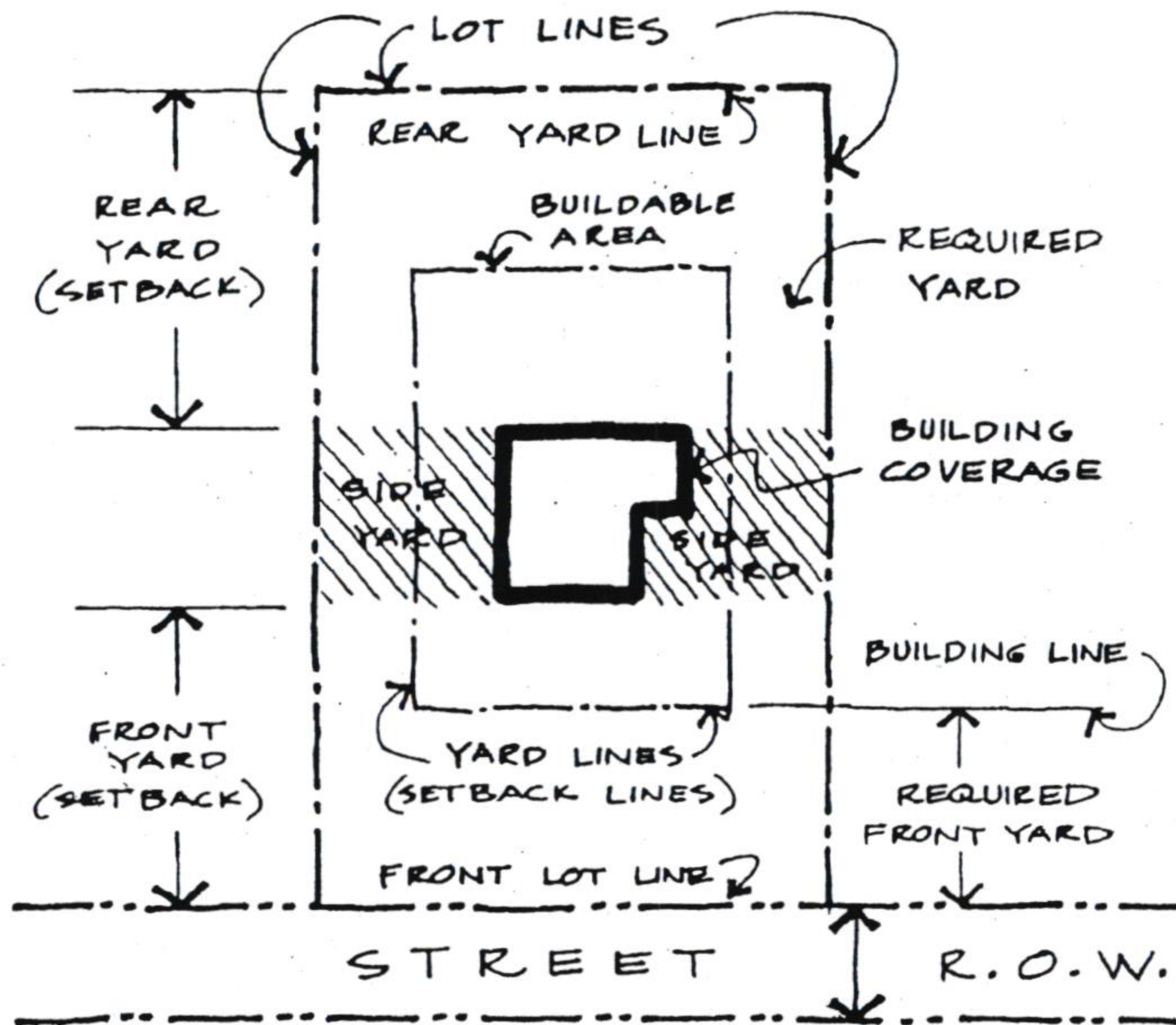


YARDS AND SETBACKS



Section 8-4. Structures and Projections Into Required Yards and Setback Areas

Every building or structure hereafter erected or established shall be located within the buildable area as defined by this Ordinance, and in no case shall such buildings extend beyond the buildable area into the respective front, side, rear yards or other setbacks required for the district in which the lot is located, except

for the following:

- (1) Ornaments, eaves, chimneys, cornices, window sills, awnings and canopies, which may project into any required yard a distance not to exceed three (3) feet.
- (2) Accessory uses, as specified by Section 8-7.
- (3) Fences, walls, and hedges, provided that no such structure or hedge shall impede visibility as required by Section 8-6.

Section 8-5. Exceptions To Height Limitations

The height limitations of this Ordinance shall not apply to church spires, belfries, cupolas, domes not intended for human occupancy, monuments, water towers, utility poles, chimneys, conveyors, flag poles, masts, or roof mounted mechanical equipment or communication towers and antennas; provided, however, that communication towers/antennas and water towers shall be separated from any adjoining residential property line in the R-1, R-2 and the RD Zoning Districts by a distance equal to one foot for each one foot in height, measured from the nearest residential property line.

Section 8-6. Visibility At Intersections

Visibility at railroad and street intersections shall be unobstructed. No planting shall be placed or maintained and no fence, building, wall or other structure shall be constructed after the effective date of this Ordinance, in such a manner as to obstruct visibility at intersections. No structure or planting shall be permitted at any point between a height of two and a half (2-1/2) feet and ten (10) feet above the upper face of the nearest curb (or street center line if no curb exists) and within the triangular area bounded on two sides by the street or railway right-of-way lines and on the third side by a straight line connecting points on the two street right-of-way lines as required by the site triangular and vertical vision clearance illustration. However, poles and support structures less than 12" in diameter may be permitted in such areas.

Section 8-7. Accessory Buildings and Uses

8-7.1 Accessory Uses To Observe Required Setbacks

Unless specifically provided herein, all accessory uses and structures shall observe all required setbacks, yard and other requirements applicable to the principal building or use for the district within which they are located.

Section 8-7.2 General Requirements

- (1) The number of accessory buildings shall not exceed two on any lot or parcel in the R-1, R-2 or B-1 District. No maximum on the number of accessory buildings or uses in other districts.
- (2) Accessory buildings in residential districts shall not be used for storage in connection with a trade.
- (3) Non-farm accessory buildings shall not exceed 50 percent of the Gross Floor Area (GFA) of the principal building or use in the R-1, R-2 or B-1 Districts.
- (4) The use of mobile homes as accessory buildings shall not be permitted in any zone district.

8-7.3 Location

Accessory buildings and uses are permitted anywhere within the buildable area of a lot or parcel unless specifically regulated; and are permitted within required yards and setback areas under the following conditions:

- (1) Accessory buildings and uses are permitted in required yards and setback areas in the B-2, RD and I-1 Districts; provided such uses are located no closer than five (5) feet to any property line, and otherwise comply with the regulations for accessory uses in said districts.

- (2) Accessory buildings and uses in the R-1, R-2, and B-1 Districts are permitted within required yards and setback areas; provided no such uses shall be closer than five (5) feet to a property line, and where indicated shall meet the following conditions.

ACCESSORY USE

CONDITIONS

Off-Street Parking

Not more than four off-street parking spaces shall be allowed in any required front yard.

Accessory buildings, including garages, carports, domestic kennels, storage sheds, satellite dishes, ham radio ground supported TV antennas, etc.

Are permitted in required rear and side yards only, and if located in the buildable area shall not extend or be located in front of any principal building.

Swimming pools, tennis courts, recreational uses

Are permitted in all required yards; provided said uses shall be no closer than 10 feet to the nearest residential property line, and shall have all lighting shielded or directed away from adjoining residences.

Section 8-8. Use of Land or Structures

8-8.1 Conformity With Regulations

No land or structure shall be used or occupied, and no structure or portions thereof shall be constructed, erected, altered, or moved, unless in conformity with all of the regulations specified for the district in which it is located.

No structure shall be erected or altered:

- (1) with greater height, size, bulk, or other dimensions,
- (2) to accommodate or house a greater number of families,

- (3) to occupy a greater percentage of lot area,
- (4) to have narrower or smaller rear yards, front yards, side yards or other open spaces, than required by this Ordinance, or in any other manner contrary to the provisions of this Ordinance.

8-8.2 Number of Principal Buildings Per Lot

(1) Residential Buildings (Dwellings)

ZONING DISTRICTS	R-1	R-2	B-1	B-2	RD
Single-Family detached dwelling	2	2	2	2	6
Manufactured dwelling (not in a Park)	2	2	NA	NA	3
Patio homes	1	1	NA	1	NA
Townhouses	NA	1	NA	1	NA
All other dwellings are based on density - see Table II					

(2) Non-Residential Buildings

There is no limit on the number of buildings or structures for non-residential uses; provided all other applicable requirements of this Ordinance are met.

8-8.3 Minimum Requirements Established

The minimum lot area, yards, and open space required by these regulations for each lot, parcel or building existing at the time of the passage of this Ordinance shall not be encroached upon or reduced, or considered as required yards or open space for any other building. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance for the district in which they are created.

The County Council may approve a subdivision of a lot in RD (Rural Development) zoned district into less than that which is required by Table II as

a Family Exemption under the following conditions:

- (1) The purpose of the subdivision is for the purpose of deeding the lot to an immediate family member to place their residence there.
- (2) An immediate family member is defined as parents, sons, daughters, brothers, sisters, grandparents and grandchildren.
- (3) The lot so divided must meet SC DHEC requirements for water and sewer facilities (i.e. well and septic tank) or have public water and public sewer facilities available for use.
- (4) The County Council shall approve the Family Exemption in a public hearing. The Notice of Public Hearing and Posting of Property shall be as required in Section 10-3.1 and Section 10-3.2.

Section 8-9. Nonconformities

8-9.1 Existing Nonconforming Lots Of Record

Where the owner of a lot at the time of the adoption of this Ordinance does not own sufficient land to enable him to conform to the dimensional requirements of this Ordinance, such lot may nonetheless be used as a building site and the Building Official is authorized to issue a permit for the use of the property provided that all applicable setback requirements are not reduced below the minimum specified in this Ordinance by more than 40%. Dimensional (setback) reductions greater than 40% shall be referred to the Board of Zoning Appeals for consideration, observing normal review procedures. If, however, the owner of two or more adjoining lots with insufficient land dimensions decides to build on or sell off these lots, they must first be combined to comply with the dimensional requirements of this Ordinance.

8-9.2 Existing Nonconforming Uses, Buildings, and Structures

Nonconforming uses, buildings, or structures are declared by this Ordinance to be incompatible with permitted uses in the districts in which they are located.