

ARTICLE XII

DENSITY AND DIMENSIONAL REQUIREMENTS

12-1 MINIMUM LOT AREA

- (A) Except as specifically provided for in subsections (C) and (D), all lots in the following zoning districts shall have at least the amount of square footage indicated in the table below:

| <u>Zoning District</u> | <u>Minimum Square Feet</u> |
|------------------------|----------------------------|
| RA | 20,000 |
| R-1 | 4,250 |
| R-1A | 4,250 |
| R-2 | 3,000 |
| B | No minimum |

- (B) The minimum lot sizes set forth in this Section are permissible only if and to the extent that adequate water and sewer facilities are or can be made available to serve the lots. Where public water and sewer services are not available, a greater lot area may be required by the Bladen County Health Department.
- (C) Deviations from the applicable lot size requirements of this Section may be made for nonconforming lots in accordance with Section 6-2.1.
- (D) Some uses designated as a 'D' or 'S' in Table 10-1-1 (Table of Permitted Uses) may be required to meet greater lot area requirements. See Article XI for use-specific lot area requirements.

12-2 RESIDENTIAL DENSITY

- (A) Every lot developed for residential purposes shall have at least the amount of square feet per dwelling unit indicated in the following table:

| <u>Zoning District</u> | <u>Minimum Square Feet</u> |
|------------------------|----------------------------|
| RA | 20,000 |
| R-1 | 4,250 |
| R-1A | 4,250 |
| R-2 | 3,000 |
| B | 3,000 |

- (B) In determining the total number of single-family dwelling units permissible on a tract of land, fractions shall be rounded to the nearest whole number.
- (C) In districts permitting two-family or multi-family dwellings, where the area of the property is such that a portion remains after full requirements have been met for other dwelling units on the same property, the following rules shall apply in

determining density, and no relaxation of these rules shall be permitted by a variance. If otherwise permitted by the regulations of a district:

- (1) A total of two units shall be permitted on a lot containing area for one unit and 95% of the area for the second.
 - (2) A total of three units shall be permitted on a lot containing area for two units and 90% of the area required for a third.
 - (3) A total of four units shall be permitted on a lot containing area for three units and 85% of the area for a fourth.
 - (4) One additional unit shall be permitted on a lot containing area for four or more units and 80% of the area required for the additional unit.
- (D) The overall density of permissible condominium and townhouse projects shall not exceed the requirements of subsection (A).

12-3 MINIMUM LOT WIDTH

- (A) All lots in the following zoning districts shall have at least the lot width indicated in the table below:

| <u>Zoning District</u> | <u>Minimum Lot Width</u> |
|------------------------|-------------------------------------------------------------------------------|
| RA | 100' |
| R-1 | 50' |
| R-1A | 50' |
| R-2 | 50' |
| B | No minimum for nonresidential uses; residential uses shall have 50'. |

- (B) The lot width shall be measured along a straight line connecting the points at which a line that demarcates the required setback from the street intersects with side property lines.
- (C) No lot created after the effective date of this Ordinance that is less than the recommended width shall be entitled to a variance from any building setback requirement.
- (D) Deviations from the applicable lot width requirements of this Section may be made for nonconforming lots in accordance with Section 6-2.1.
- (E) Minimum lot width requirements for individual units in a condominium or townhouse project are waived. However, the development parcel must adhere to the minimum lot width requirements of the zoning district in which it is located.

12-4 LOT ACCESS REQUIREMENTS

- (A) Subject to the remaining provisions of this Section, every lot to be built upon shall abut a public or private street or a private easement and no structure shall be built upon a lot which does not abut a public or private street or a private easement. Lots in the following zoning districts shall have at least the lot frontage indicated in the table below:

| <u>Zoning District</u> | <u>Minimum Lot Frontage</u> |
|------------------------|----------------------------------------------------------|
| RA | 50' |
| R-1 | 25' |
| R-1A | 25' |
| R-2 | 25' |
| B | 10' for nonresidential uses; 25' for residential uses |

- (B) Lot access requirements for individual units in condominium and townhouse projects are waived. However, the individual units shall have right of access through common areas containing private streets and/or private drives.
- (C) Lots of record created prior to October 9, 1972 that have less lot frontage than that required by subsection (A) are exempt from the requirements of this Section.

12-5 BUILDING SETBACK REQUIREMENTS

- (A) Except as specifically provided for elsewhere in this Article, no portion of any building may be located on any lot closer to any lot line, to a street right-of-way line, or to the lake than is authorized in the following table:

| | Zoning District | | | | |
|-------------------------------------------------------|-----------------|-----------------|------|-----|-----------------|
| | RA | R-1 | R-1A | R-2 | B |
| Street Setback | | | | | |
| US 701 (from edge of road right-of-way) | 20' | 20' | 20' | 20' | 20' |
| NC 41, NC 53, SR 1515 (from road centerline) | 50' | 50' | 50' | 50' | 50' |
| All Other Streets (from edge of road right-of-way) | 20' | 20' | 20' | 20' | 20' |
| Side Property Line Setback | 10' | 6' ¹ | 6' | 6' | 0' ² |
| Rear Property Line Setback | | | | | |
| Building height of 15' or less | 20' | 20' | 6' | 6' | 0' ² |
| Building height over 15' | 25' | 20' | 12' | 12' | 12' |
| Lake Property Line Setback | 20' | 20' | 20' | 20' | 20' |

¹ Side yards in R-1 districts adjacent to a street shall have at least a 12' setback.

² No minimum for nonresidential uses except if the side or rear lot line abuts a public or private street, private easement, or residential zoning district, there shall be a minimum 6' setback. Permissible residential uses in the B district shall comply with the side and rear setback requirements of the R-2 district.

- (B) Setback distances shall be measured from the street right-of-way line, street centerline, or property line to a point on the lot that is the nearest extension of any part of the building that is substantially a part of a building itself and not a mere appendage to it nor a building part allowed to encroach into a setback (see Section 12-8).
- (C) Building setbacks from approved private streets shall be the same distance as specified in (A) but shall be measured from the private street right-of-way, private street easement, or the boundary line of the common area reserved for the private street.
- (D) Setbacks for flag lots and lots served by access easements shall comply with the requirements of Section 12-8.
- (E) Where fifty percent or more of the lots in a recorded subdivision on the same side of the block as the lot in question are developed with less than the required street setbacks, the average setback of the two principal buildings nearest that lot shall be observed as the required minimum setback.
- (F) Deviations from the applicable setback requirements of this Section may be made for nonconforming lots in accordance with Section 6-2.4.

12-6 BUILDING HEIGHT LIMITATIONS

- (A) No building may exceed a height of 50 feet. Building height shall be measured as the vertical distance from grade to the highest finished roof surface in the case of the flat roofs or to a point at the average height of the highest roof having a pitch.
- (B) The height limitations of subsection (A) shall not apply to public buildings, church spires, belfries, cupolas and domes not intended for residential purposes, or to monuments, water towers, observation towers, power transmission towers, silos, grain elevators, chimneys, smokestacks, derricks, conveyors, heating and air conditioning equipment, flag poles, radio, television and communication towers, masts, aerials and similar structures, provided such structures meet the required NC Building Code.

12-7 DIMENSIONAL REQUIREMENTS FOR ACCESSORY BUILDINGS, STRUCTURES, AND USES

(A) Location

In residential zoning districts, all accessory buildings and structures must be located behind the front building line of the principal structure. In nonresidential zoning districts, accessory buildings and structures may be located in front of the principal structure but in no case may they encroach in the front building setback. No accessory structure or building except utility substations shall be erected in any easement.

(B) Setbacks

- (1) Front: No encroachment in the street setback is permitted. See also subsection (A) regarding location requirements in residential zoning districts.
- (2) Side and Rear: 6 feet from a side or rear lot.

(C) Height

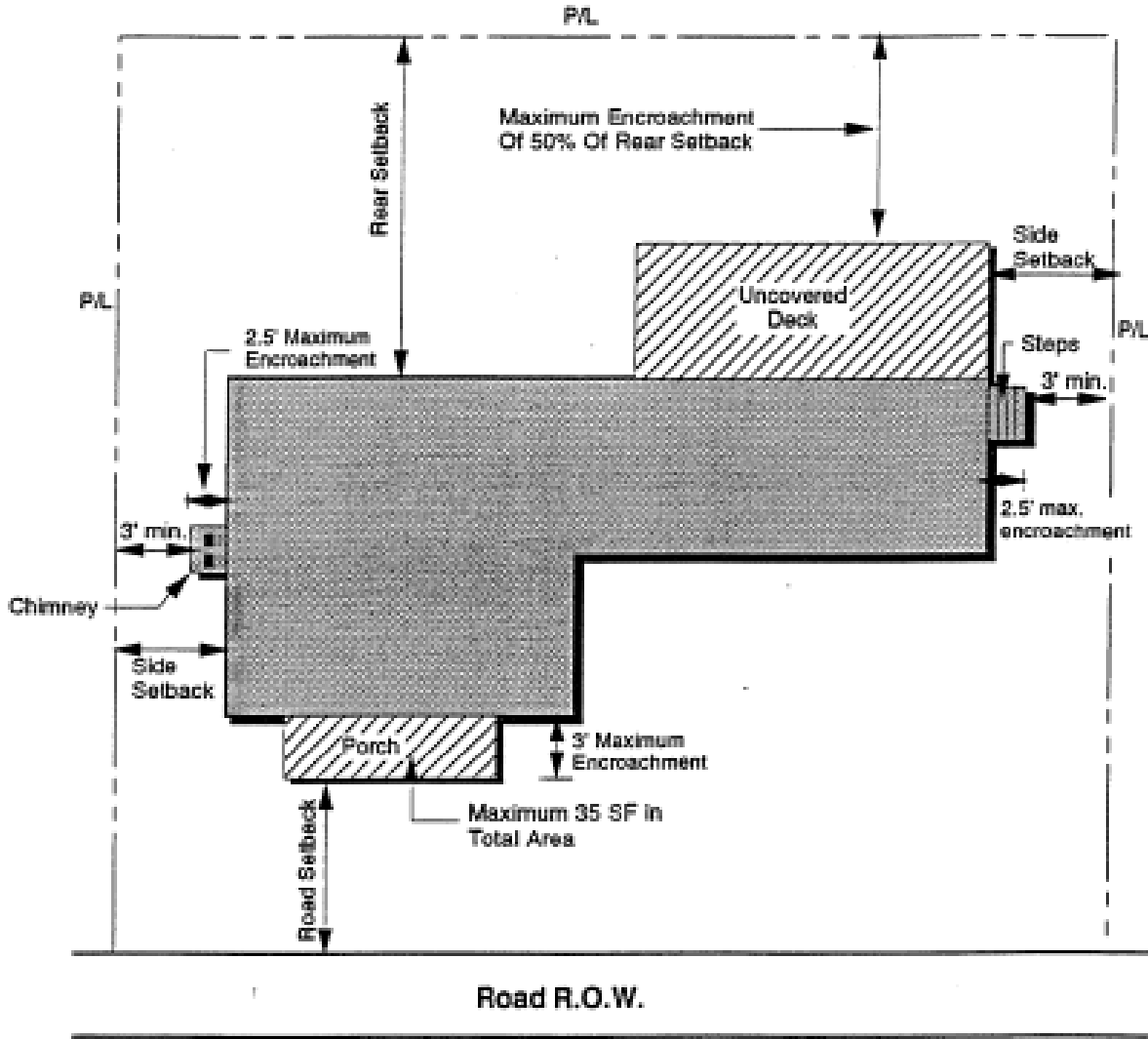
The height of all accessory structures and buildings shall conform to the height limitations of the zoning district in which it is located.

12-8 SUPPLEMENTARY DIMENSIONAL REQUIREMENTS

(A) Encroachments into Required Setbacks

- (1) Encroachments Permitted in Required Setback: The following are permitted in required setbacks provided there is no interference with any sight area:

**Figure 5
Encroachments Permitted in Setbacks**



- (a) Landscaping features, including but not limited to, ornamental pools, planting boxes, sculptures, arbors, trellises, and birdbaths;
 - (b) At grade patios, play equipment or outdoor furniture, ornamental entry columns and gates, flag poles, lamp posts, address posts, HVAC equipment, mailboxes, outdoor fire places, public utility wires and poles, pumps or wells, and fences or retaining walls; and
 - (c) Handicapped ramps.
- (2) Structures Permitted in Required Setbacks: The following structures may encroach into any required setback:
- (a) Cornices, steps, overhanging eaves and gutters, window sills, bay windows or similar architectural features, chimneys and fireplaces, fire escapes, fire balconies, and fire towers may project not more than two and one-half feet into any required setback, but in no case shall be closer than three feet to any property line; and
 - (b) Porches and decks may encroach into the required front and rear setbacks as follows:

| Porch or Deck Type | Yard | Maximum Encroachment | Maximum Area |
|----------------------|-------|----------------------|--------------|
| Covered or Uncovered | Front | 3 feet | 35 sq. ft. |
| Uncovered only | Rear | 50% of setback | - |

- (3) Canopy Projections: Gas station and convenience store pump island canopies may be located in the street setback provided that no equipment or part of a canopy is located closer than fifteen feet to a street right-of-way line if the pump island is parallel to the street right-of-way or 50 feet if the pump island is perpendicular to the street right-of-way.

(B) Flag Lots

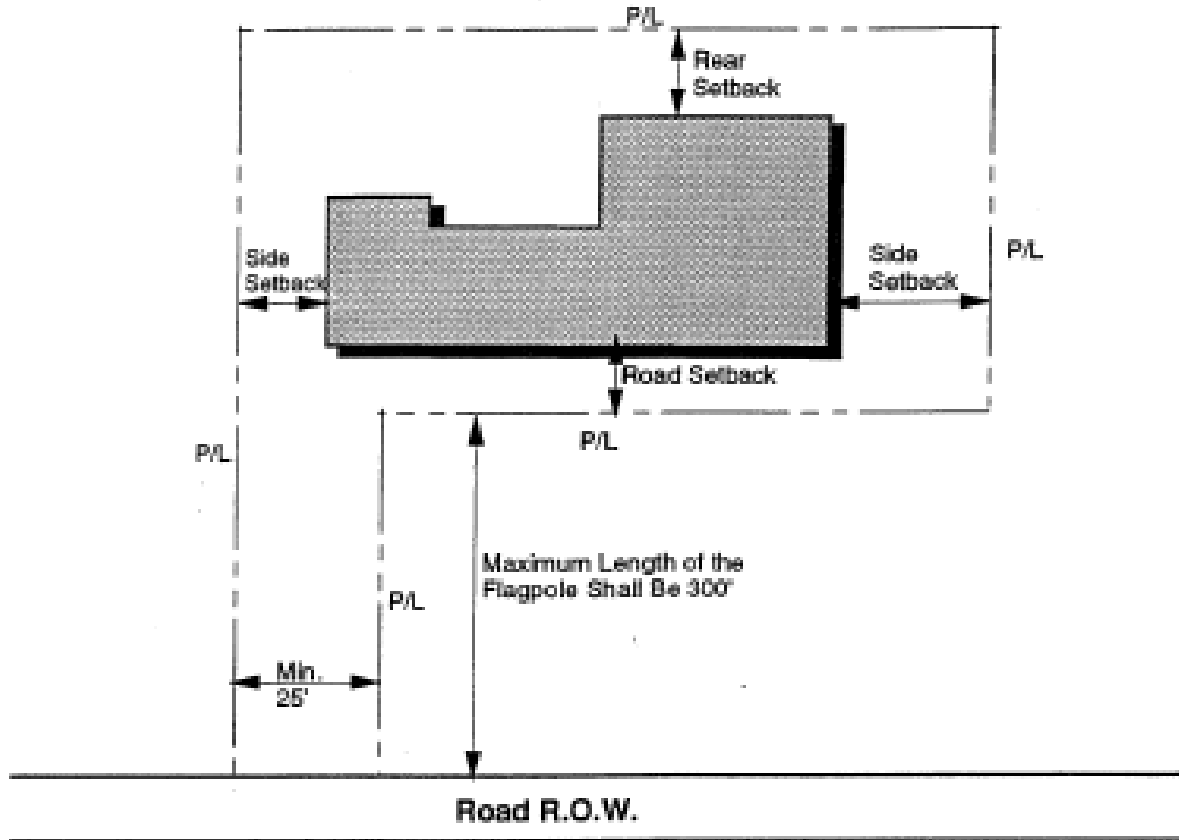
- (1) A flag lot shall serve only one single-family dwelling and its unhabitated accessory structures;
- (2) The maximum flagpole length shall be 300 feet;
- (3) The minimum flagpole width shall be 25 feet;
- (4) The maximum lot size in areas with public sewer shall be 15,000 square feet. The maximum lot size without public sewer shall be 1 acre. (Note: The flagpole portion of the lot is not used to calculate area, width, depth, coverage, and setbacks of the lot nor to provide off-street parking.);
- (5) The minimum separation between the flagpole portion of the lot and that of another flag lot shall be 150 feet;

- (6) Where public water is available, any building on the flag lot must be within 500 feet of a hydrant. This distance shall be measured along the street; then along the flagpole, then in a straight line to the building location;
- (7) Where public sewer is available, occupied buildings on the flag lot shall have a gravity service line, or the sewer pump requirements shall be noted on the site plan; and
- (8) Use of a single driveway to serve a flag lot and an adjoining lot is permitted and encouraged; the preferred location for the driveway is on the flagpole portion of the flag lot, with the conventional lot granted an access easement over the flagpole.
- (9) Building setbacks shall be provided as illustrated in Figure 6. The 'flagpole' portion of the lot shall not be used to calculate building setback.

(C) Lots served by Exclusive Access Easements

- (1) An Exclusive Access Easement shall serve only one single-family dwelling and its uninhabited accessory structures;
- (2) Lots to be served by an Exclusive Access Easement shall not be created in an area served by public water or sewer;
- (3) The minimum lot size shall be 1 acre (excluding the easement portion);
- (4) The minimum easement width shall be 25 feet;
- (5) The maximum easement length shall be 300 feet;
- (6) The minimum separation between the easement portion and any other platted access or right-of-way shall be 150 feet;
- (7) The location of the easement must be recorded;
- (8) The Exclusive Access Easement shall permit ingress, egress, and regress and necessary utilities required to serve the lot; and

Figure 6
Flag Lots



- (9) Building setbacks shall be provided as illustrated in Figure 7. The easement portion of the lot shall not be used to calculate building setbacks.

(D) Visibility at Intersections

No building, structure, wall, fence, shrub or tree shall be erected, maintained, or planted on any lot which will allow an obstruction in the horizontal or vertical sight distance area as defined in Article II.

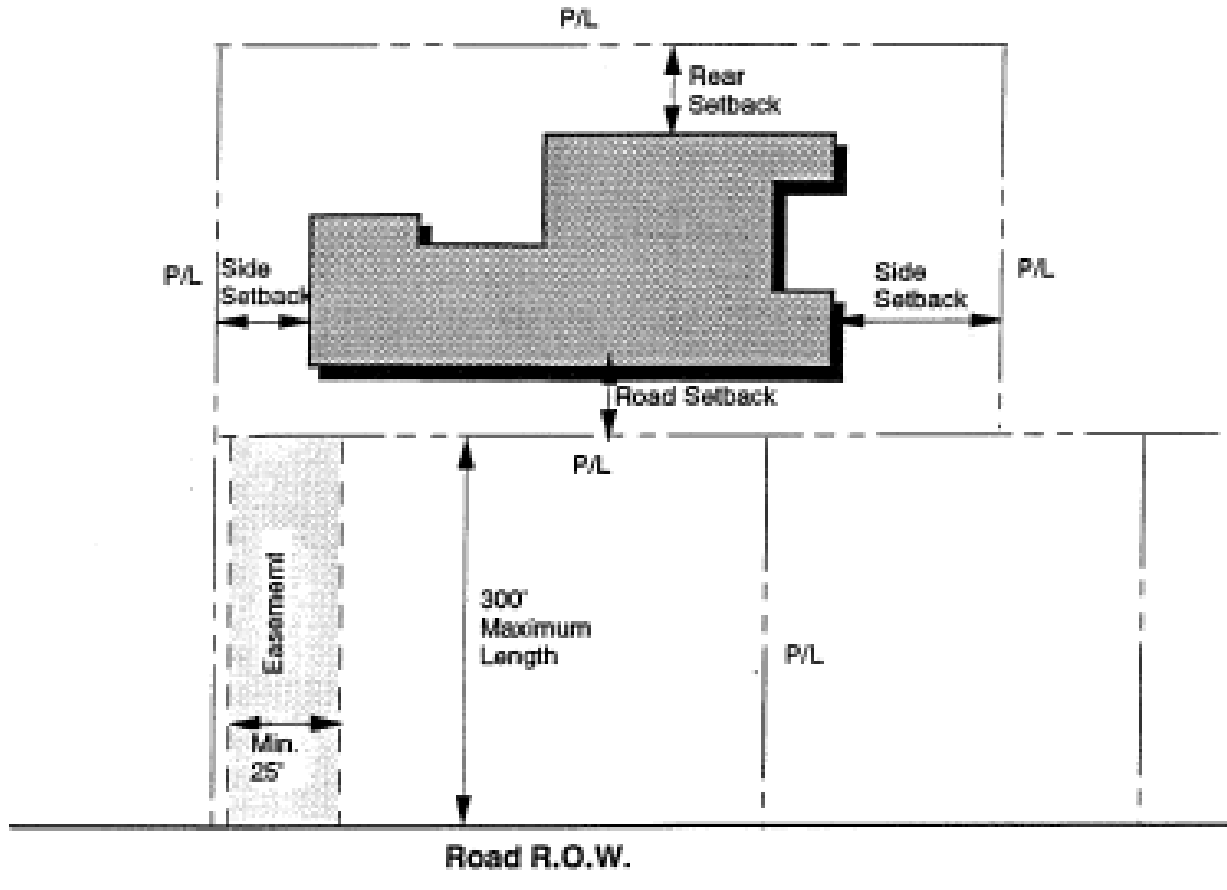
(E) Principal Building Per Lot

No more than one principal building shall be permitted on a buildable lot in RA, R-1 and R-1A districts. In R-2 and B districts, more than one principal building may be permitted on a buildable lot provided (i) that the density requirements of this ordinance are met for each principal residential building and (ii) the dimensional requirements of this Ordinance are met for each principal building unless specifically waived by other provisions of this Ordinance.

(F) Maximum Lot Coverage

In all residential zoning districts, the maximum lot coverage for the principal building shall be 60 percent of the total lot area. In B districts, there shall be no maximum lot coverage.

Figure 7
Exclusive Access Easements



**Table 12-1-1
Summary of Density and Dimensional Requirements**

| | RA | R-1 | R-1A | R-2 | B |
|-------------------------------------------------|------------|-----------------|-----------|----------|-----------------|
| Minimum Lot Area ¹ | 20,000' sq | 4,250' sq | 4,250' sq | 3,000 sq | 0 ² |
| Minimum Lot Width | 100' | 50' | 50' | 50' | 0 ² |
| Minimum Lot Frontage | 50' | 25' | 25' | 25' | 10 ² |
| Minimum Building Setbacks | | | | | |
| Street Setback | | | | | |
| US 701 (from edge of road right-of-way) | 20' | 20' | 20' | 20' | 20' |
| NC 41, NC 53, SR 1515 (from road centerline) | 50' | 50' | 50' | 50' | 50' |
| Side Property Line Setback | 10' | 6' ³ | 6' | 6' | 0 ⁴ |
| Rear Property Line Setback | | | | | |
| Building height of 15' or less | 20' | 20' | 6' | 6' | 0 ⁴ |
| Building height over 15' | 25' | 20' | 12' | 12' | 12' |
| Lake Property Line Setback | 20' | 20' | 20' | 20' | 20' |
| Maximum Building Height | 50' | 50' | 50' | 50' | 50' |

¹ Where public water and sewer service is not available, a greater lot area may be required by the Bladen County Health Department.

² No minimum requirements for nonresidential uses in the B district. Permitted residential uses in the B district shall comply with the requirements of the R-2 district.

³ Side yards adjacent to a street shall have at least a 12' setback.

⁴ No minimum for nonresidential uses except that if the side or rear lot line abuts a public or private street, private easement, or residential zoning district, there shall be a minimum 6' setback. Permissible residential uses in the B district shall comply with the side and rear requirements of the R-2 district.

NOTE: Some uses designated as a 'D' or 'S' in Table 10-1-1 (Table of Permitted Uses) may be required to meet additional dimensional standards. Such additional standards are outlined alphabetically by use in Article XI.

ARTICLE XII: DENSITY AND DIMENSIONAL REQUIREMENTS 12-1

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