

**CHAPTER 2:**  
**GENERAL PROVISIONS**

<b>Section</b>	<b>Page</b>
<b>2.1</b> Applicability of General Provisions.....	2-2
<b>2.2</b> General Lot Standards.....	2-2
<b>2.3</b> Uses Not Expressly Permitted by Right or Conditionally.....	2-3

## **CHAPTER 2: GENERAL PROVISIONS**

### **Section 2.1 Applicability of General Provisions**

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- A. The following provisions shall apply throughout the jurisdiction of this Ordinance, regardless of the underlying regulating district.
- B. No building, land or portion thereof shall be erected, used, moved, or altered except in conformity with the regulations specified for the district in which it is located.

### **Section 2.2 General Lot Standards**

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#### **2.2.1 Use**

- A. No building, structure, or land shall hereafter be used or occupied, and no building or structure (or part thereof) shall be erected, moved, or structurally altered—except in conformity with the regulations of this ordinance or amendments thereto, for the district in which it is located.
- B. Only one (1) principal building and its customary accessory building(s) may hereafter be erected on any lot, except as allowed in individual districts for non-residential and mixed use developments.
- C. Any use which constitutes more than 40 percent of the lot area or 40 percent of the sales volume shall be considered a principal use and may not be considered an accessory use.
- D. No part of a yard or other open space required about any building for the purpose of complying with the provisions of this ordinance shall be included as a part of a yard or other open space similarly required for another building.

#### **2.2.2 Dimensional Standards**

- A. No lot existing upon adoption of this Ordinance shall be reduced in size or area below the minimum requirements of the regulating district. Lots created after the effective date of this Ordinance shall meet the minimum requirements established by this Ordinance. The location of required front, side and rear yards on irregularly shaped lots shall be determined by the Zoning Administrator. The determination will be based on the spirit and intent of this Ordinance to achieve an appropriate spacing and location of buildings and structures on individual lots.
- B. Where there is a lot of official record in any district at the time of the adoption of this zoning ordinance, that does not conform to the minimum lot size requirements, and the owner of such lot does not own sufficient adjacent property to meet the minimum lot size requirements, then such lot may be used as a building site provided that the other dimensional specifications (i.e. setbacks) of the district are complied with, or a variance granted by the Board of Adjustment concerning minimum dimensional requirements.
- C. District dimensional standards are located in Section 3.4.

**2.2.3 Lot Access**

- A. No building shall be erected on any lot, which does not abut at least 25 feet along a street or road. Such a street or road shall meet one of the following criteria:
1. It shall have been accepted by the Town of Granite Quarry as a local public street and be identified by a specified name.
  2. It shall have been accepted by the North Carolina Department of Transportation as a primary or secondary road, with corresponding primary or secondary road number and/or state-identified name.
  3. If neither Subsection (1) or (2) above is applicable, the roadway shall have **ALL** the following characteristics:
    - Be accessible and useable by the Town of Granite Quarry, its agents, and assigns;
    - Have a dedicated right-of-way of at least 25 feet or a deeded right-of-way of at least 20 feet provided that the deed was approved prior to 1975;
    - Have a roadway width of at least 15 feet.
- B. All new lots shall front upon a street built in accordance with this Ordinance. Minimum street frontage is established for each zoning district in Chapter 3. Generally, all buildings shall front directly upon a street and shall be of sufficient design to allow for the provision of emergency services.

**Section 2.3 Uses Not Expressly Permitted by Right or Conditionally**

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- A. Uses designated as "permitted uses" and "uses permitted with special requirements" are allowed in a district as a matter of right if other applicable regulations of this Ordinance are met.
- B. Uses classified as "conditional uses" are permitted upon approval of a Conditional Use Permit and development plan by the Board of Adjustment.
- C. The Board of Adjustment may after having held a public hearing determine if a use is permitted within a zoning district based on its interpretation of this Ordinance if the Zoning Administrator determines that the use's permissibility within a zoning district is unclear in the Ordinance.
- D. Unless a use is allowed as a "permitted", "use permitted with special requirements", "conditional use", "nonconforming use", or "temporary use", then such use is prohibited.