

MINUTES FROM A PUBLIC HEARING REGARDING AMENDMENTS TO THE WARREN COUNTY HISTORIC PRESERVATION ORDINANCE HELD BY THE BOARD OF COUNTY COMMISSIONERS FOR THE COUNTY OF WARREN IN THE WARREN COUNTY MEMORIAL LIBRARY ON JUNE 22, 2009 AT 9:30 AM.

The Public Hearing was called to order by Chairman Barry Richardson. Other Commissioners present: William Davis, Ernest Fleming, Jennifer Jordan and Ulysses S. Ross. Others in attendance: Linda T. Worth, County Manager and Barry Mayo, Finance Director.

Notice of public hearing was read by the Clerk to the Board.

County Planner/Zoning Administrator Ken Krulik gave a brief overview of proposed amendments to the Warren County Historic Preservation Ordinance for Voluntary Application and Maintenance of Historic Buildings. Mr. Krulik referenced General Statute 160A-400.1-400.14.

There were no Citizen Comments.

Commissioner Ernest Fleming pointed out the benefits to the county if ordinance is amended.

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, the Public Hearing was adjourned at 9:43 am.

/s/ Angelena Kearney-Dunlap
Angelena Kearney-Dunlap, Clerk

MINUTES FROM A PUBLIC HEARING REGARDING AMENDMENTS TO THE WARREN COUNTY OFFICIAL ZONING ORDINANCE HELD BY THE BOARD OF COUNTY COMMISSIONERS FOR THE COUNTY OF WARREN IN THE WARREN COUNTY MEMORIAL LIBRARY ON JUNE 22, 2009 AT 9:45 AM.

The Public Hearing was called to order by Chairman Barry Richardson. Other Commissioners present: William Davis, Ernest Fleming, Jennifer Jordan and Ulysses S. Ross. Others in attendance: Linda T. Worth, County Manager and Barry Mayo, Finance Director.

Notice of public hearing was read by the Clerk to the Board.

Ken Krulik, County Planner/Zoning Administrator gave a brief overview of proposed amendments.

There were no Citizen Comments.

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, the Public Hearing was adjourned at 9:53 a.m.

/s/ Angelena Kearney-Dunlap
Angelena Kearney-Dunlap, Clerk

MINUTES FROM A SPECIAL MEETING HELD BY THE BOARD OF COUNTY COMMISSIONERS FOR THE COUNTY OF WARREN IN THE WARREN COUNTY MEMORIAL LIBRARY ON JUNE 22, 2009 AT 10:00 AM.

The Special Meeting was called to order by Chairman Barry Richardson. Other Commissioners present: Ernest Fleming, William Davis, Jennifer Jordan and Ulysses S. Ross. Others in attendance: Linda T. Worth, County Manager and Barry Mayo, Finance Director.

After a Moment of Silence, Chairman Richardson extended an opportunity for Citizen Comments. There were no comments.

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by a majority vote, June 22, 2009 Special Meeting Agenda was adopted.

Votes were as follows: Ayes: Fleming, Ross, Richardson and Jordan
 Nay: Davis

June 22, 2009 Special Meeting was adopted as presented.

Having held a required public hearing to hear citizen comments regarding proposed amendments to the Warren County Historic Preservation Ordinance on Monday, June 22, 2009 at 9:30 am in the Warren County Memorial Library Community Meeting Room, the following action was taken.

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, proposed amendments to the Warren County Historic Preservation Ordinance were adopted.

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**WARREN COUNTY NORTH CAROLINA
HISTORIC PRESERVATION ORDINANCE
Warren County Historic Preservation Commission**

(Established by Ordinance January 2008 and amended March 2008)

The purpose of this ordinance, pursuant to North Carolina General Statutes 160A-400.1 (Legislative Findings) and 160A-400.2 (Exercise of Powers by Counties as well as Cities), is to establish the Warren County Historic Preservation Commission, pursuant to North Carolina General Statute 160A-400.7 (Historic Preservation Commission) in support and furtherance of its findings and determination of Warren County North Carolina that the historical, cultural and aesthetic heritage of the County is among one of its most valued and important assets and that the preservation of this heritage is essential to the promotion of the health, prosperity and general welfare of the people.

The Warren County Board of Commissioners declares it to be the purpose and intent of this Ordinance to establish a Historic Preservation Commission (*hereafter referred to as HPC in this Ordinance*) to establish a uniform procedure in providing for the protection, enhancement, perpetuation and use of places, districts, sites, buildings, structures, objects, and landscape features having a special historical, cultural or aesthetic interest or value, in accordance with the provisions of the Ordinance.

It is further the purpose of this ordinance, that the Warren County Historic Preservation Commission's jurisdiction for its activities shall coincide with Warren County's Zoning boundaries as delineated and shown on the official zoning map for Warren County, pursuant to North Carolina General Statutes 160A-400.3 (Character of Historic District Defined) and to the un-zoned areas of Warren County for historic landmarks and properties (not inclusive of the Towns of Norlina, Warrenton and their respective Extraterritorial Jurisdictions).

As established in the Warren County Historic Preservation Commission Ordinance/Bylaws, the HPC is authorized and empowered to undertake such actions reasonably necessary to the discharge and conduct of its duties and responsibilities as outlined in this ordinance and the N.C. General Statutes, including but not limited to the following -- **It shall be the duty of the Warren County Historic Preservation Commission (pursuant to the North Carolina General Statutes noted under Item IV-L):**

- A. To make studies related to historic preservation of the area within its jurisdiction and surrounding areas; to acquire and maintain in current form such basic information and materials as are necessary to an understanding of past trends, present conditions, and forces at work to cause changes in those conditions as related to historic preservation;
- B. To determine objectives to be sought in the development of the area studied;
- C. To prepare, adopt, and from time to time amend and revise plans/documents for achieving those objectives, including a comprehensive and coordinated plan for historic preservation in the area;
- D. To develop and recommend policies, ordinances, administrative procedures, and other means for carrying out plans related to historic preservation in a coordinated and efficient manner;
- E. To advise the Board of Commissioners concerning the use and amendment of various means for carrying out actions as related to historic preservation and as directed by the Board of Commissioners;
- F. Recommend to the Board of Commissioners specific districts, sites, buildings, structures, or objects to be designated by ordinance as historic properties or historic districts;
- G. Review application for Certificates of Appropriateness, and grant or deny same in accordance with the provisions of this Ordinance;
- H. Recommend to the Board of Commissioners that the designation of any district, site, building, structure or object as a historic property or as a historic district be revoked or removed;
- I. Exercise any functions in the administration and enforcement of various means for carrying out plans related to historic preservation that the Board of Commissioners may direct;

- J. To determine whether specific proposed developments and/or project renovations conform to the principles and requirements of historic preservation in the area;
- K. To keep the Board of Commissioners informed and advised as to the above described duties.
- L. To perform any other related duty that the Board of Commissioners may direct, and in compliance with powers and duties outlined under North Carolina General Statutes:
 - ☐ G.S. 160A-400.8. Powers of the Historic Preservation Commission.
 - ☐ G.S. 160A-400.9. Certificate of appropriateness required.
 - ☐ G.S. 160A-400.10. Conflict with other laws.
 - ☐ G.S. 160A-400.11. Remedies.
 - ☐ G.S. 160A-400.12. Appropriations.
 - ☐ G.S. 160A-400.13. Certain changes not prohibited.
 - ☐ G.S. 160A-400.14. Delay in demolition of landmarks and buildings within historic district.

Historic Landmarks

Adoption of a Designation Resolution - Upon compliance with the procedures set out in the Required Procedures for Designation, the Board of Commissioners may adopt and, quarterly, amend or repeal a designation resolution of one or more historic landmarks. The designation resolution shall include information which shall:

- A. List the name(s) of the owner(s) of the property;
- B. Describe each property in the designation resolution, including the approximate area (size) of the property so designated;
- C. Describe those elements of the property that are integral to its historical, pre-historical, architectural, archaeological, and/or cultural significance;
- D. Provide for each designated historic landmark, a suitable sign or plaque indicating that the landmark has been so designated; and
- E. Any other information the HPC and/or Board of Commissioners deems necessary within the authority of this ordinance and the general statutes.

Criteria for Designation - In order for any building, structure, site, area, or object to be designated in a resolution as a historic landmark, the HPC must find that the property is of special significance in terms of its history, prehistory, architecture, archaeology and/or cultural importance, and that it possesses integrity of design, setting, workmanship, materials, feeling and/or association.

Inventory - The HPC shall use an inventory of buildings, structures, sites, areas, or objects of historical, pre-historical, architectural, and archaeological significance in the County as a guide to the identification, assessment, and designation of historic landmarks. The HPC shall update the inventory annually.

Required Procedures for Designation - The Board of Commissioners may not adopt or amend a resolution, designating a historic building, structure, site, area, or object, or acquire any landmark, until the steps prescribed by this ordinance and its subsections have been taken, including rules of procedure and guidelines for the altering, restoring, moving, or demolishing properties designated as historic. Designation procedures may be initiated by the HPC or at the request of property owner(s) or his duly authorized agent.

Submittal of Application - An application for a designation shall be obtained from and, when completed, filed with the Planning/Zoning and Code Enforcement Department. Applications for designation shall be considered by the HPC at its next regularly scheduled meeting, provided they have been filed, complete in form and content, at least fifteen (15) working days before the meeting; otherwise consideration shall be deferred until the following meeting.

Contents of Application - The HPC shall, by uniform rule in its Bylaws and Rules of Procedure, require information as is reasonably necessary to determine the nature of the application. An application for a designation shall not be considered complete until the required information is included. An incomplete application shall not be accepted. Nothing shall prevent the applicant(s) from filing with the application additional relevant information bearing on the application.

Designation Reports - The HPC shall make, or cause to be made, an investigation and report that includes all the information contained in this Section. Applications prepared by property owner(s) will be judged by the same criteria as those prepared by the HPC.

- A. The name(s) of the property to be considered for designation; both common and historic names, if they can be determined;
- B. The name(s) and address of the current property owner(s);
- C. The location of the property proposed to be designated historic, including the street address, Warren County tax map and parcel numbers and/or the parcel identification number;
- D. The date of construction and of any later alterations, if any, if they can be determined;
- E. An assessment of the significance of the site or structure pursuant to the section on Criteria for Designation;
- F. An architectural and/or archaeological description of the area of the site or structure proposed to be designated. If outbuildings or other appurtenant features are proposed to be designated, the report shall contain a description of those features;
- G. A historical discussion of the site or structure within its type, period and locality;
- H. A photograph, current and historic if available, that clearly depicts the property proposed to be designated and supplementary photographs showing facades, details and site layout; and
- I. A map showing the location of the property, including any outbuildings and appurtenant features.

Review Guidelines - Prior to the designation of any historic landmark or district, the HPC shall prepare and adopt guidelines, not inconsistent with the N.C. General Statutes for altering, restoring, moving, or demolishing of property designated as historic. It is the intention of these guidelines to ensure, insofar as possible, that changes in designated landmarks or properties located within designated districts shall be in harmony with the reasons for designation.

Review by the North Carolina Department of Cultural Resources (NCDRC), Division of Archives and History and State Historic Preservation Office- A report accepted by the HPC shall be submitted to the NCDRC, Division of Archives and History or its successor agency, for comments pursuant to N.C. General Statutes, as amended from time to time. The NCDRC, Division of Archives and History or its successor agency, acting through the State Historic Preservation Officer, shall, either at their own request or at the initiative of the HPC, be given an opportunity to review and comment upon the substance and effect of the designation of any landmark pursuant to this ordinance.

Consideration of the Report - Once the designation report has been prepared, either by the HPC or by the property owner(s), and is deemed by the Planning/Zoning and Code Enforcement Department to meet the provisions of subsection on Submittal of Application, the HPC shall consider the report. The HPC may accept it, amend it, reject it, or recommend further study. Prior to final action on a designation report, the HPC shall indicate the extent to which the landmark meets the criteria for designation in the section on Criteria for Designation. The HPC should consider any comments received in writing from the NCDRC, Division of Archives and History or its successor agency. If the NCDRC, Division of Archives and History does not submit its written comments or recommendations in connection

with any proposed designation within thirty (30) days following receipt of the report, the HPC and Board of Commissioners shall be relieved of any responsibility to consider such comments. After the expiration of the thirty (30) day comment period given the NCDRC, Division of Archives and History, the HPC may recommend to the Board of Commissioners that the property be designated as a historic landmark.

Submission to the Board of Commissioners - The HPC shall forward its recommendation to the Board of Commissioners and shall submit a copy of the designation report, any written comments received from the NCDRC, Division of Archives and History, and, if the recommendation is for approval, a proposed designation resolution, to the Board of Commissioners.

Public Hearing - When a proposed designation resolution is submitted, the HPC and the Board of Commissioners shall hold a joint public hearing or separate public hearings on the proposed designation resolution. The HPC shall send a notification letter, including time and place, to property owners adjacent to the subject property. It is recommended, but not required, that the HPC also post a notification sign on the subject property and publish notice in a local periodical.

Adoption of a Designation Resolution - Following the required public hearing, the Board of Commissioners shall consider the designation report, the HPC's recommendation, the NCDRC, Division of Archives and History's comments, and the comments made at the public hearing, and may adopt the designation resolution as proposed, adopt it with amendments, or reject the resolution.

Actions Subsequent to Approval - Upon adoption of the resolution:

- A. Planning/Zoning and Code Enforcement Department shall send the owner(s) of the landmark, as identified by current tax records, written notice of such designation of adoption of the resolution by certified mail, return receipt requested.
- B. The HPC shall file one copy of the resolution and any subsequent amendments thereto, in the office of the Register of Deeds of Warren County. The Register of Deeds shall index each historic landmark according to the name of the owner(s) in the grantee and grantor indexes.
- C. All tax maps and applicable Geographic Information Systems (GIS) maintained by Warren County shall clearly indicate the designation of a building, structure, site, area, or object as a historic landmark for as long as the designation remains in effect.
- D. The Planning/Zoning and Code Enforcement Department shall notify the tax assessor of Warren County of the landmark designation. The assessor shall consider the designation and any recorded restriction on the landmark in appraising it for tax purposes.

Denied Applications - If the Board of Commissioners denies a designation report, a copy of the minutes of the public hearing at which such a decision to deny the report was made, shall be mailed to the owner(s) of the property proposed for designation, as requested.

Historic Districts **(Zoned areas of the County)**

Adoption of a Designation Resolution - No historic district may exist without a resolution designating it as such. Upon compliance with the procedures contained in section on Required Procedures for Designation, the Board of Commissioners within its jurisdiction may adopt and, quarterly, amend or repeal a resolution designating one or more historic districts.

Criteria for Designation - In order for any area to be designated in a resolution as a historic district, the HPC must find that the area is of special significance in terms of its history, prehistory, architecture, archaeology and/or cultural importance, and that it possesses integrity of design, setting, workmanship, materials, feeling and/or association.

Inventory - The HPC shall use an inventory of buildings, structures, sites, areas, or objects of historical, pre-historical, architectural, and archaeological significance in the County as a guide for the identification, assessment, and designation of historic districts. The HPC shall update the inventory annually.

Required Procedures for Designation - The Board of Commissioners may not adopt or amend a resolution designating a historic district, nor may the Board of Commissioners or the HPC accept any district until the steps prescribed by this Section have been taken.

- **Designation Report** - The HPC shall prepare or review an investigation and report describing the significance of the buildings, structure, features, sites, or surroundings included in any such proposed district, and the description of the boundaries of such district. Such report shall be referred to the Board of Commissioners and the Planning/Zoning and Code Enforcement Department for its review and comment according to procedures set forth in the Warren County Zoning Ordinance **(for the zoned parts of the County, as applicable)**.
- **Review by the NCDRC, Division of Archives and History and State Historic Preservation Office** - All designation reports shall be submitted to the NCDRC, Division of Archives and History by the HPC. The NCDRC, Division of Archives and History or its successor agency, acting through the State Historic Preservation Officer, shall, either upon their own request or at the initiative of the HPC, be given an opportunity to review and comment upon the substance and effect of the designation of any district. If the NCDRC, Division of Archives and History does not submit its written comments or recommendations in connection with any proposed designation within thirty (30) days following receipt of the report, the HPC and the Board of Commissioners shall be relieved of any responsibility to consider such comments. After the expiration of the thirty (30) day comment period given the NCDRC, Division of Archives and History, the HPC may recommend to the Board of Commissioners that the area be designated as a historic district.
- **Review by Other Groups** - The Board of Commissioners may also, in its discretion, refer the designation report and proposed boundaries to any local preservation commission or other interested body for its recommendations prior to taking action to adopt or amend the designation resolution.
- **Adoption of a Designation Resolution** - On receipt of these reports and recommendations, the Board of Commissioners may proceed in the same manner as would otherwise be required for the adoption or amendment of any appropriate zoning ordinance provisions.
- **Revisions to Districts** - With respect to any changes in the boundaries of an adopted historic district subsequent to its initial establishment, the requirements and procedures contained in this section shall apply.

Certificate of Appropriateness (COA) Rules and Regulations

Development Restriction - From and after the designation of a historic landmark or district, no exterior portion of any building or other structure (including masonry walls, fences, light fixtures, steps and pavement, or other appurtenant features), nor above-ground utility structure nor any type of outdoor advertising sign shall be erected, altered, restored, moved, or demolished on such landmark or within such district until after an application for a Certificate of Appropriateness (COA) as to exterior features has been submitted to and approved by the HPC. A Certificate of Appropriateness (COA) shall be required whether or not a building permit is required.

Exterior Features - For purposes of this ordinance, "exterior features" shall include the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the kind and texture

of the building material, the size and scale of the building or other structure, and the type and style of all windows, doors, light fixtures, signs, and other appurtenant fixtures. In the case of outdoor advertising signs, "exterior features" shall mean the style, material, size, and location of all such signs. In adopting a resolution, establishing a historic district, the Board of Commissioners may provide that "exterior features" also include historic signs, color, and significant landscape, archaeological, and natural features of the area.

Building Permit Restriction - In adopting a resolution establishing a historic district, the County shall provide that no building permit or other permit granted for the purposes of constructing, altering, moving, or demolishing structures shall be issued unless the HPC has first issued a Certificate of Appropriateness (COA) authorizing the construction, alteration, moving, restoration, or demolition. Any building permit or such other permit not issued in conformity with this Section shall be invalid. In approving a Certificate of Appropriateness (COA), the HPC may attach reasonable conditions necessary to carry out the purposes of this ordinance.

Protection of Character - The HPC shall take no action under this section except to prevent the construction, reconstruction, alteration, restoration, moving, or demolition of buildings, structures, appurtenant fixtures, outdoor advertising signs, or other significant features which would be incongruous with the special character of the landmark or district.

Review Guidelines - The HPC shall review the established guidelines prepared during the designation resolution process for the subject property. It is the intention of these guidelines to ensure, insofar as possible, that changes in designated landmarks or properties located within designated districts shall be in harmony with the reasons for designation.

Administrative Approval for Minor Works Allowed - The Planning/Zoning and Code Enforcement Department may issue a Certificate of Appropriateness (COA) for minor works, as listed in the HPC's Rules of Procedure/Bylaws. Minor works shall include and are defined as those exterior changes that do not involve substantial alterations, additions, or removals that could impair the integrity of the property and/or district as a whole. No application for a minor works Certificate of Appropriateness (COA) may be denied without formal action by the HPC.

Limitations on Interior Review - Notwithstanding this ordinance, jurisdiction of the HPC over interior spaces shall be limited to specific interior features of architectural, artistic, or historical significance in publicly owned landmarks, and of privately owned historic landmarks for which consent for interior review has been given by the owner(s). If an owner's consent for interior review has been filed with the Register of Deeds of Warren County and indexed according to the name of the owner(s) of the property in the grantee and grantor indexes, such consent shall bind future owners and/or successors in title. The designation resolution establishing the historic designation shall specify the interior features to be reviewed and the specific nature of the HPC's jurisdiction over those features.

Certain Changes Not Prohibited - Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of a historic landmark or property located within a district that does not involve a change in design, material, or outer appearance thereof. Nor shall this ordinance be construed to prevent the construction, reconstruction, alteration, restoration, moving, or demolition of any such feature when a building inspector or similar County official certifies to the HPC that such action is required for the public safety because of an unsafe or dangerous condition. Nothing herein shall be construed to prevent the property owner(s) from making any use of his property not prohibited by other statutes, ordinances, or regulations. Nothing in this ordinance shall be construed to prevent the maintenance of or, in the event of an emergency, immediate restoration of any existing above-ground utility structure without approval by the HPC.

Delay in Demolition of Designated Properties - Except as provided below, the HPC may not deny an application for Certificate of Appropriateness (COA) authorizing the demolition of a designated historic landmark or property located within a district. However, the HPC may delay the effective date of such a Certificate for a period of up to one (1) year (365 days) from the date of approval. The HPC may reduce the period of delay where it finds that the owner(s) would suffer extreme hardship or be permanently deprived of all beneficial use of or return from such property by virtue of the delay. During such period, the HPC may negotiate with the owner and with any other parties in an effort to find a means of preserving the property, as provided in the "Powers and Duties" of the Historic Preservation Commission Ordinance and Bylaws, the HPC may deny an application for a Certificate of Appropriateness (COA) authorizing the demolition or destruction of a building, site, or structure determined by the State Historic Preservation Office to have statewide significance, as defined in the criteria of the National Register of Historic Places, unless the HPC finds that the owner(s) would suffer extreme hardship or be permanently deprived of all beneficial use or return by virtue of the denial. If the HPC has voted to recommend designation of a property as a landmark or designation of an area as a district, and final designation has not been made by the Board of Commissioners, the demolition or destruction of any building, site, or structure located on the property of the proposed landmark or in the proposed district may be delayed by the HPC for a period of up to 180 days or until the Board of Commissioners takes action on the designation, whichever occurs first. Should the Board of Commissioners approve the designation prior to the expiration of the 180 day delay period, an application for a Certificate of Appropriateness (COA) for demolition must then be filed; however, the maximum delay period of one (1) year (365 days) shall be reduced by the period of delay while the designation was pending.

Demolition by Neglect - Demolition by neglect of any designated historic landmark or property located within a district shall constitute a violation of this ordinance. The Board of Commissioners and/or HPC with the expressed consent of the Board of Commissioners may take appropriate actions to prevent demolition by neglect, provided such actions include appropriate safeguards to protect the property owner(s) from undue economic hardship.

Required Procedures

Submittal of Application - An application for a Certificate of Appropriateness (COA) shall be obtained from and, when completed, filed with the Planning/Zoning and Code Enforcement Department. Applications for Certificates of Appropriateness (COA) shall be considered by the HPC at its next regularly scheduled meeting, provided they have been filed, complete in form and content, at least fifteen (15) working days before the meeting; otherwise consideration shall be deferred until the following meeting.

Contents of Application - The HPC shall, by uniform rule in its Rules of Procedure/Bylaws, require information as is reasonably necessary to determine the nature of the application. An application for a Certificate of Appropriateness (COA) shall not be considered complete until the required information is included. An incomplete application shall not be accepted. Nothing shall prevent the applicant(s) from filing with the application additional relevant information bearing on the application.

Notification of Affected Property Owners - Before considering an application for a Certificate of Appropriateness (COA), the HPC shall notify by mail the owner(s) of any adjacent property. The mailed notices are for the convenience of the property owner(s) and occupant(s) and any defect or omission therein shall not impair the validity of issuing a Certificate of Appropriateness (COA), or any following action.

Public Hearing - When considering an application, the HPC shall give the applicant(s) and stakeholder(s) of any property likely to be materially affected by the application, an opportunity to be heard at a public hearing.

Reasons for HPC's Actions to Appear in Minutes - The HPC shall cause to be entered into the minutes of its meeting the reasons for its actions (approval, approval with modifications, deferral or denial). The minutes shall

affected by the Ordinance) and in Article V, (Existing Non-conforming Uses); no building shall be erected, moved reconstructed, or structurally altered, nor shall any building or land be used except in compliance with all the district regulations established by this ordinance for the district in which that building or land is located.

Section I-5 Required Open Space Cannot Be Used by Another Building or Use: *No part of a lot, yard, off-street parking area or other required open space shall be reduced below the minimum required by this ordinance. No part of a lot, yard, off-street parking area, or other space required about a building or use shall be used to satisfy the requirements of another building or use. The Zoning Board of Adjustment as provided in Article VIII, Section 3, shall not interpret these prohibitions to prevent the grant of a variance.*

Section I-6 Existing Lots of Insufficient Size: *Any lot of record existing when adopted, which has an area or a width which is less than required by this ordinance, shall be subject to the following exceptions and modifications:*

- A. Adjoining Lots - When two or more adjoining lots with continuous frontage are in one ownership at any time after the adoption of this ordinance, and such lots individually are less than the minimum width required in the district in which they are located, then such group of lots shall be considered as a single lot or several lots of minimum permitted width and area for the district in which located.
- B. Lot Not Meeting Minimum Lot Size Requirements - Except as set forth in "A" in the above, in any district in which single family dwellings are permitted, any lot of record existing at the time of the adoption of these regulations which has an area or a width which is less than required by these regulations may be used as a building site for a single family dwelling.
- C. Side Yard Requirements - Except as set forth in "A" above, where a lot has a width less than the width required in the district in which it is located, then the Zoning Administrator shall be authorized to reduce the side yard requirement for such lot provided, however, no side yard shall be less than ten (10) feet wide.

Section I-7 More Than One Principal Building or Use on Each Lot: *In any district, more than one building housing a permitted principal use may be erected on a single lot, provided that yard and other requirements of this ordinance shall be met for each building as though it were on an individual lot.*

Section I-8 Each Lot Shall Abut Upon a Public Road: *Every business or residential building hereafter erected or moved shall be on a lot adjacent to a public or private street or road right of way, and all structures shall be so located as to provide safe and convenient access for servicing, fire protection and required off-street parking.*

Section I-9 Effect Upon Existing Conditional Uses: *After the effective date of this ordinance, those uses which existed prior to that effective date and would only thenceforth be permitted as conditional uses in the district in which they are located shall be considered to be legally established Conditional Uses. Any expansion, addition, or other change for which a zoning permit is required shall be heard, considered and approved or disapproved by the Board of Adjustment in the same manner as original applications for Conditional Uses approval.*

Section I-10 Exception to Height Regulations: *The district height limitations stipulated elsewhere in this ordinance may be exceeded, but such modification shall be in accordance with the following:*

1. Architectural projections, such as spires, belfries, parapet walls, cupolas, domes, flues, and chimneys, shall not exceed in height their distance from the nearest lot line.
2. Special structures, such as elevator penthouses, gas tanks, grain elevators, scenery lofts, radio and television receiving antennas, manufacturing equipment and necessary mechanical appurtenances, cooling towers, fire towers, substations, and smoke stacks, shall not exceed in height their distance from the nearest lot line.
3. Essential services, utilities, water towers, electric power and communication transmission lines shall not exceed in height their distance from the nearest lot line.
4. Communication structures such as radio and television transmission and relay towers, aerials, and observation towers shall not exceed in height their distance from the nearest lot line.
5. Agricultural structures, when applicable, such as barns, silos tanks, and windmills, shall not exceed in height their distance from the nearest lot line.
6. Public or semi-public facilities, such as schools, churches, hospitals, monuments, sanitariums, libraries, governmental offices, and stations, may be erected to a height of sixty (60) feet, provided all required yards are increased by one foot for each foot or fraction thereof the structure exceeds thirty-five (35) feet in height.
7. Maximum Height (see also Section VII-2 for definitions on Building Height, Basement, and Ground/Grade Level) - In areas bordering Lake Gaston and Kerr Lake, no more than two (2) stories in height, plus a basement which is that portion of a building partially or completely below grade, all other areas of the County can be a maximum of three stories plus a basement which is that portion of a building partially or completely below grade **(Amendment approved by Warren County Board of Commissioners June 22, 2009).**

Section I-11 Accessory Uses: *Accessory buildings and uses may be erected or permitted by this ordinance and shall be subject to the following requirements:*

1. The accessory building or use shall be placed in the rear yard only on corner lots, and in the rear or side yard of other lots; except water front lots where accessory buildings shall be allowed on the side or in the front yard (being the road front side).
2. No separate accessory building or use shall be erected within ten (10) feet of any other buildings, or within ten (10) feet from any property line; and
3. The square footage of all non-farm accessory buildings or uses may not exceed seventy-five (75) percent of the permitted principle use.

Section I-12 Minimum Frontage: *Where a minimum lots width is specified in the regulations it shall be measured at the building line.*

ARTICLE II - DISTRICT REGULATIONS

Section II-1 Agricultural Residential District (AR): *This district is established to promote a compatible mixture of agricultural, forestry, conservation and very low-density residential uses where few public services will be available. Protection of the environment, preservation of prime farmlands, and the continuation of rural lifestyles are goals this district seeks to attain.*

A. Permitted Uses

1. Accessory buildings and uses that are customarily and incidental to uses permitted in this district.
2. Bona fide farms
3. Cemeteries
4. Commercial livestock production-includes commercial beef, poultry, pork operations, dairy operations and any other use of and for keeping, breeding and raising livestock for commercial purposes.
5. Churches

6. Customary home occupations such as dressmaking, hair dressing, room renting and professional offices may be established in a dwelling provided that only residents of the dwelling are engaged in occupation, that no more than fifty (50) percent of the total floor area of the dwelling shall be used for the occupation, that no exterior storage or accessory building shall be used for the home occupation, that no display of products shall be visible from the street, and that the home occupation shall remain incidental to the residential use of the dwelling.
7. Dwelling, single family and two family
8. Family Care Homes, provided that no such home be located within one half mile radius of an existing family care home
9. Mobile home individual
10. Public utility distribution lines, electric substations, water tanks and towers, and telephone exchanges, but not service or storage yards or warehouses.
11. Schools, public and private
12. Signs, in compliance with Article VI

B. Dimensional Requirements for Permitted Uses

Minimum Lot Area

	Well and Septic	Public Water and Septic	Public Water and Sewer
Single Family Dwellings	30,000 sq. ft.	20,000 sq. ft.	15,000 sq. ft.
Mobile Homes	30,000 sq. ft.	20,000 sq. ft.	15,000 sq. ft.
Family Care Homes	30,000 sq. ft.	20,000 sq. ft.	15,000 sq. ft.
Non-Residential Uses	40,000 sq. ft.	40,000 sq. ft.	20,000 sq. ft.

Minimum Lot Size

	Well and Septic	Public Water and Septic	Public Water and Sewer
Residential Uses - <i>Width</i>	100 ft.	100 ft.	80 ft.
Residential Uses - <i>Depth</i>	200 ft.	150 ft.	125 ft.
Non-Residential Uses - <i>Width</i>	150 ft.	150 ft.	100 ft.
Non-Residential Uses - <i>Depth</i>	225 ft.	225 ft.	200 ft.

Minimum Yards (Setbacks)

	Front	Rear*	Side
Residential	30 ft.	25 ft.*	10 ft.
Non-Residential	40 ft.	30 ft.*	30 ft.

NOTE*: The above rear yard area requirements of 25 feet for residential lots and 30 feet for non-residential lots shall not apply to the side abutting a lake.

Maximum Building Height: Shall comply with the standards of this Ordinance and the State of North Carolina Residential Building Code (**Amendment approved by Warren County Board of Commissioners June 22, 2009.**)

C. Conditional Uses

The following uses may be permitted upon the approval of the Warren County Board of Adjustment, in accordance with Article VIII, Section 2 through 4 of this ordinance. It shall be the duty of the Board to hold public hearing concerning any proposed conditional use in order to review the plans for the location of all buildings, structures, and open uses of land. The Board shall evaluate the effect of the proposed conditional use on the surrounding property and on the traffic capacity of the existing road system.

1. Public and private country clubs, golf courses (exclusive of miniature golf courses and three par golf courses), swimming clubs, and homes for the aged, provided that all buildings and swimming pools are set back a minimum of 50 feet from all exterior property lines.
2. Fire stations, provided that all buildings shall be set back a minimum of 30 feet from all exterior property lines and that off street parking area, at least twice as large as the floor area in the fire station, be provided on the lot.
3. Radio, television, and microwave towers and relay stations, office and studios in conjunction with these. These uses may be permitted as conditional uses provided that all buildings and towers shall be set a minimum of 30 feet from all exterior property lines and that towers shall be set back one additional foot from all exterior property lines for each two feet in height over 50 feet.
4. Community, county, or municipal sewage treatment plants, water treatment plants, trash and garbage disposal facilities, provided that all buildings, structures, tanks and pits be set back at least 100 feet from all exterior property lines, that a natural buffer at least 50 feet in width separate all such uses from all exterior property lines, and that a non-climbable fence, at least six feet in height, completely enclose such uses.
5. Commercial cemeteries, provided that all graves and crypts, shall be set back at least 30 feet from all exterior property lines or public road.
6. Day nurseries and kindergarten provided that all buildings and playground equipment shall be set back a minimum of 30 feet from all exterior property lines, that a minimum of 2000 square feet of lot area shall be provided per each child cared for, that all outside play area be enclosed with a fence and that the water supply and sewerage provisions made for the day nurseries and kindergartens are approved by the Warren County Health Department.
7. Riding stables provided that all stables and exercise yards shall be set back at least 30 feet from all exterior property lines.
8. Parks, picnic area, public swimming pools, and locations for public access and boat launching in Lake Gaston and Kerr Lake, if no commercial facilities are established and that all such uses are on a non-profit basis.
9. Mobile home parks, which conform to the standards, set forth in Article IV.
10. High Voltage power lines and transmission towers, provided that all such poles and towers are set back a minimum of 30 feet from the right of way property line.
11. Community, county, or municipal water or sewage pumping stations, provided that such pumping stations be set back at least 30 feet from all exterior property lines, that they be enclosed by a fence, and that they be housed in a building that is compatible with the character of the surrounding development.
12. USE-MULTI-FAMILY BUILDINGS - includes Condominiums and Apartment Buildings as defined in Section VII-2 for Definitions (**Amendment approved by Warren County Board of Commissioners June 22, 2009.**)
 - Minimum Lot Area - One acre
 - Parking - Shall comply with Article III

- Plans are required and must show:
- Structures - location of buildings, signs, and sign sizes
- Circulation - proposed points of access and egress and pattern of internal circulation
- Parking - layout of parking spaces
- **Other design requirements as follows:**
 - A. **Maximum Height** (see also Section VII-2 for definitions on **Building Height, Basement, and Ground/Grade Level**) - In areas bordering Lake Gaston and Kerr Lake, no more than two (2) stories in height, plus a basement which is that portion of a building partially or completely below grade, all other areas of the County can be a maximum of three stories plus a basement which is that portion of a building partially or completely below grade.
 - B. **Minimum Building Setbacks:** Within the development, twenty feet (20) combined front and rear, side setbacks can be zero (0) for the interior side-setback between buildings, where applicable for developments with multiple buildings on the same lot, distances between structures shall comply (for the purposes of fire safety - sprinkler systems) with the most current provisions of IBC (International Building Code) and North Carolina State Building Code for apartments and condominiums. Buildings in multi-building developments over the noted Maximum Height in this section shall require a Conditional Use Permit, with review and approval as applicable by the Warren County Board of Adjustments, Warren County Planning Board, and Warren County Board of Commissioners.
 - C. Roadway setbacks shall be equal to those required for the appropriate zoning category, unless the proposed development is a Planned Unit Development (PUD) and meets the conditions for that approval process, then the following shall apply:
 - From all other streets, the roadway setback between the front of the dwelling and the roadway shall be no less than eighteen (18) feet when parking is provided between the dwelling and the roadway, or ten (10) feet when parking is not provided between the dwelling and the roadway (at the rear of the property or on the side of the property).
 - When parking is provided between the dwelling and the roadway the eighteen (18) feet will be measured from the inside edge of the sidewalk or back of curb if no sidewalk is required.
 - D. **Firewall Requirements (Individual Units):** Must be provided in accordance with the most current provisions of IBC (International Building Code) and North Carolina State Building Code standards and when exterior walls of individual dwelling units on individual parcels are placed within six (6) feet of one another.
 - E. **Permanent Common Open Space Required** - Twenty percent (20%) of the total parcel proposed for development, excluding dedicated right-of-way. The Planning Board may allow this requirement to be reduced to ten percent (10%) of the total parcel area when a portion of this common space preserves significant tree coverage located outside of required buffers.
 - F. Roof eaves may encroach two (2) feet into an adjoining lot (in the same project development only).
 - G. A five (5) foot maintenance and access easement with a maximum eave encroachment easement of two (2) feet within the maintenance easement shall be established on the adjoining lot and shall assure ready access to the lot line wall at reasonable periods of the day for normal maintenance.
 - H. Maximum density requirements of twelve (12) dwelling units per gross acre with a maximum number of units per building of eight (8) and a maximum building height of three (3) stories, where the height shall be above grade, measured at the level grade of the topographical surface.

*A yard of at least 30 feet shall be provided around the entire perimeter of the site, and streets, parking spaces and accessory buildings shall not be allowed in the required yard.

*Access for emergency vehicles to all buildings in the complex shall be provided.

*The Warren County Planning Board shall receive this request first and shall make a recommendation to the Board of Adjustment within 30 days after its first consideration.

13. Use - Planned Unit Development (**Minimum Lot Area - Two acres**)

Permitted Uses: A Planned Unit Development may contain any of the permitted uses of the district in which it is allowed as a conditional use, residential development may include any of the following:

- **Townhouses** - A townhouse is a single-family dwelling unit, constructed in a series of group of attached units with property lines separating such units. The minimum number of townhouses attached to each other shall be two and the maximum number shall be six. Density of townhouses in a planned unit development shall not exceed ten units per gross acre. The site area not covered by dwelling units may be made part of the individual townhouse lots or clustered as common open space and dedicated to a homeowners association, or a combination of the two.
- **Clustered detached single family dwellings** - These are dwellings in which the lot size for each individual dwelling may be reduced, but may not be less than 6000 square feet provided that the difference between the required dimensions for the district and the reduced dimensions is dedicated to a homeowner's association as common open space.
- **Zero lot line dwellings** - Detached single family dwellings on lots without side yard requirements on one side of the lot. The lot for a zero lot line dwelling may be reduced, but may not be less than 6000 square feet provided that the difference between the required dimensions for the district and the reduced dimensions is dedicated to a homeowners' association as common open space.

Requirements - Common area and common open space shall be deeded to a homeowners association and the developer or owner shall file with the Board of Adjustment and record in the County Register of Deeds office a declaration of covenants and restrictions as well as regulations and by-laws that will govern the open space. Provisions shall include but not be limited to the following:

1. The association shall be established before the homes, buildings or uses are sold.
2. Membership shall be mandatory for each buyer and all successive buyers, unless another arrangement is approved by the Warren County Board of Adjustment, which adequately protects the interests of the county and the owners.
3. The association shall be responsible for the liability insurance, local taxes and maintenance of recreation and other facilities.
4. Any sums levied by the association that remain unpaid shall become a lien on the individual owner's property which shall be subordinate only to tax and mortgage liens unless another arrangement is approved by the Board of Adjustment which adequately protects the interest of the county and owners.
5. An owner of each dwelling unit or each homeowner or other building owner shall have voting rights in the association.

6. Uses of common property shall be appropriately limited.
7. The following information shall also be provided:
 - (a) The name of the association
 - (b) The manner in which directors of the association are to be selected
 - (c) The post office address of the initial registered office
 - (d) The name of the city and county in which the registered office is located
 - (e) The number of directors constituting the initial board of directors

The Warren County Planning Board shall receive this request and shall make a recommendation to the Board of Adjustment within 30 days after its first consideration.

Section II-2 Residential District (R): *This district is established primarily as a residential district around Kerr Lake and Lake Gaston.*

A. Permitted Uses

1. Bona fide farms, excluding any use of land for keeping, breeding or raising livestock for commercial purposes. This includes all commercial poultry operations, commercial pork operations, dairy farms, and cattle operations.
2. Single family dwellings, including mobile homes.
3. Churches
4. Family Care Homes, provided that no such home may be located within one-half mile radius of an existing family care home.
5. Family cemeteries and church cemeteries, provided that all crypts and graves are set back a minimum of 30 feet from all exterior property lines, and provided that no burial lots are sold on a commercial basis.
6. Customary home occupation such as dressmaking, hair, dressing, room renting and professional offices may be established in a dwelling provided that only residents of the dwelling shall be used for the home occupation, that no display of products shall be visible from the street, and that the home occupation shall remain incidental to the residential use of the dwelling.
7. Accessory buildings and uses that are customarily and incidental to the above permitted uses.
8. Signs in compliance with Article VI.

B. Dimensional Requirements for Permitted Uses

Minimum Lot Area

	Well and Septic	Public Water and Septic	Public Water and Sewer
Single Family Dwellings	30,000 sq. ft.	20,000 sq. ft.	15,000 sq. ft.
Mobile Homes	30,000 sq. ft.	20,000 sq. ft.	15,000 sq. ft.
Family Care Homes	30,000 sq. ft.	20,000 sq. ft.	15,000 sq. ft.
Non-Residential Uses	40,000 sq. ft.	40,000 sq. ft.	40,000 sq. ft.

Minimum Lot Size

	Well and Septic	Public Water and Septic	Public Water and Sewer
Residential Uses - Width	100 ft.	100 ft.	80 ft.
Residential Uses - Depth	200 ft.	150 ft.	125 ft.
Non-Residential Uses - Width	150 ft.	150 ft.	100 ft.
Non-Residential Uses - Depth	225 ft.	225 ft.	200 ft.

Minimum Yards (Setbacks)

	Front	Rear*	Side
Residential	30 ft.	25 ft.*	10 ft.
Non-Residential	35 ft.	40 ft.*	25 ft.

NOTE*: The above rear yard area requirements of 25 feet for residential lots and 40 feet for non-residential lots shall not apply to the side abutting a lake.

Maximum Building Height: Shall comply with the standards of this Ordinance and the State of North Carolina Residential Building Code (**Amendment approved by Warren County Board of Commissioners June 22, 2009.**)

C. Conditional Uses

The following uses may be permitted upon the approval of the Warren County Board of Adjustment, in accordance with Article VIII, Section 2 through 4 of this ordinance. It shall be the duty of the Board to hold a public hearing concerning any proposed conditional use in order to review the plans for the location of all buildings, structures, and open uses of land. The Board shall evaluate the effect of the proposed conditional use on the surrounding property and on the traffic capacity of the existing road system.

1. Public and private schools, country clubs, golf courses (exclusive of miniature golf courses and three par golf courses), swimming clubs homes for the aged, provided that all buildings and swimming pools be set back a minimum of 50 feet from all exterior property lines.
2. Fire stations, provided that all buildings shall be set back a minimum of 30 feet from all exterior property lines and that off street parking area, at least twice as large as the floor area in the fire station, be provided on the lot.
3. Radio, television, and microwave towers and relay stations, office and studios in conjunction with these. These uses may be permitted as conditional uses provided that all buildings and towers shall be set a minimum of 30 feet from all exterior property lines and that towers shall be set back one additional foot from all exterior property lines for each two feet in height over 50 feet.
4. Community, county, or municipal sewage treatment plants, trash and garbage disposal facilities, provided that all buildings, structures, tanks and pits be set back at least 100 feet from all exterior property lines, that a natural buffer at least 50 feet in width separate all such uses from all exterior property lines, and that a non-climbable fence, at least six feet in height, completely enclose such uses.
5. Commercial cemeteries, provided that all graves and crypts shall be set back at least 30 feet from all exterior property lines or public road.
6. Day nurseries and kindergartens provided that all buildings and playground equipment shall be set back a minimum of 30 feet from all exterior property lines, that a minimum of 100 square feet of lot area shall be provided per child cared for, that all outside play area be enclosed with a fence and that the water supply and sewerage provisions made for the day nurseries and kindergartens are approved by the Warren County Health Department.

7. Riding stables provided that all stables and exercise yards shall be set back at least 30 feet from all exterior property lines.
8. Parks, picnic areas, public swimming pools, and locations for public access and boat launching in Lake Gaston, if no commercial facilities are established and that all such uses are on a non-profit basis.
9. Mobile homes less than 32 feet in length designed by original construction as a place of residence and containing within themselves bathroom and kitchen facilities, and established the principal building on a lot for a period not exceeding one year, as a temporary residence for the owner of the lot.
10. Two family dwellings and garage apartments, provided that the minimum lot area provided on lots used for these purposes shall be at least 200% as large as the minimum lot area required for single family dwellings in that district, and that the water supply and sewerage provisions made for the two family dwellings and garage provisions made for the two family dwellings and garage apartments are approved by the Warren County Health Department.
11. High voltage power lines and transmission towers, electric substations, water tanks and other utility facilities provided that all such poles and towers and buildings be set back a minimum of 30 feet from the right of way property line.
12. Community, county, or municipal water or sewage pumping stations, provided that such pumping stations be set back at least 30 feet from all exterior property lines, that they be enclosed by a fence, and that they be housed in a building that is compatible with the character of the surrounding development.
13. The establishment of a temporary camp by a non-profit youth organization, such as the Boy Scouts, Girl Scouts, 4-H Clubs, etc. Such temporary camps shall not be for periods of time exceeding seven days and shall not involve the construction of permanent buildings at the site.
14. USE-MULTI-FAMILY BUILDINGS - includes Condominiums and Apartment Buildings as defined in Section VII-2 for Definitions (**Amendment approved by Warren County Board of Commissioners June 22, 2009.**)
 - Minimum Lot Area - One acre
 - Parking - Shall comply with Article III
 - Plans are required and must show:
 - Structures - location of buildings, signs, and sign sizes
 - Circulation - proposed points of access and egress and pattern of internal circulation
 - Parking - layout of parking spaces
 - **Other design requirements as follows:**
 - A. Maximum Height (see also Section VII-2 for definitions on Building Height, Basement, and Ground/Grade Level)
 - In areas bordering Lake Gaston and Kerr Lake, no more than two (2) stories in height, plus a basement which is that portion of a building partially or completely below grade, all other areas of the County can be a maximum of three stories plus a basement which is that portion of a building partially or completely below grade.
 - B. Minimum Building Setbacks: Within the development, twenty feet (20) combined front and rear, side setbacks can be zero (0) for the interior side-setback between buildings, where applicable for developments with multiple buildings on the same lot, distances between structures shall comply (for the purposes of fire safety - sprinkler systems) with the most current provisions of IBC (International Building Code) and North Carolina State Building Code for apartments and condominiums. Buildings in multi-building developments over the noted Maximum Height in this section shall require a Conditional Use Permit, with review and approval as applicable by the Warren County Board of Adjustments, Warren County Planning Board, and Warren County Board of Commissioners.
 - C. Roadway setbacks shall be equal to those required for the appropriate zoning category, unless the proposed development is a Planned Unit Development (PUD) and meets the conditions for that approval process, then the following shall apply:
 - From all other streets, the roadway setback between the front of the dwelling and the roadway shall be no less than eighteen (18) feet when parking is provided between the dwelling and the roadway, or ten (10) feet when parking is not provided between the dwelling and the roadway (at the rear of the property or on the side of the property).
 - When parking is provided between the dwelling and the roadway the eighteen (18) feet will be measured from the inside edge of the sidewalk or back of curb if no sidewalk is required.
 - D. Firewall Requirements (Individual Units): Must be provided in accordance with the most current provisions of IBC (International Building Code) and North Carolina State Building Code standards and when exterior walls of individual dwelling units on individual parcels are placed within six (6) feet of one another.
 - E. Permanent Common Open Space Required - Twenty percent (20%) of the total parcel proposed for development, excluding dedicated right-of-way. The Planning Board may allow this requirement to be reduced to ten percent (10%) of the total parcel area when a portion of this common space preserves significant tree coverage located outside of required buffers.
 - F. Roof eaves may encroach two (2) feet into an adjoining lot (in the same project development only).
 - G. A five (5) foot maintenance and access easement with a maximum eave encroachment easement of two (2) feet within the maintenance easement shall be established on the adjoining lot and shall assure ready access to the lot line wall at reasonable periods of the day for normal maintenance.
 - H. Maximum density requirements of twelve (12) dwelling units per gross acre with a maximum number of units per building of eight (8) and a maximum building height of three (3) stories, where the height shall be above grade, measured at the level grade of the topographical surface.

*A yard of at least 30 feet shall be provided around the entire perimeter of the site, and streets, parking spaces and accessory buildings shall not be allowed in the required yard.

*Access for emergency vehicles to all buildings in the complex shall be provided.

*The Warren County Planning Board shall receive this request first and shall make a recommendation to the Board of Adjustment within 30 days after its first consideration.

15. USE - Planned Unit Development (**Minimum Lot Area - Two acres**)

Permitted Uses: A Planned Unit Development may contain any of the permitted uses of the district in which it is allowed as a conditional use, residential development may include any of the following:

 - **Townhouses** - A townhouse is a single-family dwelling unit, constructed in a series of group of attached units with property lines separating such units. The minimum number of townhouses attached to each other shall be two and the maximum number shall be six. Density of townhouses in a planned unit development shall not exceed ten units per gross acre. The site area not covered by dwelling units may be made part of the individual

townhouse lots or clustered as common open space and dedicated to a homeowners association, or a combination of the two.

- **Clustered detached single family dwellings** - These are dwellings in which the lot size for each individual dwelling may be reduced, but may not be less than 6000 square feet provided that the difference between the required dimensions for the district and the reduced dimensions is dedicated to a homeowner's association as common open space.
- **Zero lot line dwellings** - Detached single family dwellings on lots without side yard requirements on one side of the lot. The lot for a zero lot line dwelling may be reduced, but may not be less than 6000 square feet provided that the difference between the required dimensions for the district and the reduced dimensions is dedicated to a homeowners' association as common open space.

Requirements - Common area and common open space shall be deeded to a homeowners association and the developer or owner shall file with the Board of Adjustment and record in the County Register of Deeds office a declaration of covenants and restrictions as well as regulations and by-laws that will govern the open space. Provisions shall include but not be limited to the following:

1. The association shall be established before the homes, buildings or uses are sold.
2. Membership shall be mandatory for each buyer and all successive buyers, unless the Warren County Board of Adjustment, which adequately protects the interests of the county and the owners, approves another arrangement.
3. The association shall be responsible for the liability insurance, local taxes and maintenance of recreation and other facilities.
4. Any sums levied by the association that remain unpaid shall become a lien on the individual owner's property which shall be subordinate only to tax and mortgage liens unless another arrangement is approved by the Board of Adjustment which adequately protects the interest of the county and owners.
5. An owner of each dwelling unit or each homeowner or other building owner shall have voting rights in the association.
6. Uses of common property shall be appropriately limited.
7. The following information shall also be provided:
 - (a) The name of the association
 - (b) The manner in which directors of the association are to be selected
 - (c) The post office address of the initial registered office
 - (d) The name of the city and county in which the registered office is located
 - (e) The number of directors constituting the initial board of directors

The Warren County Planning Board shall receive this request and shall make a recommendation to the Board of Adjustment within 30 days after its first consideration.

Section II-3 Lakeside Group Camp District (GC): This district is established as a group camp district on Kerr and Gaston Lakes.

A. Permitted Uses

1. Bona fide farms
2. Group camp facilities, operated on a profit or non-profit basis, if such camps use only permanent buildings rather than tents or trailers. Non-profit youth organizations, such as the Boy Scouts, Girl Scouts, 4-H Clubs, etc., may use land in Lakeside Group Camp District for the establishment of a temporary camper using tents.
3. Accessory buildings and uses normally associated with the above permitted uses.
4. Public utility distribution lines electric substations, water tanks and towers, and telephone exchanges, but not service or storage yards or warehouses.

B. Dimensional Requirements

1. Each group camp shall provide a minimum of one-half acre per camper.
2. No camp shall have a maximum design capacity of more than 125 campers.
3. All buildings and areas for organized recreation use shall be set back a minimum distance of 200 feet from any Lakeside Group District boundary line, and this 200 feet shall be maintained as a natural buffer from adjacent lots and uses. This provision shall not apply to Lakeside Group Camp District boundary lines abutting Lake Gaston.
4. Cabins in the camp, shall be a minimum distance of 50 feet from one another and a minimum distance of 75 feet from any toilet facilities. No cabin shall be more than 150 feet from toilet facilities.
5. Each group may erect one illuminated, non-flashing sign not exceeding 15 square feet in area.
6. Public utility transformer stations (except those mounted on single or double poles), water tanks, towers, and telephone exchanges shall have a minimum lot area of 10,000 square feet. All transformers (except those mounted on single or double poles), tanks and other structures or equipment (except a fence or public utility line) shall provide a minimum front yard of 30 feet and a minimum side yard of ten feet.

Section II-4 Lakeside Tent or Trailer Camping District (TC): This district is established as a tent and trailer camping district on Kerr and Gaston Lakes.

A. Permitted Uses

1. Bona fide farms
2. Camps providing sites for the location of tents, camping trailers, and mobile homes.
3. Accessory buildings and uses normally associated with the above permitted uses.
4. Public utility distribution lines, electrical substations, water tanks and towers, and telephone exchanges, but not service or storage yard or warehouses.

B. Dimensional Requirements

1. A minimum of 4,000 square feet of area shall be provided for each tent or trailer space shall be surrounded by a buffer or natural vegetation on three sides.
2. All buildings, tent spaces, and trailer spaces shall be set back a minimum distance of 50 feet from Lakeside Tent or Trailer Camping District boundary line and this 50 feet shall be maintained as a natural buffer from all surrounding lots and uses. This provision shall not apply to Lakeside Tent or Trailer Camping District boundary lines abutting Lake Gaston.
3. A sanitary source of drinking water shall be not more than 200 feet, toilet facilities not more than 400 feet, and wash houses not more than 1500 feet from any tent or trailer space. This provision shall not apply where community water and sewer connections are provided to trailers having self-contained kitchens and bathroom facilities.
4. Each tent or trailer camp may erect one illuminated, non-flashing sign not exceeding 15 square feet in area.

- Public utility transformer stations (except those mounted on single or double poles), water tanks, towers, and telephone exchanges shall have a minimum lot area of 10,000 square feet. All transformers (except a fence or public utility line) shall provide a minimum front yard of 30 feet and a minimum side yard of 10 feet.

Section II-5 Lakeside Business District (LB): *This district is established for business development in a resort area.*

A. Permitted Uses

- Bona fide farms
- Commercial marinas for the launching, storage, rental, sale and repair of boats.
- Sale of souvenirs, fishing equipment, beverages, sporting goods, gasoline lodges
- Fishing and hunting lodges
- Motels
- Business and Professional Offices
- Restaurants
- Amusement parks, including outdoor rides, bowling alleys, trampoline centers, miniature golf or three par golf courses, soft drink stands, swimming pools, bath houses, dance halls and arcades with electronic games
- Accessory buildings and uses normally associated with the above permitted uses.
- Public utility distribution lines, electric substations, water tanks and towers, and telephone exchanges, but not service or storage yards or warehouses

B. Dimensional Requirements

- Each Lakeside Business District shall have a minimum size of one acre. All buildings shall be set back a minimum of 50 feet from any Lakeside Business District boundary line, except along Lakeside Business District boundary lines abutting any lake. All buildings shall have a maximum building height of 35 feet. Any combination of the above permitted uses may be established in a Lakeside Business District, subject to the requirements in Section II-5.
- Public utility transformer stations (except those mounted on single or double poles), water tanks, towers, and telephone exchanges shall have a minimum lot area of 10,000 square feet. All transformers (except those mounted on single or double poles), tanks, and other structures or equipment (except a fence or public utility line) shall provide a minimum front yard of 30 feet and a minimum side yard of 10 feet.

C. Conditional Uses

The following uses may be permitted upon the approval of the Warren County Board of Adjustment, in accordance with Article VIII, Section 2 through 4 of this ordinance. It shall be the duty of the Board to hold public hearing concerning any proposed conditional use in order to review the plans for the location of all buildings, structures, and open uses of land. The Board shall evaluate the effect of the proposed conditional use on the surrounding property and on the traffic capacity of the existing road system.

MOBILE HOME (INDIVIDUAL) FOR OFFICE AND/OR EXHIBITION

Minimum Lot Area – None

Parking - Six spaces for each person employed in office at any given time during a 24 hour period.

Office and Exhibition:

A temporary Certificate of Occupancy/Compliance allowing mobile homes used solely as offices for purposes of exhibition, or for a caretaker or night watchman, to be temporarily parked, maintained and/or occupied on a designated lot or land location, may be issued by the Zoning Administrator or his authorized agent where the Board of Adjustment finds as a fact that the use of such mobile does not violate the County or State Building Code or health regulations. All such Certificates of Occupancy/Compliance shall be valid for a period of twelve months, after which they may be renewed for a period of twelve (12) months.

Notwithstanding the foregoing, a Certificate of Occupancy/Compliance may be issued for a mobile home for use as a temporary field office for contractors by the Zoning Administrator, or his authorized agents, without approval of the Board of Adjustment, if it meets the following:

- The structure under construction is located on the same property;
- It is not moved to the site more than 30 days prior to construction and is removed no later than 30 days after construction has been completed;
- It is not used for any purpose than that connected with on site construction;
- It is justified by the size and nature of the construction project;
- It is for a period not to exceed 18 months;
- It is utilized only incidental to onsite construction during daylight hours and not for residential living quarters;
- It is parked in a location approved in advance by the Zoning Administrator or his authorized agent; and
- Its sanitary facilities are connected

Also notwithstanding the foregoing, a Certificate of Occupancy/Compliance may be issued for a mobile home for use as a mobile classroom by a public or private school, school administrative mobile home and for a mobile home sales office without approval of the Board of Adjustment if:

- The sanitary facilities are connected with an approved sewer system; and
- The electrical facilities are connected in compliance with regulations set forth in the 1971 National Code.

Section II-6 Neighborhood Business District (NB): *This district is established to provide business development along major streets and roads to serve neighborhoods as well as the traveling public.*

A. Permitted Uses

- Agricultural supply sales
- ABC stores
- Apparel sales
- Automobile parts sales, new only
- Automobile repair service
- Automobile sales
- Automobile service stations, including self-service gas pumps
- Banks
- Beauty and barber shops
- Building supply sales
- Department stores
- Drug stores
- Dry cleaners and laundries
- Electrical appliance sales and service
- Feed and grain sales and storage

16. Florist and gift shops
17. Food and grocery stores
18. Funeral homes
19. Furniture sales
20. Hardware stores
21. Jewelry sales and watch repair
22. Mini – Storage as warehouse/personal storage only and prohibiting storage of flammable and/or hazardous materials in or on site, no outside storage of any kind, and inclusive of a buffer (Amendment approved by Warren County Board of Commissioners February 2, 2004)
23. Mobile home sales lot
24. Motels
25. Offices for business, professional and personal services
26. Public buildings and uses
27. Restaurants
28. Shoe sales and repair
29. Signs: Each separate use in a Neighborhood Business District may erect one, illuminated, non-flashing sign not exceeding 50 feet in area.

B. Dimensional Requirements

- Minimum Lot Area - one acre
- Minimum Lot Size - Width 100 ft. Depth 200 ft.
- Minimum Yards - Front 50 ft. Rear 50 ft. Side 35 ft. (corner lots, same as front yard)
- Maximum Building Height - 35 ft.

C. Conditional Uses

The following uses may be permitted upon the approval of the Warren County Board of Adjustment, in accordance with Article VIII, Section 2 through 4 of this ordinance. It shall be the duty of the Board to hold public hearing concerning any proposed conditional use in order to review the plans for the location of all buildings, structures, and open uses of land. The Board shall evaluate the effect of the proposed conditional use on the surrounding property and on the traffic capacity of the existing road system.

MOBILE HOME (INDIVIDUAL) FOR OFFICE AND/OR EXHIBITION

Minimum Lot Area - None

Parking - Six spaces for each person employed in office at any given time during a 24 hour period.

Office and Exhibition:

A temporary Certificate of Occupancy/Compliance allowing mobile homes used solely as offices for purposes of exhibition, or for a caretaker or night watchman, to be temporarily parked, maintained and/or occupied on a designated lot or land location, may be issued by the Zoning Administrator or his authorized agent where the Board of Adjustment finds as a fact that the use of such mobile does not violate the County or State Building Code or health regulations. All such Certificates of Occupancy/Compliance shall be valid for a period of twelve months, after which they may be renewed for a period of twelve months.

Notwithstanding the foregoing, a Certificate of Occupancy/Compliance may be issued for a mobile home for use as a temporary field office for contractors by the Zoning Administrator, or his authorized agents, without approval of the Board of Adjustment, if it meets the following:

1. The structure under construction is located on the same property;
2. It is not moved to the site more than 30 days prior to construction and is removed no later than 30 days after construction has been completed;
3. It is not used for any purpose than that connected with on site construction;
4. It is justified by the size and nature of the construction project;
5. It is for a period not to exceed 18 months;
6. It is utilized only incidental to onsite construction during daylight hours and not for residential living quarters;
7. It is parked in a location approved in advance by the Zoning Administrator or his authorized agent; and
8. Its sanitary facilities are connected

Also notwithstanding the foregoing, a Certificate of Occupancy/Compliance may be issued for a mobile home for use as a mobile classroom by a public or private school, school administrative mobile home and for a mobile home sales office without approval of the Board of Adjustment if:

1. The sanitary facilities are connected with an approved sewer system; and
2. The electrical facilities are connected in compliance with regulations set forth in the 1971 National Code.

USE - SHOPPING CENTERS AND STRIP CENTERS - Formerly identified as Commercial Group Development - for definitions of Shopping Centers and Strip centers see Section VII-2 Definitions (Amendment approved by Warren County Board of Commissioners June 22, 2009).

- Minimum Lot Area - one acre
- Parking and Loading - one parking space for each 100 square feet of gross floor area and one off street loading space for each 20,000 square feet of gross floor area or portion thereof
- Plans are required and must show:
 - (i) Structures - location of buildings, signs, and sign sizes
 - (ii) Circulation - proposed points of access and egress and pattern of internal circulation
 - (iii) Other requirements:
 1. Shopping Centers shall contain only those uses permitted in the district in which it is located
 2. All yards shall be a minimum of 50 feet
 3. Shopping centers adjoining any residential use shall provide a six feet high solid screen along the entire adjoining property lines, if not already naturally screened
 4. Topographical information with contour intervals two feet or less shall be depicted on the site plan

Section II-7 Light Industrial District (LI): *This district is established to provide suitable locations for service, manufacturing, and warehousing activities, which are non-noxious.*

A. Permitted Uses

1. Accessory buildings and uses that are customarily and incidental to uses permitted in this district
2. Accessory retail uses, incidental such as cafeterias, gift or variety shops, soda bars conducted solely for the convenience of employees, patients, patrons, or visitors on the premises wholly within the principal building and without exterior advertising display
3. Agriculture, excluding any use of land for keeping, breeding, or raising livestock for commercial purposes (this includes all commercial poultry operations, commercial pork operations, dairy farms, and cattle feed lot operations)
4. Airports and landing fields for rotary wing aircraft
5. Animal hospitals and kennels provided no animal storage or runs shall be closer than 200 feet to any property line

6. Appliance distributors for wholesale
7. Assembly halls, coliseums, gymnasiums and similar structures
8. Assembly of machines and appliances from previously prepared parts
9. Automobile (new and used) and accessory sales
10. Automobile repair garages with outside storage of wrecked or inoperable automobiles permitted only for autos actually in process of repair, and such vehicles shall be concealed from view from a public street by a fence, wall or evergreen planting at least five feet high
11. Automobile service (gas and oil stations)
12. Automobile and truck assembly
13. Bakeries or baking plants
14. Banks
15. Bedding, carpet and pillow manufacturing, cleaning and renovating
16. Blacksmith or horse shoeing shops
17. Blueprinting and Photostatting establishments
18. Bookbindery
19. Bottling works
20. Business identification signs, provided that no more than two signs per individual business or industry and such signs shall not exceed a total of 200 square feet
21. Candy products and manufacture
22. Catering establishments
23. Churches and other places of worship, including parish houses and Sunday school buildings
24. Clothing manufacture
25. Coffee roasting
26. Cold storage plants
27. Drive-in or outdoor motion picture show
28. Dry cleaning, pressing and dyeing plants, and related retail service counter
29. Feed and seed retail sale
30. Fertilizer wholesale and retail sales
31. Florist - greenhouses, cultivation facilities and warehousing for wholesale and related retail trade
32. Food processing in wholesale quantities
33. Frozen food lockers
34. Fuel oil and kerosene for heating purposes in above ground containers provided the same comply with applicable codes
35. Fuel oil, kerosene or other Class III (National Board of Fire Underwriters) flammable liquids: the incidental sale in containers provided the same comply with applicable codes
36. Funeral homes, undertaking establishments, embalming, crematoria
37. Garbage and waste incinerators
38. Gases or liquefied petroleum gases provided the same comply with applicable codes
39. Gasoline storage, underground, provided the same comply with applicable codes
40. Government buildings - buildings used exclusively by the federal, state, county, or city government for public purposes
41. Grounds and facilities for open air games and sports
42. Hosiery manufacture
43. Ice manufacture storage and sales
44. Laboratories for research and testing
45. Laundries, steam
46. Leather goods manufacture
47. Light manufacturing or processing not otherwise named herein which are in compliance with all local, state and federal environmental regulations
48. Lock and gunsmiths
49. Machine shops
50. Meat processing and packing other than slaughter
51. Mobile home sales area
52. Mobile home, security purposes, on mobile home sales areas
53. Optical and scientific instrument, jewelry and clock, musical instrument manufacture
54. Pharmaceutical products manufacture
55. Police, fire, rescue squad and civil defense stations
56. Printing, publishing and reproduction establishments
57. Radio and television masts
58. Railroad rights of way
59. Repair and servicing of office and household equipment
60. Sign painting, and sign manufacturing
61. Sporting events such as baseball, football, basketball, track meets, and similar games, including accessory concessions, in accordance with the grounds and facilities permitted in the district by this ordinance
62. Storage, undercover, of goods intended for retail sale on the premises
63. Storage warehouses
64. Textile manufacture
65. Tobacco processing and storage
66. Upholstery, paper hanging and decorator shops
67. Wholesale and jobbing establishments including incidental retail outlets for only such merchandise as is handled at wholesale
68. Woodworking shops, mill work

B. Dimensional Requirements for Permitted Uses

Minimum Lot Area - All Uses

Well and Septic	Public Water and Septic	Public Water and Sewer
30,000 sq. ft.	20,000 sq. ft.	15,000 sq. ft.

Minimum Lot Size - All Uses

	Well and Septic	Public Water and Septic	Public Water and Sewer
<i>Width</i>	100 ft.	100 ft.	100 ft.
<i>Depth</i>	150 ft.	150 ft.	150 ft.

Minimum Yards (Setbacks)

Front	Rear	Side
30 ft.	30 ft.	20 ft.

Maximum Building Height: 35 ft.

C. Conditional Uses

The following uses may be permitted upon the approval of the Warren County Board of Adjustment, in accordance with Article VIII, Section 2 through 4 of this ordinance. It shall be the duty of the Board to hold public hearing concerning any proposed conditional use in order to review the plans for the location of all buildings, structures, and open uses of land. The Board shall evaluate the effect of the proposed conditional use on the surrounding property and on the traffic capacity of the existing road system.

MOBILE HOME (INDIVIDUAL) FOR OFFICE AND/OR EXHIBITION

Minimum Lot Area - None

Parking - Six spaces for each person employed in office at any given time during a 24 hour period.

Office and Exhibition:

A temporary Certificate of Occupancy/Compliance allowing mobile homes used solely as offices for purposes of exhibition, or for a caretaker or night watchman, to be temporarily parked, maintained and/or occupied on a designated lot or land location, may be issued by the Zoning Administrator or his authorized agent where the Board of Adjustment finds as a fact that the use of such mobile does not violate the County or State Building Code or health regulations. All such Certificates of Occupancy/Compliance shall be valid for a period of twelve months, after which they may be renewed for a period of twelve months.

Notwithstanding the foregoing, a Certificate of Occupancy/Compliance may be issued for a mobile home for use as a temporary field office for contractors by the Zoning Administrator, or his authorized agents, without approval of the Board of Adjustment, if it meets the following:

1. The structure under construction is located on the same property;
2. It is not moved to the site more than 30 days prior to construction and is removed no later than 30 days after construction has been completed;
3. It is not used for any purpose than that connected with on site construction;
4. It is justified by the size and nature of the construction project;
5. It is for a period not to exceed 18 months;
6. It is utilized only incidental to onsite construction during daylight hours and not for residential living quarters;
7. It is parked in a location approved in advance by the Zoning Administrator or his authorized agent; and
8. Its sanitary facilities are connected

Also notwithstanding the foregoing, a Certificate of Occupancy/Compliance may be issued for a mobile home for use as a mobile classroom by a public or private school, school administrative mobile home and for a mobile home sales office without approval of the Board of Adjustment if:

1. The sanitary facilities are connected with an approved sewer system; and
2. The electrical facilities are connected in compliance with regulations set forth in the 1971 National Code.

NOTE: Also requiring a Conditional Use Permit and approval process are the following - public utility substations, electric power plants, transmission towers, elevated water tanks, sewage treatment plants, and sanitary landfills.

Section II-8 Official Zoning Map: *Warren County is hereby divided into districts whose locations and boundaries are shown on the Official Zoning Map for the county which is hereby adopted by reference and declared to be a part of this ordinance and is herewith attached and recorded in the minutes of the Board of Commissioners of Warren County.*

The map shall be identified by the signature of the Chairman, attested by the Clerk, and bearing the Official Seal of Warren County under the following words: "This is to certify that this is the Official Zoning Map of the Zoning Ordinance for Warren County, North Carolina". The date of adopting shall also be shown.

If in accordance with the provisions of this ordinance, changes are made in the zoning district boundaries or other matter shown on the map, such changes shall be made together with an entry on the map as follows: "On (date) by official action of the Warren County Board of Commissioners the following changes were made in the Official Zoning Map (brief description of nature of change). The entry shall be signed by the Chairman and attested by the Clerk. No amendment to this ordinance which involves matters portrayed on the map shall become effective until after such change and entry has been made on said map. The Board of Commissioners shall give official notice of the zoning change to the Zoning Administrator within twenty-four hours after passage of said Zoning Map, which shall be located in the Zoning Administrator's office, shall be the final authority as to the current zoning status of land, water areas, and buildings in Warren County.

A. Replacement of Official Zoning Map

In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret, the Board of Commissioners may by ordinance adopt a new Official Zoning Map, which shall be the same in every detail as the map it supersedes. The new map shall bear the signatures of the current Chairman and Clerk and shall bear the seal of the County under the following words: "This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted (date of adoption of Map replaced)". The date of adoption of the new Official Zoning Map shall be shown also.

B. Maintenance of the Official Zoning Map

The Zoning Administrator shall be responsible for the maintenance and revision of the Official Zoning Map. Upon notification by the Board of Commissioners that a zoning change has been made, the Zoning Administrator shall make the necessary changes on the Official Zoning Map within twenty-four (24) hours of notification.

Section II-9 Rules for Interpretation of Zoning District Boundaries: *Where district boundaries prove to be uncertain as to their location on the Official Zoning Map, the following rules shall apply:*

- A. Unless otherwise specifically indicated, where district boundaries are indicated on the zoning map as approximately parallel to or following the center line of a street, highway, railroad right of way, utility easement, stream bed or river bed, or such lines extended, then such lines shall be construed to be such district boundaries.
- B. Boundaries indicated, as approximately following platted lot lines shall be construed as following those boundaries.
- C. Boundaries indicated as approximately following town limits or other political jurisdictional boundary shall be construed as following those boundaries.
- D. If a district boundary divides a lot, the requirement for the district in which the greater portion of the lot lines shall be extended to the balance of the lot, provided that such extension shall not include any part of such lot which lies more than 50 feet beyond the district boundary, and further provided that the remaining parcel shall not be less than the minimum required for the district in which it is located.

ARTICLE III-OFF STREET PARKING AND LOADING REQUIREMENTS

Section III-1 Off Street Parking Requirement: *At the time of erection of any new building or the enlargement of an existing building, permanent off street parking shall be provided in all districts as specified by this section.*

1. Each application or a Zoning Permit shall include information as to the location and dimensions of off street parking and loading space, and the means of ingress and egress to such space. This information shall be in sufficient detail to determine whether the requirements of this section are met.
2. The required parking space for any number of separate uses may be combined in one lot, but the required space assigned to one use may not be assigned to another use, except the one-half of the parking space required for churches, theaters, or assembly halls, whose peak attendance is at night or Sundays, may be assigned to a use which will be closed at night and/or Sundays.

3. If the off street parking space required by this ordinance cannot be reasonably provided on the same lot on which the principal use is located, such space may be provided on any land within 400 feet of the principal use or building, provided such land is in the same ownership as the principal use. Said land shall be used for no other purpose as long as the principal use exists.
4. The minimum number of required off street parking spaces required by this section shall be provided on the same lot with the principal use except as provided above, and the required number of off street parking spaces specified for each use shall be considered as the absolute minimum. In addition, a developer shall evaluate his own needs to determine if they are greater than the minimum specified by the ordinance.

Business and professional offices such as banks, savings and loan, real estate, lawyers, insurance, governmental, etc.

One space per 200 square feet of area where primary business is routinely conducted excluding such secondary area as storage areas, corridors, stairwells, restrooms and intermittently used meeting rooms or areas. In addition, one parking space shall be required for each employee who works regularly.

Personal service establishments such as barber shop, beauty shop, shoe repair, dry cleaning, laundromat, etc.

One space per 200 square feet of area where primary business is routinely conducted excluding such secondary area as storage areas, corridors, stairwells, restrooms and intermittently used meeting rooms or areas. In addition, one parking space shall be required for each employee who works regularly.

Restaurants, not drive-in seats

One space for each three

Retail stores, not otherwise specified

One space for each 200 square feet of sales area in the building, plus one space for each two employees

Furniture stores

One space for each 200 hundred square feet on sales floor area below 5000 square feet plus one space for each 400 square feet above 5000

Auto sales

Four spaces for each salesman on the largest shift

Service station

Four spaces for each grease or wash rack

Drive-in windows

Off street movement lane to accommodate two cars to the front and two cars to the rear of each window

Auto wash

One space for each three employees, plus reservoir space equal to five times the capacity of the laundry.

Drive-in eating establishment

The provision of parking space equal to ten times the gross floor area in the principal building

Funeral homes or mortuaries

One space for each three seats in the chapel plus off street passenger loading accommodation for ten cars

Wholesale establishments

One space for each two employees plus one space for each 100 square feet of sales area

Single and two family residence

Two spaces for each dwelling unit

Multi-family residences

Two and one-half spaces for each dwelling unit

Dormitories

One space for each three beds

Tourist homes and room renting

One space for each guest room

Home occupations

One off street space for each person employed plus sufficient off street spaces for patrons, not to be in a required front yard

Medical offices and clinics

Four spaces for each doctor, plus one space for each employee

Hospitals

One space for each bed, plus one space for each staff doctor, plus one space for each three employees on the largest shift

Nursing or rest homes

One space for each four beds plus one space

Day care centers

One space for each employee plus one off street loading space per six children

Kindergartens, nurseries, elementary and junior high schools

Three spaces for each classroom plus off street passenger loading arrangements

Senior high schools, trade and vocational schools, business and professional schools, colleges and universities

Five spaces for each classroom plus off street passenger loading arrangements

Library, museum, art gallery or other cultural facility

One space for each 400 square feet of gross floor area for use by the public

Churches in existence on present site at the effective date of this ordinance

One space for each ten fixed seating spaces in the largest assembly area

New churches, auditoriums, coliseums, stadiums, arenas, theaters

One space for each five fixed seating spaces in the largest assembly area

Fraternal or social clubs

One space for each 200 square feet used for assembly or dancing

Commercial indoor recreation

One space for each 200 square feet of customer participation area

Golf courses, including miniature

Three spaces for each hole

Section III-2 Off Street Loading: *Where off street loading space is required under the district regulations of a particular district, one or more loading berths or other space shall be provided for standing, loading and unloading operations either*

inside or outside a building and on the same or adjoining premises with every building or structure erected after the enactment of this ordinance; all to be in accordance with the requirements of the following table. A loading berth shall have minimum plan dimensions of 12 feet by 60 feet and 14 feet overhead clearance. A loading space need not be necessarily a full berth but shall be sufficient to allow normal loading and unloading operations of a kind and magnitude appropriate to the property served thereby. The Zoning Administrator shall determine the sufficiency of loading space, but in no case shall the use of such space hinder the free movement of vehicles and pedestrians over a street, sidewalk or alley.

The number of required off street loading spaces shall be as follows:

- **Retail Business** - One space for each 20,000 sq. ft of gross floor area, or fraction thereof
- **Wholesale Trade/Industries** - One space for each 20,000 sq. ft. of gross floor area or fraction thereof
- **Office or Institution, including Schools** - One space for each 50,000 sq. ft. of gross floor area or fraction thereof

ARTICLE IV - MOBILE HOME PARK REGULATIONS

Section IV - General

1. All new mobile home parks and expansion to existing mobile home parks are required from the effective date of this ordinance to comply with all applicable procedures and requirements herein noted. Mobile home parks existing at the time of the adoption of this ordinance shall be allowed to continue and are declared as a nonconforming use of land unless compliance is procured.
2. No mobile home park within the jurisdiction of Warren County shall be established, altered or expanded until approval has been obtained from the Zoning Administrator.

Section IV-2 Procedure

1. Prior to construction of a new mobile home park or expansion of an existing mobile home park, the developer shall submit seven copies of the proposed mobile home park plan to the secretary of the planning board or his authorized agent. Said plan must be submitted at least ten working days before a regularly scheduled meeting of the planning board.
2. The planning board shall review the proposed plan and forward its recommendations to the Board of Adjustment within 45 days of its first consideration. Failure of the planning board to forward recommendation within this specified period shall constitute a favorable recommendation. The Board's recommendation shall be submitted in writing to the Chairman of the Board of Adjustment and to the petitioner(s).
3. Mobile homes shall not be sold within a mobile home park except under the following circumstances:
 - (a) An individual mobile homeowner shall be allowed to sell the mobile home in which he resides
 - (b) The park owner or operator shall be allowed to sell any mobile home or homes which he owns so long as the mobile home or homes are parked or located on individual mobile home spaces and connected to the water, sewer, electric and other utilities.
4. The transfer of title of a mobile home space or spaces by either sale or any other manner shall be prohibited within a mobile home park as long as the mobile home park is in operation.

Section IV-3 Design Standards

1. Mobile home park identification signs shall not exceed 32 square feet in area. Only indirect, non-flashing lighting shall be used for illumination.
2. When a mobile home park is to be constructed within 50 feet of a recorded residential subdivision not naturally screened, the owner of the park shall provide and maintain a 20 foot buffer strip along the adjacent boundary comprised of natural plantings or solid fencing at least five feet in height.
3. Within an approved mobile home park one mobile home may be used as an administrative office.
4. Convenience establishments of a commercial nature shall be limited to food stores, coin-operated laundries, beauty parlors and barber shops if the following restrictions are followed:
 - (a) Such establishments shall present no visible evidence of their commercial intent beyond confines of the park; and
 - (b) Such establishments shall present no visible evidence of their commercial intent beyond confines of the park; and
 - (c) Such establishments shall be designed to accommodate needs of their park populace only.
5. Land contours with vertical intervals as required by the Warren County Health Department shall be required on all mobile home parks plans.
6. Each mobile home space shall be clearly defined by means of concrete or iron pipe marker placed at all corners. Said markers shall be depicted in the proposed mobile home park plan.
7. Each mobile home space shall not be located on ground susceptible to flooding.
8. The minimum lot sizes and dimensions shall be as follows:

Minimum

Lot with well and septic tank - 30,000 sq. ft.	Width 100 ft. Depth 150 ft.
Lot with well and public sewer - 20,000 sq. ft.	Width 100 ft. Depth 150 ft.
Lot with septic tank and public water - 20,000 sq. ft.	Width 100 ft. Depth 150 ft.
Lot with public water and public sewer - 15,000 sq. ft.	Width 100 ft. Depth 150 ft.

Minimum Yards - Front (30 ft.) Rear (25 ft.) Side (10 ft.)

9. Mobile home parks, which do not have direct access to a state maintained road, shall be provided access to a state maintained road with a right of way which has a minimum width of 50 feet, of which 24 feet shall be graded and drained for use by automobiles.
10. All mobile homes in the mobile home park shall meet the tie down and foundation standards enforced by the Warren County Building Inspector.
11. Each mobile home park comprising more than 25 spaces shall provide 400 square feet of recreation area per mobile home space.
12. Streets or drives shall provide convenient access to each mobile home space with a minimum right of way of 50 feet, of which 24 feet shall be graded and drained for automobile circulation thereupon. The park owner shall assume the responsibility for maintenance.
13. Permanent dead end streets or cul-de-sacs shall not exceed 500 feet in length and shall be provided with a turn around of at least 80 feet in diameter.
14. Streets or drives in the park shall intersect as nearly as possible at right angles, and no street shall intersect at less than 60 degrees.

15. Proper sight line shall be maintained at all intersections of streets. Measured along the centerline, there shall be a clear sight triangle of 150 feet for those streets intersecting of a right of way maintained by the North Carolina Department of Transportation. All interior drives shall maintain a sight distance triangle of 75 feet. No building or obstruction that impedes vision beyond the extent noted above shall be permitted in this area.
16. New street names shall not duplicate or be similar to existing street names in Warren County and shall be subject to the approval of the planning board.
17. Two automobile parking spaces shall be provided on the mobile home space but shall not be located within any public right of way or within any street in the park.
18. An adequate supply of portable running water for domestic purposes shall be provided in each mobile home park. In so far as feasible, where a municipally owned or other public water supply of satisfactory quantity, quality, and pressure is available within 500 feet of a mobile home park, connection shall be made thereto and its supply used exclusively.
19. All mobile home parks not connected to a municipal or other public water system and comprising at least four spaces but not more than 14 spaces shall be required to submit water supply system plans to the Division of Environmental Health of the Warren County Health Department for approval.
20. All mobile home parks not connected to a municipal or other public water system and comprising more than 15 spaces shall be required to submit water supply system plans to the Sanitary Engineering Division of the North Carolina Department of Human Resources for approval.
21. Adequate and safe disposal facilities shall be provided for all mobile home parks. A sewer collection system shall be connected to a public or community sewerage system when a public or community sewerage system is available for use within 500 feet of a mobile home park. When such a connection to a public or community sewerage system cannot be made, individual septic tank systems may be provided if the Warren County Health Department finds that the soil, topography, and groundwater conditions are favorable. All septic tank systems shall be designed, constructed, and approved in accordance with the Regulations Governing Sewage Disposal Systems in Warren County, promulgated by the Warren County Board of Health; or where applicable, under the provisions of North Carolina General Statute 130-160, the rules and the regulations promulgated by the NC Environmental Management Commission. The regulations Governing Sewage Disposal Systems in Warren County are on file in the office of the Health Director and Clerk of Superior Court of Warren County. The provisions of these regulations, and all amendments, adopted by reference in accordance with the provisions of NC General Statute 153A-47 and shall become part of this ordinance as full as if set out herein.
22. Each mobile home space shall be provided with at least four-inch diameter sewer riser pipe where collection systems are provided. The sewer riser pipe shall be so located on each space that the sewer connection to the mobile home drain outlet will approximate a vertical position.
23. A 2'x2' concrete apron shall be installed around all sewers. Connection shall be located at a distance of at least 100 feet from the water supply.
24. The sewer connection shall have a nominal inside diameter of at least three inches, and the slope of any position thereof shall be at least one-fourth inch per foot. The sewer connection shall consist of one pipeline only without any branch fittings. All joints shall be water tight inclusive of the connection from the trailer to the sewer riser pipe.
25. All material used for sewer connections shall be semi-rigid, corrosion resistant, nonabsorbent, and durable. The inner surface shall be smooth.
26. Provision shall be made for plugging a sewer when a mobile home does not occupy the space. Surface drainage shall be diverted away from the riser. The rim of the riser pipe shall extend at least four inches above ground elevation.
27. The storage, collection, and disposal of solid waste in a mobile home park shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accidents of fire hazards, or pollution.
28. All solid waste containing garbage shall be stored in standard fly-tight, water-tight, rodent proof containers with a capacity of not more than 32 gallons which shall be located not more than 150 feet from any mobile home lot. Containers shall be provided in sufficient number and capacity to properly store all solid waste containing garbage. The mobile home park management shall be responsible for the proper storage, collection and disposal of solid waste.
29. Stands shall be provided for all containers. Such container stands shall be so designed as to prevent containers from being tipped, to minimize spillage and container deterioration, and to facilitate onsite maintenance.
30. All solid waste containing garbage shall be collected at least twice a week. Where suitable collection service is not available from municipal or private agencies, the mobile home park owner shall provide the service. All solid waste containing garbage shall be collected and transported in covered vehicles or covered containers.
31. Where municipal or private service is not available, the mobile home park operator shall dispose of the solid waste by transporting to a disposal site approved by the Warren County Health Department.
32. Ground, buildings and structures shall be maintained free of insect and rodent harborage and infestation. Extermination methods and other measures to control insects and rodents shall conform to the requirements of the Warren County Health Department.
33. Parks shall be maintained free of accumulation of debris, which may provide rodent harborage or breeding places for flies, mosquitoes, and other similar pests.
34. Storage areas shall be so maintained as to prevent rodent harborage; lumber, pipe and other building material shall be stored at least one foot above ground.
35. As the potential for insect and rodent infestation exists, all exterior openings in or beneath any structure shall be appropriately screened with wire mesh or other suitable material.
36. The growth of brush, weeds, and grass shall be controlled to prevent harborage of ticks, chiggers, and other noxious insects. Parks shall be so maintained as to prevent the growth of ragweed, poison ivy, poison oak, poison sumac, and other noxious weeds considered detrimental to health. Open areas shall be maintained free of heavy undergrowth of any description.
37. All streets in the mobile home park shall be adequately illuminated from sunset to sunrise. The minimum size street light shall be a 175 watt mercury vapor (approximately 7000 lumen class), or its equivalent, spaced at intervals of not more than 300 feet, the location of which shall be depicted upon the mobile home park plat.
38. Compliance with the Sedimentation Pollution Control Act of 1973 shall be procured if one acre of land or more is disturbed.

Section IV-4 Application Procedure for Conditional Use

1. Preliminary Plan - A preliminary plan drawn to a scale of not less than one inch equals 100 feet shall be submitted to the Warren County Planning Board for all new or expanded mobile home parks to determine if the proposal meets the requirements and intent of this ordinance. The preliminary plan should include among other things:

- (a) The name of the park, the names and addresses of the owner or owners, and designer or surveyor;
 - (b) Date, scale and approximate North Arrow;
 - (c) Site plan showing streets, driveways, recreation areas, parking spaces, service buildings, water courses, easements, mobile home spaces, and all structures to be located on the park site;
 - (d) Vicinity map showing the location of the park and the surrounding land uses;
 - (e) Names of adjoining property owners; and
 - (f) The proposed utility system for water, sewer, gas, surface water drainage, streetlights, and electrical power.
2. After careful review and consideration of the preliminary plan, the Warren County Planning Board shall have 45 days within which to make its recommendations to the Board of Adjustment for Conditional Use Permits.
 3. The Board of Adjustment, based on its own findings and on the recommendations of the Planning Board, shall approve or disapprove the mobile home park plan.
 - (a) If the plan is approved, the Zoning Administrator shall issue the owner or developer a Conditional Use Permit. This permit is authority to construct the mobile home park;
 - (b) If the plan is disapproved, the conditions upon which it would be approved shall be stated. Once the owner or developer agrees the conditions to, the Zoning Administrator shall issue a Conditional Use Permit, allowing the park to be constructed.

Section IV-5 Certificate of Occupancy

1. When the developer has completed the construction of the mobile home park, he shall apply to the Zoning Administrator for a Certificate of Occupancy. The Zoning Administrator shall make an onsite inspection of the park.
 - (a) If the plan conforms to the park plan approved by the Board of Adjustment, the Zoning Administrator shall issue the developer a Certificate of Occupancy.
 - (b) If the plan does not conform to the approved plan, the Zoning Administrator shall delay issuance of the Certificate of Occupancy until it comes into conformity.
2. The Certificate of Occupancy issued to the developer shall constitute authority to lease or rent spaces in the mobile home park.
3. All mobile homes, whether located in mobile home parks or on individual's lots, established after the effective date of this ordinance must meet the requirements of the local building code prior to being approved for a Certificate of Occupancy. This requirement shall not apply to any mobile home which was manufactured after July 1, 1970, and bears the label or seal of compliance of a recognized testing laboratory having follow-up services, approved by the NC Building Code Council as authorized in Chapter 143 of the NC General Statutes.

ARTICLE V - NONCONFORMING USES

Section V-1 Effect Upon Existing Nonconforming Uses: *Lots or structures that do not meet the minimum dimensional requirements of this ordinance, or the existing uses of lots or structures that would be prohibited under the regulations of this ordinance in the district in which they are located may be used and continued provided they were lawfully constructed or established prior to the date of passage of this ordinance, except that:*

- A. Such nonconforming uses may not be enlarged or extended in such a way as to create any additional area of nonconformity.
- B. If a building occupied by a nonconforming use is destroyed by any means to an extent of more than 75 percent of its replacement cost at the time of destruction, such building may not be restored for any nonconforming use.
- C. Nonconforming open uses of land shall not be changed to any but conforming uses, and shall not be enlarged to cover more land than was occupied by that use at the date of passage of this ordinance. When a nonconforming open use of land has been changed to a conforming use, it shall not thereafter be used for any nonconforming use.
- D. When any nonconforming use of land or structure is discontinued for a period more than one year, any future use shall be limited to those uses permitted by this ordinance in the district in which it is located. Vacancy and/or nonuse of the land or structure, regardless of the intent of the owner or tenant, constitute discontinuance under this section.
- E. Where a nonconforming use of land or structure is changed to a conforming use, it shall not thereafter be used for any nonconforming use.
- F. When a nonconforming structure or mobile home is moved from any lot, for any reason, it shall only be replaced with a conforming structure.
- G. Vacant, unimproved lots, of a nonconforming square footage, which have been previously approved or authorized by prior subdivision regulations or actions of the Warren County Planning Board or Board of County Commissioners may be built upon if such improvements are otherwise in compliance with all current setbacks, access and environmental health regulations (**Amendment approved by Warren County Board of Commissioners September 11, 2006.**)
- H. Existing structure(s) on lots of a nonconforming square footage may be replaced, remodeled or added to, if such additions are in compliance with all current setbacks, access and environmental health regulations (**Amendment approved by Warren County Board of Commissioners September 11, 2006.**)

ARTICLE VI - SIGNS

Section VI-1 Sign Compliance: *No type of exterior sign may be erected, posted, re-posted, placed, replaced, hung, painted, or repainted in any district except in compliance with this ordinance.*

Section VI-2 General Sign Regulations

- A. No sign shall be erected or constructed to interfere with visual clearance at any street or road right of way.
- B. No sign except those erected for governmental purposes shall be permitted on any public right of way.
- C. All signs shall be at least five feet from street right of way. Any sign less than two feet from right of way after street widening may remain if, in the opinion of the Zoning Administrator, said sign would not encumber the free and easy movement of traffic.
- D. All signs, together with any supports, braces, guys, and anchors shall be kept in good repair. Signs shall meet all structural requirements of the State Building Code.
- E. Illuminated signs shall be limited to those lighted from behind to silhouette letters and figures and illuminated internally, except spotlighted signs will be permitted if no glare is cast where disturbing to motorists or where it reflects on any property in separate ownership. Except for time or temperature units, no flashing or neon signs shall be permitted. All illuminated signs or structures shall be placed to prevent the light rays or illumination from being cast directly on any dwelling.
- F. No ground sign may exceed 35 feet in height above ground level, or grade level, whichever is higher.
- G. Window signs may be placed only on the inside of any buildings and shall not exceed 25 percent of the glass area on which the sign is displayed.

- H. An identification sign shall pertain solely to the name of the principal use of the premises or its operators and shall not advertise products or services, which differ in name from the principal use.
- I. No sign shall be maintained for more than 180 consecutive days or 18 months in a three year period after is has been made obsolete for any reason.
- J. The square feet area for any sign will encompass the entire sign, including lattice work, wall work, frame, and supports incidental to it decoration.

Section VI-3 Table of Permitted Signs

- A. Districts in which particular signs are permitted as a Use-By-Right, and no permit is required are indicated by "X".
- B. Districts in which particular signs are permitted upon procurement of a permit are indicated by "P".
- C. Districts in which particular signs are permitted as a Conditional Use upon approval of the Board of Adjustment are indicated by "C".
- D. Districts in which particular signs are prohibited are indicated by a blank.

Type of Sign	AR	R	GC	TC	LB	NB	LI
1. One professional or announcement sign per establishment or dwelling unit not exceeding three sq. ft. in area mounted flat against a wall or door hung from a mailbox or lamp post.	X	X	X	X	X	X	X
2. Real estate signs not exceeding ten sq. ft. in area which advertise the sale, rental or lease of the premises upon which said signs are temporarily located.	X	X	X	X	X	X	X
3. Church or public bulletin boards located on the premises not exceeding 15 sq. ft. in area and not placed near than 15 feet from the property line.	X	X	X	X	X	X	X
4. Directional or informational signs of a public or quasi-public nature, not exceeding 12 sq. ft. in area.	X	X	X	X	X	X	X
5. Memorial signs, tablets, names of buildings and date of construction when cut into any masonry surface or constructed of metal affixed flat against a structure.	X	X	X	X	X	X	X
6. Official signs and traffic or other governmental signs.	X	X	X	X	X	X	X
7. House numbers and names of occupants provided such signs are mounted flat against a wall or door hung from a mailbox or lamp post and that no sign of this type exceeds three square feet in area.	X	X	X	X	X	X	X
8. Signs advertising agricultural products produced on the premises not exceeding 32 sq. ft. in area.	X	X	X	X	X	X	X
9. Construction sites placards not exceeding 32 square feet in area and non-illuminated only while construction is taking place on the premises.	X	X	X	X	X	X	X
Type of Sign	AR	R	GC	TC	LB	NB	LI
10. Signs directing traffic and pedestrians on private property not to exceed ten sq. ft. per sign.	X	X	X	X	X	X	X
11. Residential entrance and exit signs, not exceeding 100 sq. ft. in area.	P	P					
12. One onsite identification sign not exceeding 200 sq. ft. in area or 35 feet in height.				P	P	P	
13. One onsite industrial identification sign facing each public street which adjoins the property.							P
14. Signs mounted flat against the walls of buildings but not painted directly on the walls, or suspended from a canopy if the bottom of the suspended sign is at least nine feet above grade level, up to a maximum of two sq. ft. of area per lineal foot of building frontage (only main entrance wall of building used in computing frontage) for all signs of this type together.					P	P	P
15. Signs mounted on a trailer, mobile framework, or other movable apparatus, other than vehicles used for transportation, are called portable signs and are prohibited on a permanent basis. Such portable signs will be permitted on a temporary basis at grand openings, open houses, or special events in any LB, NB, or LI district for a total of 28 days in a calendar year and not to exceed seven days in any one period. Such temporary permits may be obtained from the Zoning Administrator.					P	P	P
16. Outdoor Advertising Signs	C				C	C	C

ARTICLE VII - INTERPRETATION OF TERMS AND DEFINITIONS

Section VII-1 Interpretation of Certain Terms

- A. Words used in the present tense include the future tense.
- B. Words used in the singular number include the plural and words used in the plural number include the singular.

- C. The word "person" includes a firm, joint venture, association, organization, partnership, corporation, trust and company, as well as an individual.
- D. The word **lot** includes the word **plot** or **parcel**.
- E. The word **building** includes the word **structure**.
- F. The word **shall** is always mandatory and not merely directory.
- G. The words **used** or **occupied** as applied to any land or building shall be construed to include the words **intend**, **arranged**, or **designed to be used or occupied**.
- H. The words **Zoning Map** or **Official Warren County Zoning Map** shall mean the map of Warren County, North Carolina.

Section VII-2 Definitions

- a. **Accessory** means incidental to another use of structure on the same lot.
- b. **Apartment** means a room or unit of one or more rooms, each of which have a kitchen facility, and are designated or intended to be used, as an independent unit, on a rental basis.
- c. **Apartment building (s)** means a residential buildings or buildings incorporating multiple dwelling units, for rental purposes only, where the building or buildings are under a single title. The units may be in one or more buildings and common areas and amenities are managed by a single property managing entity/corporation. **(Amendment approved by Warren County Board of Commissioners June 22, 2009).**
- d. **Attached Dwelling unit (s)** means row-houses, townhouses and condominiums with individual deeds are attached houses and can range from two attached dwelling units to multiple attached residences in multiple buildings. **(amendment approved by Warren County Board of Commissioners June 22, 2009).**
- e. **Automobile Wash or Automatic Carwash** means a lot on which motor vehicles are washed or waxed, either by the patron or by others, using machinery specifically designed for the purpose.
- f. **Basement** means a floor partly underground but having at least sixty (60) percent of its height above the average level of the adjoining ground. A basement shall be counted as a story for the purpose of height measurement if the vertical distance between the ceiling and average level of the adjoining ground is more than five (5) feet. **NOTE:** For multi-family building (i.e. apartment buildings and condominiums) should this floor be used for business, commercial, industrial or dwelling purposes, its use of a basement by a custodian or building superintendant, and their families shall not constitute a dwelling purpose use. **(Amendment approved by Warren County Board of Commissioners June 22, 2009).**
- g. **Boards of Adjustment** means a semi-judicial body composed of representatives from Warren County, which are given certain powers under and relative to this ordinance.
- h. **Board of Commissioners** means the governing body of Warren County.
- i. **Boarding House** means a rooming house or a structure, which contains four or more rooms, each of which have no kitchen facilities, and is designed or intended to be used for residential occupancy on a rental basis.
- j. **Building** means any structure, either temporary or permanent, having a roof or other covering, and designed or used for the shelter or enclosure of any person, animal or property of any kind, including tents, awnings, or vehicles situated on private property and used for purposes of building.
- k. **Building-detached** means a building having no party or common wall with another building except an accessory building.
- l. **Building Height (number of stories)** means the vertical distance from the mean elevation of the finished grade along the front of the building, or from the established grade where the building is within ten (10) feet of the street line, to the highest point of a the roof or structure. The following shall not be considered obstructions and may therefore exceed the maximum height provision otherwise applicable within a district as specified - bona fide farm buildings other than dwelling units or other residential uses; chimneys or flues extending not more than ten feet above the roofline, steeples, spires, or similar features on places of worship; ornamental features such as belfries, parapets, roof screens and widows watches less than four feet in height; air conditioning units and other mechanical features screened from view by a parapet wall; utility poles; lightning rods; aerials and antennas, and water tanks. **(Amendment approved by Warren County Board of Commissioners June 22, 2009).**
- m. **Building-Line** means a line located a minimum horizontal distance from the right-of-way line of a street or property line parallel thereto between which and the street right of way line or property line no building or parts of a building may be erected, altered, or maintained except as otherwise provided herein.
- n. **Building-Main** means a building in which the principle use of the lot on which the building is situated is conducted.
- o. **Building Site** means any lot or portion thereto, of a parcel of land upon which a building or buildings may be erected in conformance with the provisions contained herein.
- p. **Certificate of Occupancy** means a statement signed by the Zoning Administrator setting forth that the building, structure or use complies with the zoning ordinance and any applicable construction codes, and that the same may be used for the purposes stated herein.
- q. **Condominiums** means residential or commercial development with individually owned units, where the property owner gains ownership of an interior space within a building and where the development shall have jointly owned/shared common areas/facilities subject to the North Carolina Unit Ownership Act (NCGS Chapter 47A) and/or the North Carolina Condominium Act (NCGS Chapter 47C). The building structure, the land under the building, and all of the surrounding land is held in common ownership by all property owners on a proportional basis **(Amendment approved by Warren County Board of Commissioners June 22, 2009).**
- r. **Day Care Center** means a facility inclusive of a kindergarten, for the care and/or education of preschool age children and licensed by the NC Dept. of Human Resources.
- s. **Detached houses** means as single family dwellings or single family -detached dwellings these are for single-family occupancy **(Amendment approved by Warren County Board of Commissioners June 22, 2009).**
- t. **Drive-in (eating or drinking facility)** means an establishment that provides employee curb service or accommodations through special equipment or facilities for the ordering of food or beverage from a vehicle.
- u. **Duplex** means two attached residential units, in a single building and under a single title **(Amendment approved by Warren County Board of Commissioners June 22, 2009).**
- v. **Dwelling Single Family** means a detached building designed for or occupied exclusively by one family.
- w. **Dwelling Two Family** means a detached building either designed for or occupied by two families living independently of each other.
- x. **Dwelling Multi-Family** means a building used for, designed as a residence for more than two families living independently of each other.

- y. **Dwelling Unit** means a residential structure or that portion of a residential structure used or designed as a residence for one family. This definition shall also mean a room or rooms connected together, constituting a separate, independent housekeeping establishment for a family, for owner occupancy or rental or lease on weekly or longer terms, physically separated from any other rooms or dwelling units which may be in the same structure, and containing independent kitchen, bathroom, and sleeping facilities (Amendment approved by Warren County Board of Commissioners June 22, 2009).
- z. **Fabrication** means the processing and/or assemblage of various components into a complete or partially completed commodity. Fabrication to stamping, cutting or otherwise shaping the processed materials into useful objects. The refining aspects of manufacturing and other initial processing of basic raw materials such as metal, ore, lumber and rubber, etc. are included.
- aa. **Family** being one or more person or group of two or more persons living together and interrelated by bonds of marriage or legal adoption occupying the whole part of a dwelling as a separate housekeeping unit with a common and single set of culinary facilities. The person thus constituting a family may also include two additional guests who occupy rooms for which compensation may or may not be paid. Any group of persons not so related but inhabiting a single housekeeping unit shall be considered to constitute one family for each five persons exclusive of domestic employees, contained as one group.
- bb. **Family Care Home** means a facility designed to care for a maximum of six handicapped persons, plus support and supervisory personnel, as defined in G.S. 169-21.
- cc. **Frontage** means all property abutting one side of a street measured along the street line.
- dd. **Ground/Grade Level (also known as finished grade)** means an average level of the finished surface of the ground adjacent to the exterior walls of the building or structure (Amendment approved by Warren County Board of Commissioners June 22, 2009).
- ee. **Home Care Unit** means a facility meeting all the requirements of North Carolina for boarding and care of not more than five persons who are not critically ill and do not need regular professional medical attention.
- ff. **Home Occupation** means certain specified occupations customarily conducted for profit within a dwelling unit and carried on by the occupant thereof. Criteria for the classification of a home occupation are contained in this ordinance.
- gg. **Junk** means pre-used or unusable metallic parts and other nonmetallic manufactured products that are worn, deteriorated or obsolete making them unusable in their existing conditions, but are subject to be dismantled and salvaged.
- hh. **Junk Yard** means the use of more than 600 square feet of any lot for the storage of junk, including scrap metals, or other scrap materials, or for the dismantling or abandonment of automobiles or other vehicles or machinery.
- ii. **Kennel** means a facility operated exclusively for profit and for the expressed purposes of providing shelter for animals.
- jj. **Lot Depth** means the depth of a lot, for the purpose of this ordinance, is the distance measured in the mean direction of the side lines of the lot from the midpoint of the front line to the midpoint of the opposite lot line.
- kk. **Lot Area** means the parcel of land enclosed within the boundaries formed by the property lines plus one-half of any alleys abutting the lot between boundaries of the lot, if extended.
- ll. **Lot Depth** means the depth of a lot, for the purpose of this ordinance, is the distance measured in the mean direction of the side lines of the lot from the midpoint of the front line to the midpoint of the opposite lot line.
- mm. **Lot Line** means any boundary of a parcel of land.
- nn. **Lot Line Front** means any boundary line of a lot running along a street right of way.
- oo. **Lot Line Rear** means the rear lot line shall be the property line(s) which is/are opposite the front property line. If no property line is deemed to be opposite the front property line and no minimum building line exists on the final plat to establish a rear lot line, then there shall be no rear lot line; however, the rear yard set back shall be maintained from the point (apex) on the property's perimeter which is the furthest removed from the midpoint of the front line. The rear yard minimum building line shall be a line perpendicular to a straight line connecting said apex and the midpoint on the front lot line.
- pp. **Lot Line Side** means a boundary line that is not defined as a front or rear lot line.
- qq. **Lot of Record** means a lot, which has been recorded in the Office of the Register of Deeds or a lot described by metes and bounds the description of which has been recorded in the aforementioned office.
- rr. **Lot Width** means the horizontal distance between the sidelines measured along the front building line as specified by the applicable front yard set back in this ordinance.
- ss. **Mini – Storage (warehouse/personal storage only)** means a building, or group of buildings, in a controlled access and/or fenced compound that contains varying sizes of individual, compartmentalized and controlled access stalls or lockers for the dead storage of a customer's goods or wares. No sales, service, or repair activities other than the rental of storage (see definition in this section) units are permitted on the premises and storage of hazardous materials shall be prohibited (Amendment approved by Warren County Board of Commissioners February 2, 2004).
- tt. **Mobile Home** means a detached residential dwelling unit over 32 feet in length and over eight feet wide designed for transportation after fabrication on it's own wheels or on flatbeds, or other trailers, and arriving at the site where it is to be occupied as a dwelling unit complete and ready for occupancy except for minor and incidental unpacking and assembly operations including, but not limited to, location on jacks or other temporary or permanent foundation, and connection to utilities. Travel trailers and campers shall not be considered mobile homes.
- uu. **Mobile Home Park** means any lot or part thereof, or any parcel of land that is used or offered as a location for four or more mobile homes, regardless of whether or not a charge is made for such accommodations. Provided, however, the provisions of this ordinance shall not apply to mobile home spaces allocated by the property owner without charge to persons related to the property owner by blood or marriage or to tenant farmers employed by said owner for the purpose of engaging in agricultural pursuits on the premise. For the purpose of this ordinance, persons related by blood or marriage shall be defined as husband, wife, sister, grandmother, grandfather, aunt, uncle, mother-in-law, father-in-law, stepson, and stepdaughter. If any of these conditions cease to exist, said property owner shall comply with all provisions set forth in this ordinance.
- vv. **Modular Home** means a detached residential dwelling unit designed for transportation after off-site fabrication on flatbed trucks or trailers. At the site, a modular home must be placed on a permanent foundation, heating and cooling system, plumbing fixtures, and electrical appliances must be installed before occupied.

- ww. **Multiple-Family Dwelling** means for the purpose of determining whether a lot is in multiple-family dwelling use, the following considerations shall apply **(Amendment approved by Warren County Board of Commissioners June 22, 2009):**
1. Multiple-family dwelling uses may involve dwelling units intended to be rented and maintained under central ownership or management, or cooperative apartments, condominiums, and the like.
 2. Where an undivided lot contains more than one building and the buildings are not so located that lots conforming to requirements for one or two-family dwellings in the district could be provided, the lot shall be considered to be in multiple-family dwelling use if there are three or more dwelling units on the lot, even though the individual buildings may each contain less than three dwelling units.
 3. Any multiple-family dwelling in which dwelling units are available for rental or lease for periods of one week or less shall be considered a hotel or motel.
- xx. **Nonconforming Use** means a use of buildings or land that does not conform to the regulations of the district in which such building or land is situated but was lawful before adoption of this ordinance.
- yy. **Nursing Home** means a structure designed or used for residential occupancy and providing limited medical or nursing care on the premises for occupants, but not including a hospital or mental health center.
- zz. **Parking Space** means a graded and surfaced storage space for one automobile, plus the necessary access space. It shall always be located outside the dedicated street right of way. Parking space sizes shall be governed by the following:
- Angle Parking Minimum - 8.5 feet x 20 feet (measured parallel to the vehicle)
 - 90 Degree Parking Minimum - 9 feet x 20 feet
- aaa. **Planned Unit Development** means a residential, commercial or combination of residential and commercial project located on land under unified control, planned as a whole, and developed as a single development according to comprehensive and detailed plans, with a program for the provision, operation, and maintenance of any areas, improvements and facilities provided for the common use of the occupants or users of the development.
- bbb. **Planning Board** means for the purposes of this ordinance a body appointed by the Warren County Board of Commissioners to perform the following duties:
- Develop and recommend long range development plans and policies;
 - Advise the Board of Commissioners in matters pertaining to current physical development and zoning for the county planning jurisdiction.
- ccc. **Public or Community Sewage System** means a single system of sewage collection, treatment, and disposal owned and operated by a sanitary district, a metropolitan sewage district, water and sewer authority, a county or municipality or a public utility.
- ddd. **Public Water System** means a system for the provision to the public or piped water for human consumption if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year.
- eee. **Retail** means the sale of a commodity to the ultimate consumer and not customarily subject to sale again.
- fff. **Salvage Operation** means the reclamation, dismantling or storage of pre used commodities, junk and similar material for the purposes of resale, processing, distribution or deposition.
- ggg. **Service Station** means a building or lot where gasoline, oil, grease and automotive accessories are supplied and dispensed to a motor vehicle trade.
- hhh. **Setback** means the distance between the minimum building line and the street right of way line and where no street right of way is involved; the property line shall be used in establishing the setback.
- iii. **Shopping Center** means a group of commercial establishments planned, developed and managed as a unit with a unified design of buildings and with coordinated parking and service areas **(Amendment approved by Warren County Board of Commissioners June 22, 2009).**
- jjj. **Strip Center** means a long, one story building or group of buildings with multiple businesses connected by common walls, each business with separate entrances/exits, and housing retail services and/or service establishments. Out-parcels for these same business are included, this term shall also refer to "strip malls" and "strip centers."**(Amendment approved by Warren County Board of Commissioners June 22, 2009).**
- kkk. **Sign** means any words, lettering, parts of letters, pictures, figures, numerals, phrases, sentences, emblems, devices, design, trade names or trade marks by which anything is made known such as the designation of an individual, firm, association, profession, business commodity or product which are visible from any public way and used to attract attention.
- lll. **Sign Area of** means that sign area shall be computed by the smallest square, triangle, rectangle, circle, or combination thereof which will encompass the entire sign including lattice work, frame or supports incidental to its decoration. In computing the area, only one side of a double face sign structure shall be considered.
- mmm. **Sign Business Identification** means any sign which advertises an establishment, service commodity, goods or activity conducted upon the premises where such sign is located.
- nnn. **Sign Outdoor Advertising** means any sign which advertises an establishment, service, commodity, goods or entertainment sold or offered on premises other than that on which such sign is located.
- ooo. **Sign Portable** means any sign not exceeding 80 square feet in billboard area and constructed as a part of or attached to a trailer.
- ppp. **Storage** means the deposition of commodities or items for the purposes of future use or safekeeping.
- qqq. **Street** means a public or private thoroughfare, which affords access to abutting property and is recorded as such in the Office of the County Register of Deeds.
- rrr. **Subdivision** means all divisions of a tract or parcel of land into two or more lots, building sites or other division for the purpose, whether immediate or future, of sale or building development, and all division of land involving the dedication of new streets or a change in existing streets provided, however that the following shall not be included within this definition:
1. The combination or recombination of portions of previously platted lots where total number of lots is not increased and the resultant lots are equal to or exceed the standards as contained herein.
 2. The division of land into parcels greater than ten acres where no street right of way dedication is involved.
 3. The public acquisition by purchase of strips of land for the widening or opening of streets.
- sss. **Tourist Home** means any building occupied by owner or operator in whom rooms are rented for lodging of transients and travelers for compensation.

- ttt. **Townhouse** means a building containing multiple free-standing dwelling units attached to each other by party walls, located on their own individual lots and may include rights or ownership to commonly owned property i.e. pool, clubhouse, courtyards, etc. **(Amendment approved by Warren County Board of Commissioners June 22, 2009).**
- uuu. **Two-family Dwelling** means a building containing only two dwelling units. The term shall include duplex, two-family detached and two-family semi-detached dwellings **(Amendment approved by Warren County Board of Commissioners June 22, 2009).**
- vvv. **Use** means the purpose, for which land or structures thereon are designed, arranged or intended to be occupied or uses; or for which it is occupied, maintained, rented or leased.
- www. **Use Conditional** means a use permitted in a zone only after specific findings by the Board of Adjustment.
- xxx. **Use by right** means a use, which is listed as an unconditionally permitted activity in this ordinance.
- yyy. **Variance** means a modification or alteration of any of the requirements of this ordinance.
- zzz. **Warehouse** means a building or compartment in a building used and appropriated by the occupant for the deposit and safekeeping or selling of his own goods at wholesale, and/or for the purpose of storing the goods of others placed there in the regular course of commercial dealing and trade to be again removed or reshipped.
- aaaa. **Wholesale** means sale of a commodity for resale to the public for direct consumption.
- bbbb. **Yard** means any open space on the same lot with a building and unoccupied from the ground upward except by trees, shrubbery or fences.
- cccc. **Yard Front** means a yard across the full width of the lot, extending from the front line of the building to the front lot line.
- dddd. **Yard Rear** means a yard located behind the rear line of the main building, if extended, to the perimeter of the lot.
- eeee. **Yard Side** means a yard between the building and side lot line, extending from the front building line to the rear building line.
- ffff. **Zoning Permit** means a permit issued by the Zoning Administrator or his authorized agents, that permit the applicant to use or occupy a tract of land or a building; or to erect, install or alter a structure, building or sign situated in the jurisdiction of the County that fully meets the requirements of this ordinance.

ARTICLE VIII - ENFORCEMENT

Section VIII - 1 Zoning Administrator: *The Zoning Administrator, appointed by the Warren County Board of Commissioners is duly charged with enforcement of the provisions of this ordinance. If the Zoning Administrator finds that any of the provisions of this ordinance are being violated, he/she shall notify in writing the person(s) responsible for such violations, indicating the nature of the violation and ordering the action(s) necessary to correct it. He/She shall also take any other action authorized by this ordinance to ensure compliance with or to prevent violation of its provisions.*

Section VIII-2 Zoning Permit

1. No building, sign, or structure or any part thereof designed or intended to be used shall be erected or repaired until a zoning permit has been issued by the Zoning Administrator or his authorized representative. A fee of \$50 shall be charged for the issuance of each zoning permit.
2. Each application for a zoning permit shall be accompanied by a plat, drawn to scale, showing accurate dimensions of the lot to be built upon, accurate dimensions of the lot to be built upon, accurate dimensions of the building or sign to be erected, its location on the lot and such other information as may be necessary to provide for the enforcement of this ordinance. An accurate record of such application and plats, together with a record of the action taken thereon shall be kept in the Office of the Zoning Administrator.
3. No permit for excavation or for erection of any building, sign or part of a building or sign, or for repairs to a alternation of a building, or sign or the relocation of a building or sign from the lot on which it is situated, shall be issued until after a statement to its intended use has been filed by the applicant.

Section VIII-3 Certificate of Occupancy/Compliance: No land shall be used or occupied and no building, sign, or structure erected or altered shall be used or changed in use until a Certificate of Occupancy /Compliance has been used by the Zoning Administrator stating that the building, sign, and/or the proposed use complies with the provisions of this ordinance. A certificate of the same shall be required for changing or extending any nonconforming use. The aforementioned Certificate shall be applied for coincidentally with the application for a Zoning Permit and shall be issued within ten working days after the erection or alterations of such building or part shall have been completed in conformity with the provisions of this ordinance. A record of all such certificates shall be kept on file and copies shall be furnished, upon request, to any person having a propriety or tenancy interest in the building or land.

Section VIII-4 Penalties for Violations: *Any person, firm or corporation who violates any provision of this ordinance shall be subject to a civil penalty or \$50.00 which may be recovered by Warren County in a civil action in the nature of debt instituted in the North Carolina General Court of Justice, if the penalty is not paid within 15 days after the offender has been cited for violation of the Zoning Ordinance of Warren County. Each day's continuing violation shall be a separate and distinct offense. Citations with a \$50.00 penalty per citation may be issued each day the offense continues until the violations have ceased or abated (This amendment is made by authority of G.S. 153A-123).*

Nothing contained in Article VIII shall prevent Warren County from taking such other lawful actions as may be necessary to prevent or remedy any violation of the Zoning Ordinance of Warren County. In its discretion, Warren County may proceed to enforce the ordinance by either of the penalties provided for in Article VIII.

Section VIII-5 Right of Appeal: *If the zoning permit and/or Occupancy/Compliance Certificates are denied, the applicant may appeal the action of the Zoning Administrator to the Board of Adjustment.*

Section VIII-6 Zoning Permit Invalid if Work not Commenced or Completed: *Any zoning permit issued shall become invalid unless the work authorized by it shall have been commenced within six months of its date of issue or if the work authorized by it is suspended or abandoned for a period of one year or if such work is not completed within three years of the date of the issuance of the zoning permit. Application may be made to the Zoning Administrator for a new zoning permit to replace any permit, which shall become invalid under this section.*

ARTICLE IX - BOARD OF ADJUSTMENT

Section IX - 1 Composition:

1. The Warren County Board of Commissioners shall create a Board of Adjustment consisting of five members. The initial appointment to the Board of Adjustment shall be as follows:
 - a. Two members shall be appointed for three-year terms
 - b. Two members shall be appointed for two-year terms.
 - c. One member shall be appointed for one-year term, thereafter, all new terms shall be for three years, and members may be reappointed.

2. The Board of Commissioners shall also appoint two alternate members to serve in the absence of regular members. Both the initial appointment and new terms shall be for three years, and alternate members may be reappointed. Each alternate member, while attending any regular or special meeting of the Board of Adjustment and serving in the absence of any regular member, shall have and may exercise all the powers and duties of a regular member.

Section IX-2 Rules for Proceeding of the Board of Adjustment: *The Board shall adopt rules governing its organization and for all proceedings before it. Such rules shall provide and require the following in addition to such other rules and regulations the Board shall adopt:*

- The Board shall elect a chairman, vice-chairman and a secretary on an annual basis.
- The secretary shall keep detailed minutes of the proceedings. The minutes shall contain relevant facts and testimony of each appeal, the vote of each member on each appeal, abstention from voting and attendance. The minutes shall contain the signature of the secretary and the chairman.
- No appeal may be heard unless a quorum is present. A quorum shall consist of five members in attendance.
- The notice shall be given to all parties having interest in an appeal.
- Any interested party may appear in person, by agent or by attorney to offer evidence and testimony relative to an appeal.
- Fees for **appeals/applications** to the Board of Adjustment shall be:
 1. Appeals: **\$150.00**
 2. Variance Application: **\$150.00**
 3. Conditional Use Permit Application: **\$150.00**

Section IX-3 Powers and Duties of the Board of Adjustment: *The Board of Adjustment shall have the following powers and duties:*

1. **Administrative Review** - To hear and decide any appeal from and review any order, requirement, decision, or determination made by the Zoning Administrator.
2. **Variances** - To authorize upon appeal, in specific cases, such variances from the terms of this ordinance which will not be contrary to the public interest. Where, owing to special conditions, a literal enforcement of the provision of this ordinance would result in unnecessary hardship, a variance from the terms of this ordinance may be granted by the Board of Adjustment when a written application demonstrates all of the following:
 - a. That the special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures or buildings in the same district;
 - b. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other property owners in the same district under the terms of this ordinance;
 - c. That the hardship is not the result of the applicant's own action.
 - d. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district;
 - e. That, if the applicant complies with the provisions of the ordinance, he can secure no reasonable use of his property; and
 - f. That granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

Conditions Imposed on Variances: In granting any variance, the Board of Adjustment may prescribe appropriate conditions and safeguards to ensure that substantial justice has been done and that the public safety and welfare has been assured. Such conditions may be imposed by the Board regarding the location, character, and other features of the proposed building, structure, or use as may be deemed by the Board to protect property values and general welfare of the neighborhood. Nonconformance with such conditions and safeguards, when under part of the terms under which the variance is granted shall be deemed a violation of this ordinance.

In addition to the grounds of granting variance specified by state law, the Board of Adjustment may grant a variance when it finds that the grant of the requested variance will cause no significant hazard, annoyance or inconvenience to the owners or occupants of nearby property, will not significantly change the character of the neighborhood or reduce the value of nearby property, will not impose any significant cost burden upon Warren County and will not create any significant obstacle to implementation of the County's Land Use Plan. The Board of Adjustment may attach any conditions to the grant of a variance under this section, which it may find necessary to ensure that the intent and purpose of this ordinance are in all respects observed.

3. **Conditional Uses** - To hear and decide request for Conditional Use Permits allowed by this ordinance.
 - a. **Objectives and Purpose** - Conditional uses add flexibility to the zoning ordinance by permitting potential undesirable uses of property in specified districts when certain conditions are met. By means of controls exercised through the Conditional Use Permit procedures, uses of property, which would otherwise be undesirable in certain districts, can be developed to minimize any bad effects they might have on surrounding properties.
 - b. **Procedure**
 1. The Zoning Administrator may issue a Conditional Use Permit after approval by the Board of Adjustment for the uses as designated in the District Regulations. The application for a Conditional Use Permit shall accompany the application for a zoning permit. The Board of Adjustment shall file the application for the Conditional Use Permit ten working days before the date of review. The Board of Adjustment shall hold a public hearing before rendering a decision on the Conditional Use Permit, and if approved, shall include approval of such plans as may be required. In approving the permit, the Board of Adjustment shall find:
 - a. That the use will not materially endanger the public health, safety or general welfare if located where proposed and developed according to the plan as submitted and approved;
 - b. That the use meets all required conditions;
 - c. That the location and character of the use, if developed according to the plans as submitted and approved, will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the county.
 2. In approving the Conditional Use Permit the Board of Adjustment may designate such conditions, in addition and in connection therewith, as will, in its opinion, assure that the use in its proposed location will be harmonious and with the spirit and intent of this ordinance. All such additional conditions shall be entered in the minutes of the meeting, at which the Conditional Use Permit is granted, on the

Conditional Use Permit, and on the plans submitted therewith. All conditions shall run with the land and shall be binding on the original applicant for the Conditional Use Permit, the heirs, successors and assigns. In order to ensure that such conditions and requirements of each Conditional Use Permit will be fulfilled, the petitioner for the Conditional Use Permit may be required to provide physical improvements required as a basis for the issuance of the Conditional Use Permit.

3. If the Board of Adjustment denies the Conditional Use Permit, the reasons thereof shall be entered in the minutes of the meeting at which the permit is denied.
4. In addition to the specific conditions imposed by this ordinance whatever additional conditions the Board of Adjustment deems to be reasonable and appropriate, Conditional Use shall comply with height, yard, area and parking regulations of the zone in which they are located.
5. In the event of failure to comply with the plans approved by the Board of Adjustment, or with any conditions imposed upon the Conditional Use Permit, the permit shall thereupon immediately become void and of no effect. No zoning permits for further construction or Certificate of Occupancy/Compliance under the Conditional Use Permit shall be issued, and the use of all completed structures shall immediately cease and not thereafter be used for any purpose other than a Use-By-Right as permitted by the zone in which the property is located.
6. Where plans are required to be submitted and approved as part of the application for a Conditional Use Permit, modifications of the original plans may be made by the Board of Adjustment.

Section IX-4 Appeals

1. Appeals from the enforcement and interpretation of this ordinance, and appeals for Conditional Use permits or variances shall be filed with the Zoning Administrator, who shall transmit all such records to the Board of Adjustment.
2. The Board of Adjustment shall fix a reasonable time, not to exceed 30 days, for the hearing of the appeal and publish notice of such hearing in a newspaper of general circulation in Warren County five working days prior to the hearing.
3. The Board of Adjustment, by a vote of at least four of its five members, may reverse any order, requirement, decision, or determination of the Zoning Administrator, or may decide in favor of the applicant a matter upon which the Board is required to pass under the ordinance, or may grant a variance from the provisions of the ordinance.
4. Each decision of the Board of Adjustment is subject to review by the County Superior Court. Any appeal to the Superior Court shall be taken within 30 days after the decision of the Board of Adjustment is filed in the Office of the Zoning Administrator, or after written copy of the decision is delivered to the appellant by registered mail, return receipt requested, whichever is later.

ARTICLE X - AMENDMENTS

Section X-1 General

1. The Warren County Board of Commissioners may, at any time, amend, supplement, change, modify, or repeal the boundaries or regulations herein or subsequently amend. Proposed changes or amendments may be initiated by the County Board of Commissioners, Planning Board, Board of Adjustment, or by one or more owners, optionees, or lessees of property within the area proposed to be changed or affected.
2. Petitions to amend this ordinance shall be presented to the secretary of the Warren County Planning Board for review and recommendation by said Board at least ten working days prior to its hearing the Planning Board. The petition shall state the nature of the proposed amendment, a legal description of the property involved, and the names of the property owners. A fee of \$75.00 to defray cost of advertising and other administrative costs involved, unless initiated by the Warren County Board of Commissioners, Board of Adjustment, or the Planning Board, shall accompany each petition.
3. The Planning Board shall have 45 days within which to submit its recommendation. Failure to the Board to submit its recommendation within this time shall constitute a favorable recommendation. The Planning Board's report shall be submitted in writing to the County Manager and to the petitioner(s).
4. The Board of Commissioners shall hold a public hearing before adoption of any proposed amendment of this ordinance. A notice of such public hearing shall be published once a week for two consecutive weeks in a newspaper of general circulation in Warren County. Said notice shall be published the first time not less than 10 days and not more than 25 before the date established for such public hearing.

Whenever there is a zoning classification action involving a parcel of land, the owner of that parcel of land as shown on the county tax listing, and the owners of all parcels of land abutting that parcel of the proposed classification by first class mail at the last addresses listed for such owners on the county tax abstracts. The person or persons mailing such notices shall certify to the Warren County Board of Commissioners that fact, and such certification shall be deemed conclusive in the absence of fraud. This provision shall apply only when tax maps are available for the areas to be zoned.

In addition, the Zoning Administrator shall post a sign on any property for which a petition to change the zoning classification has been received. The sign shall state the nature of the change requested and the date, time, and place of the public hearing and shall be posted on the property in question at least three days before the public hearing date.

5. A majority vote of the Board of Commissioners shall be the required minimum to amend this ordinance.
6. When a petition for amendment is denied by the Board of Commissioners, a period of 12 months must elapse before another petition for the same change previously involved may be submitted.

ARTICLE XI - LEGAL STATUS PROVISIONS

Section XI-1 Legal Status Provisions

1. In its interpretation and application, the provisions of this ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and general welfare. Wherever the requirements of lawfully adopted rules, regulations, ordinance, deed restrictions, or covenants, the most restrictive, or that imposing the highest standards, shall govern.
2. This ordinance and the various parts, sections, subsections, and clauses thereof, are hereby declared severable. If any part, sentence, paragraph, subsection, section or clause is adjudged unconstitutional or invalid, it is hereby provided that the remainder of the ordinance shall not be affected thereby. If any part, sentence, paragraph, subsection, section or clause is adjudged unconstitutional or invalid as applied to a particular property, buildings or structures shall not be affected hereby. Whenever any condition or limitation is included in an order authorizing a Conditional Use Permit, variance, zoning compliance permit, certificate of occupancy or site plan approval, it shall be conclusively presumed that the authorizing officer or body considered such condition of limitation necessary to carry out the spirit and purpose of this ordinance or the requirement of some provision hereof, and to protect the public health, safety and welfare, and that the officer or Board would not have granted the authorization to which the condition or limitation pertains except in the belief that the condition or limitation was lawful.

3. All actions challenging the validity of this ordinance or amendment adopted thereto shall be brought within nine months after enactment.
4. The Zoning Ordinance of Warren County, North Carolina, duly adopted August 5, 1963, and amendments adopted thereto, are hereby repealed.
5. This Ordinance, adopted June 3, 1985, by the Warren County Board of Commissioners, shall take effect and be in force from and after June 3, 1985.
6. The Zoning Ordinance of Warren County, North Carolina, duly adopted June 3, 1985, by the Warren County Board of Commissioners, amended as of September 11, 2006, and further amended as of June 22, 2009, shall take effect and be in force from and after June 22, 2009. Said amendments are noted in this Ordinance as follows: **(Amendment approved by Warren County Board of Commissioners date of approved amendment)** and have been recorded after following proper form and procedure in the minutes of the regular Board of Commissioners meeting for that date.
7. This Zoning Ordinance, amended as of September 11, 2006 by the Warren County Board of Commissioners, replaces and supersedes the Zoning Ordinance prior to September 11, 2006 (inclusive of the August 5, 1963 and June 3, 1985 documents)
8. This Zoning Ordinance, amended as of June 22, 2009 by the Warren County Board of Commissioners, replaces and supersedes the Zoning Ordinance prior to June 22, 2009 (inclusive of the August 5, 1963, June 3, 1985, September 11, 2006, and December 1, 2008 documents).

Amended this the 22nd day of June 2009.

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On motion of Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, Amendment # 12 to the Warren County FY 2008-2009 Budget Ordinance was approved.

**AMENDMENT TO THE WARREN COUNTY BUDGET ORDINANCE
2008/2009
Amendment No. 12**

Section 1 of the Warren County Budget Ordinance, pertaining to the General Fund operations of the County, shall be amended as follows:

Increase/(Decrease) Appropriations:

County Commissioners	25,000
Finance Department	4,300
Court Facilities	10,000
Board of Elections	64,224
Register of Deeds	5,000
Child Support Enforcement	5,000
Central Communications	10,000
Detention Facility	25,000
Code Enforcement	5,000
Emergency Management Services	2,000
Planning	5,000
Area Mental Health	1,000
JCPC	2,500
Youth Services Bureau	7,000
Total	\$ 171,024

Section 2 of the Warren County Budget Ordinance, pertaining to the General Fund operations of the County, shall be amended as follows:

Increase/(Decrease) Revenues:

Restricted Intergovernmental - Other	54,224
Fund Balance Appropriated	116,800
Total	\$ 171,024

Section 4 of the Warren County Budget Ordinance, pertaining to the Fire Service District Fund operations of the County, shall be amended as follows:

Increase/(Decrease) Appropriations:

Churchill Five Forks	\$ 4,266
Macon	1,153
Ridgeway	490
Afton-Elberon	5,338
Roanoke-Wildwood	8,513
Hawtree	1,504
Littleton	6,000
Long Bridge	10,391
Drewry	2,469
Soul City	2,275
Arcola	1,755
Inez	3,977
Total	\$ 48,131

Section 5 of the Warren County Budget Ordinance, pertaining to the Fire Service Districts Fund operations of the County, shall be amended as follows:

Increase/(Decrease) Revenues:

	Current Taxes	Delinquent Taxes	Total
Churchill Five Forks	\$ 4,611	\$ (345)	\$ 4,266
Macon	784	369	1,153
Ridgeway	(106)	596	490
Afton-Elberon	2,269	3,069	5,338
Roanoke-Wildwood	6,753	1,760	8,513
Hawtree	1,388	116	1,504
Littleton	5,069	931	6,000
Long Bridge	9,047	1,344	10,391
Drewry	1,721	748	2,469
Soul City	1,775	500	2,275
Arcola	967	788	1,755
Inez	2,977	1,000	3,977
Total	\$ 37,255	\$ 10,876	\$ 48,131

This amendment:

- appropriates funds to various departments to prevent overspending.
- appropriates additional funds in the amount of \$54,224 to Board of Elections

from HAVA Grant funding.
Funding Source: N.C. State Board of Elections
Respectfully Submitted 6/22/2009

Barry J. Mayo
Barry J. Mayo, Finance Director

On motion of Commissioner Fleming, which was seconded by Commissioner Ross and duly carried by unanimous vote, Amendment #7 to the Capital Project Ordinance for Water & Sewer District III Project was adopted as follows:

**AMENDMENT TO THE CAPITAL PROJECT ORDINANCE FOR THE
WARREN COUNTY WATER & SEWER DISTRICT NO. III PROJECT
(Amendment No. 7)**

Section 4 of the above-reference capital project ordinance shall be amended as follows:

Increase/(Decrease) Appropriations:

Engineering, Design, Bidding, C.A.	(10,228)
Additional Services	(33,098)
Equipment/Capital	<u>43,326</u>
Total:	\$ 0

Explanation:

This amendment adjusts project line items to the most recent costs estimates.

Respectfully Submitted 6/22/09

Barry J. Mayo

Barry J. Mayo,
Finance Officer

On motion of Commissioner Ross, which was seconded by Commissioner Fleming and duly carried by unanimous vote, Amendment #2 to the National Guard Armory Capital Project Ordinance was adopted as follows:

**CAPITAL PROJECT ORDINANCE
WARREN COUNTY
NATIONAL GUARD ARMORY RENOVATION PROJECT
(Amendment No. 2)**

Section 3 The following revenues are anticipated to be available to complete the project:

NC DOT	(80,000)
Proceeds Installment Purchase	<u>100,000</u>
Total	20,000

Section 4 The following amounts are appropriated for the project:

Survey	3,000
Additional Services	1,525
Architectural Fees	(1,750)
Renovation	10,400
Contingency	<u>6,825</u>
Total	20,000

This amendment adjust the budget to the most recent cost estimates.

Respectfully Submitted 6-22-09

Barry J. Mayo
Barry J. Mayo, Finance Director

Motion did not carry.

Chairman Richardson called a five (5) minute recess.

On motion of Commissioner Jordan, which was seconded by Commissioner Ross and duly carried by majority vote, it was ordered to adopt FY 2009-2010 Warren County Budget Ordinance with a \$5,000 increase to Marcus Johnson, Information Technology/GIS Director's salary.

Votes were as follows: Ayes: Jordan, Ross & Richardson
 Nays: Davis & Fleming

Motion carried, FY 2009-2010 Warren County Budget Ordinance was adopted with a \$5,000 increase to Marcus Johnson, IT/GIS Director's salary.

On motion of Commissioner Jordan, which was seconded by Commissioner Ross and duly carried by majority vote, Fund Balance was designated as funding source for IT/GIS Director's \$5,000 salary increase.

Votes were as follows: Ayes: Jordan, Ross & Richardson
 Nays: Davis & Fleming

Motion carried, funding source for \$5,000 increase to Marcus Johnson, IT/GIS Director's salary was designated as Fund Balance.

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WARREN COUNTY BUDGET ORDINANCE
FISCAL YEAR 2009-2010

BE IT ORDAINED BY THE Board of County Commissioners of Warren County, North Carolina:
SECTION 1. APPROPRIATIONS: The following amounts are hereby appropriated in the General Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

<u>ITEM</u>	<u>\$AMOUNT</u>
County Commissioners	\$125,133
County Manager	195,205
Human Resources	108,215
Finance Office	423,212
Tax Assessor	272,341
2009 Revaluation	20,000
Tax Collection	291,828
County Attorney	40,000
Court Facilities	56,500
Board of Elections	190,892
Register of Deeds	216,543
Miscellaneous Appropriations	25,750
Information Technology	106,472
Buildings, Grounds & Maintenance	768,303
Sheriff's Department	2,484,736
Child Support Enforcement	46,522
Central Communications	573,160
Detention Facility	1,183,380
Emergency Services	165,267
Fire Protection	286,700
Code Enforcement	204,203
Medical Examiner	11,000
Emergency Medical Services	1,660,439
Halifax County EMS	52,817
Animal Control	237,759
Karts Transportation	25,570
Lake Gaston Weed Control	116,000
Forestry Program	113,048
Planning	151,582
Economic Development Commission	178,634
Kerr Tar HUB	36,000
Cooperative Extension Service	167,314
Buck Spring Camp Development	20,755
Cooperative Ext 4-H Program	3,000
Soil Conservation	162,852
Health Department	3,029,408
Area Mental Health	59,315
Juvenile Crime Prevention Council	6,617
Tri-County Conflict Mgmt.	5,280
Emergency Shelter Care - CCH	15,384
DSS Administration	3,459,764

DSS Public Assistance	1,591,112
DSS Local Funds	5,500
Rural Operating Assistance Program	72,791
Senior Center	333,266
Veteran's Service Office	87,884
Warren County Public Schools	4,052,251
SEMAA	162,788
VGCC Satellite Campus	180,112
Libraries	474,114
Recreation Program	325,954
Youth Services Bureau	140,443
National Guard Armory	35,500
Debt Services	2,118,454
Insurance & Fringes	371,696
Transfer To Other Funds:	
2010 Revaluation Fund	50,000
Subtotal	50,000
Contingency	30,000
TOTAL GENERAL FUND APPROPRIATIONS	\$27,328,765

SECTION 2. REVENUES: It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

<u>ITEM</u>	<u>\$AMOUNT</u>
Ad Valorem Taxes	
Current Taxes	14,100,000
Advertising Costs	1,450
Late Listing Penalties	7,000
Interest - Current Taxes	30,000
Delinquent Taxes	620,000
Delinquent Advertising Costs	2,800
Delinquent Late Listing Penalties	800
Interest - Delinquent Taxes	100,000
Sales Taxes	
One Percent Sales Tax	540,000
One-Half Percent/Unrestricted	588,000
One-Half Percent/Restricted	252,000
Additional One-Half Percent/Unrestricted	336,000
Additional One-Half Percent/Restricted	504,000
Other Taxes & Licenses	
Excise Tax Stamps	50,000
Unrestricted - Intergovernmental	
Payments in Lieu of Taxes	2,300
State Beer/Wine Tax	75,000
Officers Fees	38,000
Civil License Revenue	1,500
Restricted Intergovernmental - Health	
Mini Grants	9,762
Reynolds Healthy Carolinians	10,000
State Health Grants	554,002
Restricted Intergovernmental - DSS	
Title XIX Transportation	175,410
Daycare Reimbursement	875,774
Special Links	2,000
Foster Care Reimbursement	87,492
Special Adoption Fund	9,000
CAP Reimbursement	16,000
IVD Collection	1,000
Smart Start -- DSS	151,000
County Initiated Checks Reimbursement	750
Food Stamp Refunds	1,000
Miscellaneous DSS Revenues	4,000
Home & Community Care Block Grant	276,459
N.C. Health Choice Program Premiums	5,036
Rural Operating Assistance Program	78,270
Restricted Intergovernmental - DSS 1571	
Grand Total SSBG	122,284
Grand Total TANF	373,363
TANF/SSBG	20,106
Grand Total State In-Home	14,669
Permanency Planning	5,685
TANF Overpayment	300
Special Permanency Planning	1,266
Medicaid Transportation Administration	135,000
Title XX Medicaid Transportation	750
IVE Protective Services	64,740
Regional Links	10,625
Energy Administration	10,444
Daycare Administration	60,000

IVE Foster Care/Adoption Administration	32,712
Adult Home Care Management	79,988
Smart Start Administration	16,550
Medicaid Administration	428,875
Medicaid Expansion	23,180
Food Assistance/Program Integrity Administration	283,700
N. C. Health Choice Fees	34,000
Adult Daycare	8,547
Crisis Intervention	53,571
CP&L Project Share	2,362
State Aid to Administration	23,004
Food Stamp Settlement	500
Food Stamp Incentive	3,500
ST Adult Service	29,162
Domestic Violence	10,328
Restricted Intergovernmental – Other	
Facilities Fees	50,000
School Resource Officers	87,500
Governor’s Crime Grant	41,526
Child Support Enforcement Officer	29,373
Emergency Management Grant	25,000
United Way	1,714
OJJ-Youth Services Bureau	55,200
OJJ-Governor’s One-on-One	16,500
OJJ-Juvenile Crime Prevention Council	6,015
OJJ – NCAJ	13,985
OJJ – Tri County	4,800
RAPPID Grant	25,320
SHIP Grant	4,600
FAM Caregiver	7,000
IIID Grant	2,642
Senior Center Grant	5,400
SEMAA Grant	93,000
LSTA-EZ	20,000
Library Grant	82,503
Veterans Service Revenue	2,000
ABC Nickel A Bottle	7,169
NRCD Soil Conservation	19,934
Permits and Fees	
Animal Tax	1,800
Delinquent Animal Tax	40
Beer/Wine Licenses	1,300
Collection Fees	35,000
Filing Fee	1,000
State Excise Tax Collection Fees	900
Register of Deeds Fees	80,000
Inspection Fees	100,000
Planning Board Fees	3,000
Zoning Fees	3,500
Sales and Services	
Elec Reimbursement	5,600
Sheriff’s Fees	1,000
Concealed Weapons Fees	2,500
Signs	1,000
Jail Fees	4,500
Inmate Aw Tr	2,000
Jail Telephone Commission	3,000
Inmates Locally Confined Reimbursement	10,000
Work Release	1,000
Fire Inspection	20,000
Ambulance Fees	500,000
An Cnt Fee	10,000
4H Act Fee	1,000
Health Department Fees	18,000
Environmental Health Fees	19,000
Health 3 rd Party Fees	255,000
Home Health Fees	875,000
Library Fees	11,000
Recreation Fees	15,000
Rents	30,000
Vending Profits	2,000
Copier/Printout Fees	8,000
Franchise Fees	5,000
Prtc Fees	20,000
Investment Earnings	
Investment Income	120,000
Miscellaneous Revenue	

Fundraising DSS	1,000
FEMA Funds	4,000
Surplus Sales	8,000
Miscellaneous Revenues	2,000
Private Contributions	1,000
Pr Ins Pur	1,041,129
Transfers from Other Funds	
Revaluation	20,000
E911	496,715
Wireless Fund	123,290
Fund Balance Appropriated	
F/B Appropriated	1,195,794
F/B Appropriated – Health Dept. Escrow	300,000
F/B Appropriated – Trail G	14,500
TOTAL GENERAL FUND REVENUES	\$27,328,765

SECTION 3. There is hereby levied a tax rate of \$.60 per one hundred dollars valuation of property listed for taxes as of January 1, 2009 for the purpose of raising the revenue listed as "ad valorem taxes" in the General Fund of this ordinance.

This rate is based upon an estimated total valuation of property for the purposes of taxation of \$2,500,000,000 and an estimated collection of 94%. The estimated rate of collection is based on the fiscal year 2008-09 collection rate that is estimated to be 94%. The rate of \$.60 per one hundred dollars valuation of property is levied in support of the General Fund.

SECTION 4. EXPENDITURES: There is appropriated to the thirteen Fire Service Districts, in the amounts listed below proceeds of the service district tax for use by the Fire Service Districts in such a manner and for such expenditures as are permitted by law from the proceeds of these taxes. In the event the actual proceeds from the tax levies exceed or fall short of the appropriated amounts, the actual net proceeds from the taxes shall constitute the appropriation from the tax levy.

Churchill Five Forks	60,374
Macon	41,080
Central Warren	105,010
Ridgeway	30,621
Afton-Elberon	62,094
Roanoke-Wildwood	85,803
Hawtree	42,389
Littleton	57,211
Long Bridge	79,231
Drewry	41,239
Smith Creek	46,385
Soul City	25,940
Arcola	21,167
Inez	21,903
TOTAL	\$720,447

SECTION 5. REVENUES: There is hereby levied a tax at the rate shown below, per one hundred dollars (\$100.00) valuation of property listed for taxes as of January 1, 2009, located within the listed special fire districts for generating revenue for said special districts. These rates of tax are based on a ninety-three percent (94%) collection rate. Estimated total of valuation of property for each special fire district for the purpose of taxation are as follows:

Fire Department	Valuation	FY 10 Tax Rate
Churchill Five Forks	402,600,425	0.0150
Central Warren	164,168,172	0.0650
Macon	82,664,978	0.0500
Ridgeway	77,087,009	0.0400
Afton Elberon	126,128,868	0.0500
Roanoke Wildwood	429,208,192	0.0200
Hawtree	65,822,275	0.0650
Littleton	159,173,895	0.0360
Long Bridge	396,498,745	0.0200
Arcola	81,524,476	0.0263
Drewry	103,676,607	0.0400
Smith Creek	84,765,583	0.0550
Soul City	43,825,616	0.0600
Inez	56,788,354	0.0390

It is estimated that the following revenues will be available in the Fire Service District Special Reserve Fund for the fiscal year beginning July 1, 2009, and ending June 30, 2010:

Taxes	Current Taxes	Delinquent Taxes	Total
Churchill Five Forks	59,376	998	60,374
Macon	38,104	2,976	41,080
Central Warren	93,243	11,767	105,010
Ridgeway	28,266	2,355	30,621

Afton-Elberon	55,244	6,850	62,094
Roanoke-Wildwood	84,022	1,781	85,803
Hawtree	38,673	3,716	42,389
Littleton	55,005	2,206	57,211
Long Bridge	76,976	2,255	79,231
Drewry	38,369	2,870	41,239
Smith Creek	43,306	3,079	46,385
Soul City	23,242	2,698	25,940
Arcola	19,018	2,149	21,167
Inez	19,822	2,081	21,903
TOTAL	\$672,666	\$47,781	\$720,447

SECTION 6. EXPENDITURES: There is appropriated to the Solid Waste Enterprise Fund for the operation of the County's comprehensive solid waste program for fiscal year beginning July 1, 2009, and ending June 30, 2010:

Solid Waste Program \$1,414,551

SECTION 7. REVENUES: It is estimated that the following revenues will be available in the Solid Waste Enterprise Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

Other Taxes & Licenses		
Tire Disposal Tax	\$	19,000
White Goods Tax		6,500
Solid Waste Disposal Tax		10,503
Solid Waste Household Fees		940,500
Delinquent Household Fees		95,000
Municipal Solid Waste Tipping Fees		115,000
Interest on Household Fee		35,000
Privilege License Fee		50
Restricted Intergovernmental		
Convenience Center Reimbursement – Vance County		2,000
Investment Earnings		5,000
Miscellaneous		875
Fund Balance Appropriated		\$185,123
TOTAL		\$1,414,551

SECTION 8. There is hereby levied for the fiscal year 2009-2010, a Solid Waste Fee of \$105.00 per household or business not subject to municipal taxation to be deposited in the Solid Waste Enterprise Fund.

SECTION 9. EXPENDITURES. The following amount is hereby appropriated in the Regional Water System Enterprise Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

Regional Water System \$770,953

SECTION 10. REVENUES. It is estimated that the following revenues will be available in the Regional Water System Enterprise Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

Permits & Fees - Return Checks		200
Sales & Service		
Regional Water System Sales		\$287,209
Regional Water System Customer Revenue	285,000	
Regional Water System Ut Rei		7,344
Sewer Revenue		180,000
Penalty		2,500
Sales – Fire Department		200
Investment Earnings		8,500
TOTAL		\$770,953

SECTION 11. EXPENDITURES. The following amount is hereby appropriated in the District I Water System Enterprise Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

District I Water System \$458,450

SECTION 12. REVENUES. It is estimated that the following revenues will be available in the District I Water Enterprise Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

Permits & Fees - Return Checks		1,900
Sales & Service		
Sewer Revenue		6,600
Supplemental Tap Fees		19,000
Penalty		10,000
Water Bill Collections		\$404,000
Flat Fee Collection		3,800
Water Sales – Fire Department		400
Water Sales – Bulk		250
Investment Earnings		12,500
TOTAL		\$458,450

SECTION 13. EXPENDITURES. The following amount is hereby appropriated in the District II Water System Enterprise Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

District II Water System \$433,439

SECTION 14. REVENUES. It is estimated that the following revenues will be available in the District II Water Enterprise Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

Permits & Fees - Return Checks		675
Sales & Service		
Utility Reimbursement – DOT		7,000
Sewer Revenue		24,000
Supplemental Tap Fees		18,000
Penalty		5,000
Water Bill Coll		321,000
Flat Fee Collection		20,000

Water Sales – Fire Department	600
Water Sales – Bulk	1,900
Rents	15,000
Investment Earnings	9,908
Debt Reimbursement	10,356
TOTAL	\$433,439

SECTION 15. EXPENDITURES. The following amount is hereby appropriated in the District III Water System Enterprise Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

District III Water System \$579,618

SECTION 16. REVENUES. It is estimated that the following revenues will be available in the District III Water Enterprise Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

Restricted Intergovernmental – OW Reimbursement	150
Permits & Fees – Return Check	500
Sales & Service	
Tap Fees	16,000
Penalty	5,000
Water Bill Collection	302,000
Flat Fee Collection	100,000
Water Sales – Fire Department	400
Water Sales – Bulk	1,100
Investment Earnings	2,100
Fund Balance Appropriated	152,368
TOTAL	\$579,618

SECTION 17. EXPENDITURES. The following amounts are hereby appropriated for the Enhanced 911 System Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

Enhanced 911 Fund \$620,005

SECTION 18. REVENUES. It is estimated that the following revenues will be available for the Enhanced 911 Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

E-911 Telephone Surcharge	\$243,121
Investment Earnings	4,000
Fund Balance Appropriated	372,884
TOTAL	\$620,005

SECTION 19. EXPENDITURES. The following amounts are hereby appropriated for the 2009 Octennial Revaluation Fund for the operation of the County revaluation process for fiscal year beginning July 1, 2009 and ending June 30, 2010:

2009 Revaluation Fund \$70,420

SECTION 20. REVENUES. It is estimated that the following revenue will be available in the 2009 Octennial Revaluation Fund for the fiscal year beginning July 1, 2009 and ending June 30, 2010:

Investment Income	\$ 420
Transfer from General Fund	50,000
Fund Balance Appropriated	20,000
TOTAL	\$70,420

SECTION 21. There is hereby levied on each marriage license issued during the fiscal year 2009- 2010, a tax of \$50.00. The proceeds of such tax shall be deposited in the General Fund.

SECTION 22. A. Funds belonging to Warren County and deposited to the credit of the Warren County Operating Account and the Warren County Payroll Account may be withdrawn on signatures of Barry Mayo, Warren County Finance Director; Barry Richardson, Chairman, Warren County Board of Commissioners; and Angelena Kearney-Dunlap, Clerk to the Board of Commissioners.

B. All funds belonging to Warren County and deposited to the credit of the Warren County Department of Social Services Trust Fund Accounts shall be withdrawn only by checks signed by the Warren County Director of Social Services and counter-signed by the Accounting Technician. Jeffrey Woodard is authorized to sign such checks as Director of the Department of Social Services and Nell B. Moseley is authorized to counter-sign such checks as Accounting Technician.

C. All funds belonging to Warren County deposited to the Public School Building Capital Fund Disbursing Account may be withdrawn on signature of Barry Mayo, Finance Director, and Linda T. Worth, County Manager.

SECTION 23. There is hereby levied for the fiscal year 2009-2010, a license fee of \$2.00 on each dog of the age of six months or older. The proceeds of such taxes shall be deposited in the General Fund.

SECTION 24. Copies of this ordinance shall be furnished to the Budget Officer and the Finance Director for direction in carrying out their duties.

This budget is prepared on a departmental basis, and need not be amended unless expenditures exceed department appropriations.

Adopted this the 22nd day of June 2009.



Angelena Kearney-Dunlap
 Angelena Kearney-Dunlap, Clerk to the Board of Commissioners 6-22-09

With no further business to discuss, motion was made by Commissioner Fleming, which was seconded by Commissioner Davis and duly carried by unanimous vote, to adjourn June 22, 2009 Board of Commissioners Budget Special Meeting.

/s/ Angelena Kearney-Dunlap
 Angelena Kearney-Dunlap, Clerk