

CHAPTER 2: GENERAL PROVISIONS

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CHAPTER 2: GENERAL PROVISIONS

Section 2.1 Applicability of General Provisions

The following provisions shall apply throughout the jurisdiction of this Ordinance, regardless of the underlying regulating district.

Section 2.2 General Lot Standards

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, structurally altered, or altered on the exterior—except in conformity with the regulations of this Ordinance or amendments thereto, for the district in which it is located.

- B. Every building hereafter erected, moved, or structurally altered shall be located on a lot and in no case shall there be more than one (1) principal building and its customary accessory buildings on the lot except in the case of bona fide farms, as provided by this Ordinance, or when a designed complex of institutional, residential, commercial, or industrial buildings in an appropriate zoning district.

2.2.2 Dimensional Standards

- A. The minimum yards or other open spaces required by this Ordinance for each and every building hereafter erected, moved, or structurally altered shall not be encroached upon or considered as meeting the yard or open space requirements of any other building.

- B. No yard or lot existing at the time of passage of this Ordinance shall be reduced in size or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall be at least the minimum requirements established by this Ordinance.

- C. The location of required front, side and rear yards on irregularly shaped lots shall be determined by the 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.

- D. Side lot lines shall be substantially at right angles to or radial to street lines.

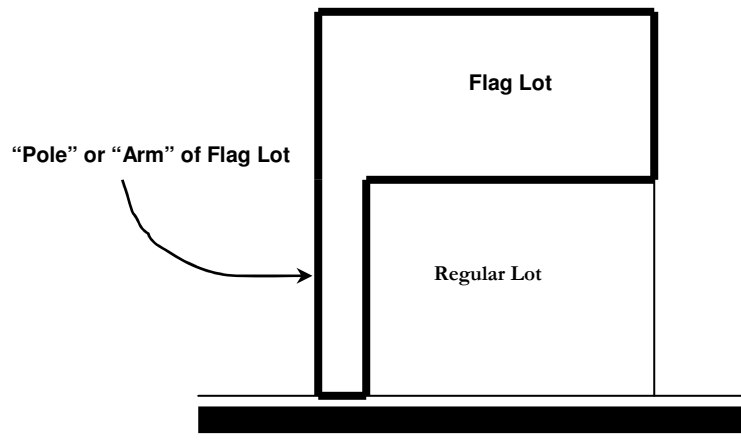
- E. Where there is an official lot of record in any district at the time of the adoption of this Ordinance, that does not conform to the minimum lot size requirements, and the owner of such lot does not own sufficient adjacent property to meet the minimum lot size requirements, then such lot may be used as a building site provided that the other dimensional specifications (i.e. setbacks) of the district are complied with, or a variance is granted by the Board of Adjustment concerning minimum dimensional requirements.

- F. Lots shall meet any applicable Health Department requirements.

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. Such a street shall meet one of the following criteria:
 - 1. It shall have been accepted by the Town of Angier as a local public street and be identified by a specified name; or
 - 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; or
 - 3. If neither Subsection (1) or (2) above is applicable, the street shall have all the following characteristics:
 - a. Be accessible and useable by the Town of Angier, its agents, and assigns;
 - b. 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;
 - c. Have a pavement width of at least 15 feet.

- B. Flag lots, which are only accessed by a narrow strip of land and do not meet the minimum lot width of the zoning district at the front setback, are not permitted.



- C. Double frontage lots shall be avoided, wherever possible.

Section 2.3 General Development Standards

2.3.1 Suitability of Land

- A. Land which, on the basis of engineering or other expert surveys, has been determined to pose an ascertainable danger to life or property by reason of its unsuitability for the use proposed shall not be developed for that purpose, unless and until the developer has taken the necessary measures to correct said conditions and to eliminate said dangers.

- B. Areas that have been used for disposal of solid waste shall not be developed unless tests by the Harnett County Health Department, a structural engineer and a soils expert determine that the land is suitable for the purpose proposed.

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- C. All development proposals shall be consistent with the need to minimize flood damage in accordance with regulations of the Flood Damage Prevention Overlay in Chapter 3.

2.3.2 Name Duplication

The name of the development shall not duplicate nor closely approximate the name of an existing development within the Town of Angier and its extraterritorial jurisdiction (ETJ) area. All development and street names shall be reviewed and approved by the Harnett County E-911 Addressing or the Wake County E-911 Addressing Department, whichever is applicable.