

SECTION 7 – GENERAL REQUIREMENTS
(Amended July 20, 1992, effective August 20, 1992)
(Revised effective July 17, 1996)(effective July 6, 2005) (effective 7/18/2007)

- 7.1 RIGHTS-OF-WAY: All streets, roads and railroad rights-of-way, if not otherwise specifically designated shall be deemed to be in the same zone as the property immediately abutting upon such street, road or railroad right-of-way.
- 7.2 PUBLIC UTILITIES AND RAILROADS: This Resolution shall not apply to public utilities or railroads except as set forth in Sections 14.12, 15 and 16 governing construction of any tower owned or used by a public utility for the provision of cellular telephone communications service in any district zoned for residential use.
- 7.3 NON-RESTRICTED HEIGHT: There shall be no restriction of the height of church spires, belfries, clocktowers, radio and television towers, flag poles, water and fire towers, chimneys, smokestacks, stage towers or scenery lofts, elevator bulkheads or other mechanical appurtenances where erected upon and as an integral part of a building. For purposes of this Resolution, satellite dish antennas are not considered as radio or television towers.
- 7.4 CONFORMATION TO USE DISTRICT: No building or structure shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any building or land be used for any purposes other than is permitted in the use district in which the building or land is located.
- 7.5 NO DUPLICATE CALCULATION OF OPEN SPACE: Space attributed to one building or structure which has been used to calculate side yard, rear yard, front yard or any other open space requirement shall not, by reason of change of ownership or otherwise, be used to calculate side yard, rear yard, front or any other open space requirement of or for any other building or structure.
- 7.6 MOVING OR REMOVAL OF BUILDING OR DIVISION OF LAND: In the event conveyance is made of a part of a premises, and as a result of same, any building or structure located upon said premises remaining of the premises conveyed violates the requirements of this Resolution or is less in conformity with this Resolution than before such conveyance, then said building or structure shall be moved or altered in a manner as to make it, and the premises conveyed with it, conform to this Resolution. Or if the same cannot be done, said building or structure shall be removed entirely from said premises. No division of premises and conveyance of part thereof shall be made if such conveyance is of a building or structure surrounded by part of such premises and as a result of said division such conveyed premises and the building or structure thereon violates this Resolution either for the first time or to a greater extent than did said building or structure and the undivided original premises.
- 7.7 CONFORMITY REQUIRED: In the event two (2) or more buildings or structures are located on a single parcel which will be divided in such a way as to create two (2) or more parcels conforming to this Resolution, said single parcel shall be divided so as to secure conformity of

each of the resulting subdivisions thereof to the provisions of this Resolution; further provided, that if the parcel is not so divided, any buildings or structures upon said subdivision of said subdivided parcel shall be removed, or moved to such location on the said subdivided parcel as to conform to the provisions of this Resolution, unless there is first secured from the Board of Zoning Appeals, on appeal thereto, permission to make such division under the variance powers possessed by said Board.

7.8 CORNER LOT SETBACK LINE: The front setback line on a corner lot shall be in accordance with the road or street on which the building faces. The side yard clearance from the side street shall in no event be less than fifty (50) feet from the right-of-way sideline of the road or eighty (80) feet from the center of the traveled portion of the road, whichever is greater. (Effective 7/18/07)

7.9 No building shall be erected unless the same fronts, and has access to, a duly dedicated, accepted road or street, unless the road, at the time this Resolution becomes effective, is an established private road or a subsequent extension thereof.

7.10 Recreational vehicles shall not be deemed to constitute a dwelling, or a part of a dwelling, and shall not be used for residential purposes in any district.

7.11 WASTE MATERIALS: Waste materials shall not be discharged onto or into the ground or onto or into a body of water or stream unless treated or controlled so the solid substances shall not exceed the amount permitted and shall be in compliance with any regulations by the current federal, state, county, or controlling agencies. (Effective July 6, 2005)