

ARTICLE 5

APPLICATION OF ZONING REGULATIONS

The regulations established herein within each district shall be minimum regulations and shall be uniformly applied to each class or structure of land, except as hereinafter provided:

501.00 USES

No building or land shall hereafter be used or occupied and no building or part thereof shall be erected, constructed, moved, or structurally altered except in conformity with the regulations herein specified for the district in which it is or is to be located.

501.01 **Permitted Uses.** A permitted use is one, which is allowed in the district in which the land is situated. Where the proposed use is permitted and is in accordance with other regulations herein, a Zoning Permit will be issued by the Zoning Administrator, without a public hearing.

501.02 **Conditional use.** A conditional use is one which may be allowed when the Gordonsville Town Council, after review of the application and hearing thereon, finds as a fact that the proposed use or uses are consistent with the Comprehensive Plan and the policies of the Town and the public interest. Where the use is Conditional, a zoning permit will be issued by the Zoning Administrator after such conditional use has been approved by the Town Council.

502.00 BUILDINGS

No building shall hereafter be erected, constructed, or altered so as to exceed the height limit, to accommodate or house a greater number of families, or to occupy a greater percentage of the lot area than is required or specified in the regulations herein for the district in which it is located.

503.00 LOTS AND YARDS

No new lot or yard shall hereafter be created, nor shall any lot or yard existing at the time of enactment of the Ordinance be altered, nor shall any building or structure, whether new or existing be moved, so that lot width, depth, or area requirements; front, side, or rear yard requirements; or inner or outer court requirements; or other requirements of this Ordinance are not maintained, except when a portion of a lot is acquired for public use. No part of a yard or other open space required for any building for the purpose of complying with the provisions of the Ordinance shall be included as part of a yard or other open space similarly required for another building. Every part of a required yard or court shall be open from its lowest point

to the sky unobstructed, except for the ordinary projection of sills, cornices, buttresses, ornamental features, chimneys, flues, and eaves, provided such projections shall not extend into the required yard areas for a distance exceeding two (2) feet.

504.00 GARDENING

Gardening shall be exempt from zoning permit requirements in any district allowing residential uses provided that such gardening shall not be objectionable by reason of odor, dust, noise, pollution, soil erosion, sedimentation, or drainage.

505.00 PERMITS ISSUED PRIOR TO ADOPTION OF ORDINANCE

Nothing contained therein shall require any change in the plans or construction of any building or structure for which a permit was granted before the effective date of this Ordinance. However, if such construction does not commence within thirty (30) days after this Ordinance becomes effective, or if construction is discontinued for a period of six (6) months or more, further construction shall be in conformity with the provisions of this Ordinance for the district in which the operation is located.

605.00 GENERAL BUSINESS B-1

605.01 **Intent of the General Business District, B-1.** Generally, this district covers that portion of the Town intended for the conduct of general business to which the public requires direct and frequent access, but which is not characterized either by constant heavy trucking other than stocking and delivery of light retail goods, or by any nuisance factors other the occasions by incidental light and noise of congregation of people and passenger vehicles. This includes such uses as retail stores, banks, theaters, business offices, newspaper offices, restaurants, taverns, garages, and service stations.

605.02 **Permitted Uses.** Within the General Business District, B-1, the following uses are permitted:

605.02-1 Department Stores, grocery stores, variety stores, specialty shops (retail), appliance stores, and residential-over-retail;

605.02-2 Bakeries with total building square footage not to exceed five thousand (5000) square feet;

605.02-3 Laundries, dry cleaning shops, retail apparel, retail shoe stores, theaters, assembly halls, playhouses, dinner theaters, hotels, inns/bed and breakfasts houses, banks and loan/finance offices, including drive-in types, Churches, other places of worship, church schools, private schools, libraries, hospitals, all professional offices as defined in 603.02, funeral home and or mortuary, automobile service stations and public garages (all major repairs must be under cover, including storage of cars, and screened from the public's view), clubs lodges, automobile sales, child care centers;

605.02-4 Carpenter, electrical, plumbing, heating appliance, bicycle sales and repair, or any other similar shop provided that business shall be conducted within a completely enclosed building;

605.02-5 Public utility transmission systems, public service and storage buildings, restaurants, taverns, brewpubs; micro-breweries, micro-distilleries or micro-wineries; soda fountains, and drive-in restaurants, newspaper offices, greenhouses, personal service offices, police, fire and rescue squad stations, post offices, bus stations, taxi stands, radio and television broadcasting studios, public buildings and properties of a cultural, administrative, or service type, parking garages and parking lots, business and vocational schools, museums, recording studios, dance studios, and other music related instructional facilities.

605.03 **Conditional uses.** When, after review of an application and a public hearing thereon, in accordance with Article 8, Gordonsville Town Council finds as a fact that the proposed use is compatible with surrounding uses, is consistent with the intent of this ordinance and of the Comprehensive Plan, is in the public interest, and will comply with all other provisions of law and ordinances of Gordonsville, the following uses may be permitted with appropriate conditions: (note: the applicant is responsible for all costs pertaining to conditional use permit requests).

§605.02-1 amendment adopted 11-18-2013 (discount pawn shops removed) and on 7-17-2017 (add residential-over-retail); §605.02-5 amendment adopted 7-17-2017 (add brewpubs – micro-wineries); §605.03 amendment adopted 8-15-2011

- 605.03-1 Wholesale and processing, providing that the uses are not objectionable because of dust, noise or odors;
- 605.03-2 Public billiard parlors and poolrooms, bowling alleys, dance halls, amusement centers, massage parlors, adult bookstores, and similar forms of public amusement only upon the issuance of a special use permit by the Town Council. Such permit shall be issued by the Council only after referring the matter to the Planning Commission for recommendation and only after both the Planning Commission and the Town Council have held public hearings on the application, the cost of which is to be paid by the applicant. In approving any such application, the Council may establish such special requirements or regulations for the design of buildings, protection of adjacent property, hours of operation, license fees, or other restrictions, as it may deem necessary to the public interest. No such permit shall be issued for such business to be operated within 250 feet of any building occupied as a residence. Such permit shall be non-transferable and shall be subject to revocation by the Town Council after public hearing with fourteen (14) days' notice to the permittee upon a finding that the permittee has been convicted of any violation of State, County, or Town Law. If issued, said special use permit is not transferable.
- 605.03-3 Television and radio transmitting antennae, athletic fields, stadiums, and arenas, circuses, carnivals, fairs, and sideshows, drive-in theaters, overheight recreational vehicle park, storage or warehouse provided that any such use is at least fifty (50) feet from any residential district;
- 605.03-4 Apartments in existing structures;
- 605.03-5 Kennels and animal hospitals provided such use is at least 200 feet from any residential lot, skating rinks, miniature golf courses, or similar recreational use of facility if located at least two hundred (200) feet from any residential lot;
- 605.03-6 Single or multi-family dwellings with lot and permit requirements being the same as those in the R-1 or R-2 districts applicable.
- 605.03-7 Lumber and building supply, plumbing and electrical supply (all with storage under cover or concealed from public view);
- 605.03-8 Automobile painting, upholstering, rebuilding, reconditioning, and body and fender works.
- 605.03-9 Breweries, distilleries or wineries. (added per Council on 7-17-2017)
- 605.04 **Accessory Uses.** Where a lot is devoted to a permitted principal use, customary accessory uses and structures are authorized if deemed appropriate by the Zoning Administrator. The Zoning Administrator may seek the advice of the Planning Commission should he deem it necessary. The Planning Commission may require a public hearing before providing advice to the Zoning Administrator. The applicant must pay all costs associated with the public hearing.
- 605.05 All signs must conform to Article 7 of this Ordinance.
- 605.06 Parking provisions must conform to Article 7 of this Ordinance.

B-1 District

Front Setback	None (0)
Minimum Side Yard.....	none (0)
Minimum Lot Area w/o water or sewer	10,000 sq. ft.
Minimum Lot Area w/ water or sewer	7,000 sq. ft.
Minimum Rear Yard	Ten- (10) ft.
Minimum Lot Width	Seventy-five (75) ft.
Minimum Lot Width, Corner Lot.....	One Hundred (100) ft.
Maximum Height (any Structure)	Thirty-five (35) ft.

M-1 District

Front Setback	55' from center of street
Minimum Side Yard.....	None (0)
Minimum Side Yardadjacent to resident zone (r-1, R-2, R-3, R-4)	(twenty)- 20
Minimum Lot Area w/o water or sewer	10,000 sq. ft.
Minimum Lot Area w/ water or sewer	7,000 sq. ft.
Minimum Rear Yard	Ten- (10) ft.
Minimum Lot Width	Seventy-five (75) ft.
Minimum Lot Width, Corner Lot.....	One Hundred (100) ft.
Maximum Height (any Structure)	Sixty-five (65) ft.
Maximum Stack Height	Ninety-eight (98) ft.
Maximum Lot Coverage	70% of lot area

Ag District

Front Setback	55' from the center of the road or 30' from edge of road
Minimum Lot Area	2 acres
Minimum Lot Width	200'
Minimum Side Yard.....	20'
Minimum Side Yard – Corner Lots.....	55' from center of side street
Minimum Rear Yard	35'
Maximum Height (any structure).....	35'

701.01 **Modification of Yard Requirements.** Yard requirements may be modified to provide:

- 701.01-1 An unenclosed porch may project into a required front yard for a distance not exceeding ten (10) feet.
- 701.01-2 A patio may be included as open space in meeting open space requirements and may be included as yard area in meeting yard dimension requirements provided no structure is closer than five (5) feet of the property line. No patio or open court area may be located in the front yard of a lot without adequate screening.
- 701.01-3 Minimum setback requirements of the ordinance for yards facing streets shall not apply to any lot where the average setback on developed lots within the same block and zoning district and fronting on the same street is less than the minimum. In such cases, the setback on such lot may be less than the required setback but not less than the average of the existing setbacks on the existing developed lots;
- 701.01-4 Signs advertising sale or rent of premises may be erected up to the property line.

Ag district regulations adopted 4-23-07














Town of Gordonsville Zoning Map

Adopted: 10/26/2009



Zoning

- | | | |
|--|--|---|
|  R1 |  B1 |  Town Boundary |
|  R2 |  B2 |  Historic Overlay District |
|  R3 |  M1 |  Railroad |
|  R4 | |  Proffer |

