established in the Roanoke Leader, a newspaper of general circulation in the
City of Roanoke, Alabama, on the 1st day of March, 1951.

Clerk, City of Roanoke, Alabama

ZONING ORDINANCE 399

AN ORDINANCE, IN PURSUANCE OF THE AUTHORITY GRANTED BY
TITLE 37, CHAPTER 16, SECTION 774 to 785 INCLUSIVE OF THE 1940
CODE OF ALABAMA, AS AMENDED, TO PROVIDE FOR THE ESTABLISHMENT
OF DISTRICTS WITHIN THE CORPORATE LIMITS OF THE CITY OF ROANOKE,
ALABAMA; TO REGULATE WITHIN SUCH DISTRICTS THE HEIGHT, NUMBER OF
STORIES, AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE
OF LOT THAT MAY BE OCCUPIED, THE SIZE OF YARDS AND OTHER OPEN SPACES,
THE DENSITY OF POPULATION, AND THE USE OF BUILDINGS, STRUCTURES,
AND LAND; TO PROVIDE METHODS OF ADMINISTRATION OF THIS ORDINANCE
AND PENALTIES FOR THE VIOLATION THEREOF.

THE PUBLIC WELFARE REQUIRING IT, be it ordained by the City
Council of the City of Roanoke, Alabama, as follows:

ARTICLE 1 - CLASSIFICATION AND ESTABLISHMENT OF DISTRICTS

SECTION 11. SHORT TITLE

This ordinance shall be known as the "Zoning Ordinance of
the City of Roanoke, Alabama", and the following map, which is iden-
tified by the title, "City of Roanoke, Alabama, Zoning Map," dated
May 14, 1951, shall be known as the "Zoning Map of Roanoke", and
said map and all explanatory matter thereon are hereby adopted and
made a part of this ordinance.

SECTION 12. DISTRICTS

For the purpose of this ordinance the area of the City of
Roanoke is hereby divided into seven (7) types of districts designated
as follows:
SECTION 13. DISTRICT BOUNDARIES

The boundaries of the above districts are hereby established as shown on the Zoning Map of Roanoke, which is adopted as part of this ordinance and is filed in the office of the City Clerk.

Unless otherwise specifically shown on the Zoning Map of Roanoke the boundaries of districts are lot lines, the center lines of streets or alleys or such lines extending, railroad right-of-way lines, such boundary lines as natural or artificial water courses, and the corporate limit lines as they existed at the time of the enactment of this ordinance.

Questions concerning the exact location of district boundary lines shall be decided by the Board of Zoning Adjustment, constituted as provided in Section 131 hereof.

ARTICLE 2 - RESIDENCE "A" DISTRICT REGULATIONS

Within a Residence "A" District as shown on the Zoning Map of Roanoke, the following regulations shall apply:

SECTION 21. USES PERMITTED

21.1 Single family dwellings

21.2 Churches, public and private schools offering general educational courses, public libraries, and public parks.

21.3 Customary agricultural uses and gardens and buildings incident to these uses, but not including commercial animal or poultry farms and kennels.

21.4 Plant nurseries and greenhouses, provided no retail sales are made on the premises, and provided further, that all structures (not including dwellings) and material storage
facilities are located not less than twenty (20) feet from all property lines.

21.5 Municipal, county, state, or federal use; public utilities; hospitals for human care except those primarily for mental cases; philanthropic institutions; clubs, except those whose chief activity is a service customerily carried on as a business; and golf courses; provided, however, that no permit shall be issued for these uses except with the written approval of the Board of Zoning Adjustment and subject to such conditions as said Board may require to preserve and protect the character of the district and otherwise promote the purposes of this ordinance.

21.6 Accessory structures (such as private garages and coal sheds) customerily incidental to the above permitted uses, provided they conform to front, rear, and side yard requirements established for such use in Section 96 hereof.

21.7 Customary home occupations incidental to the above permitted uses (such as offices of a doctor, dentist, lawyer, or notary; dressmaking; the taking of tourists and boarders; and the leasing of rooms) under conditions hereinafter specified:

21.71 Customary home occupations shall be conducted only in a main building and only by a person resident in said building.

21.72 The area designed or used for such customary home occupations in a dwelling shall not exceed twenty-five (25) per cent of the total floor area of said dwelling.

21.73 One sign, not over two (2) square feet in area, may be used but there shall be no public display of goods.
21.8 A real estate sign advertising the sale, rental, or lease of the premises on which it is maintained, provided that such sign does not exceed eight (8) square feet in area for each 1/4 acre in the lot or tract; provided further that such signs shall be located at least twenty (20) feet distant from all street lines.

21.9 Cemeteries; provided, however, that no permit shall be issued for this use except with the written approval of the Board of Zoning Adjustment and subject to such conditions as said Board may require to preserve and protect the character of the district and otherwise promote the purposes of this ordinance.

SECTION 22. REQUIRED LOT AREA, LOT WIDTH, YARDS, AND BUILDING AREA

22.1 Buildings and other structures shall be located so as to comply with the following requirements:

- Minimum required lot area - 10,000 square feet.
- Minimum required lot width at the building line - 75 ft.
- Minimum required depth of front yard - 35 feet.
- Minimum required depth of rear yard - 40 feet.
- Minimum required width of each side yard:
  - Main building 1 to 1-1/2 stories in height - 8 ft.
  - Main building 2 to 2-1/2 stories in height - 10 ft.
- Maximum total building area - 25% of total lot area.

22.2 All structures permitted in subsection 21.5 hereof, including accessory buildings, shall be located not less than twenty-five (25) feet from all property lines.

SECTION 23. HEIGHT OF BUILDING

No building shall exceed two and one-half (2-1/2) stories or thirty-five (35) feet in height, except as provided in Section 104 hereof.

ARTICLE 3 - RESIDENCE "B" DISTRICT REGULATIONS

Within a Residence "B" District as shown on the Zoning Map of Roanoke, the following regulations shall apply:

SECTION 31. USES PERMITTED
31.1 All uses permitted in a Residence "A" District, as set forth in Section 21 hereof, except as hereinafter modified.

31.2 Dwellings for two families, and apartment houses.

31.3 Accessory structures and home occupations customarily incidental to any of the aforesaid permitted uses subject to all conditions set forth in subsection 21.7 hereof, except that the area used for home occupations in a dwelling shall not exceed forty (40) per cent of the total floor area of said dwellings.

SECTION 32. REQUIRED LOT AREA, LOT WIDTH, YARDS, AND BUILDING AREA

Buildings and other structures shall be located so as to comply with the following requirements:

Minimum required lot area - 7,500 square feet.
Minimum required lot area per family dwelling unit - 3,750 square feet for each of the first two dwelling units in a structure and 2,500 square feet for each additional dwelling unit therein.
Minimum required lot width at the building line - 60 ft.
Minimum required depth of front yard - 25 feet.
Minimum required depth of rear yard - 30 feet.
Minimum required width of one side yard:
- Main building 1 to 1-1/2 stories in height - 6 feet.
- Main building 2 to 2-1/2 stories in height - 8 feet.
Minimum required width of other side yard:
- 10 feet to allow access to rear of lot.
Maximum building area - 35% of total lot area.

SECTION 33. HEIGHT OF BUILDINGS

No buildings shall exceed two and one-half (2-1/2) stories or thirty-five (35) feet in height except as provided in Section 104 hereof.

ARTICLE 4- RESIDENCE C DISTRICT REGULATIONS

Within a Residence "C" District as shown on the Zoning Map of Roanoke, the following regulations shall apply:

SECTION 41. USES PERMITTED

41.1 All uses permitted in a Residence "B" District as set forth in Section 31 hereof, except as hereinafter modified.

41.2 Hotels.
Accessory structures and home occupations customarily incidental to any of the aforesaid permitted uses and subject to all the conditions set forth in subsection 21.7 hereof, except that the area used for home occupations in a dwelling shall not exceed fifty (50) per cent of the total floor area of said dwelling.

SECTION 42. REQUIRED LOT AREA, LOT WIDTH, YARDS, AND BUILDING AREA

Dwellings, hotels, and apartment houses shall be located so as to comply with the following requirements:

- Minimum required lot area for a dwelling: 6,000 square feet.
- Minimum required lot area for each family dwelling unit: 2,500 square feet.
- Minimum required lot width at the building line: 50 feet.
- Minimum required depth of front yard: 25 feet.
- Minimum required depth of rear yard: 30 feet.
- Minimum required width of one side yard:
  - Main building 1 to 1-1/2 stories in height: 6 feet.
  - Main building 2 to 2-1/2 stories in height: 8 feet.
- Minimum required width of other side yard: 10 feet for driveway to rear of lot.
- Maximum building area: 40% of total lot area.

SECTION 43. HEIGHT OF BUILDINGS

No building shall exceed two and one-half (2-1/2) stories or thirty-five (35) feet in height, except as provided in Section 104 hereof.

ARTICLE 5 - LOCAL BUSINESS DISTRICT REGULATIONS

Within a Local Business District, as shown on the Zoning Map of Roanoke, the following regulations shall apply:

SECTION 51. USES PERMITTED

51.1 All uses permitted in a Residence "C" District, as set forth in Section 41 hereof.

51.2 Grocery and drug stores; meat and fruit markets; filling stations and garages where no major repair work is done; barber shops and beauty shops; offices and shoe repair shops; branch laundry and dry cleaning establishments where
no laundering or dry cleaning is done on the premises; laun-
derettes; and any similar retail business or service which
is established for the convenience of neighboring residents.

51.3 Accessory uses, structures, and signs customarily incidental
to the aforesaid permitted uses provided that signs shall
not extend more than eighteen (18) inches beyond the building
line, and that no sign shall advertise products not ordinar-
ily offered for sale in a local business district.

51.4 A real estate sign advertising the sale, rental, or lease of
the premises on which it is maintained; provided such sign
does not exceed six (6) square feet in area for each one-
fourth (1/4) acre lot or less and does not exceed twelve (12)
square feet for larger lots; and provided further that such
sign shall be located at least the minimum setback distance
required for dwellings in such district.

SECTION 52. REQUIRED LOT AREA, LOT WIDTH, YARDS, AND BUILDING AREA

Buildings and other structures shall be located so as to
comply with the following requirements:

52.1 Dwellings and apartment houses shall comply with all regula-
tions of the Residence "C" District as set forth in Sections
42 and 43.

52.2 On any lot on which a business structure or use is hereafter
established, there shall be a front yard of not less than
twenty (20) feet in depth.

52.3 On any lot on which a business structure or use is hereafter
established accessible to or adjoining a public or private
alley, or on any corner lot on which a business structure is
hereafter established and which adjoins a residence district
there shall be a rear yard not less than twenty (20) feet
in depth and adequate for the handling of wastes and garbage
and the loading and unloading of vehicles and which shall be
provided with vehicular access to a street or alley.

52.4 On any corner lot on which a business structure or use is
hereafter established there shall be a side yard adjacent
to the street of not less than eight (8) feet in depth.

52.5 On any lot on which a business structure or use is hereafter
established, adjoining along its side lot line another lot
which is in a residential district, there shall be a side
yard adjacent to the residential lot not less than ten (10)
feet wide. Said yard may be used for a drive to the rear of
the lot and, if sufficiently wide, may be used for off-street
vehicle standing space.

SECTION 53. OFF-STREET AUTOMOBILE STORAGE

On any lot on which any business or service is hereafter
established, there shall be provided vehicle standing space or parking
area on the lot equal to not less than two hundred (200) square feet
for each five (5) feet of frontage on such lot, except as provided
in Section 97 hereof. For corner lots this requirement shall mean
frontage on one street only. Such standing space shall be accessible
to a street or alley and may be located in the front yard required in
subsection 52.2 hereof. Where business buildings are set back from
the property line for the purpose of off-street automobile parking,
the ingress to such parking areas shall not extend across the full
frontage; a driveway entrance and exit, not to exceed twenty (20)
feet in width, shall be provided across the sidewalk. Sidewalks not
less than five (5) feet in width shall be provided between parking
areas and buildings, and there shall be a curb of not less than six
(6) inches and not more than eight (8) inches in height between the
parking area and any adjacent sidewalk.

SECTION 54. HEIGHT OF BUILDINGS
No building shall exceed two and one-half (2-1/2) stories or thirty-five (35) feet in height except as provided in Section 104 hereof.

**ARTICLE 6 - GENERAL BUSINESS DISTRICT REGULATIONS**

Within a General Business District as shown on the Zoning Map of Roanoke, the following regulations shall apply;

**SECTION 61. USES PERMITTED**

61.1 All uses permitted in a Local Business District, as set forth in Section 51 hereof.

61.2 Places of amusement and assembly.

61.3 Banks and Offices for any business or pursuit.

61.4 Auto repair shops and other motor vehicle service.

61.5 Any retail or wholesale business or service, including the making of articles to be sold at retail on the premises; provided, however, that any manufacturing shall be restricted to light manufacturing incidental to a retail business or service where the products are sold on the premises by the producer to the consumer and where not more than five (5) operators are employed in such manufacturing; and further provided that the following uses shall not be permitted: stock yard; live animal sales; coal yard; lumber yard or mill; auto wrecking; grist or flour mill; ice plant; junk, storage or baling of scrap paper or rag; gasoline, oil, or alcohol storage above ground in excess of five hundred (500) gallons; laundry or cleaning establishment or bakery employing more than eight (8) persons; stone or monument works; and any other uses which in the opinion of the Board of Zoning Adjustment would be injurious because of offensive fumes, ordors, dust or other objectionable features, or hazardous to the community on account of danger of fire or explosion even when conducted under adequate safeguards.
61.6 Any accessory use of structures customarily incidental to the above permitted uses.

61.7 Outdoor advertising structures.

SECTION 62. REQUIRED YARDS FOR DWELLINGS, ETC.

Dwellings and apartment houses shall comply with the requirements of Residence "C" District Regulations as set forth in Sections 42 and 43 hereof.

SECTION 63. OFF-STREET LOADING AND UNLOADING

On any lot on which a business structure or use is hereafter established, and which lot is accessible to or adjoining a public or private alley, or which is a corner lot, or which is greater than 15,000 square feet in area, there shall be provided space adequate in the opinion of the Building Inspector for loading and unloading of vehicles and with vehicular access to said alley or street.

SECTION 64. HEIGHT OF BUILDINGS

No buildings shall exceed four (4) stories or sixty (60) feet in height, except as provided in Section 104 hereof.

ARTICLE 7 - LIGHT INDUSTRIAL DISTRICT REGULATIONS

Within a Light Industrial District as shown on the Zoning Map of Roanoke, the following regulations shall apply:

SECTION 71. USES PERMITTED

71.1 All uses permitted in a General Business District, subject to all requirements set forth in Sections 62, 63, and 64 hereof.

71.2 Any other lawful use which, in the opinion of the Board of Zoning Adjustment, is not objectionable to nearby property by reason of odor, dust, smoke, fumes, gas, noise, or vibration, or is not hazardous to the health and property of the neighborhood through danger of fire or explosion; provided, however, that the following uses shall not be permitted: abattoir; slaughter house or stock yard; bag cleaning; boiler
and tank works; central mixing plant for cement, mortar, plaster or paving materials; curing, tanning and storage of hides, distillation of bones, coal, wood or tar; fat rendering; manufacturing of acetylene, acid; alcohol; alcoholic beverages, ammonia, bleaching powder, chemicals, brick, pottery, terra cotta or tile (except handicraft products), candles, disinfectants, dyestuffs, fertilizers, illuminating or heating gas or storage of same, paint, turpentine, varnish (except mixing of same); soap and tar products; wool pulling or scouring; and any other uses which is in the opinion of the Board of Zoning Adjustment are similarly objectionable in a Light Industrial District.

SECTION 72. OFF-STREET LOADING, UNLOADING AND PARKING

On any lot on which an industrial building or use is hereafter established the following facilities shall be required:

72.1 Off-street space for loading and unloading of vehicles, adequate for the industrial use intended, and having access to a street or an alley.

72.2 Standing space or garage adequate to accommodate all vehicles incidental to the industry; this requirement being in addition to the general requirement in Section 97 hereof.

SECTION 73. HEIGHT OF BUILDINGS

No building shall exceed three (3) stories or forty-five (45) feet in height except as provided in Section 104 hereof.

ARTICLE 8- HEAVY INDUSTRIAL DISTRICT REGULATIONS

Within a Heavy Industrial District as shown on the Zoning Map of Roanoke the following regulations shall apply:

SECTION 81. USES PERMITTED

81.1 All uses permitted in a Light Industrial District, subject to all the requirements set forth in Sections 71, 72, and 73 hereof.
Any other use not in conflict with any other ordinance of the city, provided, however, that any use which in the opinion of the Board of Zoning Adjustment would cause injurious or obnoxious noise, smoke, gas, vibrations, fumes, dust or other objectionable conditions shall be permitted only on written approval of said Board and subject to such conditions and safeguards as may be required by said Board; and further provided, that no permit shall be issued for a dwelling except with the written approval of the Board of Zoning Adjustment and subject to such conditions and safeguards as may be required by said Board to promote the health and general welfare of the community. In no case shall the Board of Zoning Adjustment permit dwellings which do not comply with all the lot area, lot width, yard and building area requirements for a Residence "C" District as set forth in Section 42 hereof.

SECTION 82. HEIGHT OF BUILDINGS

No building shall exceed four (4) stories or fifty (50) feet in height except as provided in Section 104 hereof.

ARTICLE 9 - GENERAL PROVISIONS

SECTION 91. ZONING AFFECTS EVERY STRUCTURE AND USE

Except as otherwise provided, no structure or land shall be used hereafter and no structure or part thereof shall be erected, altered, or moved unless in conformity with the regulations herein specified for the district in which it is located.

SECTION 92. CONTINUANCE OF NONCONFORMING USES

Except as provided in subsections 92.2 and 92.3 hereof, any structure or use existing at the time of enactment of this ordinance, or at the time this ordinance is changed...
by amendment hereafter, may continue even though such structure or use is not in conformity with the provisions of this ordinance.

92.2 No nonconforming use or structure shall hereafter be extended unless such extension conforms with the provisions of this ordinance for the district in which it is located.

92.3 Any nonconforming structure which has been damaged by fire or other causes to the extent of its full value above the foundation for tax purposes shall not be repaired or reconstructed except in conformity with the provisions of this ordinance for the district in which it is located.

92.4 Whenever a nonconforming use of any structure or land has been discontinued for a period of one (1) year or more, it shall not be re-established or changed to any use not in conformity with the provisions of this ordinance.

SECTION 92. REAR DWELLINGS PROHIBITED

93.1 No dwelling shall be erected on a lot which does not abut on at least one street for at least forty (40) feet.

93.2 No building in the rear of a main building on the same lot may be used for residential purposes, except for domestic employees of the main building and their immediate families.

Section 94. REDUCTIONS IN LOT AREA PROHIBITED

No lot shall be reduced in area so that yards and other open spaces less than the minimum required in this ordinance shall result.

SECTION 95. CORNER VISIBILITY IN RESIDENCE DISTRICTS

In a residence or local business district no fence, wall, shrubbery, sign, marquee, or other obstruction to vision between the heights of three and one-half (3-1/2) feet and fifteen (15) feet shall be permitted within twenty (20) feet on the intersection of two streets of a street and a railroad right-of-way.
SECTION 96. LOCATION OF ACCESSORY STRUCTURES ON RESIDENTIAL LOTS

Accessory structures in residential districts and on any lot used primarily for residential purposes shall conform to the following regulations:

96.1 No accessory structure shall be erected in any required front or side yard. Accessory structures shall not exceed two (2) stories in height except as provided in Section 104 hereof, and shall not cover more than thirty (30) per cent of any required rear yard, and shall be at least five (5) feet from all lot lines and ten (10) feet from any other structures on the same lot; provided, that a private garage may be built on a side or rear lot line, not an alley line, by mutual agreement with the adjoining property owners.

96.2 No part of any accessory building shall be located within sixty (60) feet of the front line on a lot which adjoins along either side a lot which is in a residential district.

96.3 On any corner lot adjoining in the rear another lot which is in a residential district, no part of any structure within twenty-five (25) feet on the common lot line shall be nearer the side street lot line than the least depth of any front yard required for a dwelling on such adjoining lot along such side street.

SECTION 97. OFF-STREET AUTOMOBILE STORAGE

97.1 Off-street automobile storage or standing space shall be provided on any lot on which any of the following uses are hereafter established; such space shall be provided with vehicular access to a street or alley and shall be equal in area to at least the minimum requirements for the specific uses as set forth below:

97.11 Apartment houses with accommodations for more than
three families: not less than two hundred (200) square feet for each family unit in such dwelling.

97.12 Tourist courts, tourist homes, boarding houses, and rooming houses: not less than two hundred (200) square feet for each room or unit offered for rent.

97.13 Any theater, auditorium, hospital, stadium, or other use designed to draw an assembly of persons at scheduled times: not less than two hundred (200) square feet for each ten (10) seats or hospital beds in such place or use.

97.14 Office buildings: not less than two hundred (200) square feet for each seven hundred and fifty (750) square feet of net space designed for office use.

97.15 Hotels: not less than two hundred (200) square feet for each four guest rooms.

97.16 Manufacturing or other industrial use: not less than two hundred (200) square feet for each five (5) persons employed or intended to be employed on such lot.

97.2 If vehicle storage or standing space required by subsections 97.13, 97.14, 97.15, and 97.16 above cannot be reasonably provided on the same lot on which the principal use is conducted, the Board of Zoning Adjustment may permit such space to be provided on other off-street property provided such space lies within four hundred (400) feet of the main entrance to such principal use, measured along the nearest traveled way. Such vehicle storage or standing space shall be specifically dedicated for space associated with the permitted use and shall not be encroached upon any manner.
SECTION 98. FUTURE STREET LINES

On any lot which may be reduced in area by widening a public street to a future street line shown on the Zoning Map of Roanoke at the time of the adoption of this ordinance or at any time this ordinance is changed by amendment hereafter, the minimum required yards, the minimum required lot area, the minimum required lot width, and the maximum building area shall be measured by considering the future street lines as the lot lines of such lot.

SECTION 99. ABATEMENT OF NOISE, SMOKE, GAS, VIBRATION, FUMES, DUST, FIRE, AND EXPLOSION HAZARD OR NUISANCE

The Board of Zoning Adjustment may require the conduct of any use, either conforming or nonconforming, which results in unreasonable noise, smoke, gas, vibration, fumes, dust, fire, radio interference or explosion hazard or nuisance to surrounding property to be modified or changed to abate such hazard to health, comfort, and convenience. The Board of Zoning Adjustment may direct the Municipal Building Inspector to issue an abatement order, but such order may be directed only after a public hearing by said Board, notice of which shall be sent by registered mail to the owners and/or operators of the property on which the use is conducted in addition to due notice by advertisement in a newspaper of general circulation. A hearing for issuance of an abatement order shall be held by the Board of Adjustment either upon a petition signed by any person affected by the hazard or nuisance or upon the initiative of the Board. An abatement order shall be directed by the Board of Zoning Adjustment only upon reasonable evidence of hazard or nuisance and such order shall specify the date by which the hazard or nuisance shall be abated.

ARTICLE 10 - EXCEPTIONS AND MODIFICATIONS

SECTION 101. LOT OF RECORD

Where a lot of official record at the time of adoption of
this ordinance does not consist of sufficient land to enable the owner to conform to the yard and other requirements of this ordinance, such lot may be used as a building site provided the yard space and other requirements conform as closely as possible in the opinion of the Board of Zoning Adjustment to the requirements for the district in which it is located.

SECTION 102. FRONT YARDS

The front yard requirements of this ordinance shall not apply on residential lots where the average depth of existing front yards on developed lots located within one hundred (100) feet on each side of a lot within the same block and zoning district as such lot is greater or less than the minimum front yard depth. In such case the depth of the front yard shall not be less than the average front yard depths on such developed lots, but in no case shall it be less than twenty (20) feet for residential lots.

SECTION 103. SIDE YARDS

For each foot by which a lot of official record at the time of adoption of this ordinance is less than the minimum width required under this ordinance, two (2) inches may be deducted from the required least width of either side yard and four (4) inches from the least sum of the widths of both side yards; provided, however, that no side yard shall be less than six (6) feet in width, and that the least sum of the widths of both side yards shall be not less than twelve (12) feet.

SECTION 104. EXCEPTIONS TO HEIGHT LIMITS

The height limitations of this ordinance shall not apply:

104.1 To churches, schools, hospitals, sanitariums, and other public and semi-public buildings, provided that the minimum depth of front and rear yards required in the district are increased by two (2) feet for each foot by which the
height limit prescribed for other structures in the
district is exceeded; provided, however, that no such
building shall exceed three (3) stories of forty-five (45)
feet in height.

104.2 To barns, silos, and other farm structures, and to grain and
other elevators, cooling towers, gas holders, or other indus-
trial structures required by a manufacturing process; pro-
vided that all such structures exceeding the height limit
prescribed for other structures in the district shall occupy
not more than twenty-five (25) percent of the area of the lot.

104.3 To church spires, belfries, cupolas, domes, monuments, water
towers, observation towers, transmission towers, windmills,
chimneys, smoke stacks, derricks, conveyors, flag poles,
radio towers, masts, and aerials; provided, however, that
any such projection shall comply with the regulations indi-
cated in the Obstruction Marking Manual of the Civil
Aeronautics Board of the United States.

SECTION 105. GROUP HOUSING PROJECTS

In the case of a housing project consisting of a group of
two or more buildings to be constructed on a plot of ground of at
least four (4) acres not subdivided into the customary streets and
lots and not to be so subdivided or where the existing or contem-
plated street and lot layout make it impracticable to apply the
requirements of this ordinance to the individual buildings in such
housing projects, the application of such requirements to such
housing projects shall be done by the Board of Zoning Adjustment,
with the advice of the Planning Commission. However, this must be
done in a manner that will be in harmony with the character of the
neighborhood, that will insure substantially the same character of
occupancy, and that will result in a density of land use no higher
than, and a standard of open space at least as high as that required by this ordinance in the district in which the proposed project is to be located.

In no case shall the Board of Zoning Adjustment authorize a use or a building height or area prohibited in the district in which the housing project is to be located.

ARTICLE 11 - DEFINITIONS

For the purpose of this ordinance words used in the present tense include the future, the singular number includes the plural, and the plural the singular. Words and terms are defined as follows:

111.1 "Accessory structure": Any detached minor building consisting of masonry or frame walls and roof, one or two stories in height, necessary as an adjunct to the use or occupancy of a principal or main structure, except open structures such as pergolas, arbors, and other garden houses of similar character.

111.2 "Alley": A narrow public or private way less in size than a street, designed for the special accommodation of the property it reaches, and not intended for general travel.

111.3 "Apartment House": A building containing three (3) or more family dwelling units.

111.4 "Automobile Filling and Service Station": Any place of business having pumps and storage tanks at which fuels or oils for the use of motor vehicles are dispensed, sold, or offered for sale at retail and where minor repairs, services, and inspections may be carried on and rendered incidental to the sale of such fuels and oils.

111.5 "Boarding House": A building other than a hotel where, for compensation, meals and/or lodging are provided for three (3) or more persons.
111.6 "Building": Any structure having a roof supported by columns or by walls, including tents, lunch wagons, dining cars, trailers, and similar structures whether stationary or moving.

111.7 "Building Area": That portion of a lot occupied by the main building, accessory buildings, and other structures.

111.8 "Dwelling": A house or other building used primarily as an abode for one or two families, except that the word "dwelling" shall not include boarding or rooming houses, tents, tourist camps, hotels, trailers, trailer camps, or other structures designed or used primarily for transients.

111.9 "Dwelling Unit": Any portion of a building used, intended, or designed as a separate abode for a family.

111.10 "Family": Any number of individuals living together in a single housekeeping unit and doing their cooking on the premises.

111.11 "Height of Building": The vertical distance measured from the level of the curb or the established street grade opposite the center of the front wall of the building to the highest point of the roof if a flat roof; to the deck line if a mansard roof; and to the mean height level between the eaves and ridge if a gable, hip, or gambrel roof. For buildings set back fifteen (15) feet or more from the street line, the height may be measured from the finished grade at the center of the front wall of the building.

111.12 "Hotel": Any building or portion thereof which contains at least five (5) guest rooms intended for occupancy by individuals for compensation, whether paid directly or indirectly.

111.13 "Lot": A piece, parcel, or plot of land occupied or intended to be occupied by one main building, accessory
buildings, uses customarily incidental to such main building and such open spaces as are provided in this ordinance or as are intended to be used with such piece, parcel or plot of land.

111.14 "Nonconforming Use": A use of any structure or land lawful at the time of enactment of this ordinance or lawful at the time of amendment thereafter which does not conform with the provisions of this ordinance for the district in which it is located.

111.15 "Offices": Space or rooms used for professional, administrative, clerical, and similar uses.

111.16 "Office Building": A building whose predominant use is for offices.

111.17 "Rooming House": Any building or portion thereof which contains not less than three (3) or more than nine (9) guest rooms which are designed or intended to be used, let or hired out for occupancy by individuals for compensation whether paid directly or indirectly.

111.18 "Story": That portion of a building included between the upper surface of any floor and the upper surface of the floor next above; or any portion of a building between the topmost floor and the roof which is used for human occupancy or in which the floor area with eight (8) feet or more of head clearance is equivalent to fifty (50) percent or more of the floor area of the story next below. A top floor not used for living quarter, in which the floor area with eight (8) feet or more of head clearance is less than fifty (50) percent of the story next below, shall be a "half-story". A basement shall be considered as a story if its ceiling is more than five (5) feet above the level from which the "height of building" is measured or if it is
used for residential purposes other than for a janitor or domestic servant, including the families of the same, employed in the building.

111.19 "Street": Any public or private way set aside for common travel more than twenty-one (21) feet in width if such existed at the time of enactment of this ordinance, or such right-of-way forty (40) feet or more in width if established thereafter.

111.20 "Structure": Any combination of materials including buildings constructed or erected, the use of which requires location on the ground or attachment to anything having location on the ground, including among other things signs, billboards, and fences, but not including telephone poles and overhead wires, fences less than three (3) feet high, retaining walls or terraces.

111.21 "Total Floor Area": The area of all floors of a building, including finished attics and basements when considered as a story under the terms of this ordinance.

111.22 "Tourist Court": A building or group of buildings containing one or more guest rooms having separate outside entrances for each room or suite of rooms and for each of which room or suite of rooms automobile parking is provided.

111.23 "Tourist Home": A dwelling in a residential district in which the permitted area for business use under this ordinance consists of rooms for the accommodation of paying transient guests.

111.24 "Use": The purpose for which land or a building or other structure is designed, arranged, or intended, or for which it is or may be occupied or maintained.

111.25 "Yard": An open space, on the lot with the main building,
left open, unoccupied or unobstructed by buildings from the ground to the sky except as otherwise provided in this ordinance.

111.251 "Front Yard": The Yard extending across the entire width of the lot between the main building, including covered porches, and the front lot line, or, if an official future street right-of-way line has been established, between the main building, including covered porches, and the right-of-way line.

111.252 "Rear Yard": The yard extending across the entire width of the lot, between the main building, including covered porches, and such lot line.

111.253 "Side Yard": The yard extending along a side lot line, from the front yard to the rear yard, between the main building, including covered porches, and such lot line.

111.26 "Municipal Building Inspector": An appointed employee with authority to perform the functions required under this ordinance.

ARTICLE 12 - ENFORCEMENT

SECTION 121. ENFORCING OFFICER

The provisions of this ordinance shall be administered and enforced by the Municipal Building Inspector. This official shall have the right to enter upon any premises at any reasonable time for the purpose of making inspections of buildings or premises necessary to carry out his duties in the enforcement of this ordinance.

SECTION 122. BUILDING PERMIT REQUIRED

It shall be unlawful to commence the excavation for or the construction of any building or other structure, including accessory structures, or to store building materials or to erect temporary
field offices or to commence the moving, alteration, or repair (except repairs consisting only of painting or wallpapering) of any structure, including accessory structures, until the Building Inspector of the City has issued for such work a building permit, including a statement that has issued for such work a building permit, including a statement that the plans specifications, and intended use of such structure in all respects conform with the provisions of this ordinance. Application for a building permit shall be made to the Municipal Building Inspector on forms provided for that purpose.

SECTION 123. APPROVAL OF PLANS AND ISSUANCE OF BUILDING PERMIT

It shall be unlawful for the Municipal Building Inspector to approve any plans or issue a building permit for any excavation or construction until he has inspected such plans in detail and found them in conformity with this ordinance. To this end, the Municipal Building Inspector shall require that every application for a building permit for excavation, construction, moving, or alteration be accompanied by a plan or plat drawn to scale and showing the following in sufficient detail to enable the Municipal Building Inspector to ascertain whether the proposed excavation, construction, moving, or alteration is in conformity with this ordinance.

a. The actual shape, proportion, and dimensions of the lot to be build upon.

b. The shape, size, and location of all buildings or other structures to be erected, altered, or moved and of any buildings or other structures already on the lot.

c. The existing and intended use of all such buildings or other structures.

d. The setback and side lines of buildings on adjoining lots and such other information concerning the lot or
adjoining lots as may be essential for determining whether the provisions of this ordinance are being observed.

If the proposed excavation, construction, moving, or alteration as set forth in the application are in conformity with the provisions of this ordinance, the Municipal Building Inspector shall issue a building permit accordingly. If an application for a building permit is not approved, the Municipal Building Inspector shall state in writing the cause for such disapproval. Issuance of a building permit shall, in no case, be construed as waiving any provision of this ordinance.

SECTION 124. CERTIFICATE OF OCCUPANCY REQUIRED

No land or building or other structure or part thereof hereafter erected, moved, or altered in its use shall be used until the Municipal Building Inspector shall have issued a Certificate of Occupancy stating that such land, structure, or part thereof is found to be in conformity with the provisions of this ordinance.

Within three (3) days after the owner or his agent has notified the Municipal Building Inspector that a building or premises or part thereof is ready for occupancy or use, it shall be the duty of the Municipal Building Inspector to make a final inspection thereof and to issue a Certificate of Occupancy if the building or premises or part thereof is found to conform with the provisions of this ordinance or, if such certificate is refused, to state in writing the cause.

SECTION 125. PENALTIES

Any person violating any provision of this ordinance shall be fined upon conviction not less than two dollars ($2.00) nor more than one hundred dollars ($100.00) and costs of court for each offense. Each day such violation continues shall constitute a separate offense.
SECTION 126. REMEDIES

In case any building or other structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this ordinance, the Municipal Building Inspector or any other appropriate authority or any adjacent property owner who would be specially damaged by such violation, in addition to other remedies, may institute injunction, mandamus, or other appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, to correct or abate such violation or to prevent occupancy of such building, structure or land.

ARTICLE 13 - BOARD OF ZONING ADJUSTMENT

SECTION 131. APPOINTMENT, DUTIES, AND RESPONSIBILITIES

A Board of Zoning Adjustment is hereby established. The appointment, procedures, powers, and actions of said Board of Zoning Adjustment shall be governed and controlled by Title 37, Chapter 16, Section 781 of the 1940 Code of Alabama.

ARTICLE 14 - AMENDMENT

SECTION 141. PROCEDURE

The regulations and the number, area, and boundaries of districts established by this ordinance may be amended, supplemented, changed, modified, or repealed by the City Council of the City of Roanoke, but no amendment shall become effective until it is first submitted to the Roanoke City Planning Commission for its recommendation. The Roanoke City Planning Commission may, upon its own initiative, hold public hearings, public notice of which shall be given for the consideration of any proposed amendment to the provisions of this ordinance, or to the Zoning Map of Roanoke, and report its recommendations to the City Council of the City of
Roanoke. The provisions of Title 37, Chapter 16, Section 779 of the 1940 Code of Alabama, as the same may be amended, shall apply to all changes and amendments.

ARTICLE 15 - LEGAL STATUS PROVISIONS

SECTION 151. INTERPRETATION AND PURPOSES

In their interpretation and application the provisions of this ordinance shall be considered minimum requirements adopted for the promotion of the public health, safety, morals, convenience, order, prosperity, and general welfare of the community. Where other ordinances or regulations heretofore or hereafter adopted impose greater restrictions than those specified herein, compliance with other such ordinances or regulations is mandatory.

SECTION 152. SAVING CLAUSE

If any section, clause, provision, or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction such holding shall not affect any other section, clause, provision, or portion of this ordinance which is not in and of itself invalid or unconstitutional.

ARTICLE 16. EFFECTIVE DATE

This ordinance shall take effect and be enforced from and after the date of its adoption.

Witness my hand this the 14th day of May, 1951.

Mayoor

Olin E. Sheppard, Clerk

I, Olin E. Sheppard, Clerk of the City of Roanoke, Alabama, hereby certify that the above and foregoing Ordinance No. 399 was passed and adopted by the Mayor and City Council of the City of Roanoke, Alabama.
Roanoke, which is adopted as a part of this Ordinance and is
filed in the Office of the City Clerk, and the said Boundaries are
as so shown therein except as is amended in this Ordinance, and
Section 1 hereof that amends Section 11 of Article 1 of the
Zoning Ordinance of the City of Roanoke, Alabama adopted on
May 14th, 1951.

Unless otherwise specifically shown on the Zoning Map of
Roanoke adopted on May 14th, 1951 and as further shown by herein
amendment the boundaries of districts are lot lines, the center
lines of streets or alleys or such lines extended, railroad right
of Way lines, such boundary lines as natural or artificial water-
courses, and the corporate limit lines as they existed at the time
of the enactment of this Ordinance, and subject to the amendment
herein contained.

Questions concerning the exact location of district boundary
lines shall be decided by the Board of Zoning Adjustment, consti-
tuted as provided in Section 131 thereof.

Section 3. All laws and parts of laws in conflict herewith
and all ordinances and parts of ordinances in conflict herewith,
shall be subservient to the amendments herein contained.

Notice to the Public in general and to any one interested in
the Amendment to the Zoning Ordinance of the City of Roanoke, Alabama
adopted on May 14th, 1951 is hereby given: Further that a Public
Hearing on the hereinabove proposed Ordinance and amendment to the
said Zoning Ordinance of the City of Roanoke, Alabama will be held
on July 23rd, 1951 at 5 o'clock P.M. at the New City Hall of the
City of Roanoke, Alabama and in the Council Room thereof at which
time and place those interested in the passage of such proposed
Ordinance may be present and speak in its behalf, and likewise
those opposed to such proposed Ordinance and the adoption thereof
can appear and speak in opposition thereto, and notice of such
proposed Public Hearing shall be given by publication hereof in two successive issues of the Roanoke Leader, a newspaper of general circulation in the City of Roanoke, Alabama, such publication notices to appear in the respective issues of such newspaper on June 27th, 1951 and the first issue of said newspaper in July 1951.

The hereinabove proposed Ordinance was submitted to the City Council of the city of Roanoke at its Meeting on June 25th, 1951, and as required by law, consideration thereof will be held after the Public Meeting hereinabove called for on July 23rd, 1951.

Passed and approved this the 25th day of June, 1951.

Attest:

Olin E. Sheppard, City Clerk
City of Roanoke, Alabama.

I, Olin E. Sheppard, hereby certify that the above and foregoing Ordinance No. 400 was passed and adopted by the Mayor and City Council of the City of Roanoke, Alabama, on the 25th of June, 1951, and was herein recorded and was published in the Roanoke, Alabama Leader newspaper of general circulation in the City of Roanoke, Alabama, on the 28th day of June and the 5th day of July, 1951.

A RESOLUTION NO. 400-A

Resolution Adopting and Approving the Execution of a Grant Agreement between the City of Roanoke, Alabama, and the United States of America, Civil Aeronautics Administration, Providing for Federal Aid in the Development of, and Operation and Maintenance of, the Roanoke Municipal Airport.
on the 27th day of Feb, 1951, and was herein recorded and was published in the Roanoke Leader, a newspaper of general circulation in the City of Roanoke, Alabama, on the 5th and 12th days of April, 1951.

Olive E. Sheppard
Clerk, City of Roanoke, Alabama

ORDINANCE NO. 400

A PROPOSED AMENDMENT TO Sections 11 and 12 of Article 1 of the Roanoke Zoning Ordinance adopted by the City of Roanoke, Alabama on May 14th, 1951:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROANOKE, ALABAMA as follows:

Section 1. That Section 11 of Article 1 of the Zoning Ordinance of the City of Roanoke, Alabama, as adopted on May 14th, 1951, be and the same is hereby amended to read as follows:

Section 11. SHORT TITLE. This Ordinance shall be known as the "Zoning Ordinance of the City of Roanoke, Alabama", and the following map, which is identified by the Title, "City of Roanoke, Alabama, Zoning Map" dated May 14, 1951 shall be known as the "Zoning Map of Roanoke", and said map and all explanatory matter thereon are hereby adopted and made a part of this Ordinance, except the hereinafter described limits as shown on said Map as being in Residence "C" District shall be removed from such status of Residence "C" District and the same shall on and after the passage of this Ordinance be classed as Light Industry Classification, and the same being described as follows: Beginning at the Northwest corner of the Property of John T. Shealey that faces on Highway 37 and lies between the Central of Georgia Railway Company's Right of Way and said Highway 37 in the City of Roanoke, Alabama, and such