

Corrotoman-By-The Bay Association, Inc.  
**Board of Directors Special Meeting with limited agenda items**  
**12:30pm, Sunday, May 7, 2023**

*(Meetings such as this are allowable per VA POA Rules section 55.1-1815 & 1816)*

**Meeting Called To Order:** Lisa Adler/Cristian Shirilla, Co-Presidents called the Special Board meeting to order at 12:30 pm on Sunday May 7<sup>th</sup> 2023.

**Board members present:** Lisa Adler, Deb Beutel. Matt Crabbe, Travis Gibbons, and Cristian Shirilla.

**Board members present via ZOOM:** Claire Smith & Don Smith

**Board members absent:** Dexter Lewis & Sam Longstreet

Hard stop at 1:30 to prepare for the 2 pm Annual Meeting and Election of new Directors

**Old Business:**

**1. The Finance Committee provided the results of their research completed for investing some of our Capital Reserve Funds into a money market and take a vote on the subject.**

Their recommendation is as follows:

The Finance Committee conducted a thorough research of the following banks with the following requirements:

1. Maximum rate of return
2. Maximum flexibility (withdrawals and deposits)
3. FDIC insured
4. Local business a plus
5. Banker partner for Fall 2024 Pool Loan a plus

Banks reviewed against above requirements:

1. **Blue Ridge Bank, Kilmarnock, VA** - For new customers, we currently have a Signature Money Market account that is paying 4.65% with a 4.75% APY. It is not a Certificate of Deposit, so you have access to the funds at any time and you can add to it whenever you desire. With a Money Market account, you are limited to 6 withdrawals/debits per month. Minimum deposit is \$50,000. FDIC insured up to \$250k.
2. **Chesapeake Bank, Kilmarnock, VA** - CD rates are between 3.50% to 4.25%. MM at 1.24% FDIC insured up to \$250k.

3. **Founders Bank, McLean, VA** - money market account paying 4.25% APY. Provides flexibility. And a six-month CD priced at 4.5% APY this CD does have a penalty. FDIC insured up to \$250k.

Based on the above research, the Finance Team's recommendation is **Blue Ridge Bank** – they check the boxes on all of the requirements. In addition, they are one of our candidate banks for our new Pool build financing project for Fall 2024. The reserve funds as of February 2023 is approximately \$175,000. The recommendation is to fund the account with \$150,000 and then continue to add to the account as the funds become available. Consideration should also be given to closing either or both accounts at CIT (per web site has 1.55% money market account) and Primis (per web site has a .80% money market account).

The checklist of needed information to establish a new account includes the following:

1. Copy of By Laws
2. Copy of meeting minutes approving the opening of the account, which identifies the account signature card holders and their titles.
3. Completed BRB "personal information form" for each of the authorized signature card holders.

The Finance Committee is also recommending and Treasurer, Claire Smith concurs – that we clean up our bank accounts as follows (as we currently have 5 accounts!):

1. Close our Chesapeake account for petty cash and use ACS as they are efficient to pay out as needed.
2. Close the CIT capital reserve account – already got confirmation from ACS we don't need to keep it.
3. Close the Primis capital reserve account
4. Open the Blue Ridge Bank capital reserve account

The following motion was made by Matt Crabbe and seconded by Travis Gibbons:

1. *Close the Primus Bank account previously used as local petty cash fund, and transfer balance to operational funds to ACS-West Operational funds account.*
2. *Coordinate with ACS-West to close the CIT capital reserve account and have all current and future capital reserve funds transferred to Blue Ridge Bank Money Market Account.*
3. *Close the Primus capital reserve account and have all current capital reserve funds transferred to Blue Ridge Bank Money Market Account.*
4. *Open a Blue Ridge Bank capital reserve Money Market Account.*
5. *The Board members who will be authorized on the Blue Ridge Bank Signature cards will be the Officers of the Corrotoman By The Bay Association Board of Directors, consisting of President, Vice President, Secretary and Treasurer, unless two of the officers are from the same household.*

The motion was unanimously approved.

## **2. Request from Pool Committee for additional funds for purchase of a commercial pool vacuum**

This discussion was not required as a decision was made by the Pool Committee to order the residential pool vacuum which was within the budget previously approved by the Board of Directors.

## **3. Appeal and request for a Variance Decision of Architecture Review Board Disapproval of Land Use/ Construction Requests for Outbuilding/garage construction on lots # 459 and 460:**

A Detailed overview of past practices with regard to Architecture Review Board approval of outbuildings for construction on lots that were non-contiguous to the lots with the residence was provided for the record, (see attached). Discussion by Board members ensued. Pat Mason presented his position and request for a variance. At conclusion of discussion, Cristian Shirilla made the following motion, which was seconded by Lisa Adler:

***“Approve the requested variance for construction of garages on lots 459 and 460 due to receipt of consent from all abutting property owners and neighbors, pending receipt of Lancaster County Building Permit.”***

**Variance was approved with five affirmative votes and two negative votes:**

Lisa Adler – Yes

Deb Beutel – Yes

Matt Crabbe – Yes

Travis Gibbons – Yes

Cristian Shirilla – Yes

Claire Smith – No

Don Smith – No

**Motion to Adjourn Meeting:** A motion was made by Lisa Adler and seconded by Matt Crabbe to adjourn the Special meeting at 1:15 pm. The motion was unanimously approved.

## **Executive Summary of CBTB ARB Outbuildings Past Approval Practices**

### **Bottom Line Up Front:**

1. There is documented historical precedence for approval of “Outbuildings” located on lots that are non-contiguous to a lot with the member’s residence.
  - a. See copies of BOTH ARB Shed Approvals of Garner and Gallogly (X2) land use/ construction applications.
2. There are currently numerous metal sheds, carports and garages that are comparable in size to those identified on the Mason/Skylar appeal requests. Many have no documentation of approval.
  - a. Two recent ARB for similar type/size carports and garages approved by ARB for Lots 258-259 (800 sq ft) on 3/5/2021 and Lots 512-513 (780 sq ft) on 11/23/2012
3. There is no documentation of any ARB disapprovals of submitted Land Use/construction applications in the current ARB files. That coupled with lackadaisical enforcement over the years has led to the current situation.
4. The initial land use/construction application submitted by Mason/Skylar of 11/10/2022, included an estimate of \$20,007.50 for the land clearing and site prep. It was approved by ARB on 11/13/2022.
5. The second land use/construction application dated 1/09/2022 & 1/10/2023 included plats with drawings of the driveways and the Skylar 40’X30’ parking pad. They were BOTH approved by the ARB on 1/10/2023.
6. The third land use/construction applications submitted by Skylar on 2/22/2023 and Mason on 3/9/2023 with detailed specs on the final size, building materials and proposed locations for both garages was disapproved by the ARB on 3/11/2023.
7. With regard to the six questions raised by Ed Krill in paragraph 2 of his memo dated May 1, 2023, I believe the answers to all six questions is yes.
8. If the Board desires to change the previous practices and precedence set for approving outbuildings within the community on lots not contiguous to a residential lot, PRIOR to the Approval and publication of the written Declaration, we should prepare and approve a motion and publish the proposed change in ARB approval practices to the community PRIOR to changing the previous practice of approving such structures.
9. It is reasonable to take a community vote on implementing the proposed change but, it is NOT reasonable to subject the Skylar/Mason requests to more scrutiny (such as a community vote on their specific Land use/Construction applications) as that could be considered prejudicial and discriminatory to one set of owners when that practice has never been applied to any other land use/construction application.



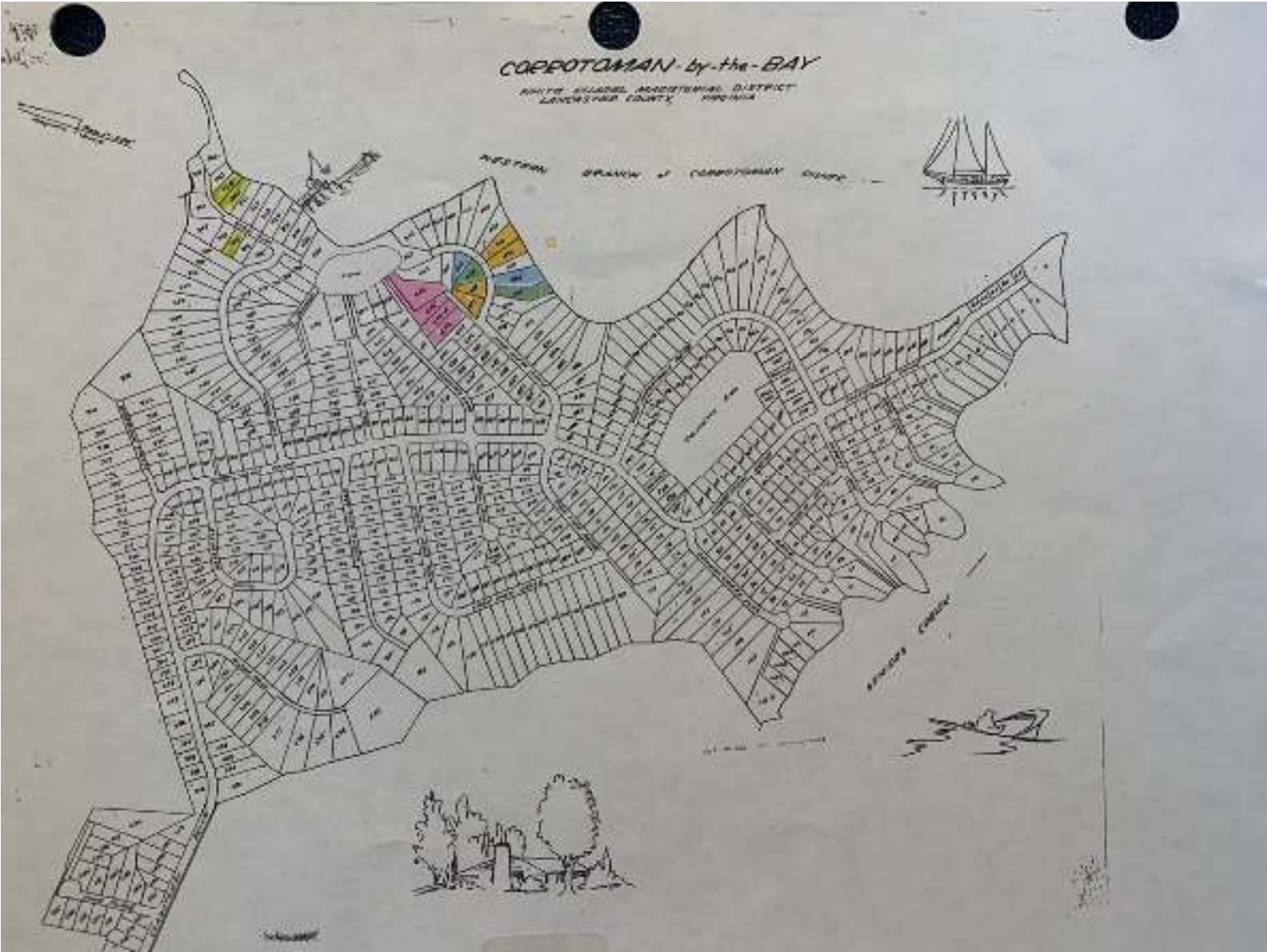
Therefore, based on the above data and the previous ARB practices and precedence set forth, I recommend approval of the Skylar/Mason land use/Construction requests for garage construction.

Submitted by: Deb Beutel, Secretary, CBTB Board of Directors, 7 May 2023

During this appeal process and this meeting there were many questions raised about the actions of prior Boards and Architecture Committees. A careful and complete review of the records indicates that all previously mentioned examples of Approvals of outbuildings on lots that were non-contiguous to the lot with a residence, were in fact appropriately documented and approved by BOTH the ARB and Board. In order to honor their hard work and avoid further questions or accusations, this Board acknowledges that all prior approvals are deemed correct. The Board recognizes there are differences of opinion both among the Community and the Board but none of those take precedence over the prior hard works of these volunteers.

CORROTOMAN-by-the-BAY

WHITE HALLS ACADISTICAL DISTRICT  
LANSING COUNTY MICHIGAN

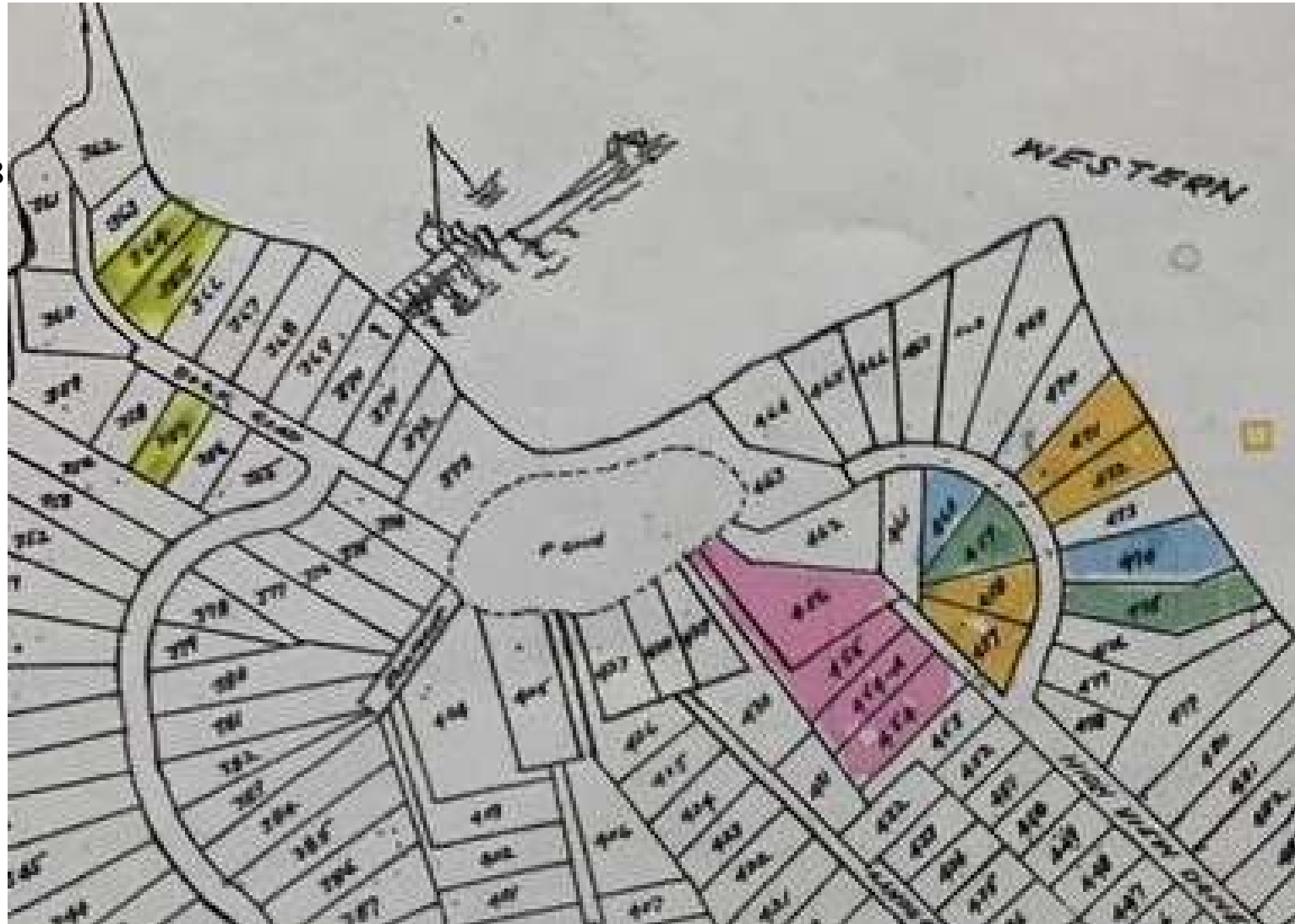


Yellow - Garner Shed Lot 357

Gold - Gallogly Shed Lots 457-458

Green - Mason request Lot 459

Blue - Mason request Lot 460



#### Motorhome Storage Car Port:

- Land Use/Construction Application submitted 16 April 2019
- Approved by ARB 2 May 2019
- Approved by Board during 12 June 2019 Board Meeting and documented in Minutes

#### Shed:

- Land Use/Construction Application submitted 28 September 2020
- Approved by ARB 22 October 2020
- Approved by Board during 31 October 2020 Board Meeting and documented in Minutes

East Highview Drive, Lot 458





Large Open Bay Garage 40' X 20 = 800 sq ft  
442 Corrotoman Drive, Lancaster, VA 22503  
Lots 256, 257, 258, 259 & 260  
Approved 3/5/2021



Enclosed Garage 30' X 26' (780 sq ft)

247 Bayview Drive

Lots 512 & 513

Approved 11/23/2021







Application # \_\_\_\_\_ Name EDWARD N. GARNER Lot# 357 Phone# 462-5663

# CBTB

## Land Use and Construction Application

### Instructions:

The Architectural Control Committee, appointed by the Board of Directors of CBTB, has prepared the following application to assist property owners in construction projects and enhancements to private properties located within this subdivision. This application is intended to cover all areas as defined in the covenants but may be modified by descriptive comments and attachments as needed to meet any special request of property owners. Please refer to Article VI and VII of your covenants for building and land use limitations.

Return application to: **CBTB P.O. Box 99 Mollusk, Va. 22517**

**1. New construction (permanent requiring foundation)**

- A. Submit one full set of plans with elevations
- B. Submit one approved site plan or survey with construction area outlined
- C. List exterior wall finish: North wall \_\_\_\_\_  
East wall \_\_\_\_\_  
South wall \_\_\_\_\_  
West wall \_\_\_\_\_
- D. Roof Material \_\_\_\_\_

**2. Additions and alterations to existing structures**

- A. Submit plans or scale drawing of proposed project
- B. Submit copy of plat with scale drawing of site work
- C. Exterior finish: before, \_\_\_\_\_; after, \_\_\_\_\_
- D. Roof material: before, \_\_\_\_\_; after, \_\_\_\_\_

**3. Pools, septic systems, site work or excavations requiring heavy equipment**

- A. Submit copy of plat or health permit outlining the scope and location of work

**4. Storage facilities and non permanent structures ( not requiring foundations)**

- A. Submit plans, scale drawings or manufacturers specifications
- B. Submit copy of plat with location of proposed structure to scale
- C. Exterior finish: gray vinyl finish
- D. Roof material: Black shingles

**5. Fences, walls or other structures not outlined**

- A. Submit copy of plat showing the location of proposed work to scale
  - B. List dimensions: height \_\_\_\_\_, section length \_\_\_\_\_, total length \_\_\_\_\_
  - C. Material: \_\_\_\_\_
  - D. Description: \_\_\_\_\_
-



Additional comments or information: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Items 1, 2 & 3 require a \$1000.00 road damage deposit held in escrow. This deposit is returned after all work is completed and the Chairman of the Road Committee certifies there is no road damage. This fee is waived for any construction site accessed entirely by roads controlled by Virginia Department of Transportation. The property owner agrees to assume full responsibility for their agents and or contractors during the term of this project for any damage to common property or roads controlled by CBTB. The property owner shall comply with all local, state and federal regulations and codes applicable to the project.

All structures shall be completed on the exterior within 6 months from start of construction.

Signed: Edward M. Garner (Owner) Date: May 4, 2005  
\_\_\_\_\_ (Owner) Date: \_\_\_\_\_

Accepted: \_\_\_\_\_ Date: \_\_\_\_\_  
Architectural Control Committee

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Secretary of the Board

Road deposit required:  Yes  No Amount: \_\_\_\_\_  
Deposit received:  Yes  No Amount: \_\_\_\_\_

Certification to return deposit:  Yes  No Amount: \_\_\_\_\_

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Road Committee

Please allow 30 days from acceptance by the Architectural Committee for Board approval. Incomplete applications or failure to pay deposit when required will not be approved. Please contact the Architectural Committee or Board member if you have a question concerning this application. Every effort will be made to expedite your request in conformity with the Covenants of CBTB.

**A signed copy of this application approved in accordance with the covenants of CBTB shall serve as notice of compliance to proceed with work.**









**10x16 Dutch Barn**

Dove Gray Siding

White Trim

Black Shingles

SHED WILL HAVE DOUBLE DOORS  
ON THE LEFT END. THERE WILL  
BE A SINGLE DOOR BETWEEN THE  
WINDOWS. SHED SIZE IS 12' X 16'



**Dutch Barn**

White Siding

White Trim

Black Shingles



## LANCASTER COUNTY, VIRGINIA

### WHEN IS A CONSTRUCTION PERMIT REQUIRED?

This pamphlet is designed to assist the citizens of Lancaster County to:

1. Determine when permits are needed for various new construction, remodeling and home repair activities;
2. Describe the kinds of permits that must be obtained by work activity; and
3. Outline the procedures for obtaining the necessary permits.

The pamphlet also describes the periodic inspections and approvals needed at various stages of any construction or rehabilitation work.

Lancaster County and all jurisdictions within the Commonwealth of Virginia enforce the Virginia Uniform Statewide Building Code (VUSBC). The following are selected sections of the VUSBC that affect citizens in their efforts to obtain a building, electrical, mechanical, plumbing or HVAC permit:

### SECTION 108: APPLICATION FOR PERMIT

**108.1 When applications are required.** Application for a permit shall be made to the building official and a permit shall be obtained prior to the commencement of any of the following activities, except that applications for emergency construction, alterations or equipment replacement shall be submitted by the end of the first working day that follows the day such work commences. In addition, the building official may authorize work to commence pending the receipt of an application or the issuance of a permit.

1. Construction or demolition of a building or structure, including the installation or altering of any equipment regulated by the VUSBC.
2. For change of occupancy, application for a permit shall be made when a new certificate of occupancy is required under Section 103.3. Movement of a lot line that increases the hazard to or decreases the level of safety of an existing building or structure in comparison to the building code under which such building or structure was constructed.
3. Removal or disturbing of any asbestos containing materials during the construction or demolition of a building or structure, including additions.

**108.2 Exemptions from application for permit.** Notwithstanding the requirements of Section 108.1, application for a permit and any related inspections shall not be required for the following; however, this section shall not be construed to exempt such activities from other applicable requirements of this code. In addition, when an owner or an owner's agent requests that a permit be issued for any of the following, then a permit shall be issued and any related inspections shall be required.

1. Installation of wiring and equipment that (i) operates at less than 50 volts, (ii) is for network powered broadband communications systems, or (iii) is exempt under Section 102.3(1), except when any such installations are located in a plenum, penetrate fire rated or smoke protected construction or are a component of any of the following:
  - 1.1 Fire alarm system.
  - 1.2 Fire detection system.
  - 1.3 Fire suppression system.
  - 1.4 Smoke control system.
  - 1.5 Fire protection supervisory system.
  - 1.6 Elevator fire safety control system.



## Building and Land Use in Lancaster County What You Should Know

The purpose of this brochure is to provide information to prospective and current County landowners about the permits required for building and land use, the process for those permits, and considerations in carrying out the permitted use. To that end, the best access to the Internet is to go to the Lancaster County web site, [www.lancova.com](http://www.lancova.com). It has hot links to the Code of Ordinances, Land Records Database, Public Hearing Schedule, Supervisors Meeting Minutes, Board of Supervisors Meeting Agenda, Bid Advertisement, Employment Opportunities, County Officials Listing, and Public Notices. If your question is answered by accessing the web site, or you prefer to talk to a person, call (804) 462-5220.

Most if not all the activities involving land use or building require a permit. Permits are obtained at the Lancaster County Building and Land Use Office in the Lancaster Administration Building between the hours of 9:00 a.m. and 5:00 p.m. weekdays. You may obtain a permit application by downloading one from the web site or requesting that one be faxed to you. Completed applications can be mailed to the Building and Land Use Office along with necessary fees. They will be processed and the completed permit will be mailed back. Property owners can obtain all permits in their name. Alternatively, property owners can have contractors obtain a permit. If contractors obtain the permit, the Building and Land Use Office will ensure that they have the necessary licenses; if the property owner obtains a permit, then responsibility for the qualification shifts to the property owner. Property owners are ultimately responsible for the permits that are obtained. After the permits are double the normal fees and may involve criminal action.

To save your time, here are some and other important considerations to building and land use within Lancaster County. It is organized by activity so that you may find the activity pertaining to you:

### Zoning

Zoning approval is required anytime the footprint of development changes on your property. This means the addition of a new building, addition to an existing building (including a porch, bulkheads, and rip rap) are all activities that require the issuance of a zoning permit. The cost of a zoning permit is \$50.

The main purpose of zoning is to document the location of your planned development on your property and to ensure that the location meets setback requirements from adjacent property and road rights of way. You would normally file for a zoning permit at the same time that you file for a building permit or approval of a site plan. If you are not submitting a professionally prepared site plan, you are best served by bringing a plat of your property to the Building and Land Use Office.



1.7. Access or egress control system or delayed egress locking or latching system.

1.8. Fire damper.

1.9. Door control system.

2. Detached accessory structures used as tool and storage sheds, playhouses or similar uses, provided the floor area does not exceed 150 square feet (14 m<sup>2</sup>) and the structures are not accessory to a Group F or H occupancy.

3. Detached pre-fabricated buildings housing the equipment of a publicly regulated utility service, provided the floor area does not exceed 150 square feet (14 m<sup>2</sup>).

4. Tents or air-supported structures, or both, that cover an area of 900 square feet (84 m<sup>2</sup>) or less, including within that area all connecting areas or spaces with a common means of egress or entrance, provided such tents or structures have an occupant load of 50 or less persons.

5. Fences and privacy walls not part of a building, structure or of the barrier for a swimming pool, provided such fences and privacy walls do not exceed six feet in height above the finished grade. Ornamental post caps shall not be considered to contribute to the height of the fence or privacy wall and shall be permitted to extend above the six feet height measurement.

6. Retaining walls supporting less than two feet of unbalanced fill. This exemption shall not apply to any wall impounding Class I, II or III-A liquids or supporting a surcharge other than ordinary unbalanced fill.

7. Swimming pools that have a surface area not greater than 150 square feet (13.95 m<sup>2</sup>), do not exceed 5,000 gallons (19 000 L) and are less than 24 inches (610 mm) deep.

8. Ordinary repairs not including (i) the cutting away of any wall, partition or portion thereof; (ii) the removal or cutting of any structural beam or loadbearing support; (iii) the removal or change of any required means of egress; (iv) the rearrangement of parts of a structure affecting the egress requirements; (v) the addition to, alteration of, replacement of or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas or oil, soil, waste, vent or similar piping, electric wiring or mechanical work; or (vi) any other work affecting public health or general safety. However, ordinary repairs shall include, but are not limited to, the following:

8.1 Either within the dwelling unit in Group R-2 occupancies that are four stories or less in height or in Group R-3, R-4 and R-5 occupancies, or both, replacement of (i) either mechanical or plumbing equipment or appliances, or both, provided such equipment or appliances are not fueled by gas or oil; (ii) floor coverings or porch flooring, or both; and (iii) windows, doors, electrical switches, electrical outlets, light fixtures or ceiling fans.

8.2. In Group R-3, R-4 or R-5 occupancies, replacement of either roof coverings or siding or the installation of siding, or both, provided the buildings or structures are not subject to wind speeds greater than 100 miles per hour (160 km/hr), determined in accordance with applicable requirements of this code.

8.3. Installation of cabinets, painting, replacement of interior floor finish or interior covering materials, or both, and repair of (i) plaster, (ii) interior tile, and (iii) any other interior wall covering.



9. Signs under the conditions in Section H101.2 of Appendix H. 10. Replacement of above-ground existing LP-gas containers of the same capacity in the same location and associated regulators when installed by the serving gas supplier.

**108.4 Prerequisites to obtaining permit.** In accordance with Section 54.1-1111 of the Code of Virginia, any person applying to the building department for the construction, removal or improvement of any structure shall furnish prior to the issuance of the permit, either (i) satisfactory proof to the building official that he is duly licensed or certified under the terms or Chapter 11 (Section 54.1-1000 et seq.) of Title 54.1 of the Code of Virginia to carry out or superintend the same, or (ii) file a written statement, supported by an affidavit, that he is not subject to licensure or certification as a contractor or subcontractor pursuant to Chapter 11 of Title 54.1 of the Code of Virginia. The applicant shall also furnish satisfactory proof that the taxes or license fees required by any county, city, or town have been paid so as to be qualified to bid upon or contract for the work for which the permit has been applied.

**108.5 Mechanics' lien agent designation.** In accordance with Section 36-98.01 of the Code of Virginia, a building permit issued for any one- or two-family residential dwelling shall at the time of issuance contain, at the request of the applicant, the name, mailing address, and telephone number of the mechanics' lien agent as defined in Section 43-1 of the Code of Virginia. If the designation of a mechanics' lien agent is not so requested by the applicant, the building permit shall at the time of issuance state that none has been designated with the words "None Designated."

**108.6 Application form, description of work.** The application for a permit shall be submitted on a form or forms supplied by the local building department. The application shall contain a general description and location of the proposed work and such other information as determined necessary by the building official.

**108.8 Time limitation of application.** An application for a permit for any proposed work shall be deemed to have been abandoned six months after the date of filing unless such application has been pursued in good faith or a permit has been issued, except that the building official is authorized to grant one or more extensions of time if a justifiable cause is demonstrated.

## REQUIRED FOOTINGS / FOUNDATIONS

**R403.1 General.** All exterior walls shall be supported on continuous solid or fully grouted masonry or concrete footings, wood foundations, or other approved structural systems which shall be of sufficient design to accommodate all loads according to Section R301 and to transmit the resulting loads to the soil within the limitations as determined from the character of the soil. Footings shall be supported on undisturbed natural soils or engineered fill. **Exception:** One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, not exceeding 256 square feet (23.7824 m<sup>2</sup>) of building area, provided all of the following conditions are met: 1. The building height is not more than 12 feet. 2. The maximum height from the finished floor level to grade does not exceed 18 inches. 3. The supporting structural elements in direct contact with the ground shall be placed level on firm soil and when such elements are wood they shall be approved pressure preservative treated suitable for ground contact use. 4. The structure is anchored to withstand wind loads as required by this code. 5. The structure shall be of light-frame construction whose vertical and horizontal structural elements are primarily formed by a system of repetitive wood or light gauge steel framing members, with walls and roof of light weight material, not slate, tile, brick or masonry.



## ARTICLE 5. - RESIDENTIAL, GENERAL, DISTRICT R-1

## Statement of Intent

This district is composed of certain low to medium concentrations of residential uses, plus certain open areas where similar development appears likely to occur. The regulations for this district are designed to protect the water and shorelands of the county by providing for safe and orderly shoreland development; to stabilize and protect the essential characteristics of the district; to promote and encourage, insofar as compatible with the intensity of land use, a suitable environment for family life; and to permit certain commercial uses of a character unlikely to develop general concentration of traffic, crowds, or customers, and general outdoor advertising. To these ends, retail activity is sharply limited and this district is protected against encroachment of general commercial or industrial uses. This residential district is not completely residential as it includes public and semipublic, institutional, and other related uses. However, it is basically residential in character and, as such, should not be spotted with commercial and industrial uses.

(Ord. of 10-27-16(1))

## 5-1. - Use regulations.

Only one building and its accessory buildings may be erected on any lot or parcel of land in the residential, general, district R-1. The structure to be erected or land to be used shall be for the following uses:

5-1-1. Agriculture, but with a special exception for animal and poultry husbandry on a commercial basis.

5-1-2. Single-family dwellings.

5-1-3. Individual manufactured homes with a permanent masonry foundation, undercarriage removed, a roof pitch of 3:12 or greater, a minimum of 24 feet in width, and declared as real property. Individual manufactured homes not meeting all these criteria, with a special exception.

5-1-4. Two-family dwellings.

5-1-5. Boardinghouse, with a special exception.

5-1-6. Bed and breakfast, with a special exception.

5-1-7. Boat piers, private. (Ord. of 2-95)



5-1-8. (Repealed 11-22-93.)

5-1-9. Areas of basic seafood processing facilities, with a special exception.

5-1-10. Churches and schools.

5-1-11. Rest homes.

5-1-12 (Repealed 12-4-92.)

5-1-13. Hospitals, with a special exception.

5-1-14. Clubs and golf courses. (Ord. of 10-31-02)

5-1-15. Libraries.

5-1-16. Cemeteries.

5-1-17. Parks and playgrounds.

5-1-18. (Repealed 12-4-92.)

5-1-19. A professional office, with a limit of one unit and four workers per lot, with a special exception.

5-1-20. Home occupations, as defined.

5-1-21. Off-street parking as required by this ordinance.

5-1-22. Accessory buildings. (Ord. of 4-95)

5-1-23. Public utility booster or relay stations, transformer substations, cellular and other public communication towers which extend higher than 35 feet above ground level, with a special exception. Distribution lines and poles, pipes, meters and other facilities for the provision and maintenance of public utilities, including water and sewer installations, are permitted in this district. (Ord. of 11-14-96)

5-1-24. Windmills, with a special exception.

5-1-25. Boat ramp, private.

5-1-26. Reserved.

5-1-27. County sanctioned public facility.

5-1-28. Community pier.



5-1-29. Pet cemeteries and pet crematoriums, with a special exception. (Ord. of 10-95)

5-1-30. Disposal of dredge spoil, with a special exception.

5-1-31. Private Heliports, with a special exception. (Ord. of 5-28-98; Ord. of 8-27-98(1))

5-1-32. Sales platform, temporary, with Zoning Administrator's approval. (Ord. of 5-28-98)

5-1-33. Service provider installation of single-pole high-speed data communication antennas less than 100 feet in total height with main structure setbacks. Poles not meeting these criteria, with a special exception.

(Ord. of 12-4-92; Ord. of 3-25-93; Ord. of 4-29-93; Ord. of 1-25-96(1); Ord. of 10-24-96(1); Ord. of 11-14-96(3); Ord. of 5-28-98; Ord. No. 8-27-98; Mins. of 11-29-01; Ord. of 12-16-13; Ord. of 10-27-16(1))

5-2. - Area regulations.

5-2-1. For lots containing or intended to contain a permitted use served by neither public water or public sewer systems the minimum lot area shall be 30,000 square feet.

5-2-2. For lots containing or intended to contain a permitted use served by public water or sewage disposal systems, the minimum lot area shall be 20,000 square feet.

5-2-3. For permitted uses utilizing individual sewage disposal systems, the required area for any such use shall be approved by the health official. The administrator, with the approval of the board of supervisors, may require a greater area if considered necessary by the health official. Conditional septic disposal system permits which limit the use of the subject property to a specified portion of the year are hereby strictly prohibited.

(Ord. of 8-94; Ord. of 10-27-16(1))

5-3. - Setback regulations.

Structures shall be located 75 feet or more from the centerline of any street or road right-of-way, but, in no event less than 50 feet from the edge of the right-of-way. This shall be known as the "setback line."

(Ord. of 10-27-16(1))

5-4. - Frontage regulations.

The minimum lot width for permitted uses shall be 100 feet at the setback line.

(Ord. of 10-27-16(1))



## 5-5. - Yard regulations.

5-5-1. *Side.* The minimum side yard for each main structure and accessory structures exceeding one-story shall be 25 feet and the total width of the two required side yards shall be 50 feet or more. The minimum side yard for one-story accessory structures shall be five feet. Accessory structures located closer than five feet to the main building are considered part of the main structure. Accessory structures may be attached to the main structure by walkways, decks, patios, and steps.

5-5-2. *Rear.* Each main structure and accessory structures exceeding one-story shall have a rear yard of 25 feet or more. The minimum rear yard for one-story accessory structures shall be five feet. Accessory structures located closer than five feet to the main building are considered part of the main structure. Accessory structures may be attached to the main structure by walkways, decks, patios, and steps.

(Ord. of 4-95; Ord. of 10-27-16(1))

## 5-6. - Height regulations.

Buildings may be erected up to 35 feet in height from grade except that:

5-6-1. The height limit for dwellings may be increased ten feet and up to three stories provided there are two side yards, each of which is 25 feet or more, plus one foot or more of side yard for each additional foot of building height over 35 feet.

5-6-2. A public or semipublic building such as a school, church, library or hospital may be erected to a height of 60 feet from grade provided that the required front, side, and rear yards shall be increased one foot for each foot in height over 35 feet.

5-6-3. Church spires, belfries, cupolas, agricultural buildings, silos, grain elevators and legs, monuments, water towers, chimneys, flues, flagpoles, television antennae, and radio aerials are exempt. Parapet walls may be up to four feet above the height of the building on which the walls rest.

5-6-4. No accessory building which is within 25 feet of any property lot line shall be more than one story high.

(Ord. of 10-27-16(1))

## 5-7. - Special provisions for corner lots.

5-7-1. Of the two sides of a corner lot the front shall be deemed to be the shorter of the two sides fronting on streets.



5-7-2. The side yard on the side facing the side street shall be 35 feet or more for both main and accessory building.

5-7-3. For subdivisions platted after the enactment of this ordinance, each corner lot shall have a minimum width at the setback line of 125 feet or more.

(Ord. of 10-27-16(1))

5-8. - Sign regulations.

Sign regulations shall conform to article 11 of this ordinance.

(Ord. of 10-27-16(1))



