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STATE OF SOUTH CAROLINA)
)
COUNTY OF MCCORMICK)

ORDINANCE 10-08

2011 SEP 23 AM 10:38

CLERK OF COURT
MCCORMICK COUNTY, SC

AN ORDINANCE AMENDING THE MCCORMICK COUNTY ZONING ORDINANCE (ORDINANCE 08-16) TO ADD A DEFINITIONS OF CLASS A MOTOR HOME, GAZEBO, OUTDOOR KITCHEN, PARK MODEL, PRIVATE ROAD AND RECREATIONAL VEHICLE TO SECTION 2.3 - REVISE THE DEFINITION OF SETBACK IN SECTION 2.3 - ADD CHANGES TO SECTION 3.17 CONCERNING RV PARKS - DELETE SECTIONS 4.1.2 #2 AND 4.3.2 C. CONCERNING MINIMUM LOT WIDTH - REVISE SECTION 4.2.3 A AND 4.2.3 B. CONCERNING PERMITTED USES AND ACCESSORY BUILDINGS IN THE SINGLE FAMILY RESIDENTIAL DISTRICT - ADD #4 TO SECTION 4.8.3 SO AS TO ALLOW A PARK MOTOR HOME

WHEREAS, the McCormick County Council adopted Ordinance 08-16 on September 15, 2009 – which Ordinance provides zoning for McCormick County; and

WHEREAS, the McCormick County Planning Commission has considered various amendments to the McCormick County Zoning Ordinance based on the experience which has accumulated since the passage of the original Ordinance; and

WHEREAS, the McCormick County Planning Commission held a public hearing concerning these proposed amendments on June 16, 2011 and has recommended these changes to the Zoning Ordinance to McCormick County Council for adoption.

NOW, THEREFORE, BE IT ORDAINED by the County Council of McCormick County, South Carolina that Ordinance 08-16 is amended as follows:

Section 1: Add the following definitions to Section 2.3:

Class A Motor Home: A type of Recreation Vehicle which is built on a chassis from frame up.

Gazebo: A gazebo is a small ground-built, permanent stand-alone roofed pavilion intended for outdoor relaxation, dining, entertainment and/or a shady shelter which is open to the weather elements (open altogether or enclosed with meshed screens) and incorporates traditional/classic architectural detail and ornamentation in design.

Outdoor Kitchen: An accessory kitchen located in a rear or side yard. The kitchen may include all of the following: stove, grill, pizza oven, sink, storage areas, refrigerator, dishwasher and/or other appliances normally found in a kitchen. The kitchen may be either open to the air or included in a covered patio area. Under no circumstances shall an outdoor kitchen be fully enclosed unless the patio is detached from the dwelling unit. The outdoor kitchen is not to be used for commercial activity but for the enjoyment of the

homeowners. The Zoning Officer will make the determination on whether a homeowner's plan for an outdoor kitchen meets the intent of an Outdoor Kitchen as included in this ordinance.

Park Model: A Park Model is a recreational vehicle intended for permanent or semi-permanent installation, and installed and used as a primary residence, or for recreational or seasonal use. Park Model homes are built on a single chassis, mounted on wheels and certified by the Recreational Park, Trailer Industry Association. (RPTIA) as compliant with ANSI A119.5.

Private Road: A private road is a road that services more than 1 piece of property and is not accessible to the public.

Recreational Vehicle: A travel trailer, pick-up camper, converted bus, tent trailer, motor home, camping trailer, or similar vehicular dwelling used for travel, vacation, or recreational purposes.

Section 2: Revise the definition of Setback in Section 2.3 to read to read as follows:

Setback:

1. Setback: The minimum distance by which any building or structure must be separated from a street, right-of-way, or lot line.
2. Setback, Rear: A setback extending the full width of the lot in the area between the rear lot line and the rear building line.
3. Setback, Side: A setback extending the full length of the lot in the area between the side lot line and the side building line
4. Setback, Front: A setback extending across the full width of a lot between the front lot line, road right-of-way and the foremost point of any structure or building on the lot. Front setbacks shall be measured in the following manner:
 - i. Setbacks which front on a public street or road shall be measured from the abutting street or road right-of-way line or the property line, whichever is further from the centerline of the abutting street or road.
 - ii. If the right-of-way line or lot line is less than thirty-three (33.0') feet from the street or road centerline, the required setback shall be measured from a line located thirty-three feet (33.0') from the street or road centerline.
 - iii. In the event that there is no street right-of-way, the setback shall be measured beginning thirty-three (33.0') feet from the centerline of the road

- or the property line, whichever is further from the centerline of the abutting street or road.
- iv. For lots fronting on a private road or deeded access, the front setback shall be measured beginning twenty-five feet (25.0') from the centerline of the private road, deeded access or the property line; whichever is further from the centerline of the abutting private street, deeded access, or property line.
- v. It is the responsibility of the property owner to provide documentation to the appropriate governing body that identifies the property line, right-of-way or right-of-way easement.
- vi. Setbacks from existing roads will be consistent with the requirements outlined in the appropriate zoning district.

5. Street Lot Line: A lot line abutting a street.

6. Corner lot line: A street lot line that is not a front lot line.

7. Setbacks: Corner Lot: On a corner lot, one street line shall be designated the front line, and the other lot line shall be designated a street lot line. The Zoning Officer shall determine front setbacks for corner lots after consideration of the unique features of the property and surrounding lots and structures/buildings.

Section 3: Add the following to Section 3.17:

G. In RV Parks with deeded lots, use by a lot owner of a Class A motor home in the RV Park shall not be subject to the requirements of Section 3.17E(A). Such use shall be subject to review by the Zoning Official and County Council.

Section 4: Delete Section 4.1.2 # 2. Minimum Lot Width and Section 4.3.2 C. Minimum Lot Width and revise numbering accordingly

Section 5: Revise Section 4.2.3 A. and 4.2.3 B. to read as follows:

4.2.3: Uses

A . Permitted Uses: The following uses are permitted in the Single Family Residential District provided that all specified requirements are met.

- 1. Single Family Residence – One housing unit per lot is permitted.
 - a. The housing unit can include an attached garage or a carport as long as they are an integral part of the house, are a

continuation of the roof, style and material of the house and built on the same foundation. An attached carport is subject to review by the Zoning Officer prior to issuance of a building permit in order to ensure that the design meets the intent of the standard.

2. Private docks

B. 4.2.3 B Conditional Uses

1. Home Occupation in principal structure only
2. Public and private schools
3. Churches
4. Parks and Playground, subject to site plan review by the Planning Commission. The Review shall consider the impact on surrounding neighborhood in areas such as lighting, noise and traffic.
5. Community Hall for use by the residents of a particular housing area and the use of which is governed by Homeowner Covenants. Such covenants are subject to the review of the Planning Commission.
6. Accessory Building subject to the following conditions:
 - a. No residential accessory dwelling units are permitted.
 - b. No accessory unit may be used for the site of a Home Occupation
 - c. There may be a total of two (2) accessory units on a lot. These may be a storage shed, a detached garage and a detached gazebo larger than 100 square feet and/or an enclosed outdoor kitchen.
 - d. The total square footage of the accessory buildings cannot exceed 20% of the square footage of the home.
 - e. In all cases, the total square footage of the home and accessory buildings shall be included in the permitted building area and shall not exceed the maximum building(s) footprint of 50%.
 - f. There shall be no encroachment on the front, side and rear setback requirements.
 - g. The building of the primary residence must commence before any accessory structures are built. The Zoning Officer reserves the right to stop building of the accessory structure(s) if the accessory building continues and not the building of the primary residence.
 - h. Storage sheds or detached garages may not exceed 14 feet in height and must be at least six feet away from other structures.
 - i. A shed that is less than 120 square feet will not require a building permit but does require a zoning permit. However, all other requirements for the shed must be met.

- j. An accessory structure that is between 10 – 14 feet in height must be no closer to the lot line than distance equal to the height of the structure.
 - l. In terms of size, location and appearance, an accessory structure must not alter the character of the primary structure. The architectural style, exterior materials, and colors of the second unit shall be compatible with the residential unit, as determined by the Zoning Officer.
- 7. Swimming pools, patios, decks, game courts and hot tubs, whether above or at grade level, shall not be computed as part of the allowable building areas, but shall be located so as to conform to all front, rear and side yard setbacks.
 - 8. Outdoor Kitchens when detached from the residence shall be considered an accessory building and subject to all the requirements for accessory buildings. Additionally, all permits for plumbing and electrical work must be obtained.
 - 9. Gazebos larger than 100 square feet in size shall be considered an accessory building and subject to the requirements for accessory buildings.
 - 10. Gazebos under 100 square feet in size will not be considered an accessory building and may be located in the front yard as long as all front setback requirements are met. A building permit will not be required for such use, but a zoning permit shall be required.

Section 6: Add #4 to Section 4.8.3 A. Permitted Uses to read as follows:

- 4. One (1) Park Model Home is permitted per parcel provided that it meets the following standards:
 - a) Meets the definition contained in Section 2.3 of this Ordinance
 - b) Meets the requirements in # 4 - # 7 of 4.8.3 # 2 above.

Section 7: This Ordinance shall become effective upon adoption after three (3) readings and any required public hearing.

APPROVED AND ADOPTED this 20th day of September, 2011.

MCCORMICK COUNTY COUNCIL

By: Charles Jennings
Charles Jennings, Chairman

1st Reading: June 28, 2011
2nd Reading: August 16, 2011
3rd Reading: September 20, 2011
Public Hearing: September 20, 2011

ATTEST:

Crystal B. Barnes
Crystal B. Barnes, Clerk to Council