

SECTION 2 DEFINITIONS

For the purpose of these Regulations, certain terms or words will be defined as follows: words in the present tense include the future; words in the singular number include the plural; and vice versa. The word "person" includes a partnership or corporation.

2.1 Abutting

Separated by no intervening private property; properties separated by a public or private street shall be deemed to be abutting.

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Commented [ra1]: Require notification to properties across the street.

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2.12 Accessory Building

A subordinate building attached to or detached from the principal building located on the same lot and used for purposes customarily incidental and subordinate secondary to the use of the principal building.

2.23 Accessory Use, Customary

A use of land or a portion of a structure or building customarily incidental and subordinate to the actual principal use of the land, structure or building and located on the same lot with such principal use, structure or building.

2.4 Agricultural Group Quarters, Seasonal

Commented [ra2]: Moving an existing definition to alphabetize

Any trailer or mobile home used for living and sleeping by seasonal agricultural workers (migrant) and located on a farm where agricultural production is the principal means of livelihood as defined by Section 12-91 of the Connecticut General Statutes and recorded with the Town Assessor. EFFECTIVE JULY 1, 1983

2.35 Agriculture

The cultivation of ground, including the harvesting of crops, rearing and management of livestock, tillage, husbandry, farming, horticulture and forestry.

2.6 Alter, Alteration

As applied to a building or structure, means a change or rearrangement in the structural parts thereof, the movement of all or any part thereof, or the substantial reconstruction thereof, so as to produce a substantial change in appearance, character, or construction; also means an enlargement, whether by increasing in height, coverage, volume or floor area. As applied to a use, means a change or enlargement in the character, area occupied by, intensity, or scope of the use, including, but not limited to, the extension of hours of operation, the addition of other activities, equipment, functions, or processes, or the extension into additional land or building area.

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2.7 Boarding, Rooming or Lodging House

A dwelling, part of which is occupied by the owner of the dwelling as his permanent residence, in which lodging and meals are offered or provided for compensation to two or more persons up to a maximum of six persons by pre-arrangement for definite periods of time. A boarding, rooming or lodging house is to be distinguished from a hotel, motel, ~~tourist home~~ bed and breakfast, short-term rental and supervised group quarters.

2.8 Bed and Breakfast

A dwelling, part of which is occupied by the owner of the dwelling as his permanent residence, in which overnight accommodations, which may include breakfast, are offered or provided for compensation to two or more transient persons up to a maximum of six persons.

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2.59 Building

Any structure having a roof and intended for the shelter, housing or enclosure of persons, animals, properties or materials. Any other structure more than eight (8) feet high shall be considered to be a building, including a fence or wall but excluding a public utility pole or flagpole.

2.610 Building Heights

The vertical distance from the average grade, to the top of the highest roof beams of a flat roof, or to the mean level of the highest gable or slope of a hip roof. See AVERAGE GRADE. AMENDED EFFECTIVE MARCH 26, 1984.

2.711 Building Line

A line parallel to a street at a distance from the street line equal to the required front yard or at a greater distance if otherwise established by the Town Plan and Zoning Commission as part of an approved subdivision.

2.812 Club

Premises owned and operated by a corporation or association of persons for social, civic, recreational, religious or fraternal purposes, but not operated primarily for profit or to render a service, which is customarily carried on as a business.

Commented [jm3]: May want to address rental of clubs in later sections

2.913 Convalescent, Nursing Or Rest Home

A building or portion thereof for the lodging, care and treatment of five (5) or more persons. Such home does not contain equipment for surgical care or the treatment of injury and shall comply with any Federal and State requirements applicable to such homes.

2.104 Court

An open unoccupied space other than a yard on the same lot with a building or group of buildings and which is bounded on two or more sides by such building or buildings.

2.5215 Deck

An open exterior floor system supported on a least two (2) opposing sides by an adjoining structure and/or post, or piers. EFFECTIVE FEBRUARY 4, 1994.

2.16 Drive-In:

A pPrincipal Use, or an establishment designed or operated for such use, where a patron is served while seated in an automobile located in an off-street or on-street parking area, driveway, or similar area. -Compare to "Drive-Through."

2.17 Drive-Through:

An Accessory Use in which a patron is provided products or services while seated in an automobile located in an off-street driveway or lane. Compare to "Drive-In."

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- Commented [ra4]: Review text in other sections, as "drive-up" used interchangeably.
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2.148 Dwelling

Any building or portion thereof which is designed or used exclusively for residential purposes, by human occupants, and containing one or more dwelling units.

2.129 Dwelling, Single-Family

A dwelling ~~used or designed exclusively for having~~ one dwelling unit; ~~or a dwelling used or designed for two dwelling units provided a special permit has been granted for such additional dwelling unit pursuant to Section 6.11 Special Regulations. Effective October 14, 1983.~~

2.1320 Dwelling, Two-Family

A dwelling having two dwelling units.

2.1421 Dwelling Multiple

A dwelling having three or more dwelling units.

2.1522 Dwelling Unit

One room or a suite of two or more rooms designed for or occupied by one family for living and sleeping purposes and having only one kitchen or kitchenette.

2.23 Enlarge, Enlargement

Any addition to the floor area of an existing building, an increase in the size of any other structure, or an increase in that portion of a tract of land occupied by an existing use. -"To enlarge" is to make an enlargement.

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2.1624 Family

One person, or group of two or more persons related by blood, marriage, legal adoption or legal guardianship, or a group of not more than six (6) persons who need not be so related, living and cooking together in the same dwelling unit as a single housekeeping unit. The persons constituting a family may also include up to six (6) foster children when a married couple permanently reside in the same dwelling unit as foster parents and gratuitous guests and domestic ~~servants~~employees. A roomer, boarder, lodger or occupant of supervised group quarters, regardless of relationship or ownership, shall not be considered a member of a family.

2.1725 Farm

A tract of land containing five (5) acres or more, used wholly or in part for agricultural purposes, but excluding commercial greenhouses and commercial nurseries (involving the retail sale of flowers, shrubs, trees and other plants from buildings or structures on the premises, rather than exclusively from the ground) and commercial pig farms. A farm may include a dwelling unit and premises used for the keeping of livestock, poultry and other domestic animals when permitted by these Regulations.

2.26 Flood Zone-

Commented [jm5]: Flood Zone – establish that for the purposes of these regulations "Flood Zone" refers to FEMA 100-year flood zone. Need to fix Flood Regulations.

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2.27 Floor Area Ratio-

Commented [jm6]: Needs discussion and consideration – regs currently have different definitions in different zones. To address later****

2.54 Floor Area Ratio (as applied in Town Center)

The ratio of total building floor area to area of the lot, excluding unfinished basements, utility rooms, open porches, elevator shafts, common stair towers, carports, garages and parking structures.

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Floor Area Ratio (as applied in ARZ)

The Floor Area Ratio (FAR = total building floor area between exterior walls/total lot area) in the ARZ shall not exceed 0.5 unless the FAR of existing structure(s) exceeds 0.5 in which case the total new redevelopment FAR shall not exceed the existing FAR. For example, a 20,000 square foot site containing an existing building with a floor area of 7,000 square feet would have a FAR (7,000/20,000) of 0.35. In this scenario, redevelopment would allow for an increase to a total of 10,000 square feet for a FAR (10,000/20,000) of 0.5. A 20,000 square foot site containing an existing building with a floor area of 12,000 square feet would have a FAR (12,000/20,000) of 0.6. Under this scenario, redevelopment could not allow for an increase in floor area above the existing FAR.

Commented [jm8]: MKB recommends removing phrase "excluding unfinished basements" because someone could potentially finish a basement subsequent to approval and then increase the FAR. He recommends including any basement space with a headroom of 8 feet or more. Staff appreciates the concern however if someone were to pull a building permit to finish a basement space OCD would flag it and advise the applicant. Including basement could essentially reduce density if FAR is kept at .5. Also have to consider whether such a change would make existing buildings non-conforming.

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2.1828 Garage, Parking

An accessory building used for the storage of vehicles for the use of occupants or patrons of the lot on which such building is located.

2.1929 Grade, Average

~~A reference plane representing the average of finished ground level adjoining the building at all exterior walls. Effective March 26, 1984.~~ An elevation determined by averaging the ground elevation at points situated every 20 feet along an imaginary line located ten (10) feet outside of the wall of the building or structure and the starting location for such measurement points shall be the lowest elevation along the measurement line. Where such elevation points would be on the property of others, the ground elevations shall be taken at the property line. Such elevations shall be of finished grade except that in a flood zone where the original grade elevations shall be used. See Building Height.

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2.2030 Guest House

A residential accessory building located on the same lot as the principal building and used to house only ~~domestics~~ employees, or gratuitous guests of the family occupying the principal dwelling on the lot.

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2.2131 Historic And Monument Sites

Those premises set aside primarily to commemorate a historical event, activity or person.

2.2232 Home Occupation

A use, not otherwise permitted in the zone, which is customarily and may properly be conducted for compensation as an accessory use on a residential lot (See Section 7).

2.2333 Hotel - Inn - Motel

A building or buildings designed and used ~~to provide temporary lodging for persons primarily for temporary occupancy by transients~~, which provides or offers accommodations for a consideration for seven or more persons exclusive of proprietors and employees living on the premises. Rooms for public assembly and the serving of food may also be provided.

2.2434 Livestock

Grazing animals, ~~and poultry.~~

2.2535 Lot

A plot or parcel of land under separate ownership occupied or capable of being occupied by one principal building and the accessory buildings or uses customarily incident to it, including such open spaces as are required by these Regulations. Except in residential zones, more than one principal building under the same ownership may be considered as occupying the same lot, if approved by the Town Plan and Zoning Commission as a part of special permit ~~and-with~~ design review ~~powers~~.

2.2636 Lot Area

The required lot area shall be deemed to be the product of multiplying the average width of a lot by a lot depth not greater than three times such width, regardless of the total depth of the lot. The total square footage of the lot.

2.37 Lot Coverage-

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The proportion of lot area covered by all principal structures.

2.2738 Lot, Corner

A lot having two adjacent sides facing a street or streets so that the interior angle of the intersection is not more than 120 degrees.

2.2839 Lot, Depth Of

The mean distance from the street line of the lot to its rear line measured in the general direction of the side lines of the lot.

2.2934 Lot Frontage

The minimum lot frontage shall be the shortest distance obtainable by measuring from any point where the building line intersects a lot side line to the opposite side line.

2.3035 Motor Vehicles, General Repair And Services

The business of repairing, overhauling, removing, adjusting or replacing parts of any motor vehicle and body repairing of any motor vehicle.

2.3136 Motor Vehicle, Limited Repair And Service

The business of minor repairs to any motor vehicle such as repairs and replacement of cooling, electrical, fuel and exhaust systems, brake adjustments, relining and repairs, wheel alignment and balancing and repair and replacement of shock absorbers.

2.3237 Motor Vehicle Or Gasoline Service Station

A building or structure designed or used for the retail sale or supply of fuels, lubricants, air, water and other operating commodities for motor vehicles, aircraft or boats and including the customary space and facilities for the installation of such commodities on or in such vehicles.

2.3338 Nonconforming Building

A building which does not conform to one or more of the applicable provisions of these Regulations, but which lawfully existed prior to the effective date of these Regulations or of any amendment hereof ~~ef~~ or change in zoning classification which created the nonconformity.

2.3439 Nonconforming Use

A use of land, structure, building or premises which is not a use permitted by the provisions of these Regulations for the zone in which such land, structure, building or premises is situated, but which lawfully existed prior to the effective date of these Regulations or of any amendment hereof or change in zoning classification which created the nonconformity.

2.3540 Open Space

An unoccupied space open to the sky and on the same lot as the building.

2.3641 Parking Area, Private

Any area of land which is used as an accessory use for parking of motor vehicles for the occupants, tenants, visitors, employees or patrons of a use or uses and is located on the same lot as said use or uses.

2.3742 Parking Lot, Public

Any tract of land, which is used as the principal use of the lot for the parking of motor vehicles.

2.3843 Parks

Land and/or water primarily in its natural state except for manmade recreation facilities and dedicated and used for recreation, scenic, leisure, conservation, historic or ornamental purposes.

2.3944 Principal Building

A building in which is conducted the principal use of the lot on which it is situated.

2.45 Short Term Rental

A dwelling or part of a dwelling which may or may not be occupied by the owner, in which overnight accommodations are offered or provided for compensation to up to a maximum of six persons for no more than 21 cumulative days during any 3 month period. A short-term rental must have separate sleeping areas established for guests and guests must have at least shared access to one full bathroom and cooking area.

2.4046 Street

A public highway or a proposed public highway shown upon a plan duly approved by the Town Plan and Zoning Commission in full accordance with the Glastonbury Subdivision and Resubdivision Regulations.

2.4147 Structure

Anything constructed or erected which requires location on the ground, including signs, but not including fences or walls used as fences the maximum height of which is less than four (4) feet above the ground.

2.4248 Supervised Group Quarters

A dwelling housing a group of persons during a period in which such persons are undertaking a program of vocational training, counseling, social rehabilitation or other similar programs, such as children's homes and group homes. Supervised group quarters shall not be considered a rooming house, boarding house or lodging house.

2.43 ~~Tourist Home~~

~~A dwelling, part of which is occupied by the owner of the dwelling as his permanent residence, in which overnight accommodations are offered or provided for compensation to two or more transient persons up to a maximum of six persons.~~

2.4449 Trailer-Mobile Home

Any vehicle or similar portable structure which is or can be used for sleeping, living or working quarters and which is, has been, or can be mounted on wheels, whether or not resting upon a temporary or permanent foundation.

2.4550 Trailer Camp

Any lot, parcel, subdivision or area of land which is used or permitted to be used for the parking of more than one occupied trailer (mobile home).

2.4651 Use

The "use" of property is the purpose or activity for which the land or structure or building thereon is designed, arranged, intended, occupied or maintained, and shall include any manner of performance of such activity ~~with~~ with respect to the standards and requirements of these Regulations.

2.4752 Yard

An open space of generally uniform width or depth on the same lot with a building or group of buildings and the nearest lot line, and is unoccupied and unobstructed by any portion of a structure from the ground upward except as otherwise provided herein. In measuring a yard as hereinafter provided, the line of a building shall be deemed to mean a line parallel to the nearest lot line, drawn through the point of the building or the point of a group of buildings nearest to such lot line.

2.4853 Yard, Front

A yard extending across the full width of the lot and lying between the front property line (street line) of the lot and the nearest line of the principal building.

2.4954 Yard, Rear

A yard extending across the full width of the lot and lying between the rear property line of the lot and the nearest line of the principal building.

2.5055 Yard, Side

A yard between the side line of the lot and the nearest line of the principal building and extending from the front yard to the rear yard, or, in the absence of either of such yards, to the front or rear lot line, as the case may be.

2.51 — Agricultural Group Quarters, Seasonal

~~Any trailer or mobile home used for living and sleeping by seasonal agricultural workers (migrant) and located on a farm where agricultural production is the principal means of livelihood as defined by Section 12-91 of the Connecticut General Statutes and recorded with the Town Assessor. EFFECTIVE JULY 1, 1983~~

2.52 — Deck

~~An open exterior floor system supported on a least two (2) opposing sides by an adjoining structure and/or post, or pier. EFFECTIVE FEBRUARY 4, 1994.~~

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2.53 — Grandfathered Use

~~For purposes of Section 4.13.6 of these regulations, a use existing prior to the enactment of current zoning that does not conform to current zoning, but which is permitted as a legal pre-existing use due to its conformance with the development requirements of the zone existing prior to the enactment of these Town Center Regulations.~~

2.54 — Floor Area Ratio

~~The ratio of total building floor area to area of the lot, excluding unfinished basements, utility rooms, open porches, elevator shafts, common stair towers, carports, garages and parking structures.~~