

At a Meeting of the Board of Supervisors of Loudoun County, held at the Court House thereof in Leesburg, Virginia, on Monday, September 28, 1942.

Present: M. H. Whitmore, Chairman  
 D. C. Sands,  
 J. T. Hirst,  
 J. Homer Mock,  
 H. R. Tillett,  
 I. W. Baker.

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The minutes of the preceding meeting were read and there being no corrections or amendments, they stand approved as read.

It is ordered that the following claims for stock and poultry killed by dogs be allowed and warrants issued for the same.

80. J. R. Downs	Salary	36.00
81. E. O. Russell	Hawk Bounties	2.50
82. M. G. Spence	25 chickens @ 1.00	25.00
83. Mrs. J. W. Hancock	65 chickens @ 60¢	39.00
84. A. R. Peacock	11 ewes @ \$16.00	176.00
85. Frank Pierson	2 ewes @ 10.00	20.00
86. Westmoreland Davis	1 ewe	10.00
87. G. W. Hume	1 ewe	10.00
88. M. A. Ish	2 lambs @ 12.00	24.00
89. B. G. Deck	1 lamb	9.00
90. R. G. Conneen	1 ewe	10.00
91. John Moore	5 chickens @ 75¢	3.75
92. Elwood Rust	1 lamb	11.00

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In re: Adopting Proposed Zoning Ordinance for Loudoun County.

In pursuance of the advertisement inserted in the local papers a public meeting was held for the discussion of the adoption or rejection of a proposed Zoning Ordinance for the County.

After extended discussion D. C. Sands moved and J. Terry Hirst Seconded, the adoption of the ordinance, which motion carried by a vote of four to two, Mock and Whitmore voting in the negative.

The Ordinance is as follows:

LOUDOUN COUNTY ZONING ORDINANCE

Section 1.

- A. For the purpose of this ordinance, the unincorporated territory of the County of Loudoun is hereby divided into five classes of districts, as follows: R Districts, Rural Districts; H-1 Districts, Highway Agricultural Districts; H-2 Districts, Highway Commercial Districts; V-1 Districts, Village Residential Districts; and V-2 Districts, Village Commercial Districts.
- B. The boundaries of said districts are hereby established as set forth on the map entitled Zoning Map of the County of Loudoun, Virginia, 1942, a certified copy of which is on file in the office of the Clerk of said County. Said map is hereby made a part of this ordinance. District boundary lines are intended to follow highway lines or property lines except where boundary lines are referenced to existing highway or property lines by dimensions shown on said map; if no dimension is shown, and a District boundary line does not follow highway or property lines, the location of said boundary line shall be determined through the use of the graphic scale shown on said map.

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Section 11

Except as otherwise provided:

- 1. No building shall be moved, added to, or enlarged, nor shall any land or building be used, designed or intended to be used for any purpose or in any manner other than is included among the uses hereinafter listed as permitted in the district in which such land or building is located.
- 2. No building shall be erected, nor shall any existing building be altered, enlarged, or rebuilt, nor shall any open space surrounding any building be encroached upon or reduced in any manner, except in conformity to the building location regulations hereinafter designated for the district in which such building or land is located.

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Section III

R-District - Rural Districts

A. Uses Permitted:

All uses not otherwise prohibited by law shall be permitted, provided, however, that no establishment in an R-District shall display more than three signs totaling more than 40 feet in aggregate area, and provided further that none of the following uses shall hereinafter be established in any R-District unless and until a use permit therefor shall have been obtained from the Board of Supervisors as provided in Section X-B of this ordinance.

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1. Restaurants
2. Tourist courts
3. Trailer camps
4. Stores other than community stores.
5. Commercial recreation uses, such as (but not limited to) bowling alleys, pool rooms, dance halls or any use in which facilities for recreation or amusement are provided for compensation.
6. Signs visable from outside the district.
7. Hog farms.

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Section IV

H-1 Districts - Highway Agricultural Districts

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A. Uses Permitted:

- 36.00
- 2.50
- 25.00
- 39.00
- 76.00
- 20.00
- 10.00
- 10.00
- 24.00
- 9.00
- 10.00
- 3.75
- 11.00

1. Dwellings, but not including hotels or tourist courts.
2. Tourist homes.
3. Home occupations.
4. All agricultural uses.
5. Canneries, sawmills, box-mills, and other light industrial or other uses directly associated with and appurtenant to the normal agricultural or forestry operations of the area.
6. Parks, playgrounds, golf courses, and similar recreational uses.
7. Schools, churches, hospitals and other public and quasi-public uses.
8. Accessory uses and buildings.

B. Regulations Governing Location of Buildings:

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1. No building shall be located closer to the center line of any primary state highway than a distance of 75 feet.
2. No buildings shall be located closer to the center line of any secondary state highway than a distance of 50 feet.
3. No dwelling shall be located closer to the side property line of the parcel of land on which such dwelling is situated than a distance of 10 feet nor closer to any other dwelling on the same parcel of land than a distance of 20 feet.
4. No commercial building shall be located closer to the side property line of the parcel of land on which such building is situated than a distance of 15 feet nor closer to any dwelling on the same parcel of land than a distance of 20 feet.

Section V.

H-2 Districts - Highway Commercial Districts.

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1. All uses permitted in H-1 Districts.
2. Stores for the conduct of any retail business.
3. Hotels, tourist courts, and trailer camps.
4. Restaurants.
5. Repair garages and gasoline service stations.
6. Service uses, such as (but not limited to) barber shops, beauty shops, tailor shops, and shoe repair shops.
7. Commercial recreation uses.
8. Signs only when appurtenant to the use of the property on which displayed, and provided that no establishment shall display more than three signs, the aggregate area of which shall not exceed 40 square feet.
9. Any light industrial use.

B. Regulations Governing Location of Buildings:

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1. No buildings shall be located closer to the center line of any primary state highway than a distance of 75 feet.
2. No building shall be located closer to the center line of any secondary state highway than a distance of 50 feet.
3. No dwelling shall be located closer to the side property line of the parcel of land on which such dwelling is situated than a distance of 10 feet nor closer to any other dwelling on the same parcel of land than a distance of 20 feet.
4. No commercial building shall be located closer to the side property line of the parcel of land on which such building is situated than a distance of 15 feet, nor closer to any dwelling on the same parcel of land than a distance of 20 feet.
5. No building in a tourist court shall be located closer to any other building in said court than 10 feet.

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Section VI

V-I Districts - Village Residential Districts.

A. Uses Permitted:

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1. Dwellings for one or more families and tourist homes, but not tourist courts or hotels.
2. Home occupations.
3. Schools, churches, hospitals, parks, playgrounds, and other public and quasi-public uses.

- 4. Accessory buildings and accessory uses including crop and tree farming and the keeping of horses, cows, chickens, or other livestock solely for the use of the family living on the lot on which such accessory use is established.

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B. Regulations Governing Location of Buildings:

- 1. Where 25% or more of the frontage in any block is, at the time of the passage of this ordinance, improved with buildings which vary in their location with reference to the right-of-way line of the street on which they face to an extent not greater than 10 feet, any building built hereafter in such block shall maintain a distance from such right-of-way line of the street of not less than the average of the distance which such existing buildings maintain.
- 2. In any other block no building shall be located closer to the right-of-way line of the street on which such block faces than a distance of 25 feet.
- 3. No one-story building shall be built closer to the side lot line of the lot on which it is situated than a distance of 10 feet; no two-story or more building shall be built closer to the side lot line of the lot on which it is situated than a distance of 15 feet.

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Section VII.

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V-2 Districts - Village Commercial Districts.

A. Uses Permitted:

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- 1. All uses permitted in V-I Districts.
- 2. Stores for the conduct of any retail business.
- 3. Service uses such as (but not limited to) barber shops, beauty shops, tailor shops, shoe repair shops.
- 4. Banks, and business and professional offices
- 5. Gasoline service stations and repair garages.
- 6. Restaurants.
- 7. Hotels
- 8. Carpenter shops, plumbing shops, tinsmith shops, electrical shops, upholstering shops and blacksmith shops.
- 9. Signs only when appurtenant to the use of the property on which displayed, and provided that no establishment shall display more than three signs, the aggregate area of which shall not exceed 40 square feet.

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B. Regulations Governing the Location of Buildings:

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Section VIII.

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Additional Regulations.

- A. Nothing herein shall be deemed to prevent the sale or offering for sale by the owner or tenant of any farm, of goods produced on said farm. The construction of any stand or shelter for this purpose on the highway frontage of any such farm shall be permitted use in any district and the sale of such goods may be advertised by not more than three signs of not over six square feet in area each; one sign may be displayed on the site of the stand, and two of such signs may be located not more than 300 feet distant from such stand, one in each direction along the highway on which the stand faces.

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- B. A heavy industry may be located in any district, except any V District, upon the securing of a use permit therefor from the Board of Supervisors as provided in Section X-B of this ordinance.

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- C. Regardless of district regulations there may be maintained the following signs, provided that not more than one sign of each of the following types may be displayed on any one parcel of land:

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- 1. Signs not exceeding one square foot in area displaying the name only of the land or building on which displayed, or of the owner or tenant thereof.
- 2. Signs not exceeding 6 square feet in area pertaining only to the sale or lease of the land or building on which displayed.
- 3. Signs not exceeding 4 square feet in area announcing tourist home accommodations only when located on the lot on which such tourist home is situated.
- 4. Directional or informational signs of a public or quasi-public nature.

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- D. Passenger or freight stations for bus or rail lines, and necessary service buildings in connection with a public utility may be maintained in any district subject to the securing of a use permit therefor, as specified in Section X-B of this ordinance.

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Section IX

Definitions

For the purpose of this ordinance, certain terms used herein are defined as follows: All words used in the present tense include the future; all words in the plural num-

ber include the singular and all words used in the singular include the plural; the word "shall" is mandatory and not directory; the word "building" includes the word "structure". All distances shall be measured horisontally unless otherwise specified.

Accessory Building: A subordinate building the use of which is incidental to that of a main building on the same lot.

Accessory Use: A use incidental to the principal use of a lot or a building located on the same lot with the accessory use.

Building: Any structure having a roof supported by columns or by walls.

Guest Room: A room which is intended, arranged or designed to be occupied, or which is occupied, by one or more guests paying direct or indirect compensation therefor, but in which no provision is made for cooking and not including dormitories for sleeping purposes.

Hog Farms: The keeping of hogs fed primarily on garbage transported from other places to the farm for feeding purposes.

Home Occupation: Any use customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of dwelling for dwelling purposes and does not change the character thereof.

Hotel: A building or group of buildings other than a tourist court as defined herein, containing 10 or more guest rooms.

Junk Yard: The use of any area of land lying within 100 feet of a state highway or the use of more than 200 square feet of land area in any location for the storage, keeping or abandonment of junk, including scrap metals or other scrap materials; the term "junk yard" shall include "automobile graveyard" as defined in Chapter 304, Acts of 1938, of the State of Virginia, but shall not include the storage or keeping of farm machinery or parts thereof in any form. A junk yard shall be deemed to be a heavy industrial use.

Restaurant: Any building in which for compensation, food or beverages are dispensed for consumption on the premises, including, among other establishments, cafes, tea-rooms, confectionery shop, or refreshment stands.

Community Store: A store primarily for the retail sale of commodities used in the normal agricultural, industrial, or residential activities of the area in which such store is located.

Sign: Any display of any letters, words, numerals, figures, devices, emblems, pictures, or any parts or combinations thereof, by any means whereby the same are made visible and for the purpose of making anything known, whether such display be made on, attached to, or as a part of a structure, surface or any other thing, including, but not limited to, the ground and any rock, tree or other natural object, which display is visible beyond the boundaries of the parcel of land on which the same is made.

Tourist Court: A building or group of two or more detached buildings containing one or more guest rooms having separate outside entrances for each such room or suite of rooms and for each of which rooms or suites of rooms automobile parking space is provided on the premises.

Tourist Home: A dwelling otherwise permitted in the district in which the same is situated, in which less than ten guest rooms are provided for transient guests.

Trailer Camp: Any premises occupied by or designed for occupancy by two or more families living in trailers.

Section X

Permits.

Zoning Permits:

No building or use of land other than a one-family dwelling or an agricultural or forestry use or building shall hereafter be commenced unless and until a zoning permit therefor is obtained from the clerk, John A. Hunt. Each applicant for a zoning permit shall submit to the clerk, John A. Hunt two copies of a sketch showing the size and shape of the parcel of land on which the proposed building or use is to be conducted; the nature of the proposed use of the building or land; and the location of such building or use with respect to the property lines of said parcel of land and to the right-of-way of any street or highway adjoining said parcel of land. If it appears that the proposed building or use is in conformity with the provisions of this ordinance, a zoning permit shall be issued to the applicant free of charge by the clerk, John A. Hunt, and one copy of the sketch shall be returned to the applicant with said permit, provided, however, that the applicant for a zoning permit for any such building in any H-1 or H-2 District shall submit in addition to the information otherwise required herein, sketches showing the front, side, and rear elevations of the proposed building and shall consult with the county planning commission at their next regular meeting after the date of application in an endeavor to provide that every such building shall be so designed and constructed that it will be in reasonable harmony with the desirable character of the neighborhood; and so that no such building will be of unsightly or otherwise undesirable appearance to the extent that

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it will hinder the orderly and harmonious development of the neighborhood or of the County, or impair the scenic assets of the Commonwealth, or limit the opportunity to obtain the optimum use and value of land and improvements in the neighborhood, or impair the desirability of living conditions in adjacent residential areas, or otherwise adversely affect the general prosperity and welfare, and the Clerk of the Court shall issue no zoning permit for any such building until he shall have received from the planning commission written certification of the completion of such consultation.

In re: 181 234; 8455 1942

B. Use Permits:

The procedure governing the application for and granting of use permits for uses for which such permits are required by this ordinance shall be as follows:

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1. The applicant shall make application for the use permit to the Clerk of the Court on the form provided for the purpose, giving all information required by such form. The application shall be accompanied by two copies of a sketch showing the size and shape of the parcel of land on which the proposed building or use is to be located; the nature of the proposed use of building or land; and the location of such building or use with respect to all existing buildings, to any public highways adjoining said parcel of land, and to all dwellings within 500 feet of the proposed building or use for which a permit is required.

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2. The Clerk of the Court shall submit the application and both copies of the sketch to the County Planning Commission for its recommendation as to whether the permit should be granted or denied. Within 30 days after its receipt of the application, the County Planning Commission shall transmit the same to the Board of Supervisors together with its recommendation as to the granting or denial of the permit applied for, including any conditions or restrictions which in the opinion of the Commission are necessary in order that the use, if allowed, would not operate to the detriment of the neighborhood or of the community or the county at large.

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3. The Board of Supervisors, after receipt of a recommendation from the County Planning Commission, may grant or deny the application as the Board sees fit, being guided in its decision by its opinion as to whether or not the proposed use would be detrimental to the neighborhood or to the community or the county at large. The Board may impose any special regulations or restrictions, including a limitation of the time for which the permit shall be valid, which the Board may deem necessary in order that the general purposes of this ordinance shall be carried out. Failure of the County Planning Commission to make a report within the allotted 30-day period shall be deemed to be approval of the granting of the permit in question.

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4. Upon the granting of a use permit, on copy of the sketch, upon which have been indicated the change or restrictions, if any, required by the Board of Supervisors, and which has been certified by the Clerk of the Court, shall be returned to the permittee, who may thereafter conduct the operations for which the permit has been granted only in such manner and for such a time as the permit and the certified sketch shall specify. A use permit shall be valid only for the specific use it covers in the specific location designated.

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Any person who violates any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than \_\_\_\_\_ dollars and not more than \_\_\_\_\_ dollars for each offense.

approval the Board Meeting

In the interpretation and application of the provisions of this ordinance, the same shall be minimum requirements adopted for the protection and promotion of the health, safety, morals, comfort, convenience and general welfare of the public. It is not intended by this ordinance to repeal, abrogate, annul or in any way to impair or to interfere with any existing provision of law or of any ordinance or any rule, regulations or permit previously adopted or issued or which shall be adopted or issued pursuant to law or ordinance relating to the use or construction of buildings or the use of land; provided, however, that where this ordinance imposes a greater restriction on the use of land or buildings, or on the locations of buildings, or otherwise imposes greater restrictions than are imposed or required by such existing provisions of law or ordinance or by such rule, regulation or permit, the provisions of this ordinance shall control. The substantive provisions of the "Code of the County"

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*was not made when the ordinance was adopted but in pursuance of an order of the Board passed May 24<sup>th</sup> 1944 -*  
In re: Renting rooms in Harrison Building.

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It was adopted unanimously that certain rooms in the Harrison building be rented for the Loudoun County Rationing Board at a monthly rental not to exceed \$55.00 per month.

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In re: Route #724. The following motion was adopted unanimously.

- 8453. E. 8454. C 8455. S. 8456. D. 8457. L. 8458. C.

Upon motion, seconded and adopted unanimously the State Highway Commission is requested to abandon section of Rt. 724 between Rt. 723 and Rt. 725, a distance of 0.7 Mi.