential areas of the Town, and vacant or open areas where similar residential development seems likely to occur. The regulations of this district are designed to protect existing residential development and to encourage similar and complementary residential development together with associated recreational, religious, and educational facilities.

**401.1** In the R-A Residential-Agricultural District, the following uses are permitted:

Single-family dwellings (excluding mobile homes)

Agriculture

Open recreational land, such as boating and fishing establishments, swimming areas

Home offices

Temporary buildings or structures for construction purposes

Accessory uses incidental to principal uses permitted in the R-A District

**Section 402. Accessory Uses.** Accessory structures shall not serve any use detrimental to a residential neighborhood; however, protective shelters may provide temporary living quarters in times of danger or emergency.

**402.1. Prohibited Accessory Uses.** Any accessory structure which creates heat, glare, noise, smoke, vibration, fumes, odors, vapors, gas, dust, or other nuisances or hazardous conditions perceptible from any boundary lines of the lot on which said structure is located, shall not be permitted, continued, or maintained.

- 402.2. Attached Accessory Structures.** Where an accessory building is structurally attached to a main building, it shall be subject to, and must conform to all regulations applicable to the main building.
- 402.3. Location of Accessory Structure.** No accessory structure shall be located within the front or side yard, cover more than thirty (30) percent of any required rear yard, or be placed closer than ten (10) feet to any other structures on the same lot.
- 402.4. Front Yard Setback.** No accessory structures shall be located within sixty (60) feet from the front lot line.
- 402.5. Side or Rear Yard Setback.** No accessory structures shall be located closer than five (5) feet from the side or rear lot line.
- 402.6. Corner Lot.** The side yard setback requirement for any accessory structure on a corner lot adjoined in the rear by the lot facing the side street of the corner lot shall be the same as the front yard setback requirement of the adjoining lot.
- 402.7. Vehicles, Equipment and Materials.** Abandoned and/or an excessive number of vehicles, equipment, or materials shall be stored in a manner that is out of sight of public view and does not distract from the ambience of the town.
- 402.8.** The following special exceptions shall be permitted in the R-A District by the Zoning Board of Adjustment:

Cemeteries, provided that:

1. The application procedures conform to the provisions set forth in the Code of Alabama.

Churches, provided that:

1. There is a planted buffer strip at least ten (10) feet wide along the property line, except the front;
2. The buildings are located not less than thirty-five (35) feet from any property line;
3. Church signage does not exceed twenty (20) square feet in area.

Public and private schools offering general education courses, provided that:

1. The buildings are placed not less than fifty (50) feet from any property line;
2. There is a planted buffer strip at least ten (10) feet wide along any property line abutting residential property.



Substations, such as electric, telephone or gas, if essential for service to the zoning district in which it is proposed they be located, provided that:

1. The structures are placed not less than fifty (50) feet from any property line;
2. The structures are enclosed by a fence or wall at least eight (8) feet high;
3. The lot is suitably landscaped, including a planted buffer strip at least ten (10) feet wide along the side and rear property lines.

Note: Accessory uses incidental to principal uses are permitted in the R-A District on a conditional basis.

**Section 403. Minimum Dimensional Requirements for RA District.**

Front yard setback: Sixty (60) feet.

Lot coverage: Main and accessory buildings shall not cover more than twenty-five (25) percent of the lot area.

Lot size: One (1) acre.

Lot width at building line: One Hundred (100) feet.

Lot width at street line: Eighty (80) feet, unless utilized as an access road to the lot.

Rear yard setback: Forty (40) feet.

Side yard setback: Fifteen (15) feet, except on corner lots where the side adjoining the right-of-way shall be thirty (30) feet.

Exception: Accessory structure (See 402.).

**ARTICLE V**

**USE PROVISIONS FOR COMMERCIAL DISTRICT**

Business districts are established to provide locations for convenient exchange of goods and services in a reasonable and orderly manner; to protect the character and established pattern of desirable commercial development; to promote traffic access and movement; to conserve the value of property; and to exclude those uses that are incompatible with designated uses for the districts.

**Section 501. B-1 Highway Commercial District.** The B-1 Commercial District is established to protect and control highway oriented commercial uses and to establish suitable areas along major thoroughfares and major collector streets for these types of development.

**501.1** In the B-1 Highway Commercial District the following uses are permitted:

Animal hospitals and veterinary clinics

Bakery shops, including the manufacture of baked goods to be sold primarily on the premises

Cafes, grills and similar establishments

Florist shops

Garden centers

Gift shops

Hardware stores

Hobby, toy, antique and souvenir shops

Insurance and real estate offices

Libraries and museums

Professional offices for doctors, lawyers, dentists, architects, artists, engineers, and similar professional services

Studio offering art, music, drama, or other similar cultural activities

Noise shall be kept to a minimum and not audible at a distance greater than one hundred (100) feet from the source, so as not to disturb the peace and tranquility of nearby residents; any exceptions must be requested in writing and authorized by the Town Council;

All structures, including pumps and underground storage tanks, shall be placed not less than twenty-five (25) feet from any property line;

Points of ingress and egress shall be located not less than twenty (20) feet from the intersecting point of the two street right of way lines;

Lighting shall be directed in such a way that nearby residents are not disturbed and safety is not compromised. Furthermore, lighting may not exceed 18,000 lumens for a business or 4,050 lumens for residential, nor be higher than thirty-five (35) feet;

Such use shall be screened from adjacent properties by a suitable planting, screen, fence, or wall at least six (6) feet in height;

Accessory uses incidental to principal uses shall be permitted in the B-1 District on a conditional basis;

Businesses are expected to operate during normal business hours. Permanent exceptions may be considered by the Town Council;

Alcohol shall not be consumed on the premises of any business unless the business has been approved by the ABC Board.

**501.2** Uses other than those listed in **501.1** may be permitted in the B-1 Highway Commercial District by special exception by the Board of Adjustment, provided they meet the requirements in **501.1**.

**501.3 Minimum Dimensional Requirements for the B-1 Highway Commercial District.**

**Building Height:** No building shall exceed thirty-five (35) feet in height.

**Front yard setbacks:** Forty-five (45) feet.

**Lot size:** One hundred (100) feet lot width at street line, forty-five (45) feet at major collector streets and all other streets thirty-five (35) feet. Minimum side yards twenty (20) feet.

**501.4 Ingress/Egress:** Ingress and egress to off-street parking and loading shall be a minimum of sixty (60) feet from the intersection of any two (2) or more streets.

**501.5 One Business Per Lot:** There shall be only one (1) business per lot.

**501.6 Buffer Areas:** Wherever a lot line in B-1 district abuts the boundary of a lot zoned residential or agricultural, a twenty (20) foot buffer area, over and above yard requirements, shall be provided.

## ARTICLE VI

### OFF-STREET PARKING AND LOADING AREAS

This article is established to define requirements for the provision of off-street parking and loading areas for designated uses.

**Section 601. Off-Street Automobile Parking.** Off-street automobile parking space shall be provided on every lot on which any of the following uses are hereafter established, listed, enlarged, or increased in capacity. Such off-street parking spaces shall be maintained and shall not be encroached upon by any structures or other uses so long as the principal building, structure, or use remains, unless an equivalent number of such spaces are provided elsewhere in conformance with this Ordinance.

**601.1 Plans and Specifications Required.** Plans and specification showing required off-street parking spaces including the means of access and interior circulation, shall be submitted to the Building Inspector for review at the time of application for a Building Permit.

**601.2 Off-Street Parking Area Design.** Each off-street parking space shall be not less than two hundred (200) square feet in area, exclusive of access drives or aisles, shall be of usable shape and condition, and shall have vehicular access to a public street. Except for single-family residences in residential districts, turning space shall be provided so that no vehicle will be required to back into a public street.

There shall be provided an access drive of not less than ten (10) feet in width, and where a turning radius is necessary, it will be of such an arc as to reasonably allow an unobstructed flow of vehicles.

Parking aisles for automobiles shall be of sufficient width to allow a minimum turning movement in and out of parking space. The minimum width of such aisles shall be as follows:

For ninety (90) degree or perpendicular parking, the aisle shall not be less than twenty-two-(22) feet in width.

For sixty- (60) degree parking, the aisle shall not be less than eighteen (18) feet.

For forty-five (45) degree parking, the aisle shall not be less than thirteen (13) feet in width.

For parallel parking, the aisle shall not be less than ten (10) feet in width.

All off-street parking areas shall be drained so as to prevent runoff on to abutting properties and shall be constructed of materials, which will have a dust-free surface resistant to erosion.

Any lighting fixtures used to illuminate any off-street parking area shall be so arranged as to reflect the light away from any adjoining residential lot or institutional premises

**Off-Street Parking Requirements.** The number of automobile parking spaces provided shall be at least as great as the number specified below for various uses. Where a use is not specifically mentioned the parking requirements of a similar or related use shall apply.

Business and Professional Offices. One (1) space for each two hundred square feet of gross floor

area.

Churches, Auditoriums, Stadiums, Sports Arenas, Theaters, and other places of public assembly, other than schools. One (1) space for each four (4) seats.

Service Station, Convenience Store. One space for every two hundred fifty square feet of gross floor area for customers and one (1) space for each employee.

Clinics. One (1) space for every two hundred square feet plus one (1) space.

Delicatessens and Soda Shops. One (1) space for each four (4) seats provided for patron use, plus one (1) space for each two (2) employees.

Residential. Two (2) spaces for each dwelling unit (a driveway may be used for parking).

Retail Trade, Commercial or Personal Services. One (1) space for each one hundred fifty (150) square feet of floor area.

Schools. One (1) space for each one and one-half ( $1\frac{1}{2}$ ) staff members plus one (1) space for each four (4) auditorium seats.

Self-Service Food and Discount Stores. One (1) space for each one hundred fifty (150) square feet of floor area.

Studios. One space per two hundred fifty (250) square feet of floor area.

**601.3 Determination of Off-Street Parking Space.** For the purpose of determining off-street parking requirements, the following units of measurement shall be used.

1. Floor Area. Where floor area is the unit for determining the required number of off-street parking spaces, said unit shall mean the gross floor area.
2. Places of Assembly. In stadiums, sports arenas, churches, and other spaces of assembly in which those in attendance occupy benches, pews, or other similar seating facilities, each twenty (20) inches of such seating facilities shall be counted as one (1) seat. In case where a place of assembly has both fixed seats and open assembly area, requirements shall be computed separately for each type and added together.
3. Fractions. When units of measurement determining the number of required parking spaces result in requirement of a fractional space, any fraction up to and including one-half ( $1/2$ ) shall be disregarded and fractions over one-half ( $1/2$ ) shall require one (1) parking space.

**Cumulative Parking Requirements.** The parking requirements for all uses proposed on a lot shall be cumulative, unless the Zoning Board of Adjustment shall find that the parking requirements of a particular land use occur at different hours from those of other contiguous land uses, such that the parking area for the particular land use can be shared during non-conflicting hours by the other contiguous land uses, in which event the required parking spaces for such particular land use may be reduced by the Zoning Board of Adjustment to a minimum of the

greatest number of spaces required for any of such contiguous land uses.

**Location on Other Property.** If the required automobile parking spaces for commercial, industrial, or public uses cannot reasonably be provided on the same lot on which the principal use is conducted such spaces may be provided on other off-street property provided such property lies within three hundred (300) feet of the entrance of such principal use. Such automobile parking space shall be associated with the principal use and shall not hereafter be reduced or encroached upon in any manner.

**Extension of Parking Space into a Residential District is prohibited.**

**Joint Use of Off-Street Parking Areas.** Nothing in this ordinance shall be construed to prevent the joint use of an off-street parking area or facility by two or more buildings or uses if the total of such spaces when used together shall not be less than the sum of the requirements for the various individual uses or buildings computed separately.

**Section 602. Off-Street Loading and Unloading Space.** Off-street loading and unloading space with access to a public street or alley shall be provided on every lot on which is hereafter established business, trade or industrial use which customarily receives or distributes material or merchandise.

**602.1 Plans and Specifications Required.** Plans and specifications showing required loading and unloading spaces including the means of ingress and egress and interior circulation shall be submitted to the Building Inspector for review at the time of application for a Building Permit.

**602.2 Off-Street Loading Area Design and Requirements.** Loading and unloading space, which shall be located on the same lot with the use which it is intended to serve, shall be provided as indicated below.

All retail sale facilities, having less than five thousand (5,000) square feet of floor area, shall provide at least one (1) loading space which shall not be less than ten (10) feet by thirty-five (35) feet.

All retail sale facilities having over five thousand (5,000) square feet of gross floor area shall be provided with at least one (1) off-street loading-unloading space, and for every additional twenty thousand (20,000) square feet of gross floor space, or fraction thereof, one (1) additional loading and unloading space. Said loading and unloading spaces shall not be less than ten (10) feet in width and fifty-five (55) feet in length with not less than fifteen (15) foot in height clearance.

Wholesale users shall provide one (1) space of at least ten (10) feet in width by fifty-five (55) feet in length for each ten thousand (10,000) square feet of floor area or part thereof, with a minimum of not less than two (2) loading spaces.

In the case of mixed uses on one lot or parcel, the total requirements for off-street loading-unloading facilities shall be the sum of the various uses computed separately.

Any loading-unloading space shall not be closer than fifty (50) feet to any other lot located in any residential district unless wholly within a completely enclosed building or unless enclosed on all side by a wall, fence, or compact planting not less than six (6) feet in height.

All off-street loading and unloading facilities that make it necessary to back out directly into a public road shall be prohibited.

## ARTICLE VII

### GENERAL AND SUPPLEMENTAL PROVISIONS

**Section 701. Sign Regulations.** The regulations herein shall apply and govern in all zoning districts. No sign shall be erected or maintained unless it is in compliance with these regulations.

**701.1 General Provisions.** The following regulations shall apply to all permitted signs.

A permit shall be required for the erection, alteration, or reconstruction of any sign unless otherwise noted, and shall be issued by the Building Inspector in accordance with Article VII of this Ordinance.

Signs must be constructed of durable materials, maintained in good condition and not permitted to become dilapidated.

**701.2 Prohibited Signs.** The following signs are prohibited:

**Signs Imitating Warning Signals.** No signs shall display intermittent lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance, or rescue vehicles; nor shall any sign use the words "stop," "danger," or any other word, phrase, symbol, or character in a manner that might mislead or confuse an automobile or other vehicle driver.

**Signs within Street or Highway Rights-of-Way.** Except as herein provided, no sign, whether temporary or permanent, except by a public agency, is permitted within any street or highway right-of-way.

**Certain Attached and Painted Signs.** Signs painted on fence posts, and telephone or utility poles or signs painted on or attached to rocks or other natural features or painted on the roofs of buildings are prohibited.

**701.3 Signs for Which a Permit is Not Required in Any District.** A permit is not required for the following types of signs in any zoning district:

Traffic, directional, warning, historical, or information signs authorized by any public agency.

Official notices issued by any court, public agency, or officer.

One non-illuminated "for sale," "for rent," or "for lease" sign not exceeding six (6) square feet in area in residential districts, and twenty (20) square feet in other than residential districts. Signs should be located no less than ten (10) feet back from the street right-of-way line, unless attached to the front wall of a building.

One permitted professional, business, or home occupation sign, provided it is non-illuminating, no larger than one (1) square foot, and mounted against a wall of the principal building.

Non-illuminated signs posted on the interior portions of a building, including those designed for exterior display purposes.



**701.4 Regulations Applying to Specified Types of Signs.** The following regulations apply to the following specified types of signs:

Roof Signs. Roof Signs are prohibited.

Wall Signs. Signs on the walls of a building (including signs attached flat against the wall, painted wall signs and projecting signs) shall meet the following requirements:

Signs on the Front Surface of a Building. The total area of signs on the exterior front of a building shall not exceed twenty percent (20%) of the front surface of the building.

Signs on the Side and Rear Surface of a Building. The total area of signs on a side or rear surface of a building shall not exceed twenty-five (25%) percent of the exterior side or rear surface of the building receptively.

Projecting Signs. Wall signs attached flat against a wall may extend not more than twenty-four (24) inches from the wall. Signs projecting from a wall may extend outward from the wall of a building not more than five (5) feet and may be located not closer than eighteen (18) inches to a vertical plane at the street curb line. A projecting sign shall not extend above the roofline a distance greater than the height of the roof above the ground level. In no case shall signs project beyond property lines.

Signs on Work Under Construction. One non-illuminated sign, not exceeding one hundred (100) square feet in area displaying the name of the building, the contractors, the architects, the engineers, the owners, the financial, selling and development agencies, is permitted upon the premises of any work under construction, alteration, or removal. Such signs shall be removed from the site within thirty (30) days after the completion of the project.

Temporary Subdivision Signs. Temporary signs, not exceeding twenty (20) square feet in area announcing a land subdivision development, are permitted on the premises on the land subdivision. They shall be set back not less than ten (10) feet from the right-of-way of any street or from any boundary line of the land subdivision. Such signs shall be spaced not less than three hundred (300) feet apart.

Private Directional Signs. Signs indicating the location and direction of premises available for or in process of development, but not erected upon such premises, and have inscribed thereon the name of the owner, developer, builder, or agent may be erected and maintained<sub>1</sub> provided:

The size of any such sign is not in excess of six (6) square feet, and not in excess of four (4) feet in length; and

Not more than one (1) such sign is erected in each five hundred (500) feet of street frontage.

**701.5 Sign Illumination.** Illumination devices shall be so placed and so shielded that the rays therefrom or from the sign itself will not be directly cast into any residential district, sleeping room in any district, or in the eyes of an automobile or vehicle driver.

## ARTICLE VIII

### NONCONFORMING USES

The intent of this article is to regulate nonconforming uses of land and structures and the use of nonconforming lots and structures without placing an unreasonable or unnecessary hardship on the individual landowner.

**Section 801. Continuance of Nonconforming Use.** The lawful use of any structure or land existing at the time of the enactment of this ordinance may be continued even though such use does not conform to the provisions of the Ordinance except that the nonconforming use of any structure, nonconforming use of land, or nonconforming use of a combination or land and structures shall not be:

- 801.1** Changed to another nonconforming use;
- 801.2** Re-established after discontinuance of one (1) year;
- 801.3** Altered or enlarged except in order to make the building safe, or to improve the building provided the floor area is not increased, or except to provide off-street parking within one hundred fifty (150) feet of the principal building provided the parking area is separated from abutting residential properties in a residential district by a ten (10) foot wide planted evergreen buffer strip;
- 801.4** Extended to occupy a greater area of land;
- 801.5** Extended to occupy a larger floor area of a building or structure, unless such additional floor area already existed as a part of the building and structure and is manifestly arranged or designed for such use at the time of adoption or amendment of this Ordinance, but no such use shall be extended to occupy any land outside said structure;
- 801.6** Rebuilt, altered, or repaired after damage exceeding fifty (50) percent of the replacement cost at the time of destruction, except in conformity with this ordinance;
- 801.7** Moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this ordinance.

**Section 802. Establishment of Additional Nonconforming Uses.** No additional uses not conforming to the requirements of this Ordinance shall be established in connection with any nonconforming use of land.

**Section 803. Elimination of the Nonconforming.** Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.

**Section 804. Relocation of Structures.** Should any nonconforming structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

**Section 805. Lot of Record.** Where the owner of a lot consisting of one or more adjacent lots of official record at the time of the adoption of this Ordinance, does not own sufficient land to

enable him to conform to the yard or other requirements of this Ordinance, an application may be submitted to the Board of Adjustment for a variance from the terms of this Ordinance. Such a lot may be used as a building site, provided that the yard and other requirements of the district are complied with as closely as is possible in the opinion of the Board of Adjustment.

## ARTICLE IX

### ADMINISTRATION AND ENFORCEMENT

The intent of this article is to provide for suitable and proper administration and enforcement of the provisions of this Ordinance; to outline the proper steps to be taken by parties interested in constructing, erecting or modifying a structure or other land use; and to set forth the penalties for violating the provisions of this Ordinance.

**Section 901. Administration.** It shall be the duty of the Building Inspector, and he is hereby given the authority to administer and enforce the provisions of this Ordinance. The Building Inspector shall be authorized to: (1) issue Building Permits; (2) review building and parking plans and specifications; (3) inspect buildings or premises; (4) inspect the construction progress; (5) enforce the provisions of this ordinance; and (6) enforce any decision made by the Board of Adjustments.

**Section 902. Building Permits.** No building or accessory structure shall be erected, located, moved, added to, or structurally altered without a permit issued by the Building Inspector. No building permit shall be issued by the Building Inspector except in conformity with the provisions of this Ordinance, unless he is so directed by the Board of Adjustment as provided by this Ordinance. No Building Permit issued under the provision of this Ordinance for land use or construction in the Town of Lowndesboro shall be considered valid unless signed by the Building Inspector. The issuance of the permit does not waive any requirements or provisions of this Ordinance. If the application is rejected, the Building Inspector will state in writing on the application the reason for rejection.

**902.1 Application for Building Permit.** All applications for Building Permits shall be accompanied by plans in duplicate, drawn to scale, showing:

The actual dimensions of the subject lot.

The shape, height, use and location of all buildings or structures on the lot to be erected, altered, or moved.

The size, shape, height, use and location of the existing buildings or structures on the lot.

The number of dwelling units the building, if residential, is designed to accommodate.

The setback lines of buildings on adjoining lots.

The layout of off-street parking and loading spaces.

A certificate from the Lowndes County Health Department approving the proposed location of the septic tank and field lines, provided public sewerage is not available.

Such other information as may be necessary to provide for the proper enforcement of the provisions of this Ordinance.

**902.2 Construction Progress.** Any building permit issued becomes invalid if work authorized

by it is not commenced within one (1) year of the date of issue or if the work authorized by the permit is suspended or discontinued for a period of one (1) year.

**Section 903 Building Permits.** The Building Inspector shall not issue a Building Permit for any special exception specifically identified in this Ordinance if the use permitted is on appeal to the Board of Adjustment, until he is so directed by the Board of Adjustment.

**Section 904 Temporary Certificate of Zoning Compliance.** Temporary uses are declared to possess certain characteristics, which require certain controls in order to ensure compatibility with other uses in the districts within which they are proposed for location.

**904.1** The Town Council is authorized to issue a Temporary Certificate of Zoning Compliance.

**Section 905 Penalties for Violations.** Any person violating any provision of this Ordinance shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than one-hundred (100) dollars nor more than five-hundred (500) dollars per month for each offense.

**Section 906 Remedies.** If any building or structure is erected, constructed, reconstructed, repaired, converted, or maintained, or any building, structure, or land is used in violation of this Ordinance, the Building Inspector or other appropriate authority or any property owner who would be damaged by such violation, in addition to other remedies, may institute injunction and mandamus or other appropriate action in proceeding to stop the violations in the case of such building, structure or land.

## ARTICLE X

### BOARD OF ADJUSTMENT

It is the purpose of this Article to define the powers, duties and administrative procedures of the Board of Adjustment.

**Section 1001. Meetings.** Meetings of the Board of Adjustment shall be held at the call of the Chairman and at such other times as the Board may determine. The Chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All such meetings shall be open to the public.

**Section 1002. Procedures.** The Board of Adjustment shall adopt and publish its own rules of procedure and keep minutes of its proceedings, showing the 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 of other official actions, all of which shall be immediately filed in the office of the Town Clerk and shall be a public record.

**Section 1003. Powers and Duties.** The Board of Adjustment shall have the power to hear appeals from decisions of the Building Inspector, interpret the provisions of this Ordinance and decide on cases of special exceptions and variances. In exercising these powers, the Board shall act within the limitations established by law and follow the procedures set forth in subsequent sections.

**1003.1 Administrative Review and Interpretation of Ordinance.** The Board shall hear and decide appeals when it is alleged there is error in any order, requirement, decision or determination made by the Building Inspector in the enforcement of administration of this Ordinance. The Board shall review upon appeal any provision of this Ordinance or the Zoning Map and prepare an interpretation of the provision. The interpretation shall contain all findings made by the Board and shall be presented in writing to the Planning Commission and the Building Inspector. An interpretation by the Board shall be considered a clarification of the zoning ordinance and shall be enforced by the Building Inspector as though it was a part of this Ordinance.

**Use Interpretation.** The Board shall define and classify uses not specifically identified in this Ordinance on the basis of their similarity in performance to the uses specified herein or the uses previously identified. In cases where such uses are not definable or classifiable due to the lack of their similarity to the uses specified in this Ordinance or to the previously identified uses, the Town Council shall amend this Ordinance.

**Requirements for Interpretation.** In interpreting the provisions of this Ordinance and the zoning map, the Board shall comply with the following regulations:

Interpretation should expand beyond the specific case being considered and be thought of as having general citywide applicability.

Interpretation shall serve to clarify the intent of this Ordinance and the map, but in no case shall result in revision of the terms of this Ordinance or intent of this Ordinance and the zoning map.

**1003.2 Variances.** The Board of Adjustment shall hear appeals for variances to the setback, height, parking and loading area, accessory structures and other design requirements of this Ordinance and to grant a variance from the terms of this Ordinance where, owing to special conditions, a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship.

Requirements for Variances: Before any permit for a variance is issued, the Board shall make written findings certifying compliance with the following regulations:

That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structure, or buildings in the same district;

That literal interpretation of this Ordinance would deprive that applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance;

That the special conditions do not result from actions of the applicant (self-imposed hardship);

That granting of the variance will not increase the financial return from the land or structures involved or confer any special privilege on the applicant that is denied by this ordinance to other lands, structures, or buildings in the same district;

That granting of the variance is in harmony with the intent and purposes of this Ordinance;

That the variance will not adversely affect surrounding property, the general neighborhood, or the community as a whole;

That the variance will not adversely affect the safety of pedestrian or vehicle traffic;

That no conforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance;

That the variance will not allow the establishment of a use not permissible under the terms of the Zoning Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of the ordinance in said district.

Minimum Variance. In granting variances, the Board shall grant only the minimum variance that will make possible the reasonable use of the land, building, or structure.

Conditions and Safeguards. In granting variances, the Board may require such conditions and safeguards as deemed appropriate to insure the intent of this Ordinance.

Voidance of a Variance. Failure of the applicant to conform to the conditions and safeguards specified in the terms of the variance shall be deemed a violation of this Ordinance and voids the permit.

**1003.3 Special Exceptions.** The Board of Adjustment shall hear and decide on special exception uses and grant permits with such conditions and safeguards as are appropriate, or to deny such exceptions when not in harmony with the intent of this Ordinance.

**1003.4 Requirements for Special Exceptions.** Before any permit for a special exception is issued, the Board of Adjustments shall make written findings certifying compliance with the following regulations:

The special exception will not be contrary to public interest and will not change the character of the area where the proposed use will be located.

The special exception will not establish a permitted use in the district where that use is otherwise prohibited.

Conditions and Safeguards. The Board shall grant a permit for a special exception with conditions specified for that special exception in this Ordinance and other conditions and safeguards deemed necessary to insure the intent of this Ordinance.

Non-transferability. Any permit granted by the Board for a special exception shall pertain solely to that specific use at the location specified in the application for the permit. Such permit shall not be transferable to another use at the same location or the same use at another location.

Voidance of Special Exception Permit. Failure of the applicant to conform to the conditions and safeguards specified by the Board in the special exception permit shall constitute a violation of the Ordinance and void the special exception permit. Furthermore, any special exception not exercised within a two-year period would be a violation of the Ordinance and void the special exception permit.

**Section 1004. Appeals.** Any person or entity aggrieved or affected by any decision of the Building Inspector of the Town of Lowndesboro may appeal to the Board of Adjustments.

**1004.1 Filing Procedures.** An appeal from the ruling of the Building Inspector or an appeal for a variance or a special exception shall be made with the Board of Adjustment. The appeal from the ruling of the Building Inspector shall be filed within twenty-one (21) days after the date of the Building Inspector's decision, which is the basis of the appeal. An appeal shall be filed in writing to the Town Clerk to be reviewed by the Board of Adjustments and shall be accompanied by:

A copy of the Plan for the proposed and existing structures;

A plot plan showing all existing and proposed structures and uses on the subject parcel and adjacent properties;

A fee of fifty (50) dollars to cover the cost of processing the appeal;

A copy of the order of the Building Inspector (only for the appeal from the decision of the Building Inspector);

Other information, as may be requested by the Board.

Upon receipt of the written appeal and payment of the established fee, the Board of Adjustments will begin its review.

**1004.2 Withdrawal of Appeal.** If the applicant wishes to withdraw the appeal at any stage prior



to the determination by the Board, this fact shall be noted in writing, with the signature of the applicant attesting withdrawal.

**1004.3 Amendment of Appeal.** Amendment of the appeal may be permitted at any time prior to or during the public hearing provided that no amendment shall so alter the appeal as to make it different from its description in the notice of public hearing.

**1004.4 Stay.** An appeal stays all proceedings in furtherance of the action appealed unless the applicant or the Building Inspector certified to the Board that, by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board, or by a court of record.

**1004.5 Notice of Hearing.** The Board shall set a public hearing within thirty (30) days from the filing date. The Board shall post such notice in four (4) conspicuous places in the Town of Lowndesboro.

**1004.6 Hearing.** An appeal shall be heard within thirty (30) days from the time of filing unless the appeal is withdrawn. If amended to the degree that the appeal is different from its description in the public notice, the appeal shall then be heard within thirty (30) days of the filing of the amendment. Appeals shall be heard in the order of receipt of application. At the hearing any party may appear in person, agent or attorney.

**1004.7 Final Decisions.** Final decisions shall be made within thirty (30) days of the last public hearing at which the appeal was considered.

**Section 1005. Appeals from Action of the Board of Adjustment.** Any party aggrieved by any final judgement or decision of the Board of Adjustment may within fifteen (15) days thereafter appeal to the circuit court or the court of like jurisdiction. In case of such appeal, the Board shall cause a transcript of the proceedings in the case to be certified to the court in which such appeal is taken and the case in such court be tried de novo.

**ARTICLE XI**  
**AMENDMENTS**

This article is established to provide a means whereby certain desirable changes and additions can be made to the Zoning Ordinance from time to time.

**Section 1101. Amendments.** This Zoning Ordinance, including the accompanying map (exhibit A) and legal description (exhibit B), may be amended from time to time by the Mayor and Council; but no amendment shall become effective unless it shall have been proposed by, or shall have first been submitted to the Planning Commission for review and recommendation. The Planning Commission shall have thirty (30) days within which to submit its reports. If the Planning Commission fails to submit a report within the thirty (30) day period, it shall be deemed to have approved the proposed amendment.

**1101.1** All proposed amendments submitted to the Planning Commission involving a text change to the Zoning Ordinance shall include a written statement giving the reasons for the proposed change; and, in the case of additions to or changes in the existing wording, the suggested wording of the amendment should be written in the style and format of the existing Ordinance.

**1101.2** All proposed amendments involving a change to the Zoning Map of Town of Lowndesboro shall be accompanied by a legal description of the property in question and a description of the current zoning classification of the subject land and all abutting properties.

**1101.3** When considering amendments to the provisions of the Ordinance, or to the accompanying map which is part of the Ordinance, the Planning Commission, upon its own initiative, may hold public hearings with proper public notice, and then submit its recommendations to the Town Council.

**1101.4** Upon the proposal of any amendment to this Ordinance by the Planning Commission, the Town Council shall publish notice of such request for an amendment, together with a notice of the time and place set for public hearing by the Town Council on the requested change. Said notice shall be posted in four (4) conspicuous places in the Town of Lowndesboro.

**Section 1102. Time Limit.** After the Town Council has voted on an application for rezoning or other amendment to the Zoning Ordinance, another application for rezoning of the same tract or parcel of land, or change of the same portion of the Zoning Ordinance will not be considered until a period of one (1) year has elapsed from the date of such action by the Town Council, provided, however, that the Council may adjust this time period if in the opinion of a majority of the Town Council an unusual situation or circumstance exists.

**Section 1103. Filing Fee.** Every applicant or petitioner seeking an amendment to the Zoning Ordinance or Zoning Map, other than amendments initiated by the Town Council, Building Inspector, or Planning Commission, shall pay to the Town Clerk at the time of filing such petition or application, a fee of fifty (50) dollars to cover the cost of technical study, investigation, and publication necessary in connection with such application or petition. No such petition or application shall be filed for consideration until such fee has been paid.

**ARTICLE XII**

**LEGAL STATUS PROVISIONS**

This article is established to present the legal status of this Ordinance and to resolve differences and conflicts between this Ordinance and other Ordinances.

**Section 1201. Conflict with Other Regulations.** Whenever the regulations of this Ordinance require more restrictive standards than are required in or under any other statute, the requirements of this Ordinance shall govern. Whenever the provisions of any other statute require more restrictive standards than are required by this Ordinance, the provisions of such statute shall govern.

**Section 1202. Separability.** Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

**Section 1203. Repeal of Conflicting Ordinances.** All Ordinances or part of Ordinances in conflict with this Zoning Ordinance, or inconsistent with the provisions of this Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.

**Section 1204. Effective Date.** This Ordinance shall take effect and be in force immediately after adoption, the public welfare requiring it.

Certified by the Lowndesboro Town Council.

ATTEST: \_\_\_\_\_

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
Chairman

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

ATTEST:

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor



Town of Lowndesboro  
 A. North Broad Street  
 P O BOX 145 Lowndesboro,  
 Alabama 36752  
 townoflowndesboro@yahoo.com  
 (334) 278-3434

Mayor
Anne Spooner
Council
James Adams
Connie Blair
Mark Callis
Jerry Ingram
Caswell McCurdy
Town Clerk
Zoe Wheeler

RESOLUTION 2023-07

ADOPTION OF THE TOWN OF LOWNDESBORO

ZONING ORDINANCE

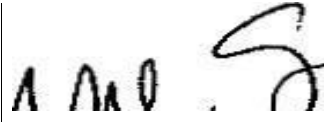
Pursuant to the powers and jurisdictions vested through 1 1-52-31, Chapter 52, Title 1 1, the Code of Alabama, 1975, as amended:

WHEREAS, the purpose of a zoning ordinance is to regulate the location, height, bulk, number of stories and size of buildings and other structures; the size of yards; the density and distribution of population; the uses of buildings, structures and land for trade, industry, residence, recreation, transportation, agriculture, conservation, public activities, and other purposes; creating districts for said purposes and establishing the boundaries thereof; defining certain terms used; providing for the method of administration, amendment and appeal; and providing for the imposition of penalties for violations.

WHEREAS, the Planning Commission has formulated a Zoning Ordinance and Map with the express purpose of enforcing zoning policies and regulations for the use and protection of, structures and land within the corporate boundaries of the Town of Lowndesboro; and WHEREAS, the Planning Commission has recommended through a resolution adoption of the proposed Town of Lowndesboro Zoning Ordinance; and WHEREAS, Town of Lowndesboro Town Council has duly advertised and conducted a public hearing to receive public comments regarding the Town of Lowndesboro Zoning Ordinance. A copy of the Town of Lowndesboro Zoning Ordinance may be obtained from the office of the town clerk during normal business hours.

NOW, THEREFORE, BE IT KNOWN AND ORDAINED that the Town Council of the Lowndesboro Lowndes County, Alabama, does hereby adopt the document entitled the Town of Lowndesboro Zoning Ordinance and Zoning Map which will become effective immediately upon final publication on December 20, 2023\_\_\_\_\_

ADOPTED this 12<sup>th</sup> day of December, 2023.



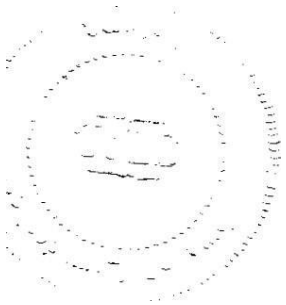
Anne Spooner

Mayor

Attest:



Zoe Wheeler, Town Clerk



PLANNING COMMISSION  
OF THE  
TOWN OF  
LOWNDESBORO,  
ALABAMA  
RESOLUTION TO RECOMMEND ADOPTION  
OF THE TOWN OF LOWNDESBORO  
ZONING ORDINANCE

Pursuant to the powers and jurisdictions vested through S 11-52-31, Chapter 52, Title 1 1, the Code of Alabama, 1975, as amended:

WHEREAS, the purpose of a zoning ordinance is to regulate the location, height, bulk, number of stories and size of buildings and other structures; the size of yards; the density and distribution of population; the uses of buildings, structures and land for trade, industry, residence, recreation, transportation, agriculture, conservation, public activities, and other purposes; creating districts for said purposes and establishing the boundaries thereof; defining certain terms used; providing for the method of administration, amendment and appeal; and providing for the imposition of penalties for violations.

WHEREAS, the Planning Commission has formulated a Zoning Ordinance and Map with the express purpose of enforcing zoning policies and regulations for the use and protection of, structures and land within the corporate boundaries of the Town of Lowndesboro; and

WHEREAS, the Town of Lowndesboro Planning Commission has conducted a public hearing to receive public comments regarding the Town of Lowndesboro Zoning Ordinance.

NOW, THEREFORE, BE IT KNOWN AND ORDAINED that the Planning Commission of the Town of Lowndesboro, Lowndes County, Alabama, does hereby recommend to the City Council of the Town of Lowndesboro that the document entitled the Town of Lowndesboro Zoning Ordinance and Zoning Map be adopted and effective immediately following the date of publication after adoption.

ADOPTED and APPROVED by the Planning Commission of the Town of Lowndesboro, Alabama, following a public hearing, on this 8 t h day of August, 2023.

Edoed S. McCray  
Planning Commission Chair  
Town of Lowndesboro

Beth M. Resser  
Planning Commission Member

Susan C. Mohr

Paul C.  
Planning Commission Member

Wage Taylor  
Planning Commission Member

Loed Shumaker  
Planning Commission Member

Gray Woodall  
Planning Commission Member

Anne Spooner  
Planning Commission Member

Connie R. Blair

Planning Commission Member

## DEFINITIONS OF TERMS

"Map" means the "Official Zoning Map of Lowndesboro, Alabama."

The word "person" includes a firm, partnership, trust, company, association, organization, individual, co-partnership or corporation.

The word "lot" includes the word "plot" or "parcel".

The word "shall" is always mandatory.

The word "building" includes the word "structure".

The word "used" or "occupied" as applied to any land or buildings shall be construed to include the words "intended, arranged or designed to be used for occupied."

**ACCESSORY USE OR STRUCTURE:** A use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure. Accessory structures shall not include living quarters.

**BUFFER STRIP:** An evergreen buffer which shall consist of a greenbelt planted strip not less than ten (10) feet in width. Such a greenbelt shall be composed of one (1) row of evergreen trees, spaced not more than forty (40) feet apart and not less than two (2) rows of shrubs or hedge, spaced not more than five (5) feet apart and which grow to a height of five (5) feet or more after one (1) full growing season and will eventually grow to not less than ten (10) feet.

**BUILDING:** Any structure having a roof and intended for shelter, housing or enclosure of persons, animals, or chattels.

**BUILDING HEIGHT:** The vertical distance from the mean finished grade to the highest point of the building. The height of a wall is the vertical distance from grade to the mean level of the top of the wall, including any dormers or gables on the wall.

**COMPREHENSIVE PLAN:** Any officially adopted part or element of the general comprehensive plan of the Town of Lowndesboro or its environs.

**DWELLING:** A building or portion thereof, designed or used exclusively for residential occupancy.

**HOME OFFICE:** An occupation for gain or support conducted only by members of a family residing on the premises, and conducted entirely within the dwelling, provided that no article is sold or offered for sale except such as may be produced by members of the immediate family residing on the premises or sold online and shipped to consumers.

**INSPECTION:** Shall mean review of preliminary plan for a building's position on the lot, as well as review of any other features deemed necessary as to meet compliance with the zoning rules.

**LOT:** A parcel of land occupied or capable of being occupied, or designed to be occupied by one principal building or use and the accessory buildings or uses customarily incident to it, including such open spaces as required by this ordinance.

**LOT, CORNER:** A parcel of land at the junction of and abutting on two or more intersecting streets.

**LOT, FRONT:** That portion of a lot abutting a street right-of-way. On corner lots the front shall be that portion of the lot having the least horizontal distance as measured along each of the abutting street rights-of-way. Corner lots shall be considered as having two fronts.

**LOT, LINES:** The line outlining the boundaries of a lot or parcel of land.

**LOT, WIDTH:** The horizontal distance between the side lot lines measured at the front "set-back" line.

**MOBILE HOME:** A detached single family dwelling unit, whether on wheels or on a foundation, with the following characteristics:

Designed for long-term occupancy, and containing sleeping accommodations, a flush toilet, a tub or shower bath and kitchen facilities, with plumbing and electrical connections provided for attachment to outside systems;

Designed to be transported after fabrication on its own wheels, or on a flat-bed or other trailers or detached wheels; and

Arriving at the site where it is to be occupied as a complete dwelling ready for occupancy except for assembly operations, location on foundations supports, connection to utilities and the like.

**NON-CONFORMING USE:** The USE of a building, structure or land existing at the time of enactment of this ordinance, and which does not conform to the USE regulations of the district in which it is situated.

**SIGN:** Any device designed to inform or attract the attention of person by the display of characters, letters, illustrations or any ornamentations.

**STREET:** A public thoroughfare which affords the principal means of access to abutting property. This includes avenue, road, lane, drive, or other means of ingress or egress regardless of the term used for designation.

**STRUCTURE:** Anything constructed or erected, the use of which requires more or less permanent location on the ground or which is attached to something having more or less permanent location on the ground.

**USE:** The purpose for which land or a building is designed, arranged or intended or for which it may be occupied or maintained.

**YARD:** A required open space on the same lot with a building, unoccupied and unobstructed by any structure or portion of a structure from around level upward, except as otherwise provided herein.

**YARD, FRONT:** (Front set-back line) A yard extending across the front of a lot between the side lot lines and being the minimum horizontal distance between the front lot line and nearest wall or column line of the building.

**YARD, REAR:** (Rear set-back line) A yard extending across the rear of a lot between the side lot



lines and being the minimum horizontal distance between the rear lot line and the nearest wall or column line of the building.

**YARD, SIDE:** (Side set-back line) A yard extending along the side of a lot between the front yard and the rear yard and being the minimum horizontal distance between the side lot line and the nearest wall or column line of the building.

**ZONING ORDINANCE INSPECTOR:** Shall mean the Zoning Ordinance Compliance Officer. This individual shall be responsible for the review of plans for each building's position on lot, as well as review of any other features deemed necessary as to meet compliance with the zoning rules.