

SECTION 3

GENERAL PROVISIONS

Sec. 3-1 Interpretation and Application.

Interpreting and applying these Regulations, the requirements contained herein are declared to be the minimum requirements necessary to carry out the purpose of these Regulations. Except as hereinafter provided these Regulations shall not be deemed to interfere with, abrogate, annul, or otherwise affect in any manner whatsoever any easements, covenants, or other agreements between parties. Whenever the provisions of these Regulations impose greater restrictions upon the use of land or buildings, or upon the height of buildings, or require a larger percentage of lot to be left occupied than the provisions of other Ordinances, Rules, Regulations, Permits, or any Easements, Covenant, or other Agreements between parties, the provision of these Regulations shall govern.

Sec. 3-2 Zoning Affects All Land and Buildings.

No land, building, or structure shall be used, no building or structure shall be erected, and no existing building or structure shall be moved, added to, enlarge, or altered except in conformity with these Regulations.

Sec. 3-3 Only One Principal Building or Use Upon Any Lot.

Every building or use erected or established shall be located upon a lot as herein defined and, except as herein provided, there shall be no more than one principal building or use upon any lot. Single-family residential lots shall be limited to one electrical meter.

Sec. 3-4 Reduction or Change in Lot Size.

A lot as defined by this Ordinance which is occupied by a building or structure shall not be reduced or changed in size so that the total area, lot width, front, side, or rear setbacks, lot area, lot width, front, side, or rear building coverage, or other dimensions, area, or open spaces required by these Regulations, are not maintained unless such reduction is needed to provide land for public use. When two or more lots of record have been occupied by a building or structure as a single building site, and such building site has an area and a width equal to or less than the area and width required for lots as defined by this Ordinance for the zoning district in which such building site is located, then the area and/or width of such building site shall not be reduced except where such reduction is needed to provide land for a public purpose. The Board of Appeals shall not be authorized to vary this requirement. A lot shall not be divided so as to produce a tract of land which does not comply with the width and area requirements for a lot in the zoning district in which such lot is located, unless said tract

of land is combined with other land to produce a conforming lot, or unless said tract of land is needed and is accepted for public use.

Sec. 3-5 Maintenance of Open Spaces.

No yard shall be encroached upon or reduced in any manner, except in conformity with these Regulations. No yard for one principal building shall be considered as a yard for any other principal building, and no yard on one lot shall be considered as a yard for a principal building on another lot. Shrubbery, driveways, retaining walls, fences, curbs, and planted buffer strips shall be construed not to be encroachments on yards.

Sec. 3-6 Accessory Buildings

Accessory buildings shall conform to the following requirements:

Sec. 3-6.1 Location of Accessory Buildings on Residential Lots.

On a residential lot, accessory buildings and structures shall be permitted in rear yards only. On a residential lot, accessory buildings and structures shall be set back not less than five feet from any lot lines; provided however, that in the case of a corner residential lot, accessory buildings shall be set back from the center line of an abutting street a distance equal to the side yard requirements described in Section 3-9, and provided that such structures shall be set back not less than five feet from the right-of-way line of a lane and shall not be constructed within public drainage or water line or sewer line easements.

Accessory buildings or structures shall not have their own electrical meters with the exception of marine docks, barns and similar structures that do not include habitable space and are on the same parcel as a principal residential use. Provided further that accessory structures on properties directly abutting rivers or saltwater marshes shall not be restricted to rear yards, if such accessory structures meet the following requirements:

- a. The accessory building is set back a minimum of fifty (50) feet from a vehicular right-of-way and ten (10) feet from adjoining property lot lines.
- b. The accessory building shall not exceed 900 square feet (building footprint) in size and shall not exceed the height of the principal dwelling. Provided however that an additional foot in height over the height of the principal dwelling shall be permitted for each additional foot in which the accessory building or structure is setback from the side yard property line, not to exceed the height allowed by the zoning district. If a residential parcel exceeds the required lot area by a minimum of 25%, the square footage (building footprint) may be increased to a maximum of 1,200 square feet. If a residential parcel exceeds the required lot area by a minimum of 50%, the square footage (building footprint) may be increased to a maximum of 2,000 square feet. For residential parcels comprising 2 acres or more of upland, no maximum footprint is required. Provided however that lot coverage standards of Section 4-6.1 Standards for Residential Dwellings shall apply.
- c. The accessory structure is constructed of materials in keeping with the principal residential building and / or the residential character of the area, as determined by the Building Official.

Sec. 3-6.2 Location of Accessory Buildings on Nonresidential Lots.

Accessory buildings on nonresidential lots shall comply with front, side, and rear yard requirements established for the zoning district in which such accessory buildings are located.

Sec. 3-6.3 Temporary Construction Buildings.

A temporary building established in connection with a construction project or real estate development shall be permitted any place on a lot, provided such building shall comply with the front, rear, and side yard requirements established for the zoning district in which such building is located.

Sec. 3-6.4 Mobile or Manufactured Homes Not To Be Used as Storage Buildings

Mobile homes or manufactured homes shall not be used for any purpose other than a dwelling unit.

Sec. 3-7 Vision Clearance at Intersections.

On corner lots within all zoning districts, no fence, shrubbery or other obstruction to traffic sight vision, except utility poles or light or sign standards, shall encroach into an area as measured from three (3) feet above the level of the adjacent driving surface to ten (10) feet above the level of the adjacent driving surface, within a triangular area formed by the intersection of the right-of-way lines of two (2) streets or railroads, or a street right-of-way line intersection with a railroad right-of-way line, and a diagonal line which intersects the right-of-way lines at two (2) points, each forty (40) feet distance from the intersection of the right-of-way lines or, in the case of a rounded corner, from the point of intersection of their tangents except where site conditions require greater or lesser setbacks as determined by the County Engineer.

Sec. 3-8 Lots of Multiple Frontage.

Except in the case of corner lots, any building constructed on a lot having a frontage on two or more streets shall be so located as to comply with the regulations governing the front yard setbacks on all the streets on which such lot has frontage.

Sec. 3-9 Corner Lots, Side Yard Setback from Center of Street.

When a side yard of a building lies between the building and an abutting street, such side yard shall extend the entire width or length of the lot. The width of such side yard, measured from the centerline of the abutting street, shall be equal to one-half of the

right-of-way distance established by the Subdivision Regulations for Chatham County for the class of street to which such street belongs, plus the minimum side yard width established for the district in which the property is located.

Sec. 3-10 Street Access.

No building shall be erected on a lot which does not abut an open street which shall be either a public street, a publicly approved street or a publicly maintained street.

Sec. 3-11 Encroachment on Public Rights-of-Way.

No building, structure, service area, or off-street parking and loading facilities, except driveways, shall be permitted to encroach on public rights-of-way.