

CHAPTER 3 GENERAL REGULATIONS

§ 3-100 Application of regulations.

a. No structure or land shall hereafter be erected, constructed, reconstructed, moved, structurally altered, used or occupied unless in conformity with the regulations in this ordinance applicable to the district in which it is located, except permitted nonconforming uses.

b. District regulations shall apply uniformly to each class of structure or land, and shall be interpreted as minimum requirements adopted for the purposes of zoning. When requirements of this ordinance are at variance with requirements of any other applicable rule, regulation, ordinance or statute, the most restrictive requirements, or those imposing the higher standards shall apply.

§ 3-101 Street access required.

Except as otherwise specifically provided, no building shall be located, used or occupied on a lot without direct vehicular and pedestrian access to a public street.

§ 3-102 Structures required to be on lots of record.

Any new structure erected after the effective date of this ordinance shall be on a lot of record.

§ 3-103 Reduction of lot or yard area prohibited.

No lot or yard existing on the effective date of this ordinance shall be reduced in dimension or area below the applicable district minimum requirements. New lots or yards shall meet the applicable district minimum requirements.

§ 3-104 Annexation.

The zoning district shall be designated for property annexed by ordinance as follows:

a. Town Council, after receiving a recommendation from the planning commission, shall specify an interim zoning district classification or classifications in the annexation ordinance. Such classification or classifications shall become effective on the effective date of annexation and permits for permitted uses may be issued.

b. If the zoning district classification recommended by the planning commission for the annexed area is different in character and standards from the existing county zoning district of the area, the planning commission report shall contain the reasons for the recommendation, and Town Council shall hold a public hearing on the proposed annexation and the proposed interim zoning of the property to be annexed.

c. Notice of the public hearing shall be published in the same manner as required for rezoning.

d. Immediately after the effective date of the annexation, the Zoning Administrator shall initiate zoning amendment procedures to confirm or establish the appropriate zoning classifications for the annexed area.

§ 3-105 Nonconforming structures or uses.

Nonconforming structures or land uses are declared to be incompatible with permitted uses in the districts established by this ordinance. It is the intent of this ordinance to allow nonconformities to continue until they are removed, but not to encourage their survival. The lawful use of any structure or land on the effective date of this ordinance may be continued subject to the following regulations:

1. A nonconforming structure or use shall not be changed to any other nonconforming structure or use.
2. A permitted use in a structure which is on a nonconforming lot or which does not meet minimum yard requirements may be converted to another permitted use without enlargement.
3. A nonconforming structure shall not be repaired, altered or rebuilt except in conformity with this ordinance after sustaining damage or deterioration exceeding fifty (50%) percent of the appraised market value of the structure for tax purposes at the time of application for a permit.
4. A nonconforming structure shall not be removed or demolished and replaced with a nonconforming structure.
5. A nonconforming structure or use shall not be extended, enlarged, or intensified except in conformity with this ordinance; provided, however, a nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this ordinance, but the use shall not be extended outside the building.
6. A nonconforming use shall not be reestablished after vacancy, abandonment, or discontinuance for a period of six (6) consecutive months.

7. Nothing in this section shall prevent work on a structure which is necessary to protect public safety upon the order of the Zoning Administrator.
8. Ordinary repairs to a nonconforming structure, such as repairs to interior non-bearing walls, fixtures, wiring or plumbing to meet building codes may be permitted, provided the cubic content of the structure is not increased.

§ 3-106 Mobile home declared nonconforming structure; removal required.

A mobile home, as defined in §1-201, manufactured prior to June 15, 1976, or manufactured after June 15, 1976 without certification of compliance with HUD standards, is declared a nonconforming structure. All nonconforming mobile homes shall be removed from the Town limits when they have been vacant for a period of six (6) consecutive months. The Board of Zoning Appeals may grant an extension of not more than six (6) months in an individual case upon appeal for a variance and findings of fact that the occupant of the mobile home will suffer an unnecessary hardship [as defined by S.C. Code § 6-29-800(A)(2)] by reason of strict application of this section.

§ 3-107 Temporary nonconforming uses.

A temporary use permit may be issued by the Zoning Administrator for appropriate periods of time not to exceed 12 month increments for a nonconforming structure or use incidental to building construction or land development upon the condition that the structure or use be removed upon expiration of the permit.

§ 3-108 Dwellings on nonconforming lots of record.

In any district in which single family dwellings are permitted, notwithstanding limitations imposed by other provisions of this ordinance, a single family dwelling and customary accessory buildings may be erected on any single lot of record on the effective date of this ordinance, provided setback requirements of the district are met.