

tinued for a period of not more than one year therefrom; provided:

1. That the non-conforming use of land shall not in any way be expanded or extended either on the same or adjoining property.

2. That if the non-conforming use of land, existing at the time this Ordinance becomes effective, is thereafter discontinued or changed, then the future use of such land shall be in conformity with the provisions of this Ordinance.

3. That the lawful location and maintenance of commercial signs and bill boards existing at the time this Ordinance becomes effective may be continued, although such use does not conform with the provisions hereof; provided, however, that all such non-conforming signs and bill boards and their supporting members shall be completely removed by their owners not later than 3 years from the effective date of this Ordinance, or at expiration of lease in existence on effective date of this Ordinance, which ever is earlier.

(h) The foregoing provisions shall also apply to buildings, land and uses which hereafter become non-conforming due to any reclassification of zones under this Ordinance.

(i) **RECORD OF NON-CONFORMING USES.** Immediately after the effective date of this Zoning Ordinance or amendment thereto, the City Planning Commission shall prepare a complete record of all non-conforming uses and occupations of lands, buildings and structures, including tents and trailer coaches, existing at the time of such ordinance or amendment. Such record shall contain the names and addresses of the owners of such non-conforming use, and of any occupant other than the owner, the legal description of the land and the nature and extent of use. The Planning Commission shall prescribe the procedure for making any necessary corrections and copies of the corrected record, when approved by the Planning Commission, shall be filed in the offices of the City Clerk, which record shall constitute prima facie evidence of the nature and extent of the non-conformances at the time an ordinance or an amendment thereto becomes effective. The record of non-conformance shall be revised annually as the Planning Commission may prescribe.

3.24 ACCESSORY BUILDINGS.

(a) An accessory building or garage attached to the principal building on a lot shall be made structurally a part thereof, and shall comply in all respects with the requirements of this Ordinance applicable to the principal building.

Breezeways, for the purpose of this Ordinance, shall render accessory buildings or uses served by them, to be attached to the main building, but breezeways shall not be considered as constituting dwelling space, provided, however, when such garages are separated from the dwelling wall nearest the main building shall be not less than three-quarter hour Fire Underwriters rated construction.

(b) An accessory building or garage, unless attached and made a part of the principal building on a lot as above provided, shall not be nearer than 10 feet from the principal building, or less than 10 feet from any building on another lot.

(c) On large lots a detached garage may be located in the front yard, but shall not be less than 30 feet from the front line and shall not occupy more than 10 per cent of the area of any front yard.

(d) Detached accessory buildings and garages shall not exceed one story or 15 feet in height and shall not occupy more than 30 per cent of the area of any rear yard, and shall not be nearer than 3 feet to any side or rear lot line, except that where the rear yard of a lot abuts upon a rear or side street, such accessory building shall not be nearer to any street line than the established building lines thereof.

3.25 PERFORMANCE REQUIREMENT FOR ALL USES. Uses in all districts shall comply with generally approved methods of collection and standard methods of chemical analysis and in any event shall comply with the following standards of performance:

(a) **Radio-Active Materials.** Radio-active materials shall not be emitted from any building established as safe by the U. S. Bureau of Standards, or as amended from time to time.

(b) **Seepage Wastes.**

1. No sewage shall be discharged in the public sewer system which is dangerous to the public health and safety. The following standards shall apply at the discharge into the public sewer:

(a) **Acidity.** The pH range shall not be less than an average pH range of between 5.5 to 7.5 as a daily average on the volumetric basis, with a temporary variation of PH 4.50 to 10.00.

3. Wastes shall contain no Cyanides. Wastes shall contain no chlorinated solvents in excess of 1 p.p.m. No Fluorides in excess of 10 p.p.m. No Hydrogen Sulphide in excess of 5 p.p.m.; No Sulphur Dioxide and Nitrates in excess of 10 p.p.m.; and no Chromates in excess of 25 p.p.m.

4. Wastes shall not contain any insoluble substance in excess of 10,000 p.p.m. or exceed a daily average of 500 p.p.m. or fail to pass a No. 8 Standard Sieve or have a dimension greater than 1/8 inch.

(5) Wastes shall not have a chlorine demand greater than 15 p.p.m.

(6) Wastes shall not contain phenols in excess of .05 p.p.m.

(7) Wastes shall not contain any grease or oil or any oily substance in excess of 100 p.p.m. or exceed a daily average of 25 p.p.m.

3.26 CONFLICTING SIGNS. Signs having illumination of a floodlight character, or which use visible green, yellow or red colors, which might be confused with any official traffic control devices, is prohibited within 300 feet of all main highway intersections.

3.27 ESSENTIAL SERVICES. Essential services shall be permitted as authorized and regulated by law and other ordinances of the City of Farmington, it being the intention hereof to exempt such essential services from the application of this Ordinance.

3.28 DRAINAGE CHANNELS. Existing flood plains as shown on Master Plan of the City and other existing flood plains shall not be disturbed. No material shall be placed in any drainage channels nor shall any material be placed upon any flood plains as shown by the Master Plan of the City of Farmington. No buildings or other structures shall be erected or placed on any flood plains as shown by the Master Plan of the City of Farmington.

ARTICLE V

R-1-E COUNTRY ESTATES DISTRICTS

Section 4.01 USES PERMITTED. No building or structure shall be erected and no land and/or structure shall be used in a R-1-E District, unless otherwise expressly permitted by this Ordinance, except for one or more of the following uses:

(a) One family dwellings.

(b) Public, parochial, private and nursery schools,

churches, community buildings, municipal buildings and facilities, parks and playgrounds.

(c) Temporary building for uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.

(d) Agricultural uses on areas of 3 acres or greater which have not been platted or divided in smaller areas by metes and bounds.

(e) The growing of vegetables, fruit, flowers, shrubs and trees provided such use is not operated for commercial purposes, provided, however that land under one ownership prior to its being platted and having an area in excess of one acre for each residence, may be used for agricultural purposes, but must conform to all regulations of this Article as to yard areas.

(f) The raising and keeping of fowl, rabbits and other small animals only for the domestic use of occupants of the premises; the keeping only for the use of the occupant of the land of one or more horses; provided, that there shall be a minimum land area of not less than one acre for each horse.

All fowl and animals of every kind shall be properly housed and adequately fenced so as to keep them and the premises animal pens, hedges and stables shall be kept clean and sanitary; animal manure and refuse shall be properly treated and disposed of in such a way as to control odor and flies; stables and pens shall be suitably screened from surrounding premises, streets and roads. No person shall permit fowl or animals or premises on which they are kept to become a nuisance or a menace to health.

(g) Accessory buildings or uses customarily incidental to any of the above permitted uses when located on the same or adjoining lot and not involving any business, profession, trade or occupation or living facilities. One private garage for each residential lot for the housing of motor vehicles, not more than one of which can be a commercial vehicle, shall be considered a legal accessory use, provided however, any such commercial vehicle shall not exceed one ton capacity and shall be kept housed. This shall not prohibit the storage of a small tractor for gardening purposes when not used for hire. Accessory buildings for the housing of fowl or animals shall be located not less than 25 feet from any lot line and not less than 100 feet from any dwelling.

(h) **SIGNS.** Church or public bulletin boards, not exceeding 10 square feet in area.

(i) Not more than one temporary non-illuminated subdivision sign pertaining to the sale or rental of premises being developed on which it is maintained, and having an area of not more than 150 square feet. Said sign shall not exceed 12 feet in height above ground and shall be removed upon completion and occupation of the buildings.

(j) One non-illuminated sign per lot pertaining to the sale or lease of a lot or building and such sign shall not exceed 6 square feet in area which sign shall be removed as soon as the premises are leased, hired or sold.

4.02-BUILDING-HEIGHT. No building hereafter erected or altered shall exceed 30 feet in height or 2 stories, except as provided in Article XIII of this Ordinance.

4.03 LOT AREA PER FAMILY. Each one family dwelling, together with its accessory buildings, hereafter erected shall provide a lot area of not less than one acre and said lot shall have an average width of not less than 150 feet; provided, however, that this requirement shall not apply to any lot which at the time this Ordinance becomes effective is narrower at the street line or lesser in area than the specifications herein; Provided, however, that the requirements of this section shall not apply to any lot or parcel of record at the time of the adoption of this Ordinance, if the owner of such lot shall not at the time of seeking a building permit be the owner of other adjacent and abutting vacant land capable of being used for building purposes in order to make available a sufficient land area to comply with the first requirements in this section.

4.04 LOT COVERAGE. Each one family dwelling together with its accessory buildings, hereafter erected on any lot, shall not cover more than 15 per cent of the area of such lot.

4.05 FRONT YARD. Each one family dwelling shall have a front yard of not less than 35 feet in depth; Provided, however, that if buildings are already situated on 50 per cent or more of the property located on the same side of the street and in the same block, all future buildings erected in said block and on such side of the street, shall provide for a yard with a depth which shall not be less, but need not be greater than the average depth of front yards on which there are existing buildings.

4.06 SIDE YARDS. There shall be provided side yard on each side of every principal building, which shall be not less than 15 feet in width.

4.07 SIDE YARD - NON-RESIDENTIAL USE. A side yard of not less than 35 feet shall be provided on each side of any building erected or used for non-dwelling purposes. Each side yard shall be increased one foot in width for each 5 feet or part thereof by which the building or structure exceeds 35 feet along the side yard. Such side yard shall also be increased one foot for each 2 feet or part thereof by which the height exceeds 30 feet. Accessory buildings shall comply with the requirements of Section 3.24 hereof.

4.08 SIDE YARDS ABUTTING UPON A STREET. The width of the side yard abutting upon a side street shall not be less than 35 feet.

4.09 REAR YARDS. Each lot shall have a rear yard of not less than 50 feet in depth.

4.10 REAR YARDS ABUTTING SIDE LOT LINES. Where a side yard of an interior lot abuts a rear yard of a corner lot or an alley separating such lots, any accessory building on the corner lot shall set back from the side street as far as the dwelling on the interior lot.

ARTICLE V

R-1 ONE FAMILY RESIDENTIAL DISTRICTS

Section 3.01 USES PERMITTED. No building or structure shall be erected and no land and/or structure shall be used in a R-1 District, unless otherwise expressly permitted by this ordinance, except for one or more of the following purposes:

(a) Those uses permitted in R-1-E Districts; provided, however, that except for domestic household pets, the raising and keeping of fowl, rabbits, small animals and horses shall be unlawful in this district.

(b) Public Buildings without storage yards.

5.02 BUILDING HEIGHT. No building shall hereafter be altered or erected to exceed 30 feet or two stories in height except as provided in Article XIII of this Ordinance.

5.03 LOT AREA PER FAMILY. Each one family dwelling, together with its accessory buildings, hereafter erected, shall provide a lot area of not less than 12,000 square feet when said lot is not served

by a municipal water and a municipal sewage system; each such dwelling shall provide a lot area of not less than 9,000 square feet when said lot is served either by a municipal water system or a municipal sewage system; and each such dwelling shall provide a lot area of not less than 7,500 square feet when served by both a municipal water and a municipal sewage system.

Each lot in this district shall have an average width of not less than 60 feet; Provided, however, that the requirements of this section shall not apply to any lot or parcel of land of record at the time of the adoption of this Ordinance, if the owner of such lot shall not at the time of seeking a building permit be the owner of other adjacent and abutting vacant land capable of being used for building purposes in order to make available a sufficient land area to comply with the first requirements of this section.

5.04 LOT COVERAGE. Each one family dwelling, together with accessory buildings, hereafter erected on any lot, shall not cover more than 25 per cent of the area of such lot.

5.05 FRONT YARD. Each one family dwelling shall have a front yard of not less than 25 feet in depth. Provided, however, that if buildings are already situated on 50 per cent or more of the property located on the same side of the street and in the same block, all future buildings erected in said block and on such side of the street, shall provide for a yard with a depth which shall not be less, but need not be greater than the average depth of front yards on which there are existing buildings.

5.06 SIDE YARD. There shall be provided a side yard on each side of every main building which shall be not less than 6 feet in width with an aggregate width of both side yards of not less than 10 feet.

5.07 SIDE YARDS - NON-RESIDENTIAL USE. A side yard of not less than 35 feet shall be provided on each side of any building erected or used for non-dwelling purposes. Each side yard shall be increased one foot in width for each 5 feet or part thereof by which the building or structure exceeds 35 feet along the side yard. Such side yard shall also be increased one foot for each 2 feet or part thereof by which the height exceeds 30 feet. Accessory buildings shall comply with the requirements of Section 3.24 hereof.

5.08 SIDE YARDS ABUTTING UPON A STREET. The width of the side yard abutting upon a side street shall not be less than 35 feet.

5.09 REAR YARD. Each lot shall have a rear yard of not less than 50 feet.

5.10 REAR YARDS ABUTTING SIDE LOT LINES. Where a side yard of an interior lot abuts a rear yard of a corner lot or an alley separating such lots, any accessory building on the corner lot shall set back from the side street as far as the dwelling on the interior lot.

ARTICLE VI

R-1-P ONE FAMILY PARKING DISTRICT

Section 6.01 USES PERMITTED. No building or structure shall be erected and no land shall be used in this district, unless otherwise permitted by this Ordinance, except for one or more of the following specified uses:

(a) All uses permitted in R-1 Districts.

(b) Parking of private motor vehicles subject to and in accordance with the provisions of Ordinance No. C-40-54 known as Private Off-Street Parking Ordinance.

6.02 BUILDING HEIGHT. No building hereafter erected or altered in R-1-P Districts shall exceed 30 feet in height or 2 stories, except as provided in Article XIII of this Ordinance.

6.03 LOT AREA PER FAMILY. Each one family dwelling, together with its accessory buildings, hereafter erected, shall provide a lot area of not less than 12,000 sq. ft. when said lot is not served by either a community water or community sewage system; shall provide a lot area of not less than 9,000 sq. ft. when said lot is served either by a municipal water system or a community sewer system; shall provide a lot area of not less than 7,500 sq. ft. when both a community water and a community sewage system are available and said lot shall have an average of not less than 60 ft. width; Provided, however, that the requirements of this section shall not apply to any lot or parcel of land of record at the time of the adoption of this Ordinance, if the owner of such lot shall not at the time of seeking a building permit be the owner of other adjacent and abutting vacant land capable of being used for building purposes in order to make available a sufficient land area to comply with the first requirements of this section.

6.04 PERCENTAGE OF LOT COVERAGE. One family dwellings, together with accessory buildings, hereafter erected on any lot in R-1-P Districts, shall not cover more than 25 per cent of the area of such lot, provided, that this requirement shall not apply to any lot which at the time this Ordinance becomes effective is lesser in area than the specifications herein provided if such lot was of record at the time of the adoption of this Ordinance.

6.05 FRONT YARD. Each lot shall have a front yard not less than 25 feet in depth. Provided, however, that if buildings are already situated on 50 per cent or more of the property located on the same side of the street and in the same block, all future buildings erected in said block and on such side of the street, shall provide for a yard with a depth which shall not be less, but need not be greater than the average depth of front yards on which there are existing buildings.

6.06 SIDE YARDS. All lots shall have two side yards each having a width of not less than 4 feet and the combined width of both side yards shall not be less than 14 feet; Provided, that principal buildings on adjoining lots shall be located not less than 10 feet apart; and provided that on lots less than 35 feet in width the required combined width of side yards may be reduced by 6 inches for each foot or major fraction thereof by which the width of such lots is less than 35 feet, and provided further, that the minimum side yard may be 3 feet and the combined width of both side yards shall not be less than 6 feet.

6.07 SIDE YARDS ABUTTING UPON A STREET. The width of the side yard abutting upon a street shall not be less than 6 feet.

6.08 REAR YARDS ABUTTING SIDE LOT LINES. Where a side yard of an interior lot abuts a rear yard of a corner lot or an alley separating such lots, any building on the corner lot shall be set back from the side street as far as the dwelling on the interior lot.

6.09 SIDE YARDS, NON-RESIDENTIAL USES. A side yard of not less than 25 feet shall be provided on each side of any building erected or used for non-dwelling purposes. Each side yard shall be increased one foot in width for each 5 feet or part thereof by which the building or structure exceeds 35 feet along the side yard. Such side yard shall also be increased one foot for each 2 feet or part thereof by which the