

AN ORDINANCE TO AMEND THE
CODE OF THE COUNTY OF DINWIDDIE, 1985, AS AMENDED,

BY AMENDING: CHAPTER 22, ZONING, Article I, IN GENERAL

SECTION 22-1, DEFINITIONS

BE IT RECOMMENDED by the Planning Commission of Dinwiddie County:

(1) That Chapter 22 of the Code of the County of Dinwiddie, 1985, as amended, is amended by inserting the following language shown underlined and deleting the following language marked as strikethrough:

Sec. 22-1. - Definitions

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Abattoir: A commercial slaughterhouse.

Accessory use or structure: A use or structure that is clearly incidental to the principal use of the land or the main structure. In R-1, R-1A, or R-2 districts an accessory structure may not be more than 50 percent of the size of the main structure and must adhere to any other applicable conditions in this chapter. An accessory structure shall be considered as attached to a principal structure when the distance between two buildings is ten feet or less and covered by a roof that is similarly constructed as the roof of the principal structure and accessory structure.

Acre, gross: The area available for development before acreage is dedicated for such things as roads, open spaces and other public uses.

Acreage: A parcel of land, regardless of area, described by metes and bounds which is not a numbered lot on any recorded subdivision plat.

Administrator: The official charged with the enforcement of this chapter. He may be any appointed or elected official who is, by formal resolution, designated to the position by the governing body. He may serve with or without compensation as determined by the board of supervisors.

Agriculture: The tilling of the soil, the raising of crops, horticulture, forestry and gardening, including the keeping of animals and fowls, and including any agricultural industry or business, such as fruit packing plants, dairies or similar uses.

Agritourism activity: Has the meaning ascribed to it in section 22-262.2 herein.

Alteration: Any change in the total floor area, use, adaptability or external appearance of an existing structure.

Animal control facility: A facility for impoundment, observation and disposal of animals.

Apartment house: A building used or intended to be used at the residence of three or more families living independently of each other.

Automobile graveyard: Any lot or place which is exposed to the weather upon which more than five motor vehicles of any kind, incapable of being operated, are placed.

Cross reference— Automobile graveyards, Ch. 5.

Automobile self-service station: Any place of business having pumps and storage tanks at which fuels and oils for motor vehicles other than tractor-trailers are dispensed, sold or offered for sale at retail,

and where dispensing is performed by the customer or an employee, but automotive repair is not performed. Automobile self-service stations shall not include automobile service stations or public garages.

Automobile service station: An establishment where gasoline, diesel oil and/or fuel for internal combustion engines is supplied and dispensed at retail and where, in addition, the following services may be rendered and sales made, and no other: sale and service of spark plugs, batteries and/or distributors and ignition system parts; sale, servicing and repair of tires, but not recapping or regrooving; replacement of mufflers, tail pipes, water hoses, fan belts, brake fluid, light bulbs, windshield wipers and blades, grease retainers, wheel bearings and the like; radiator cleaning, flushing and fluid replacement; washing and polishing supplies; greasing and lubrication; provision and repair of fuel pumps or fuel injectors, oil pumps and lines; minor adjustment and repair of carburetors; adjustment and repair of brakes; emergency repair of wiring; minor motor adjustments not involving removal of the head or crankcase; sale of beverages, packaged foods, tobacco products and similar convenience goods for customers, as accessory and incidental to the principal operations; provision of road maps and other travel information to customers; provision of restroom facilities; and state motor vehicle inspections.

A service station is not a public garage or a body shop. Uses permissible at a service station do not include major mechanical and body work, straightening of body parts, painting, welding, storage of automobiles or trucks not in operating condition or other operations involving noise, glare, smoke, fumes or other characteristics to an extent greater than normally found in service stations.

Basement: A story having part but not more than one-half of its height below grade. A basement shall be counted as a story for the purpose of height regulations, if it is used for business purposes, or for dwelling purposes by other than a janitor employed on the premises.

Bed and breakfast: An establishment based in an existing or rehabilitated residential structure whose purpose is to provide rooms and meals for temporary guests, meals possibly for patrons who would not be guests at the inn, and possibly a residence at the inn for the owner.

Boardinghouse: A building where, for compensation, lodging and meals are provided for at least five and up to 14 persons.

Building: Any structure having a roof supported by columns or walls, for the housing or enclosure of persons, animals or chattels.

Building, accessory: A subordinate structure customarily incidental to and located upon the same lot occupied by the main structure. No such accessory structure shall be used for housekeeping purposes.

Building, height of: The vertical distance measured from the level of the curb or the established curb grade opposite the middle of the front of the structure to the highest point of the roof, if a flat roof; to the deck line of a mansard roof; or to the mean height level between the eaves and ridge of a gable, hip or gambrel roof. For buildings set back from the street line, the height shall be measured from the average elevation of the ground surface along the front of the building.

Building, main: The principal structure or one of the principal buildings on a lot, or the building or one of the principal buildings housing the principal use on the lot.

Campground shall mean and include, but not be limited to, tourist camps, travel trailer camps, recreation camps, family campgrounds, camping resorts, camping communities or any other area, place, parcel or tract of land, by whatever name called, on which three or more campsites are occupied or intended for occupancy, or facilities are established or maintained, wholly or in part, for the accommodation of camping units for periods of overnight or longer, whether the use of the campsites and/or facilities is granted gratuitously, by a rental fee, by lease, by conditional sale or by covenants, restrictions and easements. This definition is not intended to include summer camps, and migrant labor camps as defined in §§ 35-43 and 32-415, Code of Virginia, 1950, as amended, construction camps, permanent mobile home parks, or storage areas for unoccupied camping units.

Cellar: A story having more than one-half of its height below grade and which may be occupied for dwelling purposes.

Cemetery: A place where human dead and/or human remains are interred whether above or below ground and whether or not in burial plots or a mausoleum.

Cemetery, pet (limited): A place where animal dead and/or remains are interred whether above or below ground and whether or not in a burial plot or a mausoleum. If cremation is performed on site, only one cremation unit shall be permitted, and said unit shall not be capable of exceeding 200 pounds of animal dead at one time.

Chicken is a bird of the order Galliformes with the scientific name *Gallus gallus domesticus* more commonly referred to as a hen (female chicken) or rooster (male chicken).

Civic association: A league or organization operated for the promotion of social welfare. "Civic association" includes but is not limited to hunt clubs, lodges, and ruritans.

Commission: The planning commission of the county.

Cross reference— Planning commission, § 2-40 et seq.

Communication station: A building or structure used to house equipment and/or employees associated with the operation of a communications tower.

Companion bird: Is any bird, excluding domestic fowl, kept for companionship and enjoyment and not raised for food or fiber; used for livestock, laboratory, or working purposes; or kept as sporting birds for economic reasons. Birds which may qualify as companion birds include, but are not limited to, African greys, amazons, budgies, canaries, cockatiels, cockatoos, finches, lories/lorikeets, lovebirds, macaws, parakeets, parrots, and pigeons.

Concession stand, lake boat: Any boat from which, for compensation, food and/or beverages are dispensed for consumption off-premises.

Conditional zoning: The reclassification of land from one zoning district to another with reasonable conditions governing the use of such land, such conditions being in addition to the regulations provided for in the particular zoning district sought.

Dairy: A commercial establishment for the manufacture and sale of dairy products.

Day care center: Any facility, other than a family day care, operated for the purpose of providing care, protection and guidance to a group of six or more individuals separated from their parents or guardians during a part of the day, only.

District: Districts as referred to in § 15.1-486 of the Code of Virginia, 1950, as amended.

Domestic fowl: Is any bird of the order Galliformes, including but not limited to chickens, turkeys, pheasant, partridges and quail; birds which are hunted or kept for food and also waterfowl of the order Anseriformes such as ducks, geese and swans.

Dump heap (trash pile): Any area of 100 square feet or more lying within 1,000 feet of a state highway, a residence, a dairy barn or food handling establishment where trash, garbage or other waste or scrap material is dumped or deposited without being covered by a sanitary fill.

Dwelling: Any structure which is designed for use for residential purposes, except hotels, boardinghouses, lodginghouses, tourist cabins, apartments and automobile trailers.

Dwelling, multiple-family: A structure arranged or designed to be occupied by more than one family and containing two or more dwelling units.

Dwelling, single-family: A structure, arranged or designed to be occupied by only one family, the structure having only one dwelling unit.

Dwelling, two-family: A structure arranged or designed to be occupied by two families, the structure having only two dwelling units.

Dwelling unit: One or more rooms in a dwelling designed for living or sleeping purposes, and having at least one kitchen.

Educational retreat center: A building/complex of buildings and/or structure(s) that house an administrative office, temporary living quarters, dining facilities which provide cultural, recreational and educational programs on a short-term basis for small groups of people.

Event Facility: A place of public assembly used primarily as a place for hosting functions including, but not limited to, weddings, receptions, banquets, anniversaries, meetings or conferences. The event facility may be a building, tent, uncovered outdoor gathering space or a combination thereof. An event facility is one that charges a fee or requires compensation to use the space or charges an entry fee or other fee for the uses related to the facility. Facilities exclusively used by membership groups such as civic or service clubs, or fraternal organizations, and facilities allowed by Sections 22-262.1 et seq., Agritourism, are not included in this definition.

Family: One or more persons related by blood, marriage and/or adoption occupying a premises and living in a single-dwelling unit, as distinguished from an unrelated group occupying a boarding house, lodging house, tourist home or hotel. The term "family" shall also include unrelated persons occupying a single unit so long as the number of such persons does not exceed four.

Family day care: A dwelling unit in which the provider resides that is used to provide care for no more than six children exclusive of the provider's children and children who reside in the home for a portion of the 24-hour day, only.

Family day care, large: A dwelling unit in which the provider resides that is used to provide care for one through 12 children under the age of 13 exclusive of the provider's own children and any children who reside in the home when at least one child receives care for compensation. The family day care, large, must be licensed by the Virginia Department of Social Services and be bound by all applicable rules and regulations.

Farm operation manufactured home: A manufactured home, situated on a farm and occupied as a residence by an employee of a farm, not the owner of the farm, and that employee's immediate family.

Flea market: The sale of new or used articles (such as furniture, tools, or clothing) held at any location other than a private residence, usually outdoors. For purposes of this chapter, the term "flea market" shall not include a wayside stand, roadside stand, or wayside market, as such terms are defined herein.

Foundations, permanent: A foundation that meets one of the following:

- (a) Masonry piers and anchoring systems, specified by the manufacturer of the home in the installation instructions, and required and approved in accordance with the Federal Manufactured Housing Construction and Safety Standards;
- (b) Concrete foundations or permanent wood foundation systems constructed in compliance with ASNI A225.1, Manufactured Home Installation Standards;
- (c) Foundations meeting the requirements of the U.S. Department of Housing and Urban Development Handbook 4930.3, Permanent Foundations Guide for Manufactured Housing;
- (d) Foundation systems for manufactured homes over basements; and
- (e) Any other foundation system approved as a permanent foundation by the authority having jurisdiction as outlined in section 107.1 of the USBC.

Frontage: The minimum width of a lot measured from one side lot line to the other along a straight line on which no point shall be farther away from the street upon which the lot fronts than the building setback line as defined and required herein.

Garage, private: An accessory building designed or used for the storage of not more than three automobiles owned and used by the occupants of the building to which it is accessory. On a lot occupied by a multiple-unit dwelling, the private garage may be designed and used for the storage of one and one-half as many automobiles as there are dwelling units.

Garage, public: Any building or portion thereof, open to the public, designed or used for equipping, servicing, repairing, hiring, storing or parking motor driven vehicles. The term "repairing" shall include tire recapping, or body, major engine and transmission repairs, but shall not include dismantling or storing inoperative vehicles except as provided herein:

- (a) Five inoperative motor vehicles per bay with a limitation of a maximum of 15 inoperative motor vehicles regardless of the number of bays in excess of three bays shall be permitted if screened from public view on all sides by an eight foot or taller privacy fence, evergreen vegetation or combination thereof; and
- (b) No inoperative vehicle shall remain on the premises in excess of 60 days. If, through no fault of the garage operator, the inoperative motor vehicle must remain on the premises longer than 60 days (i.e., awaiting insurance claim disposition, etc.), the county code administrator shall be advised of the situation by the garage operator but, in no case, shall the vehicle remain on the premises longer than 120 days.

General store, country: A single store, the ground floor area of which is 4,000 square feet or less and which offers for sale, primarily, most of the following articles: Bread, milk, cheese, canned and bottled foods and drinks, tobacco products, candy, papers and magazines and general hardware articles. Gasoline may also be offered for sale, but only as a secondary activity of a country general store.

Golf course: Any golf course, publicly or privately owned, on which the game of golf is played, including accessory uses and building customary thereto, but excluding golf driving ranges as defined herein.

Golf driving range: A limited area on which golf players do not walk, but onto which they drive golf balls from a central driving tee.

Governing body: The board of supervisors of the county.

Group home, large: A residential facility in which nine or more individuals (i) with mental illness, mental retardation, or developmental disabilities reside, with one or more resident or nonresident staff persons or (ii) who are aged, infirm or disabled reside, with one or more resident counselors or other staff persons. For the purposes of this definition, mental illness and/or developmental disability shall not include current illegal use of or addiction to a controlled substance as defined in Code of Virginia, § 54.1-3401. Also for purposes of this definition, "residential facility" means any group home or other residential facility for which the Department of Behavioral Health and Developmental Services or the Department of Social Services is the licensing authority pursuant to the Code of Virginia.

Group home, small: A residential facility in which no more than eight individuals (i) with mental illness, mental retardation, or developmental disabilities reside, with one or more resident or nonresident staff persons or (ii) who are aged, infirm or disabled reside, with one or more resident counselors or other staff persons. For the purposes of this definition, mental illness and/or developmental disability shall not include current illegal use of or addiction to a controlled substance as defined in Code of Virginia, § 54.1-3401. Also for purposes of this definition, "residential facility" means any group home or other residential facility for which the Department of Behavioral Health and Developmental Services or the Department of Social Services is the licensing authority pursuant to the Code of Virginia.

Guest house: Living quarters within a detached accessory structure located on the same premises with the main building subject to the following restrictions:

- (a) Only a temporary guest(s) of the principal residence shall use the guest house;
- (b) A temporary guest shall stay no longer than three months within any twelve-month period;
- (c) Guest house may not be rented, operated for gain, or otherwise used as a separate building;
- (d) The floor area of any guest house shall not exceed 50 percent of the finished, heated floor area of the principal residence or 1,000 square feet of floor space, whichever is less; and
- (e) The guest house must be of frame construction, built to the Virginia Uniform Statewide Building Code and built upon a cinder block/brick perimeter foundation.

Guest room: A room which is intended, arranged or designed to be occupied, or which is occupied, by one or more guests paying direct or indirect compensation therefor, but in which no provision is made for cooking. Dormitories are excluded.

Historical area: As defined on the zoning map in which the provisions of this chapter apply for protection of a historical heritage.

Hog farm: A farm or establishment upon which hogs are placed, kept, produced, raised or bred for sale.

Home garden: A garden in a residential district for the production of vegetables, fruits and flowers generally for use or consumption by the occupants of the premises.

Home occupation: An accessory use of a dwelling unit and/or an accessory structure for gainful employment involving the production, provision, or sale of goods and/or services, which is clearly incidental to or secondary to the residential use of a parcel. Home occupations must be conducted in accordance with all applicable federal, state and local statutes and regulatory requirements, including but not limited to section 22-245 herein.

Home occupation, type I: A lower intensity home occupation suitable for more densely occupied residential areas.

Home occupation, type II: A higher intensity home occupation suitable for agricultural and rural areas of the county.

Hospital: Any facility (1) owned or operated by an agency of the United States Government, (2) owned and operated by an agency of the Commonwealth of Virginia, or (3) licensed pursuant to Article 1, Chapter 5, Title 32.1 of the Code of Virginia and in which the primary function is the provision of diagnosis, of treatment, and of medical and nursing services, surgical or nonsurgical, for two or more nonrelated individuals, including hospitals known by varying nomenclature or designation such as sanatoriums, sanitariums and general, acute, rehabilitation, chronic disease, short-term, long-term, outpatient surgical, and inpatient or outpatient maternity hospitals.

Hotel: A building designed or occupied as the more or less temporary abiding place for 14 or more individuals who are, for compensation, lodged, with or without meals, and in which provision is not generally made for cooking in individual rooms or suites.

In-law suite: Living quarters within the main dwelling functioning as a separate living unit and containing all rooms necessary to be self-contained subject to the following restrictions:

- (a) Only as in-law(s) of the dwelling owner and the in-law's family may occupy the suite;
- (b) The owner and or spouse must occupy the main dwelling during the entire time frame in which the in-law is residing in the suite;
- (c) The in-law suite may not be rented or operated for gain or otherwise used for commercial purpose;
- (d) The floor area of the in-law suite shall not exceed 50 percent of the finished, heated floor area of the principal residence or 1,000 square feet of floor space, whichever is less; and
- (e) The addition of the in-law suite shall be such that the exterior will be compatible in architectural style, material and color with the main dwelling and, as such, will give the appearance of a single-family dwelling unit.

Junk yard: The use of any area of land lying within 100 feet of a state highway or the use of more than 200 square feet of land area in any location for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials. The term "junk yard" shall include the term "automobile graveyard" as defined in § 33.1-348 of the Code of Virginia, 1950, as amended.

Kennel, commercial: Means a facility and/or parcel of land where dogs and/or cats are kept for boarding, breeding, care, grooming, sale or other purposes for commercial gain.

Kennel, private: Means a facility and/or parcel of land where more than six dogs, more than four months old, are kept for private use.

Laydown yard: A parcel of land containing no less than five acres which will be used for the temporary storage of manufactured finished products consisting of lumber, steel, concrete or plastic products and will be bounded by the following:

- (a) Products stored, shall not exceed a height of 15 feet;
- (b) Products shall not be stored within 200 feet of a state maintained road;
- (c) Products shall not be stored within 25 feet of an adjacent property line;
- (d) Products must be properly screened from public view; and
- (e) No manufacturing, assembling or disassembling of materials shall occur on premises.

Livestock market: A commercial establishment wherein livestock is collected for sale and auctioned off.

Lot: A parcel of land occupied or to be occupied by a main structure or group of main structures and accessory structures, together with such yards, open spaces, lot width and lot areas as are required by this chapter, and having frontage upon a street, either shown on a plat of record or considered as a unit of property and described by metes and bounds.

Lot, corner: A lot abutting on two or more streets at their intersection. Of two sides of a corner lot, the front shall be deemed to be the shortest of the two sides fronting on streets.

Lot, depth of: The average horizontal distance between the front and rear lot lines.

Lot, double frontage: An interior lot having frontage on two streets.

Lot, interior: Any lot other than a corner lot.

Lot of record: A lot which has been recorded in the clerk's office of the circuit court.

Lot, width of: The average horizontal distance between side lot lines.

Manufacture; manufacturing: The processing or converting of raw, unfinished materials or products, or either of them, into articles or substances of different character, or for use for a different purpose.

Manufactured home: A structure subject to federal regulations, which is transportable in one or more sections; is eight body feet or more in width and 40 body feet or more in length in the traveling mode, or is 320 or more square feet when erected onsite; is built on a permanent chassis, is designed to be used as a single-family dwelling, with or without a permanent foundation, when connected to the required utilities; and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure.

Manufactured home, double-wide: A manufactured home that is 19 feet or more in width.

Manufactured home park or subdivision: Any area of 15 acres or more designed to accommodate 50 or more manufactured homes intended for residential use where residence is in manufactured or exclusively.

Manufactured home, single-wide: A manufactured home that is less than 19 [feet] in width.

Mobile home: A structure subject to federal regulations, which is transportable in one or more sections; is eight body feet or more in width and 40 body feet or more in length in the traveling mode, or is 320 or more square feet when erected onsite; is built on a permanent chassis, is designed to be used as a single-family dwelling, with or without a permanent foundation, when connected to the required utilities; and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure.

Nonconforming activity: The otherwise legal use of a building or structure or of a tract of land that does not conform to the use regulations of this chapter for the district in which it is located, either at the effective date of the ordinance from which this chapter derives [September 1, 1964] or as a result of subsequent amendments to such ordinance or this chapter.

Nonconforming lot: An otherwise legally platted lot that does not conform to the minimum area or width requirements of this chapter for the district in which it is located either at the effective date of the ordinance from which this chapter derives [September 1, 1964] or as a result of subsequent amendments to such ordinance or this chapter.

Nonconforming structure: An otherwise legal building or structure that does not conform with the lot area, yard, height, lot coverage or other area regulations of this chapter, or is designed or intended for a use that does not conform to the use regulations of this chapter for the district in which it is located, either at the effective date of the ordinance from which this chapter derives [September 1, 1964] or as a result of subsequent amendments to such ordinance or this chapter.

Off-street parking area: An all-weather surfaced area provided for vehicular parking outside the dedicated street right-of-way having an area of not less than 180 square feet, exclusive of driveways, permanently reserved for the temporary storage of one automobile and connected with a street or alley by an all-weather surfaced driveway which affords satisfactory ingress and egress for automobiles.

Outdoor recreation facility: A more intensive range of uses conducted in the open or in partially enclosed or screened facilities and typically require improvements. Typical uses include, but are not limited to, driving ranges, miniature golf courses, motorized cart tracks, paintball facilities, sports arenas, animal racing, equestrian facilities, hunting/training preserves and outdoor amusement parks.

Pen: A small enclosure used for the concentrated confinement and housing of animals or poultry; a place for feeding and fattening animals; a coop. Enclosed pasture or range with an area in excess of 100 square feet for each hog or small animal or 200 square feet for each larger animal shall not be regarded as a pen.

Permitted waste: Solid waste originating in the county and which includes the following categories of solid waste: sludge, food processing waste, garbage, household waste, ash residue, bottom ash, clean fill, stabilized sludge, sewage sludge, residue, industrial waste, residuals, yard waste, construction and demolition debris, refuse, commercial waste, recyclables, waste tires, ashes and food chain crops, each as defined under U.S. Environmental Protection Agency Regulation section 360-1.2.

Public water and sewer systems: A water or sewer system owned and operated by a municipality or county, or owned and operated by a private individual or a corporation approved by the board of supervisors and properly licensed by the state corporation commission, and subject to special regulations as herein set forth.

Required open space: Any space required in any front, side or rear yard.

Restaurant: Any building in which, for compensation, food or beverages are dispensed for consumption on the premises, including, among other establishments, cafes, tearooms, confectionery shops or refreshment stands.

Retail stores and shops: Buildings for display and sale of merchandise at retail or for the rendering of personal services (but specifically exclusive of coal, wood and lumber yards), such as the following, which will serve as illustration: Drugstore, newsstand, food store, candy shop, milk dispensary, drygoods and notions store, antique store and gift shop, hardware store, household appliance store, furniture store, florist, optician, music and radio store, tailor shop, barbershop and beauty shop.

Sawmill, permanent and planning mill: A sawmill or planning mill lying at least 500 feet from a state highway for the processing of timber.

Sawmill, portable: A portable sawmill located on private property lying at least 500 feet from a state highway for the processing of timber.

Setback: The minimum distance by which any building or structure must be separated from the front lot line.

Sign: Any writing, letterwork or numeral, pictorial presentation, illustration or decoration, emblem, device, symbol or trademark, commercial flag, banner, or permanent sculpture, or any other device, figure, or similar character, other than in a business window which (a) is used to announce, direct

attention to, identify, advertise, or otherwise make known; and, (b) is visible from a public right-of-way or from adjoining property.

Sign, business: A sign which directs attention to a product, commodity or service available on the premises.

Solid waste disposal facility: A co-composting facility, a material recovery facility and landfill facility, and accessory structures, including, but not limited to, facilities for biomethanization reclamation for electrical power generation and for the disposal of permitted waste as properly licensed or permitted by the appropriate commonwealth or federal agencies or department.

Special exception: A special use, that is a use not permitted in a particular district except by a conditional (special) use permit granted under the provisions of section 22-22.

Store: See Retail stores and shops.

Story: That portion of a building, other than the basement, included between the surface of any floor and the surface of the floor next above it. If there be no floor above it, the space between the floor and the ceiling next above it.

Story, half: A space under a sloping roof, which has the line of intersection of roof decking and wall face not more than three feet above the top floor level, and in which space not more than two-thirds of the floor area is finished off for use.

Street line: The dividing line between a street or road right-of-way and the contiguous property.

Street; road: A public thoroughfare which affords principal means of access to abutting property.

Structure: Anything constructed or erected, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground. This includes, among other things, dwellings, buildings, signs, etc.

Tourist court, auto court, motel, autel, cabins or motor lodge: One or more buildings containing individual sleeping rooms, designed for or used temporarily by automobile tourists or transients, with garage or parking space conveniently located to each unit. Cooking facilities may be provided for each unit.

Tourist home: A dwelling where only lodging is provided for compensation for up to 14 persons (in contradistinction to hotels and boardinghouses) and open to transients.

Tractor-trailer: A truck with a cab and no body equipped with a coupling device, which may pull trailers, tankers or semi-trailers. The term "tractor-trailer" shall include, but not be limited to, "tractor truck" and "semi-trailer."

Tractor-trailer service station: Any establishment having pumps and storage tanks at which fuels and oils for tractor-trailers are dispensed or sold at retail and which enhances maneuverability and fueling of tractor-trailers by the contouring of curbs and aprons and the placement and design of fuel pumps, islands or other design features that accommodate tractor-trailers. A tractor-trailer service station shall have the capability to fuel three or more tractor-trailers at the same time. The facility may also have provisions for, but not be limited to, the following: tractor-trailer parking; automobile fueling; repair and maintenance of automobiles or tractor-trailers; sleeping accommodations; sanitation facilities; sale of parts and accessories for automobiles or tractor-trailers; or a restaurant.

Travel trailer: A mobile unit less than 29 feet in length and less than 4,500 pounds in weight which is designed for human habitation.

Truck terminal: A storage facility for the unloading, transferring and storage of goods and materials being transported by truck. A truck terminal may include facilities for the repair and servicing of trucks.

Use, accessory: A subordinate use, customarily incidental to and located upon the same lot occupied by the main use.

Variance: A variance is a relaxation of the terms of this chapter where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of

the action of the applicant, a literal enforcement of the provisions of this chapter would result in unnecessary and undue hardship. As used in this chapter, a variance is authorized only for height, area and size of structure or size of yards and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning division or district or adjoining zoning divisions or districts.

Vehicle salvage yard: Any lot or place encompassing a minimum of five acres which is exposed to the weather, upon which more than 50 but less than 500 motor vehicles of any kind, incapable of being operated, may be temporarily stored while awaiting dismantling.

~~*Wayside stand; roadside stand; wayside market:* Any structure or land used for the sale of agricultural or horticultural produce, livestock or merchandise produced by the owner or his family on their farm.~~

Yard: An open space on a lot other than a court unoccupied and unobstructed from the ground upward, except as otherwise provided herein.

Yard, front: An open space on the same lot as a building between the front line of the building (exclusive of steps) and the front lot or street line, and extending across the full width of the lot.

Yard, rear: An open, unoccupied space on the same lot as a building between the rear line of the building (exclusive of steps) and the rear line of the lot, and extending the full width of the lot.

Yard, side: An open, unoccupied space on the same lot as a building between the side line of the building (exclusive of steps) and the side line of the lot, and extending from the front yard line to the rear yard line.

Yard sale or garage sale: The sale of used household or personal articles (such as furniture, tools, or clothing) held at a private residence, usually outdoors. A yard sale may be held a maximum of two days within any two-month period on any single lot. For purposes of this chapter, a yard sale shall be considered an accessory use.

(Code 1970, § 17-1; Ords. (2) of 1-18-84; Ords. (2) of 1-16-85; Ord. of 9-7-88; Ord. of 9-20-89; Ord. of 11-1-89; Ord. of 4-1-92; Ord. of 11-4-92; Ord. of 1-5-94; Ord. of 9-20-95; Ord. of 11-6-96; Ord. of 12-4-96; Ord. of 12-3-97; Ord. of 6-2-99; Ord. of 10-6-99; Ord. of 6-20-00; Ord. of 2-7-01; Ords. (2) of 1-2-02; Ord. of 7-3-02; Ord. of 6-1-04; Ord. of 1-4-05; Ord. of 6-7-05; Ord. of 7-17-07, § 1; Ord. of 8-19-08, § 1; Ord. of 10-20-09, § 1; Ord. of 11-16-10, § 1; Ord. of 12-21-10, § 1; Ord. of 12-20-11, § 1; Ord. of 12-18-12 [A-12-12], § 1; Ord. of 1-20-15 [A-15-2], § 1; Ord. of 2-21-17 [A-17-1], § (1); Ord. of 12-19-17 [A-17-4], § (1); Ord. of 9-17-19(1) [A-19-6], § (1))

Cross reference— Definitions and rules of construction generally, § 1-2.

(2) That this ordinance shall become effective immediately upon adoption.