

Section 98:

No manufactured home originally intended for residential purposes shall be permitted in any business district (1/00).

ARTICLE X

EXCEPTIONS AND MODIFICATIONS

Section 100. Lot of Record.

Where the owner of a lot of official record in any residential district at the time of the adoption of this Ordinance or his successor in title does not own sufficient contiguous land to enable him to conform to the minimum lot size requirements of this Ordinance, such a lot may be used as a residential building site provided, however, that the requirements of the district are complied with or a variance is obtained from the Board of Adjustment.

Notwithstanding the foregoing, whenever two or more adjoining vacant lots of record are in single ownership at any time after the adoption of this Ordinance and such lots individually have less area or width than the minimum requirements of the district in which such lots are located, such lots shall be considered as a single lot or several lots which meet the minimum requirements of this Ordinance for district in which such lots are located.

100.1 Unless otherwise listed in Section 100.2, Every lot to be built upon shall abut by at least 37.5 feet a public street and no dwelling shall be placed or built upon a lot which does not abut upon a public street by the same distance. (11-20-90)

Section 100.2 Provisions for Existing Landlocked Lots (3-16-04)

Existing landlocked lots within the residential zoning district, defined as a lot that does not abut a public street and therefore does not meet the requirements that the lot have a minimum frontage on a public street of thirty seven and one half (37 1/2) feet, may nevertheless be developed for one single family dwelling unit if the lot otherwise meets the zoning requirements of the zone in which the lot is located and provided that the lot has a recorded easement of ingress and egress to and from a public street constructed to NCDOT or Town of Hudson standards which is appurtenant to the lot and which meets the following requirements:

100.21 A private easement with a minimum continuous width of twenty-five (25) feet is acquired from intervening property owners;

100.22 An easement with a minimum continuous width of less than twenty-five (25) feet may be permitted only in situations where an easement with a minimum

continuous width of twenty-five (25) feet would create nonconformity with respect to this Ordinance;

- 100.23 The recorded documents creating the easement shall specify that public service, utility and emergency personnel and vehicles shall have freedom of ingress and egress from the landlocked property;
- 100.24 The recorded documents shall also specify that public utilities (water, sewer, electricity, telephone, cable, etc.) may be located within the easement;
- 100.25 The recorded documents shall include a maintenance agreement specifying the party responsible for maintaining the easement and its traveled surface;
- 100.26 The easement must have an all weather surface of gravel, concrete or asphalt with a minimum continuous width of ten (10) feet to ensure access of public service, utility, and emergency personnel and vehicles;
- 100.27 Subdivision of landlocked parcels will require a publicly dedicated street constructed to Town Standards and must meet all requirements of the Town's Subdivision Regulations.

Section 101. Front Yard for Dwellings.

The front yard requirements of this Ordinance for dwellings shall not apply to any lot where the average setback of existing buildings located wholly or in part within 100 feet on either side of the proposed dwelling and on the same side of the street in the same block and use district as such lot is less than the minimum required front yard depth. In such case, the setback on such lots may be less than the required setback but not less than the average of the existing setbacks on the aforementioned lots, or a distance of 10 feet from the street right-of-way, whichever is greater.

Section 102. Height Limitation.

- a) The height limitations of this Ordinance shall not apply to church spires, belfries, cupolas, and domes not intended for human occupancy; monuments, water towers, observation towers, transmission towers, chimneys, smokestacks, conveyors, flagpoles, radio towers, television towers, masts, aerials and similar structures, except as otherwise noted in the vicinity of airports.
- b) Communication towers, including but not limited to, radio, television and cellular transmission towers, masts, aerials and similar structures shall be permitted in Light Industrial (L-I) and Heavy Industrial (H-I) and any public property in any district as a special use upon approval by the Board of Commissioners and subject to a finding by the Board that all other requirements for permitted or special uses within the district will be met. Towers