

*Zoning Act for the City
of Monrovia*

Chapter I. GENERAL PROVISIONS

§1.1. Short title of chapters 1-5.

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§1.1. Short title of chapters 1-5.

Chapters 1, 2, 3, 4, and 5 of this title shall be known as the Zoning Act for the City of Monrovia and hereinafter referred to as the Monrovia Zoning Act and this zoning act.

Prior legislation: 1957-58 Supp. 38:1; L. 1957-58, ch. XLVI, 1st sent.

§1.2. Application of Monrovia Zoning Act.

The provisions of the Zoning Act for the City of Monrovia shall regulate the location and use of buildings and structures, the nature and extent of the uses of land, and the density of population within the City of Monrovia, Montserrado County, Republic of Liberia. They may be extended to any or all other municipalities within the Republic and shall serve as a model for zoning regulations for other municipalities.

Prior legislation: 1957-58 Supp. 38:2; L. 1957-58, ch. XLVI, 2nd par.

§1.3. Definitions.

Except when the context or a specific provision of law otherwise requires, the following words when used in chapters 1, 2, 3, 4, and 5 of this title and for the purposes of this title, shall have the meanings ascribed to them in this section:

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(a) Accessory building: A building or structure subordinate to and located on the same lot with a main building designed, intended, or used for an accessory use.

(b) Accessory use: Use of a building, lot, or portions thereof, which use is customarily incidental and subordinate to the principal use of the main building or lot.

(c) Alley: A publicly or privately owned thoroughfare less than twenty-two feet in width.

(d) Alteration of building: Any change, addition, or modification in construction or arrangement, any change in use from that of one district classification to another, or any removal of a building from one location to another.

(e) Boardinghouse: A dwelling in which more than four people are sheltered or fed for profit for a consecutive period exceeding seven days in any one calendar year.

(f) Block: The length of a street between two street intersections.

(g) Center line of a street: A line midway between and parallel to the two curbs or property lines, as established by the Ministry of Public Works.

(h) Clubhouse: A building to house a club or social organization not organized or conducted for profit, which is used exclusively for such purpose; provided, however, that such clubhouse is not an adjunct to or operated by or in conjunction with a public tavern, cafe, or other place of business.

(i) Court: An open, unoccupied space, other than a yard, on the same lot with a building or on the same parcel with a group of buildings, bounded on two or more sides by the walls of such building or buildings, every part of which space is clear and unobstructed from its lowest point to the sky. Courts are classified within two categories as follows: (1) *Outer court*. An outer court is one which opens for its full width into the yard or onto a street. The depth of an outer court is the greatest horizontal dimension at right angles from the yard or street upon which such court opens to the face of the opposite building or wall. The width of an outer court is its least horizontal dimension measured at right angles to its depth.

(2) *Inner court*. An inner court is any court other than an outer court. The width of an inner court is its least horizontal dimension between opposite walls, measured at right angles to its longest di-

mension. The depth of an inner court is its greatest horizontal dimension measured parallel to its longest side.

(j) Corner lot: A lot fronting on two streets at their intersection. The owner, when first applying for a building permit, shall designate which of the two streets is to be the principal frontage for the purpose of establishing the front, rear, and side yard requirements of the lot.

(k) Curb level: The mean street grade as established by the Ministry of Public Works, or in the absence of an established grade, the mean level of the existing curb, or if none exists, of the lot at the street line.

(l) Dwelling: Any building or portion thereof which is designed or used exclusively for residential purposes.

(m) Dwelling, single family: A one-family detached house consisting of or intended to contain only one dwelling unit and having no party wall or walls in common with an adjacent house or building.

(n) Dwelling, two-family: A house consisting of or intended to contain not more than two dwelling units arranged one above the other or side by side with a common wall between the two adjacent dwelling units.

(o) Dwelling, apartment: A building or any part thereof containing or intended to contain three or more separate dwelling units, with or without common access facilities.

(p) Dwelling, joint occupancy: A building designed or intended both for residential use, other than transient, and for a nonresidential use or uses other than nonresidential uses such as are customarily incidental to dwellings.

(q) Dwelling, unit: The dwelling accommodation occupied or intended to be occupied as a residence by one family only.

(r) Family: Any number of persons, whether related to each other legally or not, living together as a single housekeeping unit, including servants; but in no case shall a lodging or boardinghouse be classified as a single housekeeping unit.

(s) Fireproof construction: Construction in which all structural members and walls are of approved noncombustible materials, and floors and roofs have a fire-resistance rating of not less than three hours.

(t) Garage, private: A building designed for the storage of not

more than five noncommercial motor vehicles, in which no business, service, or industry is conducted or rendered. Whenever a so-called "carport" is substituted for a garage, such "carport" shall conform to all requirements of this zoning act which apply to garages as well as of all other applicable acts.

(u) Garage, public: A garage conducted as a business. The rental of a storage space for more than two cars not owned by persons residing on the premises shall be deemed for a business use.

(v) Height of building: The vertical distance from the curb level at the center of the building to the highest point of the roof surface of a flat roof, to the deck line of a mansard roof, and to the main level of the slope of the roof for gabled, hip, or gambrel roofs. For buildings set back from the street line the height of the building may be measured from the average ground elevation of finished grade along the front of the building.

(w) Lot: A parcel of land of approved size and dimension, duly recorded and described, occupied or proposed for occupancy by one or more main buildings and accessory buildings, and including the open space required by this zoning act, which parcel of land has its principal frontage on a public street or on a private street of record at the time of the effective date of this zoning act.

(x) Main street: The street upon which the majority of the lots within a block are fronted or any street so designated by the Ministry of Public Works.

(y) Off-street parking facility: A "parking area" or a "parking garage," as herein defined, for the parking of passenger vehicles of the occupants, employees, visitors, and patrons of specified types of buildings.

(z) Parking area: An open, off-street land area, including parking spaces and access and egress drives or aisles, exclusively used or required under this zoning act for parking of automobiles or other vehicles, in which area no automobile fuels, oils, or automobile accessories are sold and no other business is conducted.

(aa) Parking garage: Any building or structure used for parking motor-driven vehicles in connection with or in lieu of required off-street parking area, at which building or structure automobile fuels and oils are not sold and motor-driven vehicles are not equipped, repaired, hired, or sold.

(bb) Sign: Any structure or part thereof or device attached

thereto or painted or represented thereon, which displays or includes any letter, word, model, banner, flag, pennant, insignia, device, or representation used as, or which is in the nature of, an announcement, direction, or advertisement. For the purpose of this title the word "sign" includes "billboard" but does not include the flag, pennant, or insignia of any nation, state, city, or other political unit, or of any political, educational, charitable, philanthropic, civic, professional, religious, or like campaign, drive, movement, or event.

(cc) Sign, advertising: A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered elsewhere than upon the premises.

(dd) Sign, business: A sign which directs attention to a business or profession conducted upon the premises. A "for sale" or "to rent" sign relating to the property on which it is displayed shall be deemed a business sign.

(ee) Story: The space between the upper surface of any floor and the upper surface of the floor or roof next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. A cellar or basement with more than one-half its height below the average surrounding grade shall not be considered a story.

(ff) Yard, front: The unoccupied open space between the building and the front property line, extending across the front of the lot.

(gg) Yard, rear: The open space extending along the rear lot line throughout the whole width of the lot, unoccupied except for accessory buildings, which buildings, in the aggregate, shall occupy not more than thirty percent of the area.

(hh) Yard, side: An open unobstructed space on the same lot with a building, between the main building and the side lines of the lot and extending through from the front yard to the rear yard, within which no part of the building except steps, eaves (for a distance of not more than five feet), rainwater leaders, window sills, and other such fixtures may extend.

Prior legislation: 1957-58 Supp. 38:3; L. 1957-58, ch. XLVI, §2.

Chapter 2. ZONING DISTRICTS

- §2.1. Zoning districts defined for Monrovia.
- §2.2. Buildings and uses to conform to district standards.
- §2.3. Residence R1 Districts.
- §2.4. Residence R2 Districts.
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- §2.7. Business B1 Districts.
- §2.8. Business B2 Districts.
- §2.9. Business B3 Districts.
- §2.10. Industrial M1 Districts.

§2.1. Zoning districts defined for Monrovia.

1. *District classifications.* For the purposes of this zoning act the City of Monrovia is divided into eight classes of districts as follows: (a) Residence R1 Districts, (b) Residence R2 Districts, (c) Residence R3 Districts, (d) Residence R4 Districts, (e) Business B1 Districts, (f) Business B2 Districts, (g) Business B3 Districts, and (h) Industrial M1 Districts.

2. *Zoning map.* The boundaries of these districts are hereby established as shown on the map entitled "Zoning Map, City of Monrovia," dated June, 1957, which map accompanies and is hereby declared to be a part of the Monrovia Zoning Act.

3. *District boundary lines defined.* The boundaries of the several districts as shown on the map entitled "Zoning Map, City of Monrovia," dated June, 1957, are intended to follow lot lines or the center lines of streets or railroad right-of-way lines as they existed at the time of enactment of the Zoning Act of 1958, or extensions of same except where such district boundaries refer to specific street lines or other lines specifically designated on said map. Where a district boundary line is established in this section or as shown on the zoning map divides a lot which was in a single ownership of record at the time of effective date of this zoning act the use authorized on and the other

district regulations applying to the least restricted portion of such lot under this zoning act shall be construed to extend to as much of the more restricted portion of such lot as is entirely within thirty-five feet of said dividing district boundary line.

Prior legislation: 1957-58 Supp. 38:20; L. 1957-58, ch. XLVI, §1(a), 13.

§2.2. Buildings and uses to conform to district standards.

1. *Future buildings and uses.* From and after the effective date of this zoning act, every building or portion of a building erected, altered, or added to or converted or relocated and every use within a building or accessory building or upon the land in any district established by this chapter shall be in conformity with the provisions of this zoning act.

2. *Existing buildings and uses.* From and after the effective date of this zoning act, any existing building or structure or any existing use of a building or structure or of land which is not in conformity with the provisions of this zoning act shall be regarded as a nonconforming building, structure, or use, but it may continue subject to the provisions hereinafter prescribed with respect to such buildings, structures, or uses.

Prior legislation: 1957-58 Supp. 38:21; L. 1957-58, ch. XLVI, §1(b), (c).

§2.3. Residence R1 Districts.

1. *Uses.* In residence R1 districts no building, structure, or land shall be used, and no building or structure shall be erected, constructed, or altered to be used for any purpose other than the following:

(a) A single-family dwelling and its customary accessory uses and buildings. Accessory uses shall occupy not more than forty percent of the area of one floor of the main building or more than an equivalent floor space in an accessory building; or

(b) A church, public school, public library, public park, or playground; or

(c) Any form of agriculture or horticulture except the keeping, breeding, or handling of farm stock or poultry and except commer-

cial greenhouses and structures or establishments for the sale of farm or horticultural products; provided, however, that nothing herein contained shall prevent the sale of farm products on the property where such products are produced and offered for sale; or

(d) Any other building or use permitted by the provisions of chapter 3 or chapter 4.

2. *Yards.* The yard requirements in Residence R1 districts are as follows:

(a) *Front yards.* There shall be a front yard at least one foot in depth for each foot of height of the main building; provided, however, that no front yard shall be less than twenty-five feet in depth, unless the front yard shall have been otherwise approved by statute or by the Ministry of Public Works.

(b) *Rear yards.* There shall be a rear yard at least one foot in least dimension for each one foot of height of a dwelling, and at least two feet in least dimension for each one foot of height of any other type of main building which may be permitted by this section; provided, however, that the rear yard shall be not less than twenty-five feet in least dimension.

(c) *Side yards.* There shall be two side yards, each at least six inches wide for each one foot of height of a dwelling; provided, however, that each side yard shall be not less than fifteen feet wide. For all other types of main buildings which may be permitted by this section there shall be two side yards, each at least two feet wide for each one foot of the height of such building; provided, however, that each side yard shall be not less than thirty feet wide.

3. *Height.* Dwellings in residence R1 districts shall not exceed two stories or thirty feet in height. Other types of buildings therein which may be permitted by this section shall not exceed three stories or thirty-six feet in height.

4. *Private garages and other accessory buildings.* In residence R1 districts no private garage or other accessory building located in the rear yard shall be placed nearer than three feet to a rear or side property line; provided, however, that this shall not prevent the building of a common or joint private garage upon adjoining lots. Further, no garage or other accessory buildings shall be placed nearer than ten feet to a rear lot line which serves as a side line of an adjoining property,

and no private garage or other accessory building shall be placed nearer to a main street property line than sixty feet nor nearer to a side-street property line than twenty feet. Nothing herein contained, however, shall prevent the construction of a private garage as a structural part of a dwelling; provided, however, that when it is so constructed, the garage walls shall be regarded as any other walls of the main building in applying the coverage, front, side, and rear yard requirements of this zoning act.

5. *Frontage.* All dwellings or main buildings in residence R1 districts shall be so constructed or located upon the lot as to have an unobstructed frontage not less than sixteen feet wide upon a public street or a private street of record on the effective date of this zoning act, except as may be specifically otherwise authorized under section 4.4 of this title.

6. *Area and coverage.* In all residence R1 districts there shall be a lot area of not less than 10,890 square feet per dwelling unit. Not more than thirty-nine percent of the area of the lot shall be covered by a main building and accessory buildings; provided, however, that lots having less area than herein required and of record on the effective date of this zoning act may be occupied by a single-family dwelling only without accessory buildings.

Prior legislation: 1957-58 Supp. 38:22; L. 1957-58, ch. XLVI, §3.

§2.4. Residence R2 Districts.

1. *Uses.* In residence R2 districts buildings or land shall be used only for the following purposes: any use permitted in residence R1 districts.

2. *Yards.* The yard requirements in residence R2 districts are as follows:

(a) *Front yards.* The front yard requirements shall be the same as those in residence R1 districts.

(b) *Rear yards.* The rear yard requirements shall be the same as those in residence R1 districts.

(c) *Side yards.* There shall be two side yards, each at least 0.25 feet wide for each one foot of the height of the dwelling; provided that each side yard shall be not less than seven feet wide. For all other types of main buildings which may be permitted by this

section the side yard regulations shall be the same as those in the residence R1 districts.

3. *Height.* The height limitations in residence R2 districts shall be the same as those in residence R1 districts.

4. *Private garages and other accessory buildings.* In residence R2 districts the provisions applying to private garages and other accessory buildings shall be the same as those in residence R1 districts.

5. *Frontage.* The frontage requirements in residence R2 districts shall be the same as those in residence R1 districts.

6. *Area and coverage.* In residence R2 districts there shall be a lot area of not less than 5,445 square feet per dwelling unit. Not more than forty-one percent of the area of the lot shall be covered by a main building and accessory buildings; provided, however, that lots having less area than herein required and of record on the effective date of this zoning act may be occupied by a single-family dwelling only without accessory buildings.

Prior legislation: 1957-58 Supp. 38:23; L. 1957-58, ch. XLVI, §4.

§2.5. Residence R3 Districts.

1. *Uses.* In residence R3 districts buildings or land shall be used only for the following purposes:

- (a) Any use permitted in residence R1 and R2 districts;
- (b) Two-family dwellings and customary accessory uses and buildings.

2. *Yards.* The yard requirements in residence R3 districts are as follows:

(a) *Front yards.* There shall be a front yard at least 0.5 foot in depth for each foot of height of the main building; provided, however, that no front yard shall be less than fifteen feet in depth.

(b) *Rear yards.* The rear yard requirements shall be the same as for residence R1 districts; provided, however, that the rear yard shall not be less than fifteen feet in its least dimension.

(c) *Side yards.* The side yard requirements shall be the same as for residence R2 districts; provided, however, that for lots less than 3,500 square feet in area each side yard shall not be less than five feet wide.

3. *Height.* The height limitations in residence R3 districts shall be the same as those in residence R1 districts; provided, however, that on lots less than 3,500 square feet in area no building shall be more than one story or fifteen feet in height.

4. *Private garages and other accessory buildings.* In residence R3 districts the provisions applying to private garages and other accessory buildings shall be the same as those in residence R1 districts.

5. *Frontage.* The frontage requirements in residence R3 districts shall be the same as for residence R1 and R2 districts; provided, however, that the frontage on a private street shall not be less than fifteen feet wide.

6. *Area and coverage.* For single-family dwellings in residence R3 districts there shall be a lot area of not less than 2,722.5 square feet per dwelling unit. For two-family dwellings therein there shall be a lot area of not less than 3,400 square feet for each dwelling unit. Not more than thirty percent of the area of the lot shall be covered by a main building and accessory buildings.

Prior legislation: 1957-58 Supp. 38:24.

§2.6. Residence R4 Districts.

1. *Uses.* In residence R4 districts, buildings or land shall be used only for the following purposes:

- (a) Any use permitted in residence R1 and R2 districts;
- (b) Two-family dwellings and customary accessory uses and buildings;
- (c) Apartment dwellings and customary accessory uses and buildings.

2. *Yards.* The yard requirements in residence R4 districts are as follows:

(a) *Front yards.* The front yard requirements shall be the same as those for residence R3 districts; provided, however, that the front yards of apartment dwellings shall not be less than twenty-five feet in depth.

(b) *Rear yards.* The rear yard requirements shall be the same as those for residence R3 districts; provided, however, that the rear yards of apartment dwellings shall be at least one foot in depth.

for each one foot of the height of such dwelling, but in no case less than twenty-five feet in depth.

(c) *Side yards.* The side yard requirements shall be the same as those for residence R3 districts; provided, however, that the side yards of every apartment dwelling shall be at least 0.55 feet wide for each one foot of height of such dwelling, but in no case less than fifteen feet.

3. *Height.* The height limitations in residence R4 districts shall be the same as those in residence R3 districts; provided, however, that apartment dwellings shall not be limited in height.

4. *Private garages and other accessory buildings.* In residence R4 districts the provisions applying to private garages and other accessory buildings shall be the same as those in residence R3 districts; provided, however, that off-street parking areas with not less than one parking space for every three dwelling units shall be provided in connection with and on the same lot as every apartment dwelling. Parking areas required by this paragraph shall conform to the requirements of section 3.1.

5. *Frontage.* The frontage requirements in residence R4 districts shall be the same as those in residence R1 districts.

6. *Area and coverage.* For single-family and two-family dwellings in residence R4 districts the lot-area requirements shall be the same as those in residence R2 districts. For apartment dwellings therein there shall be a lot area of not less than 1,815 square feet per dwelling unit. Not more than sixty percent of the area shall be covered by a main building and accessory buildings.

7. *Courts.* In residence R4 districts, when there is a court for the purpose of furnishing light and air to rooms of a dwelling unit, the depth of the court shall not be greater than fifty percent of its width, and the least dimensions of any such court shall be as follows: In any dwelling structure therein no inner or outer court shall be less than eighteen feet wide nor, at any given level, less than one foot ten inches wide for each foot of height of the building above the sill of the lowest window served by the court. In addition, no inner court in a dwelling structure shall be enclosed on more than three sides.

Prior legislation: 1957-58 Supp. 38:25; L. 1957-58, ch. XLVI, §5.

§2.7. Business B1 Districts.

1. *Uses.* Business B1 districts are primarily for the conduct of commerce, general business, and the retail sale of commodities, and all such uses shall be permitted therein subject to the prohibitions herein set forth. In addition, there shall be permitted in business B1 districts joint occupancy dwellings, boarding houses, and all other uses not hereunder prohibited.

2. *Prohibited uses.* The following uses of buildings and of land shall be prohibited in business B1 districts:

(a) Any process of manufacture, assembly, or treatment, except of goods or merchandise sold at retail on the premises; any process using more than twenty percent of the floor area of the building or of ten percent of the area of the lot; any process which constitutes an unusual fire risk or explosion hazard or which constitutes a nuisance by reason of odor, dust, noise, vibration, smoke, or glaring lights.

(b) Bakeries employing more than five persons.

(c) Laundries or dyeing and cleaning works employing more than three persons in those processes.

(d) Milk bottling or processing plants, or any other bottling plants.

(e) Lumber and building materials storage yards, coal yards, places for the handling of other fuels and storage warehouses.

(f) Repair or machine shops.

(g) The storage of crude oil or of any of its volatile products or of other highly inflammable liquids above ground in quantities greater than one hundred gallons.

(h) The bulk storage of fireworks, explosives, or inflammable or poisonous gas.

(i) Junk yards, used car lots, and automobile wrecking yards or disassembling plants.

(j) Public garages and gasoline filling stations.

(k) Any process or use prohibited in business B2 or B3 districts and in industrial districts.

3. *Yards.* Except as otherwise required by sections 3.1 or 3.7, the yard requirements in business B1 districts shall be as follows:

after provided. The requirements for dwellings shall be the same as for residence R3 districts; provided, however, that front yards are not required for apartment hotels and joint occupancy dwellings when off-street parking space as required by this zoning act is otherwise provided.

(b) *Rear yards.* The rear yard requirements in business B1 districts shall be as follows:

(i) Rear yard requirements for dwellings shall be the same as those in residence R3 districts, except that rear yard requirements for joint-occupancy dwellings shall be the same as for apartment dwellings.

(ii) For other types of buildings no part of which is designed or used for dwelling purposes except by a janitor or caretaker without family, there shall be a rear yard not less than fifteen feet in depth. Fifteen feet of the total width of rear yards required for joint-occupancy dwellings may be provided at any story level, if no room below that level is designed or used for dwelling purposes. Accessory buildings which are not of fireproof construction as defined in this zoning act shall have a rear yard not less than fifteen feet in depth.

(iii) When a lot of a business B1 district abuts upon a residence district, the rear yard requirements for a nonresidential building or portions thereof including accessory buildings, shall be the same as the side yard requirements for such residence districts; provided, however, that such rear yard shall be not less than fifteen feet deep in any case; and it shall be subject to the provisions of section 3.7.

(iv) No rear yard shall be required for a building that extends through from street to street, except as may be otherwise required for off-street parking facilities in accordance with the provisions of section 3.1.

(c) *Side yards.* No side yards are required in business B1 districts, except as hereinafter otherwise provided:

(i) Side yard requirements for dwellings which are not of fireproof construction shall be the same as those in residence R3 districts. For nonresidential buildings, including accessory buildings, which are not of fireproof construction, there shall be two side yards, each at least twelve feet wide.

(ii) For a building of fireproof construction with sixty-five

perce. or more of its floor area designed or intended for residential use, other than transient, the same side yards shall be required as for apartment dwellings in residence R4 districts; provided, however, that this shall not apply to a side wall without opening into any room to be used for dwelling purposes. The required side yards may be established at any floor level provided that the side wall or walls at all lower levels shall be unplastered dividing walls.

(iii) When a lot in a business B1 district adjoins a lot in a residence district at the side, a side yard shall be provided on the residential side of the business lot as wide as the narrowest side yard required for the adjoining residential lot, and such side yard shall be subject to the provisions of section 3.7.

4. *Height.* No building in a business B1 district shall exceed six stories or seventy-five feet in height; provided, however, that for dwelling structures, other than joint-occupancy dwellings and structures for transient use, the height limitations shall be the same as those in residence R4 districts.

5. *Private garages, off-street parking, and accessory buildings.* In business B1 districts, the provisions applying to private garages and other accessory buildings shall be the same as those in residence R4 districts. Off-street parking facilities for dwellings therein shall be provided in accordance with the provisions for residence R4 districts. Off-street parking facilities for all types of buildings and uses therein shall be provided in accordance with the requirements of section 3.1.

6. *Frontage.* The frontage requirements in business B1 districts shall be the same as those for residence R3 districts.

7. *Area and coverage.* The area and coverage requirements in business B1 districts for dwellings shall be the same as those for residence R4 districts; provided, however, that for joint-occupancy dwellings there shall be a lot area of not less than 2,772.5 square feet per dwelling unit. Other types of buildings therein shall cover not more than eighty-five percent of the area of the lot. No lot shall contain less than 2,772.5 square feet.

8. *Courts.* The court requirements in business B1 districts shall be the same as those for residence R4 districts; provided, however, that no room to be used for dwelling purposes shall have less opening upon a court or other open space than twenty square feet of window area for each one hundred square feet of floor area in the room.

9. *Approval of architectural treatment.* Buildings in business B1

districts must have the approval of the Ministry of Public Works for architectural treatment.

Prior legislation: 1957-58 Supp. 38:26; L. 1957-58, ch. XLVI, §7.

§2.8. Business B2 Districts.

1. *Uses.* The use restrictions in business B2 districts shall be the same as those in business B1 districts, except that gasoline filling stations are permitted when approved by the Zoning Council in accordance with the provisions of section 4.5.

2. *Yards.* The yard requirements in business B2 districts shall be as follows, except where otherwise required by the provisions of sections 3.1 and 3.7:

(a) *Front yards.* There shall be a front yard at least one foot in depth for each one foot of the height of the main buildings; provided, however, that unless a greater setback is otherwise officially established, the front yard shall be at least fifteen feet in depth. No portion of the front yard shall be occupied by a structure of any kind or by a sign, except as may be permitted by section 3.3; provided, however, that nothing herein contained shall prevent the use of not more than eighty percent of the area of such front yard for off-street parking in accordance with the provisions of section 3.1.

(b) *Rear yards.* The rear yard requirements in business B2 districts for all types of buildings shall be the same as those for apartment dwellings in residence R4 districts. Whenever a rear yard in a business B2 district adjoins a residence district, such rear yard shall be subject to the provisions of section 3.7.

(c) *Side yards.* The side yard requirements in business B2 districts shall be the same as those in business B1 districts, except as hereinafter otherwise provided:

(i) On a corner lot, the exterior side yard shall be not less than fifteen feet wide, except where a different building line may be established by statute or ordinance or by the Ministry of Public Works incidental to approval of a subdivision plot.

(ii) Whenever any portion of the off-street parking facilities required by this zoning act is located in the rear yard, there shall be two side yards, each at least twelve feet wide, to give access

to and egress from such off-street parking facilities, except as may be otherwise permitted pursuant to section 4.6.

(iii) When a lot in a business B2 district abuts upon a lot in a residence district at the side, a side yard at least fifteen feet wide shall be provided on the residential side of the business lot, and such side yard shall be subject to the provisions of section 3.7.

3. *Height.* The height restrictions in business B2 districts shall be the same as those in residence R1 districts.

4. *Private garages, off-street parking, and accessory buildings.* In business B2 districts the provisions for private garages, off-street parking, and accessory buildings shall be the same as those in business B1 districts.

5. *Area and coverage.* The area and coverage requirements in business B2 districts shall be the same as those in business B1 districts; provided, however, that no building shall cover more than forty percent of the area of the lot.

6. *Courts.* The court provisions in business B2 districts shall be the same as those in business B1 districts.

Prior legislation: 1957-58 Supp. 38:27; L. 1957-58, ch. XLVI §8.

§2.9. Business B3 Districts.

1. *Uses.* Business B3 districts are primarily for the conduct of commerce and light manufacturing processes, and such uses shall be permitted therein subject to the provisions herein provided:

(a) *Permitted uses:* Permitted uses shall include *inter alia*:

(i) Any use permitted in any business district, except such uses as are specifically prohibited in subparagraph (b) hereinbelow.

(ii) Wholesale businesses, including the storage of building materials and storage warehouses, coal and coke yards.

(iii) Cold-storage plants, ice plants, creameries, ice-cream plants, bottling or central distributing stations, baking plants, and dyeing plants.

(iv) Laundries and dry-cleaning plants.

(v) Garages, automobile repair shops, and gasoline filling stations when approved by the Zoning Council in accordance with the provisions of section 4.5.

(vi) Light mechanical operations or industrial processes which are not offensive, obnoxious, or detrimental to neighboring uses by reason of dust, effluents, glaring lights, noise, odor, smoke, or vibrations.

(b) *Prohibited uses.* The following uses of buildings and of land shall be prohibited in business B3 districts:

(i) Slaughtering or processing of animals, fowls, fish, or component parts thereof, or the manufacture of any commodity the major part of which is animal or fish matter; provided, however, that the sale of fresh or processed animals or fish as foodstuff shall be permitted.

(ii) Junk yards, used car lots, and automobile wrecking or disassembly plants.

(iii) Hog farms, garbage or sewage disposal plants, or incinerators.

(iv) Motor courts, motels, open-air drive-in theatres, trailer camps, home trailers, and advertising signs.

(v) Storage of volatile and highly inflammable liquids or gases above ground in tanks of capacity greater than one thousand gallons.

(vi) The manufacture of heavy chemicals such as, but not limited to, acids or other corrosives, ammonia, and caustic soda; the manufacture of basic or semifinished chemicals such as, but not limited to, cellulose products, resins, dyestuffs, glues, vegetable, animal or mineral fats or oils, explosives, soaps and detergents, fertilizers, combustible gases, and asphalt and tar products; the manufacture or production of metals and alloys in ingot or stock form; and the manufacture or production of cement, plaster, and their constituents, matches, paints, linoleum, oil cloth, rubber, and rubber products.

(vii) Any other use, comparable in character to the above, which in the opinion of the Zoning Council will create or is likely to create effluents, liquids, waste gases, dusts, fumes, noise, odor, smoke, vibrations, or other conditions or hazards detrimental to the health, safety, or well-being of the community.

2. Yards. The yard requirements in business B3 districts shall be as follows, except when otherwise required by the provisions of sections 3.1 or 3.7.

(a) *Front yards.* The front yard requirements shall be the same as those in business B1 districts.

(b) *Rear yards.* There shall be a rear yard not less than fifteen feet deep, except when a greater depth is required for off-street parking in accordance with section 3.1. However, when a lot in a business B3 district abuts upon a residence district, the rear yard shall be not less than the minimum side yard required in such residence district, and such rear yard shall be subject to provisions of section 3.7.

(c) *Side yards.* The side yard requirements shall be the same as those in business B1 districts.

3. Height. The height restrictions in business B3 districts shall be the same as those in business B1 districts.

4. Off-street parking and loading facilities. In business B3 districts off-street parking and loading facilities shall be provided in accordance with the requirements of section 3.1.

5. Frontage. The frontage provisions for business B3 districts shall be the same as those in the business B1 districts.

6. Area coverage. The coverage restrictions in business B3 districts shall be the same as those in business B1 districts.

Prior legislation: 1957-58 Supp. 38:28; L. 1957-58, ch. XLVI, §9.

§2.10. Industrial M1 Districts.

1. Uses. Industrial M1 districts are primarily for the conduct of light manufacturing processes, and such uses shall be permitted therein subject to the provisions hereinbelow set forth:

(a) *Permitted uses.* Permitted uses include any use permitted in any business district except such uses as are specifically prohibited hereinbelow. The following uses are also permitted:

(i) The slaughtering and processing of animals, fish, or fowl. Such use must be not less than one thousand feet from any residential district.

(ii) Junk yards, used car lots, and automobile wrecking plants when approved by the Zoning Council, subject to such conditions as it may prescribe in the public interest.

(iii) Garages, automobile repair shops, and gasoline filling

stations when approved by the Zoning Council in accordance with the provisions of section 4.5.

(b) *Prohibited uses.* The following uses of buildings and of land shall be prohibited in industrial M1 districts:

(i) Dwellings or living quarters, except that, upon approval of the Zoning Council, a room, a suite, or a house may be provided in connection with a research laboratory or industrial plant for watchmen and caretakers employed upon the premises.

(ii) Hog farms, garbage or sewage disposal plants, or incinerators, except when operated by a duly authorized government agency.

(iii) Motor courts, motels, open-air drive-in theaters, trailer camps, home trailers, and advertising signs.

(iv) The manufacture of heavy chemicals such as, but not limited to, acids or other corrosives, ammonia, and caustic soda; the manufacture of basic or semifinished chemicals such as, but not limited to, cellulose products, resins, dyestuffs, glues, vegetable, animal, or mineral fats or oils, explosives, soaps and detergents, fertilizers, combustible gases, and asphalt and tar products; the manufacture or production of metals and alloys in ingot or stock form; the manufacture or production of cement, plaster, and their constituents, matches, paints, linoleum, oil cloth, and rubber, and rubber products.

(v) Any other use comparable in character to the above, which in the opinion of the Zoning Council will create, or is likely to create, effluents, waste gases, dust, fumes, noise, odor, smoke, vibrations, or other conditions or hazards detrimental to the health, safety, or general well-being of the community.

2. *Yards.* The yard requirements in industrial M1 districts shall be as follows, subject to the provisions of sections 3.1 and 3.7:

(a) *Front yard.* There shall be a front yard at least thirty feet in depth, except when a greater setback line may be established by statute or by the Ministry of Public Works incidental to the approval of subdivision plots.

(b) *Rear yards.* There shall be a rear yard at least forty feet deep except that when a lot in an industrial M1 district abuts upon a residence district, the rear yard shall be increased to eighty feet deep, and such rear yard shall be subject to the provisions of section

(c) *Side yards.* There shall be two side yards, each at least forty feet wide; provided, however, when a lot in an industrial M1 district abuts upon a residence district, a side yard at least eighty feet wide shall be provided on the residential side of the industrial lot, and such side yard shall be subject to the provisions of section 3.7.

3. *Height.* The height restrictions in industrial M1 districts shall be the same as those in business B1 districts.

4. *Off-street parking and loading facilities.* Off-street parking and loading facilities in industrial M1 districts shall be provided in accordance with the requirements of section 3.1.

5. *Frontage.* The frontage provisions in industrial M1 districts shall be the same as those in business B3 districts.

6. *Coverage.* Not more than sixty percent of the area of a lot in an industrial M1 district shall be covered by a main building and accessory buildings.

Prior legislation: 1957-58 Supp. 38:29; L. 1957-58, ch. XLVI, §10.

Chapter 3. SPECIAL PROVISIONS RELATING TO ZONED AREAS

§3.1. Off-street parking facilities.

§3.2. Off-street loading facilities.

§3.3. Signs.

§3.4. Canopies and marquees.

§3.5. Permanence of yards and lots.

§3.6. Projections into required yards.

§3.7. Buffer strips.

§3.1. Off-street parking facilities.

1. *Buildings and uses requiring facilities; exception.* In all districts in which the types of buildings and uses hereinafter specified in paragraph 2 are permitted by this zoning act, off-street parking facilities shall be provided in amounts not less than hereinafter specified in connection with all such buildings erected after the effective date of this zoning act and with all extensions or enlargements of or additions to such buildings; provided, however, that these requirements shall

- (a) 6,000-20,000 square feet, one loading space required;
- (b) 20,001-40,000 square feet, two loading spaces required;
- (c) Over 40,000 square feet, three loading spaces required.

2. *Dimensions of loading space.* Each loading space shall be at least twenty-six feet long and ten feet wide. The minimum clear height of such space within a building shall be twelve feet.

Prior legislation: 1957-58 Supp. 38:41; L. 1957-58, ch. XLVI, §11(c).

§3.3. Signs.

1. *In residence districts.* In residence districts the following signs only shall be permitted:

- (a) Nonilluminated business signs;
- (b) A name plate bearing the name of a professional person residing on the premises and indicating his profession; provided however, that such sign shall not exceed three square feet in area;
- (c) A temporary sign not exceeding eight square feet in area pertaining to the sale or lease of the lot or building on which it is placed; provided, however, that such sign shall not project more than four inches beyond the building line.

No more than one sign shall be permitted for each use, profession, or person coming within the provisions of this paragraph.

2. *In business and industrial districts.* In business districts and industrial M1 districts the following signs only shall be permitted:

- (a) Nonilluminated business signs, which shall not project more than thirty-six inches beyond the building facade, and which shall have an area of not more than one hundred twenty square feet; provided, however, that such business signs shall in no case exceed in the aggregate ten percent of the wall surface, including window and door area, on which they are displayed; and provided further that no such sign shall be so placed as to interfere with a highway traffic light or similar safety device.

- (b) Nonflashing business signs, which shall not exceed twenty square feet in area, and which shall not project more than twelve inches beyond the building line; provided, however, such signs shall in no case exceed in the aggregate five percent of the area of the wall surface, including window and door area, on which or in front

of which they are displayed, and provided further that no such sign shall be placed so as to interfere with a highway traffic light or similar safety device.

No more than one sign shall be permitted on one facade of a building for each use, business, or person coming within the provisions of this paragraph.

3. *Business signs on marquees or canopies.* Business signs placed upon marquees or canopies permitted under the provisions of section 3.4 of this chapter shall conform to the type and area requirements of paragraph 2; and the area of such signs shall be calculated as within the maximum aggregate permitted on one facade of the building.

4. *Prohibitions.* Except as otherwise specifically provided in this section, installations are subject to the following prohibitions:

- (a) No sign shall project beyond the building line;
- (b) No part of any sign shall extend above the top or beyond the ends of the wall surface on which it is placed;
- (c) No sign, except such directional devices as may be required by aeronautical authorities, shall be placed, inscribed, or supported upon the roof or upon any structure which extends above the roof of any building;
- (d) No sign shall be placed so as to interfere with the opening of any exit door or to obstruct any window opening to a room to be used for dwelling purposes;

provided, however, that nothing herein contained shall prevent the erection of properly constructed roof signs in industrial M1 districts.

5. *Zoning permits for large signs.* Zoning permits shall be required for all signs larger than three square feet in area.

6. *"Area" defined.* Area as applied to the size of a sign shall mean the maximum projected area of the oblong, parallelogram, or other shape which encloses the sign structure, device, or representation.

Prior legislation: 1957-58 Supp. 38:42; L. 1957-58, ch. XLVI, §12(d)(1)-(3), (4) in part, (5).

§3.4. Canopies and marquees.

No permanent marquees or canopies extending over a required front yard or over a public walk shall be erected hereafter except in

connection with entrances to theaters, hotels, and similar public buildings.

Prior legislation: 1957-58 Supp. 38:43; L. 1957-58, ch. XLVI, §12(d)(4) in part.

§3.5. Permanence of yards and lots.

1. *Requirements in Monrovia Zoning Act absolute minimum.* The yard, court, and other open space requirements and the provisions of this zoning act as to lot area required per dwelling unit shall be considered minimum requirements for each and every building or structure existing at the effective date of this zoning act and for any building or structure hereafter erected or structurally altered. No land required by the provisions of this zoning act for yards, courts, open space, or for lot area per dwelling unit for an existing building or structure or required for any building or structure hereafter erected or structurally altered shall be considered as a yard, court, or open space for a lot area per dwelling unit for any other building or structure.

2. *Reduction of lot area not to impair minimum requirements.* No lot shall be so reduced in area as to make any yard, court, or lot area per dwelling unit smaller than the minimum required by this zoning act. When a lot is formed from part of a lot already occupied by a building, such separation shall be effected in such manner as not to impair any of the provisions of this zoning act with respect to the existing building and no permit shall be granted for the erection of a building upon the new lot thus created unless it complies with the provisions of this zoning act.

Prior legislation: 1957-58 Supp. 38:44; L. 1957-58, ch. XLVI, §12 (p. 128).

§3.6. Projections into required yards.

1. *Walls and fences.* A wall or fence which shall not be more than forty-two inches in height may be erected within any required yard or court; provided, however, that when such wall or fence is more than twenty-four inches high, at least seventy-five percent of its whole surface shall be unobstructed and open in a uniformly distributed manner except as otherwise provided in section 3.7. A retaining wall, when

approved by the Ministry of Public Works, may be higher than forty-two inches; but such retaining wall shall not extend in height for more than one foot above the natural or approved finished grade at its top unless proper surface drainage requires a greater height. Any wall or fence which is made nonconforming by reason of this section shall be subject to the provisions of section 4.2.

2. *Finished gradings.* The natural grade of any yard may be altered to a finished grade which relates to the normal use of a building and lot; provided, however, that, prior to regrading, such finished grade shall be approved by the Ministry of Public Works together with such retaining wall and drainage facilities as it may deem necessary, and that a permit is issued therefor. No lot shall be regraded in such manner as is likely to create drainage or other hazards or serious problems of surface water runoff on abutting property.

Prior legislation: 1957-58 Supp. 38:45; L. 1957-58, ch. XLVI, §12(1) (p. 128).

§3.7. Buffer strips.

1. *Application to nonresidential property abutting on residential districts.* When any business, commercial, or industrial building or use (including, but not limited to, an office, a public garage or a gasoline filling station) occupies a lot or lots in a business or industrial district subject to the provisions of this zoning act, and such lot or lots abut a residential district, that portion of such lot or lots immediately adjacent to the residential district and running along the entire length of such lot or lots shall be considered a buffer strip, and such buffer strip shall be regulated as set forth hereinbelow; provided, however, that nothing in this section shall prevent the reconstruction, repair, or rebuilding, without enlargement, of any nonconforming building existing at the effective date of this zoning act.

2. *Location of strips.* Buffer strips shall be located within the required yard area of the property used for nonresidential purposes, and the structures and planting required by this section shall be provided and properly maintained by the owner of the nonresidential property. No part of any buffer strip shall be occupied by a sign or by any structure or use except those which are specifically permitted by this section.

3. *Plant screening of strips.* Buffer strips shall be planted with

shrubby or other suitable plants approved by the Zoning Council, to provide an effective screen along their entire length between non-residential uses and the abutting residence district.

4. *Minimum width of strips.* The minimum width of buffer strips shall be as follows: At least seven feet wide in business B1 and B2 districts; and at least fifteen feet wide in business B3 and industrial M1 districts.

5. *Walls or fences permitted on property lines.* A free standing wall or a fence not more than five feet in height may be erected on property lines. Such wall or fence may be higher than five feet; provided, however, that at least seventy-five percent of the whole surface of such wall or fence shall be unobstructed and open in a uniformly distributed manner.

6. *Fences required for public garages, gasoline filling stations and off-street parking areas.* In the case of a public garage, gasoline filling station, or off-street parking area, whether on separate lots or within the yard on which the building to which it appertains is situated, a solid wall or a substantially tight, neat fence shall be constructed along the entire length of the buffer strip five feet in height above the grade of the land in the abutting residence district. In the case of a public garage or gasoline filling station, the wall or fence shall be on the nonresidential side of the buffer strip; in the case of an off-street parking area, the wall or fence may be located within the buffer strip, but it shall be in any case at least five feet from the abutting residence district. The planting specified in paragraph 3 shall, for the uses specified in this paragraph, be located on the buffer strip on the residential side of the wall or fence.

7. *Hardship variation hearings.* If the requirements of this section cause exceptional hardships, the Zoning Council may, after public notice and hearing, waive or vary such requirements subject to such conditions as it may prescribe in the public interest.

Prior legislation: 1957-58 Supp. 38:46; L. 1957-58, ch. XLVI, §12(k).

Chapter 4. EXCEPTIONS AND EXEMPTIONS

§4.1. Special uses permitted in residential districts.

§4.2. Continuance of nonconforming uses.

§4.3. Temporary permits.

§4.4. Project comprising two or more main buildings.

§4.5. Public garages, automobile repair shops, and gasoline filling stations.

§4.6. Location of accessory off-street parking facilities.

§4.7. Fire escapes.

§4.8. Height exceptions.

§4.1. Special uses permitted in residential districts.

The Zoning Council may authorize the issuance of permits, subject to such conditions as it may prescribe in the public interest, for the erection of any of the following buildings or uses in any residential district:

(a) A clubhouse, either public or quasi-public in nature;

(b) A building for the exclusive use of a nonprofit educational institution which is subject to regulations prescribed by the Republic of Liberia;

(c) A private school or private athletic field not conducted for profit;

(d) A school dormitory or group dwelling on the same premises with a school or other educational institution, to be used for occupancy by its students, teaching staff, or employees and their respective families only;

(e) The consulting office of a doctor, lawyer, or a member of another learned profession, practiced only by a member of the family residing on the premises, in which office one or two persons who are not members of the family may be employed;

(f) A railway or bus passenger station, a telephone exchange, or a public utility building or structure other than a storage yard, garage, or workshop.

Special permits for any such building or use may be issued only upon satisfactory assurance to the Zoning Council as to the general character of the structure and its use, adequate provisions for surrounding open space in accordance with the requirements of this zoning act for the type of district involved and satisfactory treatment of such grounds, and adequate provisions as to street capacity and use so that the public health, comfort, and convenience may be safe-

guarded and the general residential character of the neighborhood in which such building or structure is to be located or such use conducted will be preserved.

Prior legislation: 1957-58 Supp. 38:70; L. 1957-58, ch. XLVI, §12(a).

§4.2. Continuance of nonconforming uses.

1. *Continuance subject to further provisions of section.* Any use existing on the effective date of this zoning act which existed prior to October 30, 1953, or was lawfully established subsequent thereto and which does not conform to the statutory requirements for the district in which it is maintained may be continued at its present location subject to the provisions of this section.

2. *Alterations greater than twenty-five percent must conform to use permitted in district.* No building in which a nonconforming use is maintained shall be enlarged, extended, reconstructed, or structurally altered unless such use is changed to a use permitted in the district in which the building is located and all other applicable requirements of this zoning act are complied with; provided, however, that such building may be reconstructed or structurally altered to an extent not greater than twenty-five percent of the building as it existed on the effective date of this zoning act if the existing use is not changed.

3. *Existing nonconforming uses maintained in nonpermanent buildings to be terminated; limited extensions by Council.* Any nonconforming use not now housed in a permanent building shall be terminated within six months after the effective date of this zoning act unless, upon a written application of the owner, the Zoning Council, after public notice and hearing, may allow continuation of such use for a term of not more than two years, subject to such conditions and safeguards as it may prescribe; provided, however, that such continuation shall be permitted only if the Council determines that the continuance of such nonconforming use under the prescribed conditions is not hazardous or offensive or detrimental to the neighborhood by reason of the emission of dust, noise, vibration, glare, fumes, or other form of nuisance. Subsequent extensions, upon prescribed conditions, for periods not exceeding two years each may be granted by the Council after public notice and hearing and a determination similar to that required for the original extension.

4. *Existing nonconforming signs to be removed; limited extensions*

by Council. Existing signs made nonconforming by virtue of this zoning act shall be removed within one year after the effective date of this zoning act unless, upon written application of the owner and after public notice and hearing, the Zoning Council determines that the continuance of the sign is not a hazard to safety nor out of character with the district nor detrimental to health and welfare and permits such continuance for a term of not more than two years, subject to such conditions and safeguards as it may prescribe; provided, however, that at the end of such period, upon written application and public notice and hearing, the Council may allow continuance of such sign for a successive period of not more than two years upon such conditions as it may then prescribe. In the case of illuminated signs, the prescribed conditions and safeguards may include, but shall not be limited to, prevention of disturbance caused by glaring light or reflections in any dwelling, boardinghouse or hotel located within two hundred feet of such sign.

5. *New use classification made permanent by change; change to conforming use required by cessation of existing use or vacation of nonconforming building for 3 years.* If a nonconforming use in a building is subsequently changed to a conforming use, it shall not again be altered except in conformance with the requirements of the district wherein such building is situated. The vacation of a building in which a nonconforming use is maintained or the cessation of such use for a period of three years shall be regarded as a permanent vacation, and thereafter the building may not be occupied or used except in conformity with the statutory requirements for the district in which such building is located; provided, however, that any term during which the owner of the building or the user suffered a legal disability shall be excluded from such three year period.

Prior legislation: 1957-58 Supp. 38:71; L. 1957-58, ch. XLVI, §12(g).

§4.3. Temporary permits.

Temporary permits may be authorized by the Zoning Council for a period not to exceed one year, for the construction or erection of nonconforming uses or structures incidental to housing or construction projects on the same premises; provided, however, that such permits shall be issued conditionally upon written agreement by the owner to

no permit.

Prior legislation: 1957-58 Supp. 38:72; L. 1957-58, ch. XLVI, §12(1) (p. 130).

§4.4. Project comprising two or more main buildings.

1. *Approval required of Zoning Officer or of Council on appeal.* A project comprising two or more main buildings proposed to be erected on a single tract of land in one ownership shall be permitted only if approved by the Zoning Officer or, if an appeal is taken from his decision, by the Zoning Council, in accordance with the following terms and conditions; provided, however, that nothing contained herein-under shall be construed to permit a building or use in a district restricted against such building or use:

(a) The aggregate ground area covered by buildings or structures and the height of buildings shall not exceed that permitted by this zoning act. Open space equal to or greater than that required under the restrictions of the district in which the proposed development is to be located shall be diminished within the tract in such manner as to give equally good access to light and air for dwelling or other main buildings to be erected thereon.

(b) Adequate access shall be provided for pedestrians and vehicles to each main building in a project which is not directly accessible from a public street, in accordance with specifications established by the Zoning Officer in conformity with this zoning act.

2. *Limitations on residential projects.* Residential projects shall be subject to the following special limitations:

(a) Every residential project approved under this section shall occupy a plot of not less than one acre, which plot shall be bounded on two or more sides by streets, parks, or other permanent open space.

(b) Every residential project approved under this section shall provide land area per dwelling unit equal to or greater than that required for each type of dwelling under the restriction of the district in which the proposed development is to be located. Each residential development shall provide off-street parking space and

garage, in accordance with the requirements of this zoning act, and such garages shall be for the exclusive use of occupants of the project only. Projects designed to house four or more families shall provide on the same tract space for outdoor recreation at the rate of two hundred square feet of area per dwelling unit.

3. *Limitations on nonresidential projects.* Nonresidential projects shall be subject to the following special limitations:

(a) Every business or industrial project approved under this section shall occupy a plot of at least two acres, which plot shall have a minimum frontage of three hundred thirty feet on a public street or highway.

(b) Each project containing nonresidential buildings or uses approved under this section shall provide on the same tract off-street loading and off-street parking space in accordance with the provisions of sections 3.2 and 3.3 of this zoning act.

(c) Whenever a business or industrial project abuts upon a residence district or upon a street which is the boundary of a residence district, buffer strips of land at least fifty feet in width shall be provided along the entire length of the nonresidential project adjoining such residential district. The Council may require that such buffer strips shall be suitably planted, fenced, and maintained.

4. *Procedure for obtaining approval of Council upon appeal.* Upon receipt of an unfavorable report from the Zoning Officer, the Zoning Council, after notice and hearing, may approve the development plan and may direct the Zoning Officer to issue permits in accordance with the approved site plan and general building plans thereof, provided that the Zoning Council is satisfied that the proposed project is consistent with the general intent and the requirements of this zoning act. If there are practical difficulties or exceptional or undue hardships in the way of carrying out the strict letter of the provisions of this zoning act the Council, after notice and hearing, may approve the plan of development subject to such conditions as it may prescribe and may vary the application of such provisions, except those applying to signs and minimum lot area per dwelling unit, with respect to such development; it may thereupon direct the Zoning Officer to issue permits in accordance with the approved site plan and general building plans thereof, provided that the Council is satisfied that the proposed devel-

opment is in harmony with the general purpose and intent of this zoning act so that public health, safety, and well-being may be secured.

5. *Subsequent modifications must also be approved.* No modification, variance, or change in the general location, layout, character, or use of the development as shown on the plan so approved shall be permitted except when approved in accordance with the procedure set forth in this section in paragraphs 1 and 4.

Prior legislation: 1957-58 Supp. 38:73; L. 1957-58, ch. XLVI, §12(b).

§4.5. Public garages, automobile repair shops, and gasoline filling stations.

1. *Zoning Council permit procedure.* The Zoning Council may, after public notice and hearing, and subject to appropriate conditions and safeguards for the protection of the health, safety, and well-being of the community, permit, subject to the provisions of section 3.7, public garages, automobile repair shops, and gasoline filling stations to be erected in business B2 and B3 districts and in industrial M1 districts.

2. *Distance restrictions from public gathering places, etc.* No public garage or automobile repair space shall have an opening in the roof or rear walls less than fifteen feet from any property or street line. No public garage, automobile repair space, or gasoline filling station, shall have an entrance upon the same side of the street with, and closer than two hundred feet to, a public school, public library, theater, church, or other public gathering place or to a park, playground, or fire station, provided, however, that this restriction shall not apply to a street of fifty feet or more in width between the garage, automobile repair space, or gasoline filling station and the public gathering place or other indicated building or use.

3. *Special requisites for gasoline filling stations.* No gasoline filling station shall be constructed or erected except with provisions for rendering all services on the premises, and no gasoline pump shall be closer than ten feet to a side lot. Only parking incidental to the gasoline filling station business shall be permitted on the premises.

Prior legislation: 1957-58 Supp. 38:74; L. 1957-58, ch. XLVI, §12(c).

§4.6. Location of accessory off-street parking facilities.

1. *Permitted exceptions when facilities cannot be established on same lot as main building.* When practical difficulties prevent the establishment of off-street parking facilities upon the same lot with the main building to be served, as required by section 3.1, the Zoning Council may, after public hearing and notice and subject to appropriate conditions, permit the following exceptions:

(a) Off-street parking facilities may be established on a lot or premises other than the lot occupied by the building or use intended to be served, provided that:

(i) Such off-street parking facilities are located in a business or industrial district; provided, however, that such facilities shall be situated conveniently near, but not more than six hundred sixty feet from, the building or premises to which such facilities are appurtenant.

(ii) When suitable facilities in a business district are not otherwise available, a parking area may be located in a residence district; provided, however, that such parking area is adjacent to a business district but not more than seven hundred feet from the business building or use to which such parking area appertains; that it shall be used exclusively for passenger automobiles; that no business or service of any kind shall be offered in such facilities; and that no charges shall be made for the use of such parking area.

(iii) The appurtenant off-street parking facilities permitted under (i) and (ii) above, together with access ways, shall be reserved for such use by deed, covenants, or agreements which subject their control to the Government under conditions approved by the Zoning Officer and the Minister of Justice. Conditions and safeguards may include, *inter alia*, installation and regulation of lighting and the prevention of glare, determination of the location and adequacy of entrances and exits to a street, and buffer strips as required by section 3.7.

2. *Extent to which nearby publicly owned facilities may satisfy requirements.* When there is a publicly owned off-street parking facility or one permanently established by agreement with the municipality

for public uses, which facility is conveniently located within six hundred sixty feet of the premises to be served, the required off-street parking space of the building or use may be satisfied to the extent of not more than fifty percent of the capacity of such public facility; provided, however, that no part of the capacity thus assigned shall have been apportioned by the Zoning Council to satisfy the parking requirements of another building or use unless the Council shall determine that the two premises are clearly used at different times of the day or week; and provided further that such apportionment shall not bestow any exclusive rights in or title to such parking facility. In granting such exceptions the Council shall satisfy itself that no undue hardship will result to property in the vicinity.

3. *Waiver of side yard requirements for nonresidential fireproof buildings in business B2 districts.* When as the result of exceptions granted under this section the Council finds that off-street parking facilities are not required in the rear yard on the same lot with the building to be served, the Council may waive the side yard requirements of a business B2 district for a nonresidential building of fireproof construction.

4. *Waiver or variance for exceptional hardship.* When there are exceptional hardships in the way of carrying out the strict letter of the provisions of section 3.1, the Council may, after public notice and hearing, waive or vary the requirements of said section, subject to such conditions as it may prescribe in the public interest.

Prior legislation: 1957-58 Supp. 38:75; L. 1957-58, ch. XLVI, §12(m).

§4.7. Fire escapes.

Nothing contained in this zoning act shall prevent the projection of an open, fireproof fire escape or stairway into a side or rear yard for a distance not exceeding eight feet.

Prior legislation: 1957-58 Supp. 38:76; L. 1957-58, ch. XLVI, §12(e).

§4.8. Height exceptions.

Nothing contained in this zoning act shall restrict the height of a church spire, belfry, clock tower, wireless tower, chimney, flue, water tank, elevator bulkhead, stage tower, scenery light, or similar structure.

Prior legislation: 1957-58 Supp. 38:77; L. 1957-58, ch. XLVI, §12(f).

Chapter 5. ADMINISTRATION AND ENFORCEMENT

- §5.1. Administration of Monrovia Zoning Act; Zoning Officer.
- §5.2. Interpretation of Monrovia Zoning Act.
- §5.3. Zoning permits.
- §5.4. Occupancy permits.
- §5.5. Special permits.
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§5.1. Administration of Monrovia Zoning Act; Zoning Officer.

1. *Appointment of Zoning Officer.* This zoning act shall be administered under the authority and direction of the Minister of Public Works by a qualified engineer in the Ministry of Public Works who shall be appointed by the President and shall be known as the Zoning Officer.

2. *Duties of Zoning Officer.* It shall be the duty of the Zoning Officer to keep a record of all applications for permits and of all permits issued, with notation of all special conditions involved. He shall file and safely keep copies of all plans submitted, and the same shall form a part of his office and shall be available for the use of all governmental agencies concerned with the City of Monrovia.

3. *Building codes and subdivision regulations to be prepared by Zoning Officer.* The Zoning Officer shall be empowered, through the Ministry of Public Works, subject to the approval of the Zoning Council, to prepare from time to time building codes and subdivision regulations, which will control type of construction, construction material, and the situation, positioning, and use of buildings, to maximize the public peace, safety, well-being, and health of the City of Monrovia and of other municipalities within the Republic of Liberia.

Prior legislation: 1957-58 Supp. 38:100; L. 1957-58, ch. XLVI, §14(b), (c).

§5.2. Interpretation of Monrovia Zoning Act.

In interpreting and applying the provisions of this zoning act, they shall be held to be the minimum requirements for the promotion of public safety, health, convenience, property, and general welfare. Whenever such provisions require a greater width of side yards, courts, or other open spaces or require a greater percentage of lot to be left unoccupied, or impose restrictions more extensive than are required by any other statute or ordinance, the provisions of this zoning act shall govern. Whenever the provisions of any other statute or ordinance require a greater width or size of yard, court, or other open spaces or require a lower height of building or less number of stories or require a greater percentage of lot to be left unoccupied or impose restrictions more extensive than are required by this zoning act, the provisions of such statute or ordinance shall govern.

Prior legislation: 1957-58 Supp. 38:101; L. 1957-58, ch. XLVI, §14(a).

§5.3. Zoning permits.

Zoning permits shall hereafter be secured from the Zoning Officer prior to construction, erection, or alteration of any building or structure or parts thereof, or of any sign larger than three square feet in area. All requests for zoning permits shall be made in writing by the owner or his authorized agents, shall include a statement of the use or intended use of the building, structure, or land and shall be accompanied by such information and data as the Zoning Council may require, including, but not limited to, a plan of street lines and satisfactory evidence to the effect that the line of the bounding street or streets has been accurately located and staked on the ground. A building permit issued in accordance with the Building Code of the City of Monrovia shall satisfy the purposes of zoning permits; provided, however, that there is conformity with all further conditions and requirements set forth in this zoning act.

Prior legislation: 1957-58 Supp. 38:102; L. 1957-58, ch. XLVI, §14(d).

§5.4. Occupancy permits.

No building hereafter constructed, erected or altered shall be occupied or used in whole or in part for any use whatsoever, and no

change in use of any land or of any building or part thereof shall hereafter be made, until an occupancy permit has been issued by the Zoning Officer, certifying that the building or use complies with the provisions of this zoning act. Such occupancy permit shall be granted or denied within ten days from date of written application therefor. An occupancy permit issued in accordance with the Building Code of the City of Monrovia shall satisfy also the purposes of this zoning act.

Prior legislation: 1957-58 Supp. 38:103; L. 1957-58, ch. XLVI, §14(e).

§5.5. Special permits.

The Zoning Officer shall issue special permits upon authorization of the Zoning Council, in accordance with sections 3.3(5), 3.7(7), 4.1, 4.2, 4.3, 4.4, 4.5, and 4.6 of this zoning act.

Prior legislation: 1957-58 Supp. 38:104; L. 1957-58, ch. XLVI, §14(f).

§5.6. The Zoning Council.

1. *Creation of Council.* A Zoning Council of five members, none of whom shall hold any elective office or position under the City of Monrovia, is hereby created, to be appointed by the President, who shall designate one of them as chairman. Members of the Zoning Council now holding office shall continue therein until their present terms expire, and subsequently members shall be appointed for terms of three years, as successive vacancies occur.

2. *Council operations.* The Zoning Council shall adopt such rules and regulations as it may deem necessary to govern its procedure. Meetings of the Council shall be held at the call of the chairman and at such other time as the Council may determine. The chairman of the Council, or in his absence the acting chairman, shall have power to issue subpoenas for the attendance of witnesses and the production of records and may administer oaths. Upon the failure of any person to answer in response to a subpoena of such officer, application may be made to any court of record or to any judge thereof for an order compelling the attendance of such witness. All meetings of the Council shall be open to the public. The Council shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records

of its examinations and other official actions, all of which shall be immediately filed in the office of the Council and shall be a public record.

Prior legislation: 1957-58 Supp. 38:105; L. 1957-58, ch. XLVI, §15(a), (b).

§5.7. Powers of the Zoning Council; voting system.

1. *Powers.* The Zoning Council shall have the following powers:

(a) To hear and decide appeals when it is alleged there is error in any order, requirement, decision, or refusal made by the Zoning Officer in the administration or enforcement of this zoning act.

(b) To hear and decide, in accordance with the provisions of this zoning act, requests for special exceptions or for interpretation of the map or other special questions upon which the Council is authorized by the zoning act to pass;

(c) When, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of this zoning act or by reason of exceptional topographic conditions or other extraordinary and exceptional conditions or situation of a piece of property, the strict application of the provisions of this zoning act would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the owner of such property, to authorize, upon an appeal relating to such property, a variance from such strict application of any provisions, except land use, so as to relieve such difficulties or hardship; provided, however, that no relief may be granted or action taken under terms of this subparagraph unless such relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zoning plan and this zoning act.

2. *Concurring vote of three members required for a determination.*

The concurring vote of three members of the Council shall be necessary to reverse an order, requirement, decision, or determination of the Zoning Officer or to decide in favor of the applicant any matter upon which it is required to pass under this zoning act, or to effect or recommend any exceptions to or variations from this zoning act.

Prior legislation: 1957-58 Supp. 38:106; L. 1957-58, ch. XLVI, §15(1)-(3), (4), 1st, 3rd pars.

§5.8. Appeals to the Zoning Council.

1. *Who may appeal; procedure.* Appeals to the Zoning Council may be taken by any person aggrieved or by any office, department, or board of the City of Monrovia affected by any decision of the Zoning Officer. Such appeals shall be taken within a reasonable time, as provided by the rules of the Council, by filing with the Zoning Officer and with the Zoning Council a notice of appeal specifying the grounds therefor. The Zoning Officer shall forthwith transmit to the Council all the papers constituting the record upon the action appealed from.

2. *Stays of proceedings pending appeal.* An appeal stays all proceedings in furtherance of the action in respect to which the decision appealed from was made unless the Zoning Officer certifies to the Zoning Council after the notice of appeal is filed with him that, by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril of life or property. In such case, the proceedings shall not be stayed except by restraining order which may be granted by the Zoning Council or by the court on application and notice to the Zoning Officer for due cause shown.

3. *Time of hearing and service of notice thereof.* The Zoning Council shall fix a reasonable time for the hearing of the appeal, giving due notice thereof to the appellant; said appellant shall thereupon, at least five days prior to the time appointed for said hearing, give personal notice to all owners of property or their authorized agents within three hundred feet of the property to be affected by said appeal. Such notice shall be given either by handing a copy thereof to the said property owners or by leaving a copy thereof at the usual place of abode of said property owners, if said owners are occupants of the property affected by such appeal or are residents of the City of Monrovia. Whenever said owners are nonresidents of Monrovia, such notice may be given by sending written notice thereof by registered mail to the last known address of the property owner or owners as shown by the most recent tax list of the City of Monrovia. When the owners are partners, service as outlined above upon any partner shall be sufficient; and when the owner is a corporation, service in the manner set forth above upon any officer shall be sufficient. Said appellant shall by affidavit present satisfactory proof to the said Zoning Council at the time of the hearing that the said notices have been duly served as aforesaid.

4. *Manner of appearance at hearing.* Upon the hearing any party may appear in person or by agent or by attorney.

5. *Time limitation on rendition of decision on appeal.* Whenever an appeal shall be taken to the Zoning Council, said Council shall render decision upon such appeal within sixty days from the date of the hearing upon such appeal, and in any event ninety days from the date of the filing of the appeal as herein provided.

6. *Decisional authority of Council.* The Council may in conformity with the provisions of this zoning act reverse or affirm wholly or partly, or may modify the order, requirement, decision, or determination appealed from and make such order, requirement, decision, or determination as ought to be made and to that end have all the powers of the Zoning Officer.

Prior legislation: 1957-58 Supp. 38:107; L. 1957-58, ch. XLVI, §15(c), (d) (4), 2nd par.

§5.9. Violations and penalties.

Violation of any provision of this zoning act by any owner, lessee, or other person shall constitute a misdemeanor punishable by imprisonment for not more than six months or by a fine of not more than \$500, or both.

Prior legislation: 1957-58 Supp. 38:108; L. 1957-58, ch. XLVI, §17.

§5.10. Remedial action by way of injunction.

In addition to any other remedy or sanction provided in this zoning law, the Minister of Public Works, upon the report of the Zoning Officer or the recommendation of the Zoning Council, may cause an action to be maintained for an injunction to restrain any violation of this zoning act.