



**ORDINANCE NO. 09-775**

**An Ordinance Amending Article 3, Sec 3.9-2.**

Proposed language incorporated into Table 3.9-2 *Lot coverage standards for accessory structures in residential districts*

<i>Table 3.9-2 Lot coverage standards for accessory structures in residential districts.</i>					
<i>(1) Within Residential (R) Districts and the MX-1 Mixed Use District.</i>					
Accessory structures shall conform to the following standards in the designated zone districts:					
TABLE INSET					
Zoning District	Lot Size	Maximum Allowable Lot Coverage of Structures	40% Maximum Allowable Lot Coverage	75% of Max Allowable Lot Coverage Allocated to Single-Family Dwelling	25% of Maximum Allowable Lot Coverage Allocated to Accessory Building*
<i>R-1</i>	5,000 sq. ft.	40%	2,000 sq. ft.	1,500 sq. ft.	500 sq. ft.
<i>R-1B</i>	5,000 sq. ft.	40%	2,000 sq. ft.	1,500 sq. ft.	500 sq. ft.
<i>R-2</i>	7,000 sq. ft.	40%	2,800 sq. ft.	2,100 sq. ft.	700 sq. ft.
<i>R-3</i>	12,000 sq. ft.	40%	4,800 sq. ft.	3,600 sq. ft.	1,200 sq. ft.
<i>C</i>	80,000 sq. ft.	6%	4,800 sq. ft.	3,600 sq. ft.	1,200 sq. ft.
<i>MH</i>	5,000 sq. ft.	40%	2,000 sq. ft.	1,500 sq. ft.	500 sq. ft.
<i>MF</i>	5,000 sq. ft.	40%	2,000 sq. ft.	1,500 sq. ft.	500 sq. ft.
<i>MX</i>	5,000 sq. ft.	40%	2,000 sq. ft.	1,500 sq. ft.	500 sq. ft.

\* In any case, accessory structures may not constitute a proportionate size greater than 25% of the actual developed area principal building lot coverage regardless of lot size.

(a) *General standards for accessory structures in residential districts.*

(1) *Maximum Height of Accessory Structure : One (1) Story 15 feet*

(2) *Setbacks* : Accessory structures shall not be permitted within any required front or side yard, or within five (5) feet of the rear lot line.

(3) Accessory structure must maintain a residential appearance and shall not produce impacts detrimental to adjacent properties as a result of traffic, noise, light, refuse, parking or other activities.

(4) No accessory structure shall be occupied, leased, rented, or otherwise used for profit, income or for gain.

(5) Accessory structure in residential districts shall not be used for any type of human habitation

(6) Accessory structures with any dimension greater than 12 feet must meet North Carolina Building Code.

(7) *Exemptions*: The following may be exempted from the one customary accessory building: fence, flagpole, dog house not to exceed sixteen (16) square feet, pump house not to exceed sixteen (16) square feet, and a playhouse not to exceed thirty six (36) square feet nor 8 feet in height, or as may be provided for under Article 14 (Conditional Use). The exemptions are not to have sewer, electrical, and plumbing except for a pump house. These exemptions are not considered part of the lot coverage

(b) *Table 3.9-2 Lot coverage standards for accessory structures in residential districts.*

(1) *Within Residential (R) Districts and the MX-1 Mixed Use District.*

Accessory structures shall conform to the following standards in the designated zone districts

(c) *Standards for accessory structures in non-residential districts.*

(1) *Within the MB-1 Marina Business District:*

Accessory structures, in conjunction with single-family lots only, shall not exceed ~~one (1) story~~ 15 feet in height and shall not be permitted within any required front or side yard, nor within five (5) feet of any lot line. Accessory structures may occupy no more than thirty (30) percent of the area of the required rear yard. Accessory structure shall not be used for any type of human habitation.

(2) *Within the T-1 Tourist District:*

Accessory structures shall not exceed ~~one (1) story~~ 15 feet in height. Accessory structures shall not be permitted within any required front or side yard, or within five (5) feet of any lot line. Accessory structures may occupy no more than thirty (30) percent of the area of the required rear yard. Accessory structure shall not be used for any type of human habitation.

(3) *Within the HB Highway Business District:*

Accessory structures shall not exceed fifteen (15) feet in height. Accessory structures shall not be permitted within any required front or side yard, or within five (5) feet of any lot line. Accessory structures must be similar in appearance and shall not exceed the size of the primary structure and not exceed total allowable lot coverage allowed for the primary structure and accessory structure combined. Commercial sites that exceed more than two (2) structures for the site shall require a Conditional Use Permit. Accessory structure shall not be used for any type of human habitation.

(d) *Lot coverage standards for swimming pools in all zoning districts.*

Private swimming pools and their associated decks, fencing, and equipment are exempted from the lot coverage requirements of this ordinance.

(Ord. No. 00-463, 10-10-00; Ord. No. 02-523, 11-12-02; Ord. No. 03-543, 7-8-03; Ord. No. 05-588, 5-17-05; Ord. No. 09-775, 2-10-09)

Adopted this 10<sup>th</sup> day of February 2009.

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Joel A. Macon, Mayor

Attest: \_\_\_\_\_ Melinda N. Prusa, Town Clerk