

## ORDINANCES AND REGULATIONS

### ZONING

Effective August 7, 2006

### CHAPTER I

### PURPOSE

The following regulations are promulgated for the purpose of promoting the health, safety, and general welfare of the community; for the purpose of lessening the congestion of the streets; for the purpose of securing safety from fire panic and other dangers; for the purpose of providing adequate light and air; for the purpose of conserving the value of buildings and encourage the most appropriate use of land within the territorial limits of this Association; for the purpose of providing for public health, comfort and general welfare in living conditions; for the purpose of regulating and restricting the location of trades and industries, and the location of buildings designed for specific uses; for the purpose of regulating and limiting the height, bulk and construction of buildings hereafter erected or altered within the territory of this Association. Many of the changes included in this edition address issues that were dominant in the results of the resident survey conducted in the Fall of 2004.

#### Section 1     Definitions

For the purpose of these regulations, certain terms or words used herein shall be interpreted or defined as follows: The present tense includes the future; the singular includes the plural; the words "used" and/or "occupied" shall apply to both existing and proposed conditions and shall be construed to include the words "intended, arranged or designed to be used or occupied," the word "structure" shall include the word "building," the word "person" includes persons, a family, a partnership, "corporation," or other entity as well as "individual."

- 1.1     Accessory Building – Any building which is subordinate to and whose use is incidental and accessory to the use of the principal building on the same lot and not for human habitation.
- 1.2     Accessory Use - A use subordinate to and customarily incidental to the principal use of land or buildings and on the same lot.
- 1.3     Building – Any structure having a roof and intended for the shelter, housing, or enclosure for persons, vehicles, animals or materials.

- 1.4 Building Area – The ground area enclosed by the walls of a building together with the area of all covered porches and other roofed buildings and any decks or other structures with an elevation in excess of four (4) inches above the adjacent undisturbed ground level at any point around its entire perimeter. Roof overhangs in excess of twenty-four (24) inches will have the total overhang included in the area calculation.
- 1.5 Building Coverage – The percentage which the aggregate building area on the lot bears to the area of the lot.
- 1.6 Building Height – The vertical distance from the highest undisturbed ground level within five (5) feet from the walls of the building to the highest point of the building excluding chimneys and antenna.
- 1.7 Building Line - A line parallel to a street at a distance equal to the required front yard, or at a greater distance when otherwise established by the Association.
- 1.8 Court - An open space, other than a yard, on the same lot with a building, which space is bounded on three or more sides by the walls of such building.
- 1.9 Dwelling, Single Family - A detached building designed for or occupied by one family.
- 1.10 Family –A family shall be:
- (A) One or more persons living together as a single housekeeping unit, who are all related by blood, marriage or adoption; or
  - (B) A group consisting of not more than three (3) persons living together as a single housekeeping unit who are unrelated by blood marriage or adoption; or
  - (C) A combination of (A) and (B) above provided that such persons shall live together as a single housekeeping unit and the number of unrelated individuals shall not exceed three (3).
- 1.11 Family Dwelling Unit – A dwelling or part of a dwelling occupied or intended to be occupied by one family for residence purpose
- 1.12 Front Yard – For the purposes of these Regulations, the front yard shall be on the water (ocean front) side for those lots adjacent to the water (oceanfront), on the bluff side for those lots adjacent to the bluff, and on the street side in all other cases.
- 1.13 Ground – The solid surface of the earth, firm or dry land.

- 1.14 Ground Level – The elevation level of the ground at a specified point of interest.
- 1.15 Household Pet - Including but not limited to dogs, cats, birds or other domesticated animals which are customarily housed within the living quarters of a dwelling.
- 1.16 Junkyard –An area of land, within or without a building, used for, or occupied by a deposit or collection of materials, such as waste paper, rags or sheet-metal, used building materials, house furnishings, machinery, including but not limited to construction equipment, vehicles or parts thereof, and boats or parts thereof. A deposit or the storage on a lot of one (1) or more unregistered cars or trucks or those not in condition to be driven on public roads or parts of one (1) or more such vehicles for one (1) month shall be deemed a junkyard. A deposit or the storage on a lot of one (1) or more broken down boats or parts of one (1) or more such boats for six (6) months shall be deemed a junkyard.
- 1.17 Lot, Building - A plot or parcel of land occupied or capable of being occupied by one principal building and the accessory buildings or uses customarily incidental to it, provided that such a lot complies with the lot size and lot frontage requirements of these regulations.
- 1.18 Lot, Corner – A lot at the intersection of and abutting on two or more streets, where the angle of intersection is not more than one hundred thirty-five (135) degrees or where the intersection is rounded by a curve having a radius of less than one hundred (100) feet.
- 1.19 Lot, Interior - A lot other than a corner lot or a through lot.
- 1.20 Lot, Through – A lot other than a corner lot which abuts two or more streets which do not intersect at the lot.
- 1.21 Lot, Line – The established division line between lots or between a lot and the adjacent street, a lot and the adjacent bluff, or a lot and the adjacent water.
- 1.22 Lot Line, Front – All dividing lines between a lot and the street, a lot and the bluff, or a lot and the adjacent water shall be considered front lines.
- 1.23 Lot Line, Side – The line or lines bounding a lot that extend in the direction approximately perpendicular to the street from the street towards the rear. In the case of corner lots, or through lots, all lines extending from streets shall be considered side lot lines.

- 1.24 Lot Line, Rear – The line bounding a lot at the rear and approximately parallel to and at the maximum distance from the front lot line.
- 1.25 Non-Conforming Use – A use of land, buildings, or premises which is not a use permitted by the provisions of these Regulations
- 1.26 Non-Conforming Building – A building the use or structure of which does not conform to all the applicable provisions of these Regulations.
- 1.27 Non-Conforming Lot – A lot having less than 75 feet of lot frontage and/or less than 7,500 square feet in area.
- 1.28 Open Space – As applied to a lot, a space, not occupied by a building, accessory building or deck or other structure greater than four (4) inches in height above the adjacent undisturbed ground level on the same lot as the principal building.
- 1.29 Raised – Four (4) inches or more above the adjacent undisturbed ground level.
- 1.30 Set-back - The required open space between any building or structure and a lot line or street line. For corner lots, the required set-back shall be applied to the narrower street front.
- 1.31 Special Exception - A modification to the general terms of these regulations which is itemized herein and upon which the Zoning Board of Appeals for the Association is required to pass.
- 1.32 Start of Construction – For new construction or substantial improvements, the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 12 months of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure. For a structure without a basement or poured footings, the “start of construction” includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation. If reapplication is necessary, 80% of the original fee can be applied to the fee for reissuance of the permit.

- 1.33 Street – A public way or private thoroughfare which affords legal access to an abutting property. “Street” shall be deemed to include the entire width of the public way.
- 1.34 Street line – The line dividing the street and the lot.
- 1.35 Structure – anything constructed or which is installed on, above, or beneath the ground, including a building as a permanent location on the ground, including anything installed on, above, or beneath the water which is not primarily utilized or intended for navigation. Driveways, sidewalks, parking areas, and curbing are exempted.
- 1.36 Trailer, Boat - Any vehicle which is used or designated to be used to carry boats and which is, has been or may be mounted on wheels. A boat is any vessel for navigating the water.
- 1.37 Trailer, Mobile Home - Any vehicle which is used or designated to be used as a residence and which is, has been or may be mounted on wheels or inserted in the bed of a truck.
- 1.38 Transparent Density – Transparent density is that percentage of a fence which is visually open from one side to the other. The percentage of transparent density shall be distributed evenly over the entire length of the fence.
- 1.39 Utilities – Shall include water, sewer, electricity, telephone, television and fiber optic cables.
- 1.40 Variance – Variance means a grant of relief from the requirements of these Regulations, which permits construction in a manner that would otherwise be prohibited by these Regulations. A variance may only be granted by the Crescent Beach Association Zoning Board of Appeals. A variance may be granted where, owing to conditions affecting a specific parcel but not generally the district in which it is situated, a literal enforcement of these regulations would result in exceptional difficulty or unusual hardship.
- 1.41 Yard, Front – An open space between the building and the front lot line, extending the full width of the lot.
- 1.42 Yard, Rear – An open space between the building and the rear lot line, extending the full width of the lot, or in the case of a corner lot, there is no rear yard.
- 1.43 Yard, Side – An open space between the building and a side lot line, extending from the front yard to the rear yard. Any yard not a rear yard or a front yard shall be deemed a side yard.

- 1.44 Yard, Required Front, Rear or Side –The front, rear, or side yard as is required by the applicable provisions of Section 2.4 of these Regulations.

Section 2      Designation of District

- 2.1 Division of District - For the purpose of these regulations, the area of the Crescent Beach Association (CBA) is hereby divided into one district to be known as a residence district, designated as CBA-RD.
- 2.2 Permitted Uses - The following are the permitted uses of buildings and/or land in the CBA-RD zone, and uses not listed here are not permitted of buildings and/or land and no others are permitted:
  - 2.2.1 Single family dwelling.
  - 2.2.2 One Single Family Dwelling structure per lot.
- 2.3 Accessory Uses - Uses which are customarily incidental to the above permitted uses, and do not change the residential character of the property are permitted uses.
  - 2.3.1 Parks and playgrounds operated by the Crescent Beach Association, a non-profit organization, or a community association.
  - 2.3.2 Accessory uses customary with and incidental to permitted use, but no accessory building shall be used for human habitation. The storage of contractor's equipment, building supplies, or similar material, or of commercial motor vehicle exceeding one (1) ton capacity, whether inside or outside a building, shall not be a permitted accessory use in a residence district unless such storage is in conjunction with a building project.
- 2.4 Open Space Requirements.
  - 2.4.1 Lot size - within the residence district, no lot shall be less than 7,500 square feet in area.
  - 2.4.2 Frontage - Each lot shall have not less than 75 feet of lot frontage at the street line.
  - 2.4.3 Set-back, Non-corner lot – No building or structure shall be erected or placed and no building or structure shall be reconstructed, altered or placed on a lot less than fifteen (15) feet from the street line or seven (7) feet between the sides

of the building or structure and the side lines of the lot or then (10) feet between the rear of said building or structure and the rear lot line. No existing or new building or structure shall be reconstructed or altered to extend further toward the bluff or adjacent water.

2.4.4 Set-back, Corner lot - A building erected on a corner lot shall be required to comply with the setback line on its narrower street front. In cases of a corner lot where the street frontage is the same on both streets, the owner of the premises may elect which street is to govern the setback line of the building.

2.4.5 Building Coverage -The total building coverage of all buildings and structures on a lot shall not exceed 60% of the lot area. Wetlands, watercourses and land under water shall be excluded in the calculation of the lot area.

2.4.6 Raised patios and decks are included in the calculation of building coverage in paragraph 2.4.5 and are required to meet the setback requirements of paragraphs 2.4.3 and 2.4.4. Patios and decks less than four (4) inches above the adjacent undisturbed ground level at all points around their perimeter may be built to the property line and are not included in the building coverage calculation.

2.4.7 Building Height - No building or structure shall exceed 35 feet in height.

### Section 3      General Requirements

3.1 Compliance with Regulations – No lot or building, shall be used, and no building or part thereof or other structure shall be constructed, reconstructed, or replaced in whole or in part, extended, enlarged, moved, or altered except in conformity with these Regulations.

3.2 Nonconforming Uses - Any lawful use of a building or land existing after the effective date of these regulations may be continued subject to the following conditions:

3.2.1 A nonconforming use shall not be enlarged or extended.

3.2.2 A nonconforming use which ceases for any reason for a continuous period of more than one year, or is changed to a conforming use, shall not thereafter resume.

3.2.3 A building and its attendant foundation may be removed and/or demolished in conjunction with an approved reconstruction of the building subject to the following conditions and procedures.

1. Prior to any demolition or removal an Application for a Zoning Permit for the reconstruction of the building shall be filed and approved by the Zoning Enforcement Officer.
2. The applicant shall submit a class A-2 survey to the Zoning Enforcement Officer showing the location of the existing building(s) and proximity to boundary lines as well as the proposed location of the new building(s). The survey shall show all existing and proposed non-conforming conditions. An "as-built" survey shall be prepared and submitted to the Zoning Enforcement Officer upon completion of construction to confirm conformance with the proposed building location. Reconstruction shall not increase an existing nonconforming condition or create a new nonconforming condition. A request for a variance must be filed for any increase in an existing non-conforming condition or a new non-conforming condition.

3.2.4 In the event of a partial or total loss of a pre-existing, non-conforming building or structure due to fire, flood, windstorm or other casualty, such building or structure may be re-built in its entirety provided such re-built structure is of the same area and in the same location on the lot as the building or structure which was damaged or destroyed and also providing that an application for a permit to rebuild or restore shall be made within six (6) months unless an extension is granted by the CBA Zoning Board of Appeals.

3.2.5 Any lot which is a pre-existing building lot of record may be built upon, providing such building or structure meets the Open Space Requirements of Sections 2.4.3, 2.4.4, 2.4.5 and 2.4.6 of these Regulations

3.2.6 Reduction of Lot Size – No lot shall be reduced in size as to make either its area or its width at the street line less than the minimum required (by Paragraphs 2.4.1 and 2.4.2)

3.2.7 Division of Lot – Where a new lot is formed by the division of a lot already occupied by a building, no permit shall be granted for the erection of a building upon the new lot thus

created unless both lots comply with the provisions of these Regulations. Any proposed division of a lot or parcel of land that involves additions or changes to lot lines irrespective of whether or not a building already occupies the lot or parcel of land must comply with the applicable sections of these regulations. A Class A-2 survey will be required for a division of a lot. The proposed lot division is subject to review for compliance with the applicable requirements of these Regulations by the CBA Zoning Board of Appeals.

- 3.2.8 Determination of Lot Area – In determining the area of a lot for the purpose of building coverage, the area below mean high water mark, the area covered by wetlands, watercourses, or land under water shall be excluded regardless of coverage by a dock or similar structure.
- 3.2.9 Patios, Terraces, Raised Patios and Decks - A ground level (less than four (4) inches above the adjacent undisturbed ground level at all points around its entire perimeter) patio, terrace or deck may be constructed on a building lot and may extend to the limit of the property lines. Property owners are responsible for the effect of increases and/or other changes to drainage/runoff of water onto adjacent lots or streets caused by construction of patios, terraces and decks. A ground level patio/terrace/deck will not be included in the computation of building coverage.
- A raised patio, terrace or deck (higher than four (4) inches above the adjacent undisturbed ground level at any point around its entire perimeter) must adhere to the required front, side and rear yards and will also be included in the computation of building coverage. The area of an elevated deck projected down to ground level shall be included in the calculation of building coverage.
- 3.3 Vision Obstruction – No wall or other structure shall be erected, and no hedge, tree or other obstruction shall be maintained on a lot which may cause danger to traffic on a public street by obscuring the view.
- 3.4 Prohibited Uses - Within the Crescent Beach Association, no building or structure shall be used or occupied for any of the following purposes: Junkyard, motor vehicle junkyard or boat junkyard.
- 3.5 Signs - Signs not more than two (2) square feet in area when placed in connection with the sale, rental, construction or

improvement of the premises, provided that there shall be only one sign in connection with the premises.

- 3.6 Trailers - One (1) unoccupied trailer (to include but not limited to recreational vehicles (RV), campers, mobile home) may be stored on a lot except that it shall not be located between the face of the structure and street line, or within any of the required side or rear set back lines. The side yard set backs will be three (3) feet for trailers only.
- 3.7 East Lyme Zoning Regulations - The Crescent Beach Association is a special act community and these ordinances are adopted in accordance with proper legislative authority granted a special act community. The zoning regulation of the Town of East Lyme shall apply except where they conflict with these regulations.
- 3.8 Video and Electronic Games - Public use of video, electronic games and such other similar games for consideration is prohibited within the limits of the Association.
- 3.9 Storage of Boats, Boat Trailers and/or Jet Ski Trailers - The storage of boats, boat trailers and/or jet ski trailers is prohibited between the building line and street line of any lot and on any street within the Association during the period from November 1 through March 31.
- 3.10 Portable toilets or outhouses are not permitted. The Zoning Enforcement Officer may grant temporary permission during construction or special events.
- 3.11 Walls and Fences – Fences, walls or similar structures, singularly or in combination, cannot exceed a total height of eight (8) feet from the ground. Any fence, wall, or structure projecting beyond the front plane of a building shall be three (3) feet in height from the average ground level or less and shall have a transparent density of not less than fifty (50) percent. The height of a fence, wall, or other structure shall be measured from the average ground level to the highest point of the structure at several points along the structure. Average ground level is determined before any grading for the project has begun.

No fencing shall be constructed beyond the front plane of a building using metal such as chain link fencing or exposed metal post-balusters. Fences shall be installed and placed on a lot with the finished side facing the adjacent lot (s).

Notwithstanding other requirements as set forth in these regulations, walls and/or fences may be erected along the lot lines provided that they comply with all other regulations and building

codes and that are located within the limits of the lot or lots owned by the applicants.

- 3.12 Lighting Fixtures – On any lot, lighting fixtures used to illuminate any outside area shall be so arranged as to direct the light away from any neighboring premises used for residential purposes. In carrying out the intent of this article it is incumbent upon the owner to respect the neighbors whose property might be affected. This article is not intended to prevent the judicious use of landscape lighting, sensor security lights, or other lights used for architectural purposes.
- 3.13 Landscaping – Maintenance of public and private water views is an essential part of maintaining property values. Every effort should be made to ensure that all plantings of trees and bushes take into account the impact on views by neighboring premises and public spaces.
- 3.14 Exterior Accessory Equipment, defined as fixed heating, air conditioning and fuel storage tanks, not attached to the building or accessory building, shall meet the following requirements: Accessory equipment shall not be located in the front yard. Accessory equipment shall not extend into the setback line more than three (3) feet. Accessory equipment shall be screened by plantings or other materials acceptable to the Zoning Enforcement Officer and of sufficient height so that it is obscured from view from the street.

#### Section 4 Applications, Permits and Enforcement

- 4.1 The provisions of these regulations shall be enforced by the Zoning Enforcement Officer of The Crescent Beach Association.
  - 4.1.1 It shall be the duty of the Zoning Enforcement Officer to receive applications and to issue zoning permits and certificates of zoning compliance and he or she is hereby given the power and authority to enforce the provisions of these regulations.
  - 4.1.2 No Zoning Permit shall be issued for any real property on which Crescent Beach Association property taxes are past due.
  - 4.1.3 No construction, reconstruction, alteration or other work of a plumbing, electrical, heating, or structural nature shall be done on any lot, including but not limited to buildings, walls, fences, carports (attached or free standing) until a zoning permit has been duly issued. No zoning permit shall be issued for the construction, alteration, or moving of any building or part thereof unless the plans and intended use are such that said building or structure and the lot on which it stands or will stand will conform in all respects with the provisions of the Regulations.

Every application for a zoning permit shall be accompanied by a detailed plan drawn to scale of the land and building(s) in question and by such information as the Zoning Enforcement Officer shall require to establish full compliance with the provisions of these Regulations as to contemplated

work and of all other codes and regulations currently in effect at the time of application.

Depending on the nature, extent and location of the proposed work, the zoning officer may require a Class A-2 survey to be included with the application for a zoning permit.

Zoning permits will expire after twelve (12) months of approval if construction has not started. Construction on site shall be started within one (1) year of approval of the site plan. If reapplication is necessary, 80% of the original fee can be applied to the fee for reissuance of the permit. New construction and substantial renovation shall be completed (Certificate of Occupancy issued by Town of East Lyme) within twenty-four (24) months from the start of construction.

4.1.4 The Zoning Enforcement Officer shall upon notice and after inspection of the premises and building, issue a certificate of zoning compliance if the work done complies with the plans as authorized. It shall be unlawful to use any part of any building or structure hereafter erected, until a certificate of zoning compliance shall have been issued therefore by said Zoning Enforcement Officer showing that the proposed use and construction are in accordance with these regulations.

4.2 These Regulations shall be enforced by the Zoning Board of Appeals or the Zoning Enforcement Officer appointed by the Governing Board who shall be authorized to cause any building, structure, place or premises to be inspected and examined and to order in writing the remediation of any condition found to exist therein or thereon in violation of any provision of the Regulations made under the authority of the provisions of the State statutes.

Any person convicted of a willful violation of the Zoning Regulations of The Crescent Beach Association shall be penalized in accordance with the penalties outlined in Section 8-12, Chapter 124 of the Connecticut General Statutes, as amended.

4.3 No building permit shall be issued by the Town of East Lyme for property subject to these regulations until the Crescent Beach Association Zoning Enforcement Officer has certified that the proposed building or alteration complies with the provisions of these regulations or is a valid nonconforming use under these regulations. The applicant shall pay to the Crescent Beach Association Zoning Enforcement Officer a fee for such certificate as set by the Governing Board.

Section 5     Special Exceptions, Variances and Appeals

- 5.1     The CBA Zoning Board of Appeals shall hear and decide special exceptions, variances and appeals in accordance with Section 8-5 of the Connecticut General Statutes, as amended.
- 5.2     A nonconforming use may not be changed to another nonconforming use without a special exception from the CBA Zoning Board of Appeals and then only to a use more nearly in conformity with these regulations.
- 5.3     The CBA Zoning Board of Appeals is empowered to grant special exceptions subject to such reasonable conditions, restrictions and safeguards as may be deemed necessary by said Board for the purpose of protecting the health, safety, and general welfare of the community.
- 5.4     Variances and Appeals.
  - 5.4.1     The applicant for a variance from the provisions of these regulations shall show to the satisfaction of the CBA Zoning Board of Appeals that such relief shall not be contrary to the public interest and that, owing to special and peculiar conditions, the portion of the provisions of these regulations would result in unnecessary hardship to the applicant.
  - 5.4.2     The unnecessary hardship which an applicant seeks to avoid shall not be imposed by any prior action of the applicant. Such hardship shall arise only from special or peculiar site conditions, features of the land or structures in question, from physical infirmities of the applicant rather than the desire to realize greater financial gain.
  - 5.4.3     Nonconforming use of neighborhood lands, structures or buildings in an adjacent district shall not be considered grounds for the issuance of a variance.
  - 5.4.4     In granting relief from the provisions of these regulations, the CBA Zoning Board of Appeals shall grant the least variance from the provisions needed to remove the unnecessary hardship and may impose any condition or safeguard as may be deemed in the public interest.
  - 5.4.5     A variance granted by the CBA Zoning Board of Appeals shall not become valid until and unless recorded in the land records of the Town of East Lyme.

- 5.4.6 A variance shall become null and void twelve (12) months after said variance is granted by the CBA Zoning Board of Appeals unless the construction has started.
- 5.4.7 The CBA Zoning Board of Appeals has the power to grant the variance subject to such reasonable conditions, restrictions, safeguards as may be deemed necessary by said Board for the purpose of protecting the health, safety and general welfare of the community.
- 5.4.8 Under no circumstances shall the CBA Zoning Board of Appeals grant a variance to allow use not permissible under the terms of these regulations in the district involved or any use expressly or by implication prohibited by the terms of this regulation in said district.
- 5.4.9 The CBA Zoning Board of Appeals shall charge a fee in the amount of FIVE HUNDRED DOLLARS (\$500.00) for any variance application or other question brought before it, such fee to be paid at the time of the filing of the application by the applicant or petitioner as the case may be.
- 5.5 A Special Permit may be obtained from the Zoning Enforcement Officer (ZEO) for a temporary modification to a structure in order to accommodate access to the structure required to accommodate any physical infirmities of the applicant. An application for a Special Permit shall be obtained from the ZEO. The ZEO has the authority to issue a Special Permit under the terms of this paragraph. The permit application must be accompanied by a dimensioned plan showing the location and size of the temporary modification as well as a letter from a treating medical doctor confirming the special needs of the applicant.

The Special Permit will require annual renewal with appropriate documentation of the continued special needs from the treating medical doctor. The annual renewal must be filed with the ZEO within 30 days of the anniversary date of the initial application or any subsequent renewal of the application. If that does not occur then the ZEO will issue a Cease & Desist Order allowing 30 days for removal of the temporary modification. Further action will follow the provisions of Para. 4.2 of these regulations.

## Section 6      Amendment of Ordinances

These regulations may from time to time be amended or changed by The Crescent Beach Association as provided in the Act incorporating said association.

Section 7     Validity

If any section, paragraph, subdivision, clause or provision of these regulations shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of these regulations shall be deemed valid and effective.

Section 8     Interpretation of Regulation

- 8.1     In their interpretation or application, the provisions of these regulations shall be held to be the minimum requirements adopted for the promotion of public health, safety, comfort, convenience and general welfare.
  
- 8.2     It is not intended by these regulations to repeal, abrogate, annul or interfere with any existing provision of the law or ordinances, or any rules, regulations or permits previously adopted or issued pursuant to law, relating to the use of buildings or premises, nor is intended by these ordinances to interfere with or abrogate or annul any easements, covenants or other arrangements between parties, provided, however, that where this ordinance imposes a greater restriction upon the use of the building or premises or upon the height of buildings or requires larger yards, courts or other open spaces than are imposed or required by such existing provisions of law or ordinance or by such rules, regulations or permits, or by such easements, covenants or agreements, the provisions of these regulations have control.