

Title 38

ZONING LAW

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Chapter 1. GENERAL

§ 1. Short title of Chapters.—Chapters 1-5 of this Title shall be known as the Zoning Act of 1958. [Added. L. 1957-58, ch. XLVI, 1st sent., eff. Mar. 21, 1958.]

§ 2. Application of Act.—The provisions of the Zoning Act of 1958 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 Commonwealth District 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. [Added. L. 1957-58, ch. XLVI, 2nd par., eff. Mar. 21, 1958.]

§ 3. Definitions.

1. Except when specifically defined herein, all words used in Chapters 1-5 of this Title shall have the meanings assigned to them in the building codes developed by the Division of Architectural Planning and Designs in the Government Housing Bureau of the Department of Public Works and Utilities; or, in the absence of such definitions, they shall carry their customary meanings.

2. Words used in the present tense include the future tense, the singular includes the plural, and the plural includes the singular. The word "lot" includes "plot," and the word "building" includes the word "structure." The word "shall" is mandatory. The words "occupied" or "used" shall be interpreted as if followed by the words "and, arranged, or designed to be occupied or used."

3. The words listed below shall have the meanings assigned:

(a) Accessory building: A building or structure subordinate to, and located on the same lot with, a main building and 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) Boarding house: 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 Department of Public Works and Utilities.

(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. (1) 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) 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 dimension. 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 De-

partment of Public Works and Utilities, or in the absence of an established grade, the mean level of the existing curb or 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 non-residential use or uses other than non-residential 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 boarding house be classified as a single housekeeping unit.

(s) Fireproof construction: Construction in which all structural members and walls are of approved non-combustible materials and floors and roofs have a fire resistance rating of not less than 3 hours.

(t) Garage, private: A building designed for the storage of not more than three non-commercial 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 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, and 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 spaces required by this 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 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 Department of Public Works and Utilities.

(y) Offstreet 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, offstreet land area, including parking spaces and access and egress drives or aisles, exclusively used or required under this Act for parking of automobiles or other vehicles, in which area no gasoline 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 offstreet 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 ordinance 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.

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(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 required by this Act between the building and the front property line, extending across the front of the lot.

(gg) Yard, rear: The open space required by this Act 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. [Added. L. 1957-58, ch. XLVI, sec. 2, eff. Mar. 21, 1958.]

Chapter 2. ZONING DISTRICTS

§ 20. Zoning districts defined for Monrovia.

1. For the purposes of this Act the Commonwealth District of Monrovia is divided into eight classes of districts:

- (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
- (h) Industrial M1 District

Same as City of
Monrovia

2. 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 this Act.

3. The boundaries of the several districts as shown on the map entitled "Zoning Map, City of Monrovia, Montserrado County, R.L.," 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 this Act, 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 as established in this section or as shown on the zoning map divides a lot which was in a single ownership and/or record at the time of effective date of this Act, the use authorized on and the other district regulations applying to the least restricted portion of such lot under this 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. [Added. L. 1957-58, ch. XLVI, secs. 1(a), 13, eff. Mar. 21, 1958.]

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

1. From and after the effective date of this 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 Chapter.

2. From and after the effective date of this 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 Chapter shall be regarded as a non-conforming building, structure, or use, but it may continue subject to the provisions hereinafter prescribed with respect to such buildings, structures, or uses. [Added. L. 1957-58, ch. XLVI, sec. 1(b), (c), eff. Mar. 21, 1958.]

§ 22. Residence R1 Districts.

1. Use: 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:

- (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 commercial 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;
- (d) Any other building or use permitted by the provisions of Chapter 3 or 4.

2. Yards:

- (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 act or by the Department of Public Works and Utilities, Division of Municipal Engineering, incidental to approval of a subdivision.
- (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 the 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 building 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 shall not exceed two stories or thirty feet in height. Other types of buildings 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: No private ga-

rage 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 Act.

5. *Frontage*: All dwellings or main buildings 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 Act, except as may be specifically otherwise authorized under section 42 of this Act.

6. *Area and coverage*: 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 Act may be occupied by a single family dwelling only without an accessory building. [Added. L. 1957-58, ch. XLVI, sec. 3, eff. Mar. 21, 1958.]

§ 23. *Residence R2 Districts.*

1. *Use*: A building or land shall be used only for the following purpose: any use permitted in residence R1 districts.

2. *Yards*:

- (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 the 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 shall be the same as those in the residence R1 districts.

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

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

6. *Area and coverage*: 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 Act may be occupied by a single family dwelling only without accessory buildings. [Added. L. 1957-58, ch. XLVI, sec. 4, eff. Mar. 21, 1958.]

§ 24. Residence R3 Districts.

1. *Use*: A building 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*:

- (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 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:* The provisions applying to private garages and other accessory buildings shall be the same as those in the residence R1 districts.

5. *Frontage:* The frontage requirements 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 there shall be a lot area of not less than 2,722.5 square feet per dwelling unit. For two-family dwellings 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. [Added. L. 1957-58, ch. XLVI, sec. 5, eff. Mar. 21, 1958.]

§ 25. Residence R4 Districts.

1. *Use:* A building 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:*

- (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 dwellings, 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 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*: The provisions applying to private garages and other accessory buildings shall be the same as those in the residence R3 districts; provided, however, that offstreet 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 subsection shall conform to the requirements of section 40.

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

6. *Area and coverage*: For single-family and two-family dwellings the lot area requirements shall be the same as those in the residence R2 districts. For apartment dwellings there shall be a lot area of not less than 1815 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*: 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, 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. No inner court in a dwelling structure shall be enclosed on more than three sides. [Added, L. 1957-58, ch. XLVI, sec. 6, eff. Mar. 21, 1958.]

§ 26. Business B1 Districts.

1. *Use*:

- (a) 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 regulations 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.
- (b) *Prohibited uses*: The following uses of buildings and of land shall be prohibited in business B1 districts:

- (i) 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.
- (ii) Bakeries employing more than five persons.
- (iii) Laundries or dyeing and cleaning works employing more than three persons in those processes.
- (iv) Milk bottling or processing plants, or any other bottling plants.
- (v) Lumber and building materials storage yards, coal yards, places for the handling of other fuels, and storage warehouses.
- (vi) Repair or machine shops.
- (vii) 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.
- (viii) The bulk storage of fireworks, explosives, or inflammable or poisonous gas.
- (ix) Junk yards, used car lots, and automobile wrecking yards or disassembling plants.
- (x) Public garages and gas filling stations.
- (xi) Any process or use prohibited in the B2, B3, or industrial districts.

2. **Yards:** The yard regulations shall be as follows, except when otherwise required by sections 40 or 46:

- (a) **Front yards:** No front yards are required except as hereinafter 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 offstreet parking space as required by this 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 buildings 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 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 non-residential 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 46.
- (iv) No rear yard shall be required for a building that extends through from street to street, except as may be otherwise required for offstreet parking facilities in accordance with the provisions of section 40.
- (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 non-residential 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 (as defined in this Act) with sixty-five percent or more of its floor area designed or intended for residential use, other than transient, the same side yards shall be required as for apartments 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 unpierced 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 46.

3. *Height:* No building 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.

4. *Private garages, offstreet parking, and accessory buildings:* The provisions applying to private garages and other accessory buildings shall be the same as those in residence R4 districts. Offstreet parking facilities for dwellings shall be provided in accordance with the provisions for residence R4 districts. Offstreet parking facilities for all types of buildings and uses shall be provided in accordance with the requirements of section 40.

5. *Frontage:* The frontage requirements shall be the same as those for residence R3 districts.

6. *Area and coverage:* The area and coverage requirements 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 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.

7. *Court:* The court requirements 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.

8. *Approval of architectural treatment:* Buildings in this area must have the approval of the Division of Public Buildings, Department of Public Works and Utilities, for architectural treatment. [Added. L. 1957-58, ch. XLVI, sec. 7, eff. Mar. 21, 1958.]

§ 27. Business B2 Districts.

1. Use: The use restrictions shall be the same as those in business B1 districts, except that gasoline filling stations are permitted.

2. Yards: The yard requirements shall be as follows except where otherwise required by the provisions of sections 40 and 46:

- (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 42; provided, however, that nothing herein contained shall prevent the use of not more than eighty percent of the area of such front yard for offstreet parking in accordance with the provisions of section 40.
- (b) Rear yards: The rear yard requirements 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 46.
- (c) Side yards: The side yard requirements 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 ordinance or by the Department of Public Works and Utilities incidental to approval of a subdivision plot.
 - (ii) Whenever any portion of the offstreet parking facilities required by this 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 offstreet parking facilities, except as may be otherwise permitted pursuant to section 75.
 - (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 46.

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

4. *Private garages, offstreet parking, and accessory buildings:* The provisions for private garages, offstreet parking, and accessory buildings shall be the same as those in business B1 districts.

5. *Area and coverage:* The area and coverage requirements 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 shall be the same as those in business B1 districts. [Added. L. 1957-58, ch. XLVI, sec. 8, eff. Mar. 21, 1958.]

§ 28. Business B3 Districts.

1. *Use:* 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 shall include *inter alia*:

- (i) Any use permitted in any business district, except such uses as are specifically prohibited in (b) herein below.
- (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, dyeing plants.
- (iv) Laundries, dry cleaning plants.
- (v) Garages, automobile repair shops, and gas filling stations when approved by the Zoning Council in accordance with the provisions of section 74.
- (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 semi-finished chemicals such as, but not limited to, cellulose products, resins, dyestuffs, glues, vegetable, animal, or mineral fats or minerals, 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 shall be as follows, except when otherwise required by the provisions of sections 40 or 46.

- (a) Front yards: The front yard requirement 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 offstreet parking in accordance with section 40. 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 46.

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

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

4. *Offstreet parking and loading facilities*: These shall be provided in accordance with the requirements of section 40.

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

6. *Area coverage*: The coverage restrictions shall be the same as those in the business B1 districts. [Added L. 1957-58, ch. XLVI, sec. 10, eff. Mar. 21, 1958.]

§ 29. Industrial M1 Districts.

1. *Use*: 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 gas filling stations when approved by the Zoning Council in accordance with the provisions of section 106.

- (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 in-

cinerators, except when operated by a duly authorized public agent.

- (iii) Motor courts, motels, open air drive-in theatres, 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 semi-finished 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 shall be as follows, subject to the provisions of sections 40 and 46:

- (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 act or by the Department of Public Works and Utilities 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 46.
- (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 46.

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

4. *Offstreet parking*: Offstreet parking and loading facilities shall be provided in accordance with the requirements of section 40.

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

6. *Coverage*: Not more than sixty percent of the area of the lot shall be covered by a main building and accessory buildings. [Added. L. 1957-58, ch. XLVI, sec. 10, eff. Mar. 21, 1958.]

Chapter 3. SPECIAL PROVISIONS RELATING TO ZONED AREAS

§ 40. Offstreet parking facilities.

1. In all districts in which the types of buildings and uses hereinafter specified are permitted by this Act, offstreet 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 Act and with all extensions or enlargements of or additions to such buildings; provided, however, that these requirements shall not apply in the case of the reconstruction, repair, or rebuilding without enlargement of any non-conforming building existing on the effective date of this Act.

2. The offstreet parking facilities required by this section shall be determined according to the formulae set forth in this subsection:

- (a) For a hotel, hospital, boarding house, or similar use, one parking space for each nine hundred sixty square feet of bedroom floor area.
- (b) For a church, auditorium, theatre, stadium, recreational establishment, or similar use involving the assembly of persons, one parking space for each fifty seats or equivalent accommodation provided.
- (c) For an office building, professional building, or similar use, one parking space for each eight hundred square feet of office floor area.
- (d) For each retail store, shop, bank, or similar establishment

having over one thousand square feet of retail or commercial sales area, one parking space for each two hundred square feet of first floor retail merchandising or commercial area and one parking space for each eight hundred square feet of such area above or below the first floor.

- (c) For a manufacturing establishment or industrial plant, one parking space for each 1,200 square feet of floor area, exclusive of storage space.

When the computation to determine the number of required parking spaces results in a requirement for a fractional space, any fraction up to and including one-half shall be disregarded, and any fraction over one-half shall be regarded as requiring one additional whole parking space.

3. For the purposes of this section, one parking space shall mean an area of not less than two hundred square feet exclusive of drives or aisles giving access thereto for the parking of automobiles; and it shall be of appropriate dimensions so that a passenger automobile can park there.

4. The offstreet parking facilities required for the uses specified in this section and for other similar uses shall be on the same lot or parcel of land as the building they are intended to serve unless adequate nearby facilities shall have been approved by the Zoning Council in accordance with section 75.

5. All offstreet parking facilities required pursuant to the provisions of this section shall be paved (laterite permitted), drained, lighted, and maintained by the owner in accordance with specifications established by law, and such facilities shall be arranged for the safety and convenience of pedestrians and vehicles. In the interest of safety, such facilities shall have adequate means of access to and egress from a street, and access driveways shall be at least twelve feet wide.

6. The paved surface in a parking area shall not extend nearer than seven feet to any property line abutting either on a street or on any residence district. Whenever a parking area abuts on or is adjacent to a residence district, such parking area shall be subject to the provisions of section 46.

7. No required open space in offstreet parking facilities shall be encroached upon by buildings, storage, or any other use; nor shall the required number of parking spaces be reduced except upon approval of the Zoning Council and then only after proof that, by

reason of diminution in floor area, seating capacity, or change in other factors controlling the regulation of the number of parking spaces, the proposed reduction is reasonable and consistent with public convenience and safety. [Added. L. 1957-58, ch. XLVI, sec. 11(a), (b), (d)-(i), eff. Mar. 21, 1958.]

§ 41. Offstreet loading facilities.

1. Every building or premises which is used for commercial, industrial, or storage purposes shall be provided on such premises with indoor or outdoor space for loading and unloading goods and materials if the aggregate area used for such commercial, industrial, or storage purposes is 6,000 square feet or more. The offstreet loading facilities required shall be determined by the number of square feet used for the specified purposes:

- (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. 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. [Added. L. 1957-58, ch. XLVI, sec. 11(c), eff. Mar. 21, 1958.]

§ 42. Signs.

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

- (a) Non-illuminated 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 subsection.

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

- (a) Non-illuminated business signs, which shall not project more than thirty-six inches beyond the building façade, and

which shall have an area of not more than 120 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) Non-flashing 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 façade of a building for each use, business, or person coming within the provisions of this subsection.

3. Business signs placed upon marquees or canopies permitted under the provisions of section 43 of this Chapter shall conform to the type and area requirements of subsection 2 above; and the area of such signs shall be calculated as within the maximum aggregate permitted on one façade of the building.

4. Except as otherwise specifically provided in this section,

- (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 shall be required for all signs greater than three square feet in area.

6. 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. [Added, L. 1957-58, ch. XLVI, sec. 12(d) (1)-(3), (4) in part, (5), eff. Mar. 21, 1958.]

Cross references:

Forbidden to place signs or lights along public highways which confuse pedestrians or vehicle operators, see Vehicle and Traffic L., sec. 943.

Non-conforming signs, see sec. 71(4) of this Title.

§ 43. 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 theatres, hotels, and similar public buildings. [Added, L. 1957-58, ch. XLVI, sec. 12(d) (4) in part, eff. Mar. 21, 1958.]

§ 44. Permanence of yards and lots.

1. The yard, court, and other open space requirements and the provisions of this 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 Act and for any building or structure hereafter erected or structurally altered. No land required by the provisions of this 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. 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 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 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 Act. [Added, L. 1957-58, ch. XLVI, sec. 12(1) (1st), eff. Mar. 21, 1958.]

§ 45. Projections into required yards.

1. 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 46. A retaining wall, when approved by the Municipal Engineer, 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 non-conforming by reason of this section shall be subject to the provisions of section 71.

2. 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 Municipal Engineer together with such retaining wall and drainage facilities as he 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. [Added. L. 1957-58, ch. XLVI, sec. 12(1) (2nd), eff. Mar. 21, 1958.]

§ 46. Buffer strips.

1. When any business, commercial, or industrial building or use (including, but not limited to, an office, a public garage, or a gas filling station) occupies a lot or lots in a business or industrial district, as provided by this 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 non-conforming building existing at the effective date of this Act.

2. Buffer strips shall be located within the required yard area of the property used for non-residential purposes, and the structures and planting required by this section shall be provided and properly maintained by the owner of the non-residential 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. Buffer strips shall be planted with shrubbery 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. 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 districts.

5. A free standing wall or a fence not more than five feet in height may be erected on the property line. 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. In case of a public garage, gas filling station, or offstreet 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 substantial 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 gas filling station, the wall or fence shall be on the non-residential side of the buffer strip; in the case of an offstreet 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 subsection 3 above shall, for the uses specified in this subsection, be located on the buffer strip on the residential side of the wall or fence.

7. 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. [Added. L. 1957-58, ch. XLVI, sec. 12(k), eff. Mar. 21, 1958.]

Chapter 4. EXCEPTIONS AND EXEMPTIONS

§ 70. 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 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 non-profit 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 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 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 safeguarded 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. [Added. L. 1957-58, ch. XLVI, sec. 12(a), eff. Mar. 21, 1958.]

§71. Continuance of non-conforming uses.

1. Any use existing on the effective date of this 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. No building in which a non-conforming 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 Act are complied with; provided, however, that such building may be