

CODIFIED ORDINANCES OF NUTTER FORT  
PART THIRTEEN – PLANNING AND ZONING CODE

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TITLE ONE – Zoning Regulations

- Art. 1301. Title; Use; Interpretation.
  - Art. 1305. Definitions.
  - Art. 1309. Districts Established; Use Regulations.
  - Art. 1311. Tree and Shrub Nuisance.
  - Art. 1313. Supplementary Regulations.
  - Art. 1317. Off-Street Parking and Loading Requirements.
  - Art. 1321. Planned Development Groups.
  - Art. 1325. Trailers or Mobile Home Parks.
  - Art. 1329. Fences.
  - Art. 1335. Subdivisions.
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**ARTICLE 1301**  
**Title; Use; Interpretation**

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| <p><b>1301.01 Short title.</b></p> <p><b>1301.02 Uses.</b></p> <p><b>1301.03 Nonconforming uses.</b></p> | <p><b>1301.04 Boundaries of districts.</b></p> <p><b>1301.05 Application of regulations.</b></p> |
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CROSS REFERENCES

- Zoning authority generally – see W.Va. Code 8-24-39  
Conflict of laws – see W.Va. Code 8-24-70
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**1301.01 SHORT TITLE.**

Titles One and Three of this Part Thirteen – shall be known as the Planning and Zoning Code. The map herein referred to, and which is hereby declared to be a part of the Zoning Ordinance, shall be known as the “Zoning Map.”  
(Passed 2-14-78)

**1301.02 USES.**

In each district, land and structures may be used only for purposes specified hereinafter.  
(Passed 2-14-78.)

**1301.03 NONCONFORMING USES.**

Any use or structure existing at the time of enactment or subsequent amendment of the Zoning Ordinance, but not in conformity with its provisions, may be continued with the following limitations. Any use of a building which does not conform to the Zoning Ordinance may not be:

- (a) Changed to another nonconforming use;
- (b) Re-established after discontinuance for six months;
- (c) Extended except in conformity with the Zoning Ordinance; or
- (d) Rebuilt after damage exceeding two-thirds of its fair sales value immediately prior to such damage.

(Passed 2-14-78)

**1301.04 BOUNDARIES OF DISTRICTS.**

The location and boundaries of districts are and shall be as shown on the Zoning Map; provided that where the designation on the Zoning Map indicates a district boundary approximately on a street or alley line or on a lot line, the center line of such street or alley, or such lot line, shall be construed to be the boundary. Where uncertainty exists as to the exact boundaries of any district as shown on the Zoning Map the following rules shall apply:

- (a) In un-subdivided areas, or where a district boundary subdivides a lot, the exact location of the boundary line shall be determined by use of the scale of the Zoning Map.
- (b) In the case of further uncertainty, the Board of Zoning Appeals shall interpret the intent of the Zoning Map as to the location of the boundary in question.

(Passed 2-14-78.)

**1301.05 APPLICATION OF REGULATIONS.**

Hereinafter no land shall be used or occupied and no building shall be erected, altered, used or occupied, except in conformity with the regulations herein established for the district in which such land, building or structure is located. In case of mixed occupancy, the regulations for each use shall apply to the portion of the building so used.

(Passed 2-14-78.)