

## ARTICLE 2 DEFINITIONS

### Sec. 4-201 Definitions of Words and Phrases

The following words and phrases when used in this Chapter shall for the purpose of this Chapter have the meaning respectively ascribed to them in the Article.

1. Abutter. One whose land touches along the border or with or projecting part of the land which is the subject of an application.
2. Accessory Use. Building or Structure. A use, building, structure or portion of a building supplementary and/or subordinate to a main use or building on the same lot occupied by or devoted exclusively to a principle use. When an accessory building is attached to main building in a substantial manner, such as a wall, roof, breezeway or other roofed or enclosed passage, the accessory building is considered a part of the main building.
3. Building. Any structure which is constructed or erected, or positioned, either temporary or permanent, having a roof supported by columns, walls, or any other supports, which is used for housing, storing, or enclosing persons, animals, or personal property or conducting business activities or other uses. When any portion thereof is completely separated from every other part thereof by division of walls from the ground up, and without enclosed passageways or openings, each portion of such building is deemed a separate building. The definition includes mobile homes or mobile structures, pre-manufactured or pre-cut structures, movable storage units, freight containers, and semi-trailers positioned or installed on property and serving in the function of a building. All buildings require a building permit be issued pursuant to the Building Permit Ordinance.
4. Change of Use. Any altered use of a structure or parcel for which it has not been used within the previous 12 months.
5. Dwelling. Any building or structure or portions thereof containing one or more dwelling units, but not including a motel, hotel, inn, or similar use.
  - A. Residential Dwelling Unit. A room or group of rooms designed and equipped exclusively for use as permanent, seasonal or temporary living quarters for only one family. The term shall include mobile homes, modular homes, and trailers.
  - B. Dwelling - Duplex. A building containing only two (2) dwelling units, for occupancy by one family.
  - C. Dwelling - Multi-Family. A building or portion thereof designed for occupancy by two or more families living independent of each other.
  - D. Dwelling – Multi-Family Designated for the Elderly. A building or portion thereof designed for occupancy by two or more families living independently of each other in which all owners or permanent residents shall be fifty-five (55) years of age or older. In accordance with the Fair Housing Act, 42 U.S.C. §1301 et seq., and in compliance with exemption for Housing for Older Persons, at least 80% of the dwelling units shall be owned or occupied by at least one person of 55 years of age or older.
6. Excavation. Any removal of earth of earth material from its original location.
7. Family. An individual, or two or more persons related by blood or marriage, or groups of not more than five persons (excluding servants) who need not be related by blood or marriage, living together as a single housekeeping unit in a dwelling.

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8. Gross Floor Area. The sum of the gross area of the several floors of a building or buildings (including accessory buildings) measured from the exterior faces or exterior walls, and specifically includes stairwells and elevator shafts, interior balconies and mezzanines, finished basements and basements used for dwelling or commercial purposes, attic space with structural head room of 7-1/2 feet or more, and any other floor space not specifically excluded. Gross floor area does not include, uncovered steps, space used for mechanical equipment, attic space with less than 7-1/2 feet of structural headroom, unfinished cellars not used for commercial purposes or as part of the living area of a dwelling.
9. Filling. Depositing or dumping any matter on or into the ground or water.
10. Lot. A parcel of land occupied or suitable for occupancy by one main building or use.
  - A. Lot Frontage. The front of a lot shall be the boundary of a lot along a public street.
  - B. Front Lot Line. The property boundary line that runs common with and adjacent to, any street frontage or right-of-way separating such lot from such street; in the case of a double frontage lot or a corner lot, the owner may choose which street the lot fronts, with preference given to that street that provides direct vehicular access to the lot.
  - C. Rear Lot Line. The lot line opposite the front lot line. On a lot pointed at the rear, the rear lot line shall be an imaginary line between the side lot lines parallel to the front line, not less than ten (10) feet long, lying farthest from the front lot line. On a corner lot, the rear lot line shall be opposite the front lot line of least dimension.
  - D. Side Lot Line. Any lot line other than the front lot line or rear lot line.
  - E. Lot of Record. A parcel of land, a legal description of which or the dimensions of which are recorded on a document or map on file with the Kennebec County Register of Deeds.
11. Mobile Home. A structure, transportable in one or more sections which is 8 body feet or more in width and is 32 body feet or more in length; and which is built on a permanent chassis and designed to be used as a dwelling or for commercial purposes, with or without a permanent foundation, when connected to the required utilities.
12. Occupancy Permit. Reference Section 4-104
13. Parking Area - Private. An open area designed or used for the parking of vehicles, but not for use by the general public.
14. Parking - Public. An open area, other than street, used for the temporary parking of three or more automobiles and available for public use whether free, for compensation, or as an accommodation for clients or customers.
15. Permanent Easement. A legal right held by the owner of a lot and evidenced by a recorded deed, permitting unrestricted travel by motor vehicle over land of another, and which provides all season access to the lot from a public road, and which is not less than 30 feet in width.
16. Planning Board. The Planning Board of the Town of Farmingdale.
17. Premises. One or more lots which are in the same ownership and are contiguous or separated only by a water body, including all buildings, structures, and improvements.
18. Public Road. A road accepted and maintained by the Town or State.
19. Reconstructed. A change in the size of footprint, height or use of a structure.

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20. Retail or Service Establishment. A business establishment engaged in the sale, rental, or lease of goods or services to the ultimate consumer for direct use or consumption and not for resale.
21. Road. A route or track consisting of a bed of exposed mineral soil, ground, asphalt, or other surfacing material constructed for or by the repeated passage of motorized vehicles.
22. Setback. The minimum horizontal distance from a lot line to the nearest part of a building.
23. Shoreland Zone. The land area located within two hundred and fifty (250) feet, horizontal distance of the normal high-water line of any great pond, river, stream, or saltwater body, within two hundred and fifty (250) feet of upland edge of a coastal or freshwater wetland; or within seventy-five (75) feet of the normal high-water line of a stream.
24. Stairs. A structure consisting of side supports, and at least 3 risers and treads, and the necessary landings and platforms, which provides a continuous and uninterrupted passage from one floor to another.
25. Steps. A structure on the exterior of a building consisting of side supports, risers and treads, which provides access to the first floor or basement of a building.
26. Structure. Anything constructed or erected, which required location on the ground or attached to something having location on the ground, including but not limited to, swimming pools, bill boards, and paved driveways or parking areas, but excluding fences less than (8) eight feet high.
27. Structure or Building, Accessory Use. A use, building, structure or portion of a building supplementary and/or subordinate to a main use or building on the same lot occupied by or devoted exclusively to a principle use. When an accessory building is attached to main building in a substantial manner, such as a wall, roof, breezeway or other roofed or enclosed passage, the accessory building is considered a part of the main building.
28. Structure, Principal. The structure in which the primary use of the lot is conducted.
29. Swimming Pool. A structure which is two or more feet in height which may retain water.
30. Use. The purpose for which land or a structure thereon is designed, arranged or intended, or for which it is occupied or maintained, let or leased.
31. Water Body. Any naturally occurring water on the surface of the land, including without limitations, ponds, lakes, streams, rivers, brooks, marshes and swamps.
32. Yard. An open space on the same lot with a principal structure, unoccupied and non-obstructed from the ground upward except for natural vegetation or as provided by this Ordinance.
33. Yard-Front. The yard between the building and the lot line abutting a public road, permanent easement or water-body.
34. Yard-Side. The yard between the building and any part of the lot line not abutting a public road, permanent easement, or water-body.

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