

TOWN OF BOLIVIA ZONING ORDINANCE

PREPARED BY THE

CAPE FEAR COUNCIL OF GOVERNMENTS  
1480 HARBOUR DRIVE  
WILMINGTON, NC 28401

DATE ADOPTED: NOVEMBER 11, 1994

DATE EFFECTIVE: NOVEMBER 11, 1994

# TOWN OF BOLIVIA

## ZONING ORDINANCE OF THE TOWN OF BOLIVIA, NC

### TABLE OF CONTENTS:

Article I	Purpose, Authority, and Definitions	Page
	Purpose	3
	Authority	3
	Definitions	4
Article II	Establishment of Districts	
	A. Number and Titles	19
	B. Zoning District Map	19
	C. Interpretation of District Boundaries	20
Article III	Regulations	
	A. Open Area/Recreation District, OAR	22
	B. Agriculture/Forestry District, AF	23
	C. Light Density Residential District, R20	25
	D. Moderate/Light Density Residential District R15	27
	E. Moderate Density Residential District, R10	28
	F. Multi-Family Residential District, MFR	29
	G. Commercial Districts, C1, C2, C3	31
	H. Light Industrial District, LI	36
	I. Heavy Industrial District, HI	37
	J. Planned Unit Development, PUD	38
	K. Manufactured Home Overlay District (MHO District)	48
	L. Manufactured Home Park (Residential) District MHP	50

# TOWN OF BOLIVIA

Article IV	Administration	
	I. Added Requirement	53
	II. Conditional Uses	53
	III. Non-Conforming Uses	56
	IV. Board of Adjustment	59
	V. Certification of Occupancy	61
	VI. Plats	62
	VII. Interpretation, Purpose and Conflict	62
	VIII. Changes and Amendments	62
	IX. Validity	65
	X. Enforcement	65
	XI. Building Permits Prior to Effective Date	65
	XII. Penalty	65
Article V	Establishment of Vested Rights	66
Article VI	Off Street Parking Requirements	74
Article VII	Handicapped Parking Requirements	77
Article VIII	Travel Trailer Campground Regulations	83
Article IX	Planning Board Bylaws	88
Article X	Rules of Procedure for Board of Adjustment	92
Article XI	Sign Regulations	98
	Amendment #0001	100
	Amendment #0002	101
	Amendment #0003	102
	Thoroughfare District	105
	Amendment #0004	106

# TOWN OF BOLIVIA

## ZONING

ART. I.	Purpose, Authority and Definitions, A-C
ART. II.	Establishment of Districts, A-C
ART. III.	Regulations, A-L
ART. IV.	Administration, I -XII
ART. V.	Establishment of Vested Rights
ART. VI	Off-Street Parking Requirements
ART. VII	Travel Trailer Campground Regulations
ART. VIII	Bylaws for the Operation of the Town of Bolivia Arts. I-V
ART. IX	Bolivia Board of Adjustment Rules of Procedure, I-VII

### **Article I. Purpose, Authority, and Definitions**

#### **A. Purpose**

The purpose of this ordinance is to guide the development of Bolivia, North Carolina, its one mile Extraterritorial Jurisdiction, and to facilitate the adequate provision of transportation, sewerage and water systems, parks and other public improvements, to regulate the location and use of land and buildings, the erection, reconstruction and alteration of buildings, the height and size of buildings, and the density of population, to divide the town into districts of such number, shape and size as maybe best suited to carry out said purposes; and to encourage the appropriate use of land throughout the town utilizing the recommendations of the Land Use Development Plan to promote the health, safety, and general welfare of the Town of Bolivia and its one mile Extraterritorial Jurisdiction.

#### **B. Authority**

This ordinance is adopted pursuant to the authority vested in the Town of Bolivia by its Charter, Chapter 160A of the General Statutes of North Carolina, and other local legislation.

# TOWN OF BOLIVIA

## C. Definitions

For the purposes of this ordinance, the following words, phrases, terms and their derivations shall have the meaning given herein.

Unless the context clearly indicates to the contrary, words used in the present tense include the future; words used in the plural number include the singular, and words used in the singular include the plural; The word “herein” means in this ordinance; the words “shall” or “must” are mandatory and not directory; the word “building” includes the word “structure”, and the words “structure” and “building” shall include any part thereof; the words “used” or “occupied” shall be construed to include the words “intended”, “arranged”, or “designed” to be used or “occupied.

A person shall include a corporation, a partnership and an unincorporated association such as a club; the word “development” shall be construed so as to include development by cooperative or collective or other similar means of development through common ownership or through the use of lease-hold estates; and the words “immediately adjacent” shall be construed to mean all land abutting the subject property and extending two hundred (200) feet therefrom or, when said property so defined includes right-of-way, it shall mean all land abutting the right-of-way and extending two hundred (200) feet therefrom.

The term “Town Board” means the Bolivia Board of Aldermen; the term “Planning Board” means the Planning Board of Bolivia; the term “Board of Aldermen” means the Brunswick County Board of Aldermen; and the term “Board” means the Bolivia Board of Adjustment.

**Accessory Use:** An activity or structure incidental or secondary to the principle use on the same site.

**Agriculture:** The word agriculture has two distinct definitions. Each zoning district defines whether these activities are permitted uses or conditional uses. The two definitions are as follows:

## TOWN OF BOLIVIA

- a. Agriculture-Vegetative: The activity of cultivating the soil and/or producing crops and
- b. Agriculture-Livestock: The activity of raising livestock. Minimum lot size for livestock activities:

Fowl Averaging Under Five Pounds of Weight: The number of such fowl shall not exceed twenty-five (25) per acre or a maximum of four hundred (400) fowl. All housing structures, outdoor pens and feeding areas shall be set back (1) foot from all property lines. All fowls must be confined or fenced together.

Fowl Averaging Over Five Pounds in Weight: The number of such fowl shall not exceed three (3) per acre or a maximum of thirty-five (35) fowl. All housing structures, outdoor pens and feeding areas shall be set back ten feet per fowl from all property lines. All fowl must be confined or fenced together.

Animals, Other Than Fowl, Averaging Over Thirty Pounds in Weight: The number of such animals shall not exceed three (3) per acre. Such animals shall not be confined together. Offspring less than thirty (30) days old shall not be included in the number per acre.

**Alley:** A roadway which affords only a secondary means of access to abutting property is not intended for general traffic circulation.

**Apartment:** A suite of rooms or a room in a multi-family dwelling arranged and intended as a place of residence for a single family.

**Arcade:** Any establishment that maintains more than three (3) automatic amusement machines. Automatic amusement machine includes any machine or device activated by a coin or token, and which when operated is used as a game of skill, test, contest or entertainment (not to include pool tables or music machines). This definition does not include establishments which sell alcoholic beverages or have pool tables.

# TOWN OF BOLIVIA

**Bed and Breakfast:** See R20 District for requirements.

**Buffer Zone:** A strip of land created to separate and protect one type of land use from another.

**Building Area:** The total area of a lot covered by a structure measured on a horizontal plane at mean grade level exclusive of uncovered patios, terraces and steps.

**Building Height:** The vertical distance from the average sidewalk grade, street grade or finished grade at the building line, whichever is highest, to the highest point of the building.

**Church or House of Worship:** Any permanent structure designed or adapted for use by members of a church, temple, synagogue, mosque, or the like for the purpose of prayer, religious service or other rite showing reverence or devotion for a deity. Where permitted by right or condition in this Ordinance activities at such facilities shall be limited to those associated with worship or fellowship by its members or congregation. Prohibited without further approval are such as education for preschool, primary, secondary and post-secondary students, dormitory facilities, and ongoing commercial enterprise.

**Conditional Use:** A use that may locate in certain zoning districts provided it will not be detrimental to the public health and general welfare and will not of itself impair the integrity and character of the district as determined by the Aldermen.

**Conversion:** The alteration of the use of an existing building to another type of use.

**Dimensional Nonconformity:** A nonconformity situation that occurs when the height, size, or minimum floor space of a structure or the relationship between an existing building or lot line does not conform to the regulations applicable to the district in which the property is located.

## TOWN OF BOLIVIA

**Dwelling, Single-Family:** A building designed to be occupied by one (1) family.

**Dwelling, Duplex:** A building containing two (2) dwelling units where the building is designed to be occupied by two (2) families living independently from each other.

**Dwelling, Multi-Family:** A building designed to be occupied by three (3) or more families living independently of each other.

**Easement:** Authorization by a property owner for the use of another party, for a specific purpose, of any designated part of said property without conferring exclusive possession.

**Extra-Territorial Jurisdiction:** A defined area extended one mile beyond the town limits.

**Family:** One or more persons occupying a single dwelling unit, provided that unless all members are related by blood or marriage, no such family shall contain over five (5) persons, but further provided that domestic servants employed on the premises may be housed on the premises without being counted as a family or families.

**Family Care Home:** A home with support and supervisory services in a family environment for not more than six (6) handicapped persons. (GS 168-21, GS 168-22)



## TOWN OF BOLIVIA

**Floor Area (for determining off-street parking and loading requirements):** The sum of the gross horizontal areas of the several floors of the building, or portion thereof, devoted to such use, including accessory storage areas located within selling or working space as counters, racks, or closets, and any basement floor area devoted to retailing activities, to the production or processing of goods, or to business or professional offices.

However, “floor area” for the purposes of measurement for off-street parking spaces shall not include: floor area devoted to primarily storage purposes (except as otherwise noted herein); floor area devoted to off-street parking or loading facilities, including aisles, ramps, and maneuvering space; or basement floor other than area devoted to retailing activities, to the production or processing of goods, or to business or professional offices.

**Floor Area, Gross:** The total square footage on all floors within a building.

**Frontage:** The property abutting one side of a street or public way, measured along the right-of-way line.

**Garage, Private:** A building used as an accessory to the main building permitted in any district, and providing for the storage of motor vehicle and in which no business, occupation, or service is conducted.

**Garage, Public:** Any building, except those described as a private garage, used for storage or care of motor vehicles.

## TOWN OF BOLIVIA

**Guest House (Tourist Home, Boarding House):** Any dwelling occupied by owner or operator in which five rooms or less are rented for lodging of transients and travelers for compensation.

**Halfway House:** Therapeutic residences that provide a sheltered and transitional environment for persons emerging from mental or penal institutions or drug treatment centers.

**Handicapped Person:** A person with a temporary or permanent physical, emotional, or mental disability including but not limited to mental retardation, cerebral palsy, epilepsy, autism, hearing or sight impairments, emotional disturbances and orthopedic impairments but not including mentally ill persons who are dangerous to others as defined in GS 122C-3 (11) b.

**Home Occupation:** An occupation for gain or support customarily conducted on the premises by a person or family residing thereon provided:

- a. Only one (1) person other than members of the family residing on the premises shall be engaged in such occupation;
- b. The use of the dwelling unit for the home occupation for shall be clearly incidental and subordinate to its use for residential purpose by its occupants, and not more than twenty-five percent (25%) of the floor area of the dwelling unit shall be used in the conduct of the home occupation;
- c. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation;
- d. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off street and other than in any required yard. Vehicles used primarily as passenger vehicles including pickup trucks and step-type vans only shall be permitted in connection

## TOWN OF BOLIVIA

with the conduct of the customary home occupation;

- e. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family housing unit, or outside the housing unit if conducted in other than a single-family housing unit. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises; or cause fluctuations in line voltage off the premises;
- f. No display of products shall be visible from the street, and the selling of merchandise or the manufacture of merchandise for sale except baking, sewing, and/or homecrafts normally made in the home cannot be the primary function of the home occupation;
- g. Instruction in music, dancing or tutoring of academic subjects shall be limited to four (4) students at a time;
- h. Privilege License must be obtained from Town Hall; and
- i. All persons now operating a Home Occupation shall be grandfathered but they must declare their home occupation within 60 days of adoption of this ordinance. Also, proof must be shown that occupation was in existence prior to ordinance adoption. All persons currently operating a home occupation will still be required to pay the license fee within 60 days of adoption of ordinance.
- j. One sign is permitted with a maximum of two (2) square feet. The sign must be mounted flat against a wall of the principle use facility. The sign is for identification purposes and not for advertising purposes.

**Housekeeping Unit:** Any part of a living area used to prepare food in any manner for human consumption, the existence of two or more of such areas shall create a conclusive presumption that the dwelling unit was designed for or is being used by two or more families.

# TOWN OF BOLIVIA

**Hotel:** A building occupied or used as a more or less temporary abiding place of individuals or groups who are lodgers and in which there are six (6) or more sleeping rooms.

**Junk Yard:** An area where scrap metal or other waste is bought, sold, exchanged, or handled on an on-going basis, including automobile salvage and wrecking yards.

**Land Use Plan:** The adopted Land Use Development Plan of the Town of Bolivia.

**Lot:** A parcel of land occupied or capable of being occupied by a building or group of buildings devoted to a common use, together with the customary accessories and open spaces belonging to same.

**Lot Area:** The total horizontal area enclosed with lot lines.

**Lot, Corner:** A lot which has at least two (2) adjoining sides that the angle of intersection of the two lines is less than 135 degrees.

**Lot, Depth of:** The average horizontal distance between front and rear lot lines.

**Lot, Front of:** The portion of a lot nearest the street. For corner and thorough lots, all sides adjacent to street rights-of-way shall be considered fronts.

**Lot, Interior:** A lot other than a corner lot.

**Lot Lines:** The lines bounding a lot as defined herein.

**Lot Line, Front:** The lines separating said lot from the street right-of-way.

**Lot, Thorough:** A interior lot having frontage on two streets.

**Lot, Width of:** The mean horizontal distance between side lot lines.

## TOWN OF BOLIVIA

**Manufactured Home:** A dwelling that (i) is not constructed in accordance with the standards set forth in the North Carolina State Building Code, and (ii) is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis, and (iii) exceeds forty feet in length and eight feet in width.

**Manufactured Home, Class A:** A manufactured home constructed after July 1, 1976, that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban Development that were in effect at the time of construction and that satisfies the following additional criteria:

- a. The manufactured home has a length not exceeding four times its width, with length measured along the longest axis and width measured at the narrowest part of the other axis.
- b. The manufactured home has a minimum of 1,120 square feet of enclosed and heated living area;
- c. The pitch of the roof of the manufactured home has a minimum vertical rise of two and two tenths feet for each twelve feet of horizontal run (2.2 feet and 12 feet) and the roof is finished with a type of shingle that is commonly used in standard residential construction;
- d. All roof structures shall provide an eaves projection of no less than six inches, which may include a gutter;
- e. The exterior siding consists predominantly of vinyl or aluminum horizontal lap siding (whose reflectivity does not exceed that of gloss white paint), wood or hardboard comparable in composition, appearance and durability to the exterior siding commonly used in standard residential construction;

## TOWN OF BOLIVIA

- f. The manufactured home is set up in accordance with the standards set by the North Carolina Department of Insurance and a continuous, permanent masonry foundation or masonry curtain wall, unpierced except for required ventilation and access, is installed under the perimeter of the manufactured home;
- g. Stairs, porches, entrance platforms, ramps and other means of entrance and exit to and from the home shall be installed or constructed in accordance with the standards set by the North Carolina Department of Insurance, attached firmly to the primary structure and anchored securely to the ground; and
- h. The moving hitch, wheels and axles, and transporting lights have been removed.

It is the intent of these criteria to ensure that a Class A manufactured home, when installed, shall have substantially the appearance of an on-site, conventionally build, single-family dwelling.

**Manufactured Home, Class B:** A manufactured home constructed after July 1, 1976, that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban Development that were in effect at the time of construction, and that meet or exceed criteria (f),(g) and (h) for Class A home above.

**Manufactured Home, Class C:** Any manufactured home that does not meet the definitional criteria of a Class A or Class B manufactured home.

**Manufactured (Mobile) Home Park:** Any site or tract of land, of contiguous ownership upon which manufactured home spaces are provided for manufactured home occupancy whether or not a charge is made for such service. This does not include manufactured home sales lots on which unoccupied manufactured homes are parked for the purpose of sales.

**Modular Home:** A dwelling unit constructed in accordance with the standards set forth in the North Carolina State Building Code and composed of components substantially assembled in a manufacturing plant and

## TOWN OF BOLIVIA

transported to the building site for final assembly on a permanent foundation. Among other possibilities, a modular home may consist of two or more sections transported to the site in a manner similar to a manufactured home (except that the modular home meets the North Carolina State Building Code), or a series of panels or room sections transported on a truck and erected or joined together on the site.

**Motel:** Land developed for a single structure or a group of structures of permanent construction that contains guest rooms with vehicle parking space and utility structures provided to support the primary use.

**Neighborhood:** A residential area whose residents have public facilities and social institutions in common and generally within walking distance of their homes.

**Nonconforming Lot:** A lot existing at the effective date of this ordinance or any amendment to it that cannot meet the lot requirements of the district in which the lot is located.

**Nonconforming Project:** Any structure, development, or undertaking that is incomplete at the effective date of this ordinance and would be inconsistent with any regulation applicable to the district in which it is located if completed as planned.

**Nonconforming Situation:** A situation that occurs when, on the effective date of this ordinance or any amendment to it, an existing lot or structure or use of an existing lot or structure does not conform to one or more of the regulation applicable to the district in which the lot or structure is located.

**Nonconforming Use:** A nonconforming situation that occurs when property is used for a purpose or in a manner made unlawful by the use regulations applicable to the district in which the property is located.

**Parking Lot:** An area or plot of land used for the storage or parking of vehicles.

# TOWN OF BOLIVIA

**Planned Unit Development (PUD):** A PUD is a land development project planned as a single entity by means of a unitary site plan which permits flexibility on building, siting, mixtures of housing types and land uses, usable open space, and the preservation of significant natural features.

**Residence:** A building designed to be used as permanent living quarters for one or more families.

**Right-of-Way:** Land occupied or intended to be occupied by a street, crosswalk, railroad, utility line or other special purpose and held exclusive from abutting properties.

**Septic tank:** A tank used in combination with leaching fields or trenches in which sewage is purified by bacterial action. It is distinct from a cesspool which retains solids and must be periodically pumped out.

**Service Station:** A building or a lot where gasoline, oil, greases, and accessories are dispensed to the motor vehicle trade.

**Setback Line:** A line specifically established upon a plat or established by the zoning ordinance which identifies an area into which no part of a building shall project except as provided by these regulations. A line measured parallel to the front property line (right-of-way) in front of which no structure shall be erected.

**Shopping Center:** A group of commercial establishments planned, developed and managed as a unit, with off-street parking on the property.

**Sewage System:** A facility designed for the collection, removal, treatment and disposal of waterborne sewage generated within a given service area.

**Sign:** A structure that is arranged, intended, designed or used as advertisement, announcement or direction; and includes a sign, sign screen, billboard, poster panel and advertising devices of every kind which are displayed out-of-doors.



## TOWN OF BOLIVIA

**Sign area:** The surface area of a sign shall be computed as including the entire area within a regular geometric form or combination of forms comprising the total display area of the sign. When calculating sign area, only one side of a double-faced sign shall be considered.

**Stable, Private:** A stable with a capacity of not more than (1) horse for 43,560 square feet of lot area whereon such stables are located and where such horse is owned by the owners or occupants of the premises and are not kept for remuneration of any kind.

**Stable, Public:** Any stable other than a private stable.

**Story:** That portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is not floor above it, then the space between such floor and the ceiling above it.

**Street:** A thoroughfare which affords principal access to abutting property.

**Structure:** Anything constructed or erected, the use of which requires location upon the land, or attachment to something having a permanent location on the land.

**Structural Alterations:** Any change except for repair or replacement in the supporting members of a building, including bearing walls, columns, beams and girders.

**Trailer Camp:** Any lot or parcel of land set aside and offered by any person to the transient public for the parking and accommodation of two (2) or more travel trailers which are to be occupied for sleeping or eating.

**Travel Trailer:** Any vehicle designed to be transported and intended for human occupancy as a dwelling for short periods of time, such vehicles containing limited or no kitchen or bathroom facilities.

**USE, PERMITTED:** A use which is permitted outright in a district for which a Zoning Permit may be issued by the Zoning Enforcement Officer.

## TOWN OF BOLIVIA

**Use, Conditional:** A use which is permitted in a district under certain conditions only if a permit is expressly authorized by the Board of Aldermen.

**Variance:** A variance is a relaxation of the terms of the Zoning Ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the action of the applicant a literal enforcement of the ordinance would result in unnecessary and undue hardship. As used in this ordinance, a variance is authorized only for height, area, and size of a structure or size of yards and open spaces; establishment or expansion of a use otherwise prohibited shall not be allowed by variance, nor shall a variance be granted because of the presence of nonconformities in the zoning district or uses in an adjoining zoning district.

**Yard:** An open space on the same lot with a building, unoccupied and unobstructed from the ground upward, except by trees or shrubbery, or as otherwise provide herein.

**Yard, Front:** An open space across the full width of the lot measured between the building line of the main building and the street right-of-way line.

**Yard, Rear:** An open space extending across the full width of the lot and measured between the rear line of the lot and the rear line of the main building.

**Yard, Side:** An open space extending from the front building line of the main building to the rear building line of the main building.

**Yard Sale Residential:** All general sales, open to the public, conducted from or on a residential premise in any residential district for the purpose of disposing of personal property. The term "yard sale" shall include such herein sales, whether or not they are described sales, whether or not they are "garage", "lawn", "yard", "attic", "porch", "room", or "patio".

**Yard Sale, Districts C-1, C-2, C-3:** Same definition as residential yard sales with the following restrictions.

## TOWN OF BOLIVIA

1. The person holding the yard sale must be the residential property occupant.
2. The yard sale must be for the purpose of disposing personal property.
3. Yard sales may only be held four calendar days per year.

**Zoning Amendment:** Changes in the zoning ordinance text or map, adopted by the Town Board upon recommendation by the Planning Board.

# TOWN OF BOLIVIA

## Article II. Establishment of Districts

### A. Numbers and Titles

The Town of Bolivia, North Carolina and its extra-territorial jurisdiction are hereby divided into the following districts:

OAR - Open Area/Recreation District  
AF - Agriculture/Forestry District  
R-20 - Residential District (20,000 sq. ft.)  
R-15 - Residential District (15,000 sq. ft.)  
R-10 - Residential District (10,000 sq. ft.)  
MFR - Multiple-Family Residential District  
C - Commercial Districts C1, C2, C3  
LI - Light Industrial District  
HI - Heavy Industrial District  
PUD - Planned Unit Development  
MHO - Manufactured Home Overlay District  
MHP - Manufactured Home Park (Residential)

### B. Zoning District Map

The boundaries of the zoning districts are shown upon the map accompanying this ordinance and made apart hereof, entitled "Official Zoning Districts, Bolivia, North Carolina". The Zoning District Map and all the notations, references and all amendments thereto, and other information shown thereon is hereby part of this ordinance the same as if such information were all fully described and set out herein.

- 1. Creation:** In the creation, by this ordinance of the respective zones, the Town Board has given due and careful consideration to the peculiar suitability of each and every zone for the particular regulations applied thereto, and the necessary, proper and comprehensive groupings and arrangements of the various uses and densities of population in accordance with a well-considered land use plan for the development of the town.

# TOWN OF BOLIVIA

2. **Zoning District Map Legitimacy and Location:** Regardless of the existence of purported copies of the Zoning District Map which may from time to time be made or published, the official Zoning District Map of the Town of Bolivia shall be located in the office of the Town Clerk.
3. **Amendments to the Zoning District Map:** No changes of any nature shall be made to the Zoning District Map except in conformity with the procedure set forth in the Ordinance.

## C. Interpretation of District Boundaries

The boundaries of each district which are indicated on the zoning map of the Town of Bolivia, together with all explanatory matter thereon, are hereby adopted by reference and declaration to be a part of this ordinance.

Where uncertainty exists as to the boundaries of districts as shown on the zoning map, the following rules shall apply.

1. **Boundaries following center lines:** Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines.
2. **Boundaries following lot lines:** Boundaries indicated as approximately following plotted lot lines shall be construed as following such lot lines.
3. **Boundaries following town limits:** Boundaries indicated as approximately following town limits shall be construed as following town limits.
4. **Boundaries following shore lines:** Boundaries indicated as approximately following the center lines of streams, creeks, or other bodies of water shall be construed to follow such center lines.

## TOWN OF BOLIVIA

5. Boundaries parallel to center lines: Where district boundaries are so indicated that they are approximately parallel to the center line of streets, alleys or highways, or the rights-of-way of the same, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning map.
6. Boundaries dividing lots: Where a district boundary line divides a lot or tract in single ownership, the district requirements for the least restricted portion of such lot or tract shall be deemed to apply to the whole thereof, provided such extensions shall not include any part of a lot or tract more than fifty (50) feet beyond the district boundary line. The term “least restricted” shall refer to use restrictions and not to lot size.
7. Cases of uncertainty in boundary decisions: In the event that uncertainty exists in the interpretation of the district boundaries, the Bolivia Board of Adjustment shall interpret the intent of the zoning map as to the location of such boundaries.

# TOWN OF BOLIVIA

## Article III, Regulations

### A. Open Area/Recreation District, OAR

1. Purpose: It is the purpose of this district to protect wetlands and prevent development in areas of potential flood hazard, where such development would be detrimental to both the natural and economic environment of the community. It is also the purpose of this district to provide both passive and active recreational opportunities to the public.
2. Permitted Uses: The following uses shall be permitted in OAR District subject to the various provisions of this article.

Accessory Uses to Permitted Uses (Cannot be occupied or rented, must meet the requirements of the district.)

Accessory buildings 10' X 12' or smaller may be placed 6' from the rear and side property line. Accessory building larger than 10' X 12' may be placed 15' from the rear and side property lines.

Amphitheatres (Provided there is no paving)

Areas of Environmental Concern

Camping and Picnic Areas (no paving, no permanent homes)

Historic Sites and Monuments

Nature Exhibits

Parks (provided there is no paving)

Playgrounds

Fish Hatcheries and Fish Farms

3. Conditional Uses: The following uses may be permitted in an OAR District if the town determines them not to be objectionable and if the land owner complies with the various controls recommended by the Planning Board.

Golf Courses, Golf Driving Ranges

Private Clubs

# TOWN OF BOLIVIA

## 4. Lot, Yard and Height Requirements:

Minimum Lot Size	20,000 sq. ft.
Front Yard	30 ft. (must not differ more than 10' from the average of adjacent buildings)
Side Yard	12 ft.
Rear Yard	30 ft.
Maximum Building Height	35 ft.

## 5. Off Street Parking: Not Applicable

## 6. Signs: Please refer to the appropriate section of the Town of Bolivia sign ordinance.

## B. **Agriculture/Forestry District, AF**

1. Purpose: It is the purpose of the AF-Agriculture/Forestry to preserve the rural and agricultural character of the land removed from readily available urban services.
2. Permitted Uses: The following uses shall be permitted in the AF District subject to the various provisions of this article.

Accessory Buildings to Permitted Uses (Cannot be occupied or rented, must meet the requirements of the district.)

Accessory buildings 10' X 12' or smaller may be placed 6' from the rear and side property line. Accessory building larger than 10' X 12' may be placed 15' from the rear and side property

Agriculture – Vegetative

Wayside Stand: (the sale of agricultural and horticulture products which are permitted uses and are products produced on the same parcel of land)

Forestry, production and harvesting

Greenhouses

Single Family Site Built Residential Units



# TOWN OF BOLIVIA

Manufactured Homes, Class A and Class B only  
Public Schools  
Cemeteries  
Correctional Institutions  
Fair Grounds  
Riding Stables  
Fish Hatcheries, Fish Farms

3. Conditional Uses: The following uses may be permitted in an AF District if the Town determines them not to be objectionable and if the land owner complies with the various controls recommended by the Planning Board.

Agriculture – Livestock  
Golf Courses, Golf Driving Ranges, Miniature Golf  
Home Occupations (See Definitions for restrictions)  
Public Buildings  
Public/Private Utilities  
Private Schools

4. Lot, Yard, and Height Requirements:

Minimum Lot Size	20,000 sq. ft.
Front Yard	30 ft. (must not differ more than 10' from the average of adjacent buildings)
Side Yard	12 ft.
Rear Yard	30 ft.
Maximum Building Height	35 ft.

5. Off Street Parking: Please refer to Article VI of this text.
6. Signs: Please refer to the appropriate section of the Town of Bolivia sign ordinance.

# TOWN OF BOLIVIA

## C. **Light Density Residential District, R20**

1. Purpose: It is the purpose of the R-20 District to provide for light density residential development in areas without water and sewer services.
2. Permitted Uses: The following uses shall be permitted in the R20 District subject to the various provisions of this article.

Accessory Buildings to Permitted Uses (Cannot be occupied or rented, must meet the requirements of the district.)

Accessory buildings 10' X 12' or smaller may be placed 6' from the rear and side property line. Accessory building larger than 10' X 12' may be placed 15' from the rear and side property lines.

Agriculture – Vegetative

Churches

Parks and Playgrounds

Single Family Site Built Residential Units

Home Occupations (See Definitions for restrictions)

Greenhouses (accessory use only)

3. Conditional Uses: The following uses may be permitted in the R20 District if the Town determines them not to be objectional and the land owner complies with the various controls recommended by the Planning Board.

Day Care Facilities

Bed and Breakfast Establishments (See 7 below)

Golf Courses

Public Utilities

Tennis Courts

Private Swimming Pools

Playfield or Athletic Field

Agriculture: Livestock

4. Lot, Yard, and Height Requirements:

# TOWN OF BOLIVIA

Minimum Lot Size	20,000 sq. ft.
Front Yard	50 ft. (must not differ more than 10' from the average of adjacent buildings)
Side Yard	12 ft.
Rear Yard	30 ft.
Maximum Building Height	35 ft.

5. Off Street Parking: Please refer to Article VI of this text.
6. Signs: Please refer to the appropriate section of the Town of Bolivia sign ordinance.
7. Standards for Bed and Breakfast Establishments:
  1. Dwelling cannot provide more than three bedrooms for overnight guests.
  2. One parking space per guest room be provided off the street in addition to two off street parking spaces for the principal occupants. The parking area must not encroach beyond the side, and rear set back lines of the zoning district.
  3. The use shall conform to the sign ordinance.
  4. No pulsating, flashing, oscillating, or other types of attention getting devices shall be permitted.
  5. No outdoor activities other than those associated with the normal activities of a single- family home are permitted.
  6. The use must annually meet the health standards of the State and County Government and proof presented to the Building Inspector and Zoning Administrator.
  7. The dwelling must be the primary residence of the owner.

# TOWN OF BOLIVIA

8. Must be a member of, and comply with all rules and regulations of the N. C. Association of Bed and Breakfast.
9. Must obtain a license to operate from the Town. The fee to be determined by the Town Board.

## D. **Moderate/Light Density Residential District, R15**

1. Purpose: It is the purpose of the R15 District to provide for light density residential development in areas with available urban services.
2. Permitted Uses: The following uses shall be permitted in the R15 District subject to the various provisions of this article.

Accessory Buildings to Permitted Uses (Cannot be occupied or rented, must meet the requirements of the district.)

Accessory buildings 10' X 12' or smaller may be placed 6' from the rear and side property line. Accessory building larger than 10' X 12' may be placed 15' from the rear and side property lines.

Agriculture – Vegetative

Churches

Parks and Playgrounds

Single Family Site Built Residential Units

Home Occupations (See Definitions for restrictions)

Greenhouses (accessory use only)

3. Conditional Uses: The following uses may be permitted in the R15 District if the Town determines them not to be objectionable and the land owner complies with the various controls recommended by the Planning Board.

Agriculture – Livestock

Day Care Facilities

Golf Courses

# TOWN OF BOLIVIA

Public Utilities  
Schools

## 4. Lot, Yard, and Height Requirements:

Minimum Lot Size	15,000 sq. ft.
Front Yard	30 ft. (must not differ more than 10' from the average of adjacent buildings)
Side Yard	12 ft.
Rear Yard	30 ft.
Maximum Building Height	35 ft.

## 5. Off Street Parking: Please refer to Article VI of this text.

## 6. Signs: Please refer to the appropriate section of the Town of Bolivia sign ordinance.

## **E. Moderate Density Residential District, R10**

1. Purpose: It is the purpose of the R10 District to provide for light density residential development in areas with available urban services.

2. Permitted Uses: The following uses shall be permitted in the R10 District subject to the various provisions of this article.

Accessory Buildings to Permitted Uses (Cannot be occupied or rented, must meet the requirements of the district.)

Accessory buildings 10' X 12' or smaller may be placed 6' from the rear and side property line. Accessory building larger than 10' X 12' may be placed 15' from the rear and side property lines.

Agriculture – Vegetative

Churches

Parks and Playgrounds

Single Family Site Built Residential Units

# TOWN OF BOLIVIA

Home Occupations (See Definitions for restrictions)  
Greenhouses (accessory use only)

3. Conditional Uses: The following uses may be permitted in the R10 District if the Town determines them not to be objectionable and the land owner complies with the various controls recommended by the Planning Board.

Agriculture – Livestock  
Day Care Facilities  
Golf Courses  
Public Utilities  
Schools

4. Lot, Yard, and Height Requirements:

Minimum Lot Size	10,000 sq. ft.
Front Yard	30 ft. (must not differ more than 10' from the average of adjacent buildings)
Side Yard	8 ft.
Rear Yard	30 ft.
Maximum Building Height	35 ft.

5. Off Street Parking: Please refer to Addendum I to this text.
6. Signs: Please refer to the appropriate section of the Town of Bolivia sign ordinance.

## **F. Multi-family Residential District, MFR**

1. Purpose: It is the purpose of the Multi-family Residential District to provide for housing units for more than one family in areas with urban services.
2. Permitted Uses: The following uses shall be permitted in the MFG District subject to the various provisions within this article.

# TOWN OF BOLIVIA

Accessory Buildings to Permitted Uses (Cannot be occupied or rented, must meet the requirements of the district.)

Accessory buildings 10' X 12' or smaller may be placed 6' from the rear and side property line. Accessory building larger than 10' X 12' may be placed 15' from the rear and side property lines.

Agriculture – Vegetative

Churches

Multi-family Residential Units (to include condominiums and townhouses)

Parks and Playgrounds

Rest Home (Clinic and health care facility allowed in association with Rest Home).

Single Family Residential Unit

Home Occupations (See Definitions for restrictions)

3. Conditional Uses: The following uses may be permitted in the MFR District if the Town determines them not to be objectionable and the land owner complies with the various controls recommended by the Planning Board.

Agriculture – Livestock

Public Utilities

4. Lot, Yard, and Height Requirements:

Minimum Lot Size	15,000 sq. ft.
Front Yard	30 ft.
Side Yard	12 ft.
Rear Yard	30 ft.
Maximum Building Height	35 ft.

5. Off Street Parking: Please refer to Article VI of this text.

# TOWN OF BOLIVIA

6. Signs: Please refer to the appropriate section of the Town of Bolivia sign ordinance.

## **G. Commercial District, 1, 2, 3**

The purpose of establishing several commercial districts is to regulate the intensity of land use to protect residential neighborhoods and places of worship.

Factors to consider when assigning retail establishments to Commercial Districts 1, 2, or 3:

Health, safety, general welfare of the community and noise, odors, gas, fumes, smoke, dust, vibration, height and brightness of lights, hours of operation, traffic, parking spaces, and fire hazards.

### **Commercial District 1: Light Commercial Uses**

Commercial District 1 is established as a district in which the principle use of land is for retail trade purposes which cause the least concern about the factors listed above.

Permitted: Professional Offices: Medical, attorney, accounting, insurance, financial, government and agency offices.

Single Family Homes

Conditional: Child and Adult day care  
Churches

Buffer: Property owner must construct Buffer Number 1 when located in Commercial District 1.

### **Commercial District 2: Medium Intensity Commercial Uses**

Commercial District 2 is established as a district in which the principle use of land is for retail trade purposes which cause a minimal amount of concern about the factors listed above.



# TOWN OF BOLIVIA

Permitted: Professional Offices: Medical, attorney, accounting, insurance, financial, government and agency offices.

Stand-alone stores: notions, dry goods, shoes, clothing, jewelry, leather goods, gifts, books, flowers, cameras, toys, sporting goods, paint, pets, hobby and craft goods, drugs, magazines, candy, wallpaper, furniture, appliances, upholstery, antiques, stationary, bicycles, shoe repair, dry cleaning, banks, barber and beauty shops.  
Single family homes.  
Child and Adult day care.

Conditional: Churches

Buffer: Buffer Number 2 when Commercial District 2 use is adjacent to a house(s) or residential district.

## **Commercial District 3: Heavy Commercial Uses**

Commercial District 3 is established as a district in which the principle use of land is for retail trade purposes which cause the most concern about the factors listed above.

\*\*\* Permitted: Professional Offices: Medical, attorney, accounting, insurance, financial, government and agency offices.  
Stand-alone stores: notions, dry goods, shoes, clothing, jewelry, leather goods, gifts, books, flowers, cameras, toys, sporting goods, paint, pets, hobby and craft goods, drugs, magazines, candy, wallpaper, furniture, appliances, upholstery, antiques, stationary, bicycles, shoe repair, dry cleaning, banks, barber and beauty shops, groceries, musical instruments, feed and seed.

# TOWN OF BOLIVIA

\*\*\* See amendment Z-0001

06/05/95 Text Change allowing Schools as permitted use in C-3 District.

Single Family Site Built Residential Units  
Child and Adult Day Care  
Dealerships/Sales: Automobiles, boats, farm machinery, motorcycle, electrical, and plumbing.  
Bus Station  
Cab Stands  
Parking Lots  
ABC Store  
Hotel/Motel  
Theatre  
Bowling Alley  
Arcade  
Laundry  
Fast Food Restaurants  
Restaurants (sit down, not fast food)  
Service Stations  
Shopping Centers  
Cafeterias  
Funeral Home  
Automobile Repair & Service  
Convenience Store

Conditional: Multi-family Units  
Churches

Buffer: Buffer Number 2 when Commercial District III use is adjacent to a house(s) or residential district.

## **Additional Commercial District 1, 2, 3 Requirements**

1. All of the Commercial District 1 uses will be permitted or conditional uses in District 2 and that the District 1 and 2 uses will be permitted or conditional uses in District 3.

## TOWN OF BOLIVIA

2. Single family site-built homes will be permitted in all commercial districts. All building permits for homes located in a commercial district must include a statement that the property is located in a commercial district.
3. An opaque buffer will be constructed around all four sides of trash receptacles located in Commercial Districts 1, 2, and 3. Acceptable material for a buffer placed around trash receptacles: solid wooden fence, metal fence with vinyl slats woven through the metal mesh or other material approved by the Town Board of Aldermen.
4. Lighting: The lighting in Commercial District 1, 2, and 3 shall be as follows:

The lighting must be designed in such a way that it will have minimal effect on adjoining property. The light rays shall shine only upon the premises and shall not spill over the property lines in any direction except by indirect reflection. This is to be accomplished by the proper selection, placement and height of the fixtures. The lighting plan will be recommended by the building inspector and approved by the Board of Adjustment.
5. Buffer 1 and 2 Definitions and Requirements:

Buffer 1: Required Buffers: Where this district abuts a lot in a residential district or land occupied by a pre-existing residential use permitted by this ordinance, the Board of Aldermen shall require the owner of the business property to provide and maintain along the property lines, a continuous visual buffer. The buffer shall be a compact evergreen hedge or other type of evergreen foliage hedge or other type of evergreen foliage screening or shall be a combined fence and shrubbery screen, the latter facing the residential use. The visual buffer shall be subject to inspection by the building inspector or by a duly appointed inspection officer. Minimum height for such buffer shall be five feet.

# TOWN OF BOLIVIA

The buffer must be approved before a certificate of occupancy is issued.

**Buffer 2:** Required Buffers: Where this district abuts a lot in a residential district or land occupied by any pre-existing residential use, the owner of the business property shall provide and maintain, for the life of the use along the property line, a continuous unbroken visual buffer. The buffer shall consist of one of the following:

- a. A compact evergreen hedge or other type of evergreen foliage screening. Minimum height and width for such buffer shall be five feet when planted.
- b. A combined fence and shrubbery screen, the latter facing the residential use. Minimum height and width for such buffer shall be five feet high and four feet wide when planted.
- c. An earthen berm a minimum of three feet high and a maximum of five feet high with a minimum of three feet high by three feet wide evergreen foliage. In the event the berm and shrub option is used, the maximum slope on the berm sides shall be no greater than one foot to one foot.

The visual buffer shall be inspected by the building inspector or by a duly appointed inspection officer; and approved before a certificate of occupancy is issued.

## 6. Lot, Yard, and Height Requirements:

Minimum Lot Size	10,000 sq. ft.
Front Yard	30 ft.
Side Yard	12 ft.
Rear Yard	30 ft.
Maximum Building Height	3 stories

# TOWN OF BOLIVIA

\*Common walls shall be allowed.

5. Off Street Parking: Please refer to Article VI of this text.
6. Signs: Please refer to the appropriate section of the Town of Bolivia sign ordinance.
7. Off Street Parking: Please refer to Article VI of this text.
8. Signs: Please refer to the appropriate section of the Town of Bolivia sign ordinance.

## **H. Light Industrial District, LI**

1. Purpose: It is the purpose of the Light Industrial District to provide an area for industry that has no nuisance or pollution factors.
2. Permitted Uses: The following uses shall be permitted in the LI District subject to the provisions of this article.

Accessory Uses (Clearly incidental to a permitted use and which will not create a nuisance or hazard and cannot be occupied or rented, must meet the requirements of the district.) Accessory buildings may be placed 6' from the rear and side property line. Accessory buildings larger than 10' X 12' may be placed 15' from the rear and side property lines.

Bakery Plants

Carpenters and Cabinet Makers Shop

Electrical and Industrial Equipment (repair and services)

Off Street Parking Facilities

Public Buildings and Utilities

Storage Yard for Building Materials (or contractor's construction equipment).

Wholesale Businesses

Electronic Assembly, Storage, Repair

Bottling and Canning

# TOWN OF BOLIVIA

Apparel, Drapery Manufacturing

3. Conditional Uses: None

4. Lot, Yard, and Height Requirements:

Minimum Lot Size	10,000 sq. ft.
Front Yard	30 ft.
Side Yard	15 ft.
Rear Yard	30 ft.
Maximum Building Height	3 stories

5. Off Street Parking: Please refer to Article VI of this text.

6. Signs: Please refer to the appropriate section of the Town of Bolivia sign ordinance.

## **I. Heavy Industrial District, HI**

1. Purpose: It is the purpose of the Heavy Industrial District to provide for the orderly separation of intense industrial uses from commercial and residential development. This separation will help to avoid having people unnecessarily exposed to nuisance and pollution factors.

2. Permitted Uses: None

3. Conditional Uses: All uses are conditional uses. The following uses are permitted uses if the Town determines them not to be objectionable and if the land owner complies with the various controls recommended by the Planning Board.

Accessory Building Uses: Clearly incidental to a conditional use, which will not create a hazard and cannot be occupied or rented and must meet the requirements of this district.

Agricultural Processing (fruit, tobacco, grains, vegetables)

Apparel and Drapery Manufacturing

Wholesale Businesses

# TOWN OF BOLIVIA

Beverage Manufacturing  
Boat Building and Repair  
Brick and Clay Tile, Brick and Block Manufacturing  
Communications, Electronic, Electrical Equipment Manufacturing  
Heavy Equipment Manufacturing  
Tools and Hardware Manufacturing  
Electric Generating Plants  
Engines and Turbine Manufacturing  
Fabrication of Metal Products and Manufacturing  
Farm Products Warehousing and Storage  
Fertilizer Manufacturing  
Rugs, Carpet Manufacturing  
Gum and Wood Chemicals Manufacturing  
House and Office Furnishings and Equipment Manufacturing  
Ice and Cold Storage Plants  
Kennels  
Motor Freight Garaging and Equipment Maintenance  
Petroleum Bulk Stations and Terminals – Wholesale  
Sawmills and Planing Mills  
Textile Mills

4. Lot, Yard, and Height Requirements:

Minimum Lot Size	10,000 sq. ft.
Front Yard	30 ft.
Side Yard	15 ft.
Rear Yard	30 ft.
Maximum Building Height	3 stories

5. Off Street Parking: Please refer to Article VI of this text.

6. Signs: Please refer to the appropriate section of the Town of Bolivia sign ordinance.

**J. Planned Unit Development District, PUD**

## TOWN OF BOLIVIA

1. Purpose : The PUD District is established for the purpose of permitting greater flexibility than would normally be allowed in a particular Residential District, in the area, yard, space, height and density requirements for construction and development of residential areas; and, therefore, to promote and encourage more creative and imaginative site planning and design than would be possible if such construction and development were in strict compliance; with the requirements for the particular district. It is further the purpose of this district to promote more economical and efficient use of land while providing a harmonious variety of housing choices, a higher level of urban amenities, and preservation of the natural scenic qualities of open space.
2. Permitted Uses: The PUD District may contain any use permitted in the OAR, AF, R20, R15, R10, MFR, and C districts subject to location and construction being in strict compliance with required plans and permits.
3. Conditional Uses: None
4. Lot, Yard, and Height Requirements: See Design Standards
5. Design Standards:
  - a. Area Requirements – a gross land area of ten acres or more shall be required in all PUD Districts.
  - b. Density Limitation – The maximum residential density shall be 20 dwelling units for any given residential area. Subject to this limitation, average development density shall be chosen prior to application for rezoning and shall be designated on a Master Land Use Plan for the project.
  - c. Setback and Height – No building erected in any PUD District shall exceed 35 feet in height. No building shall be erected, reconstructed, altered, or moved within thirty-five feet of the property line such as building faces. No building shall encroach upon the right-of-way of a publicly maintained street, a proposed thoroughfare shown in an



# TOWN OF BOLIVIA

officially adopted thoroughfare plan, or a private vehicular or pedestrian way in common ownership.

- d. **Building Separation** – Within a PUD District the minimum required separation between buildings shall be determined by the relationship between the height of adjacent buildings and the horizontal distance between vertical projections of such adjacent buildings.

For the purpose of this section: a vertical projection is any part of any exterior wall of a principal or accessory building, extending outward from such exterior wall at an angle of less than 180 degrees, the distance is equal to the distance, measured anywhere, between imaginary lines drawn perpendicular to the ground and tangent to the outermost points of vertical projections of adjacent buildings. The minimum required separation between adjacent buildings is set out in the following table.

## MINIMUM REQUIRED SEPARATION BETWEEN ADJACENT BUILDINGS

<u>Height of taller building</u>	<u>Minimum horizontal distance between vertical projections</u>
20 feet or less	16 feet
Between 25.1 and 25.0 feet	25 feet
Between 25.1 and 30.0 feet	30 feet
Between 30.1 and 35.0 feet	40 feet

## TOWN OF BOLIVIA

- e. Open Space – In any PUD District, a minimum of twenty percent of the total land area shall be reserved as open space. Any area or segment of land less than eight feet in width may not be included in calculating the minimum open space reservation unless such land is clearly a part of an open space system, such as a pedestrian walkway.

A minimum of twenty-five percent of the required open space shall be developed for active recreational purposes, such as tennis courts, ballfields, or playgrounds.

Provisions for continuous maintenance of open space, specifically including that developed for active recreational purposes, shall be made by the developer either through proposed dedication to the Town of Bolivia, if acceptable, or through the establishment of a private home owners association.

- f. Transitional Use Area – In order to ensure compatibility with adjoining land uses and districts, a transitional use area, fifty feet in depth, shall be established along with exterior property lines of any PUD District. Where the exterior property lines of property lines of a PUD District are adjacent to Residential uses, only residential uses may be permitted within the transitional use area. Where the exterior property lines of a PUD District are adjacent to C, and LI Districts, the transitional use area shall be a buffer zone and meet the standards for buffer zones as defined by this ordinance.

- 6. Off Street Parking: Please refer to Article VI of this text.
- 7. Signs: Please refer to the appropriate section of the Town of Bolivia sign ordinance.
- 8. Master Land Use Plan Requirement:
  - a. Purpose – The Master Land Use Plan (LUP, herein) is intended to be the primary supporting proof, and shall demonstrate, when considered in its entirety or by its separate components, (if the

## TOWN OF BOLIVIA

proposed PUD District is established and developed), that the purposes of this Ordinance and the purposes of this Section are met.

- b. Criteria for Review by Planning Board and the Board of Aldermen - In reviewing the LUP and making recommendations thereon, the Planning Board and Board of Aldermen shall consider and be guided by the following criteria:
  1. the compatibility of the proposed project with the surrounding districts and land uses;
  2. the effectiveness of the proposed project in providing more economical and efficient use of land;
  3. the effect of the proposed project on the ability of the town and county to provide public facilities or services;
  4. the effectiveness of the proposed project in providing and preserving open space, the scenic quality of the site, and recreational opportunities;
  5. the degree to which the project will provide a more desirable development and living environment than would be possible under conventional District requirements.
  
- C. Contents – In addition to the information required in the application for rezoning, the LUP shall include the following:
  1. a map, drawn to a scale no less than one inch to 40 feet, showing the approximate location, size, and arrangement of existing and proposed:
    - open space areas, active and passive recreational areas;
    - buffer zones and transitional use areas;
    - neighboring land uses and zoning districts;
    - systems and easements for water, sewers, and drainage;
    - streets, sidewalks, and parking lots;

## TOWN OF BOLIVIA

- vehicular and pedestrian circulation systems;
- access for emergency vehicles and refuse collection equipment;
- structures, building, roads, easements, and land uses;
- order of development of areas to be developed in sequential order;
- vegetation;
- nonresidential land uses, buildings, and structures;
- all single and/or multi-family dwelling units;
- 2. a copy of any declarations to be recorded under the “Unit Ownership Act”;
- 3. any covenants creating a homeowner’s association;
- 4. plans for the construction and location of water distribution and sewage disposal systems and certification, as may be required, from appropriate governmental agencies that such plans comply with applicable Federal, State, County, or Town statutes and regulations.

### **9. Procedural Requirements for Establishment or PUD DISTRICTS and Development of PUD Projects:**

- a. Approval of Master Land Use Plan (LUP) and Rezoning Application – A PUD District may be established only after amendment to the Official Zoning Map under the same procedural requirement and standards of review as any other rezoning application; provided, however, that the following additional standards and procedures shall apply to PUD District applications:
  - 1. Twelve (12) copies of a Master Land Use Plan, as described above shall be submitted to the Planning Board with the rezoning application.
  - 2. The Planning Board, after review of the LUP and application, shall submit its recommendation to the Board of Aldermen;

## TOWN OF BOLIVIA

3. The Board of Aldermen shall, after consideration of the application, the LUP, the recommendations of the Planning Board, and the criteria set out in the Sections above either approve or disapprove the plan and application.
- b. Approval of Site Plan and Issuance of Building Permits – No construction, excavation, or clearing shall be commenced, or any Building Permit issued within any PUD District which does not conform to an approved Site Plan. The procedures for approval of a Site Plan are as follows:
    1. The Site Plan shall be submitted to the Planning Board for its review and recommendation within 90 days after the Board of Aldermen’s approval of the LUP and amendment to the Official Zoning;
    2. The Planning Board, after review of the Site Plan in accord with the purposes and standards shall submit its recommendation to the Board of Aldermen.
    3. The Board of Aldermen, after consideration of the Site Plan, the recommendations of the Planning Board, and the purposes and standards of this Ordinance shall either approve or disapprove the Site Plan.
  - c. Authority to Impose Conditions and Modify LUP of Site Plan – In order to promote the purposes of this Ordinance and Section, the Board of Aldermen is authorized to impose such reasonable conditions, make reasonable modifications, or require additional information that it may reasonably need, prior to approval of any LUP or Site Plan.

### **10. Site Plan:**

- a. Purpose – A Site Plan is intended to ensure that a proposed PUD development is actually constructed and developed in accordance with the approved LUP.

# TOWN OF BOLIVIA

- b. Criteria for Review by Planning Board and Board of Aldermen in reviewing a Site Plan the Planning Board and Board of Aldermen shall consider and be guided by the following criteria:
  - 1. The degree to which the proposed Site Plan actually implements the LUP.
  - 2. The effectiveness of the proposed Site Plan in meeting the established criteria;
  - 3. The effectiveness of the proposed Site Plan in promoting the purposes of this ordinance and section.
- c. Contents and Forms – Site Plans, or any portion thereof, shall be;
  - 1. drawn to a scale no less than one-inch equals 40 feet;
  - 2. prepared and certified by a registered architect, landscape architect, engineer, or land surveyor;
  - 3. drawn accurately enough to permit any point on the plan to be readily identified on the ground. Eight copies of a Site Plan shall be submitted to the Planning Board, each of which shall show the following;

## 11. General Delivery

- The Boundary of the property by courses and distances, area, and present zoning of the tract.
- The names and abutting recorded subdivisions, and owner and present use of all abutting property.
- Widths and names of abutting streets and alleys.

## TOWN OF BOLIVIA

- All dimensions, both linear and angular, for locating boundaries of the tract, lots, street, alleys, public easements, and private easements.
- Date, north arrow scale, number of sheets.
- Name and address of the owner or owners of the tract and the name of the applicant.
- All building restriction lines, highway setback lines, easements covenants, reservations, and rights-of-way.
- Existing topography with a maximum of two-foot contour intervals.
- Soil types and geology of the site.
- Name, address, signature, and registration number of the professional preparing the plan.

### 12. Existing Improvements and Features:

- Sidewalks, streets, alleys, and easements.
- Building and structures.
- Driveways, entrances, exits, parking areas, and loading spaces.
- Sanitary sewer systems.
- Water mains and fire hydrants.
- Gas, power, telecable and telephone lines.
- Recreation areas.

## TOWN OF BOLIVIA

- Storm drainage systems to include natural and artificial water courses.
- Limits of flood plains.

### 13. **Proposed Improvements:**

- All proposed streets and alleys and the boundaries of all other portions intended to be dedicated to public use.
- Buildings and structures to include:
  - a. distance between buildings (to scale)
  - b. number of stories
  - c. number of dwelling units
  - d. height of buildings
- Driveways, entrances, exits, parking areas, and loading spaces including the total number of parking and loading spaces.
- Sanitary sewer systems
- Water mains and fire hydrants.
- Gas, power, telecable, and telephone lines.
- Landscaping
- Recreation and open space areas.
- Plans for collecting and depositing storm water and method of treatment of natural and artificial water courses including the delineation of any proposed limits of flood plains.
- Proposed grading schedule, including time of the year when grading will be in progress.
- Finish grading with a maximum of two-foot contour intervals.



# TOWN OF BOLIVIA

- Location of refuse disposal facilities and type.

## **14. Requirement Improvements:**

- Designation of pedestrian walkways.
- Construction of vehicular traffic lanes or driveways which will permit vehicular travel on the site and to and from adjacent parking areas and adjacent property.
- Connection wherever possible of all walkways, travel lanes, and driveways with similar facilities in adjacent developments.
- Screening, fences, wall, curbs and gutters, buffer zones, as required by the Town or by the State Highway Commission.
- Easements of rights-of-way for all facilities to be publicly maintained, provided that each easement shall be clearly defined for the intended purpose.
- Extension or construction of service roads and access thereto on site bordering a state primary highway.
- Dedication or reservation of land for streets and service roads and the construction thereon.

## **K. Manufactured Home Overlay District (MHO District)**

1. Purpose: It is the purpose of this district to permit alternative housing for the citizens of the Town of Bolivia Zoning Jurisdiction that are, in most cases, more affordable than conventional single- family housing. Such housing, commonly referred to as mobile homes or manufactured housing may be permitted in “overlay districts” provided that the following regulations are followed:
2. Permitted Uses: Class A and Class B Manufactured Homes.

## TOWN OF BOLIVIA

3. Conditional Uses: None
4. Lot, Yard, and Height Requirements: All uses including Overlay District uses must comply with the restrictions of the district.
5. Off Street Parking: All must comply with regular district requirements. Refer to Article VI of this text.
6. Signs: All signs must comply with regular district requirements. Refer to the appropriate section of the Town of Bolivia sign ordinance.
7. Special Requirements:
  - a. All manufactured homes must meet the requirements of Minimum North Carolina State Standards for Manufactured Housing.
  - b. Structures must have wheels, axles, and moving hitch removed and structures placed on a permanent foundation.
  - c. Steps, porches, decks, roof lines, etc. must be in general conformance with surrounding property.
  - d. The structure must be secured to meet specified local wind conditions.
  - e. All means of ingress and egress must be designed and constructed to meet state and local requirements.
  - f. Structures must be underpinned within 90 days of issuance of certificate of occupancy.
  - g. Mobile Homes will be underpinned with either vinyl or masonry (brick or block) material.
  - h. Mobile homes brought into the area cannot be more than ten (10) years old.

# TOWN OF BOLIVIA

i. The front door of the. the Town of Bolivia by providing fair standards and beneficial requirements for the sitting, operation, and maintenance of mobile homes.

## **L. Manufactured Home Park (Residential) MHP**

1. Application to construct a manufactured home park.

a. Application: Prior to the construction of a manufactured home park, the builder shall make application to the Zoning Administrator for a permit to construct such a park. The application shall include a plan of proposed park, which shall be reviewed by the Planning Board for compliance with the requirements of this Ordinance before making a written recommendation to the Board of Aldermen.

b. Required Information: The following information shall be submitted with the application for a permit to construct a manufactured home park:

1. A complete site plan of the park, showing streets, driveways, walkways, recreation areas, manufactured home spaces, vehicular parking spaces, buildings, street lighting, and the location and types of screening, fences, hedges, or buffers.
2. Plans of proposed layouts and connections for sewer, water, storm drainage, and other utilities.
3. Where public water or public sewage is not available, a written statement from the Brunswick County Health Department indicating that the park has sufficient land area and adequate soil conditions to accommodate the proposed water supply and sewage disposal systems.
4. The name of the park, names and addresses of the owner or owners, and the designer of the park.

# TOWN OF BOLIVIA

5. A vicinity map showing the location of the manufactured home park in relation to other existing land uses within the general area.
2. Manufactured home park site requirements:
    - a. Manufactured home park site: All manufactured home parks shall be located on a site of not less than four (4) acres.
    - b. Manufactured home space: The minimum manufactured home space in a manufactured home park shall be 4,000 square feet. Manufactured homes shall be placed on these spaces so that there shall be at least twenty (20) feet side clearance and twenty (20) feet end clearance between units. Furthermore, no manufactured home, trailer, or building used in conjunction with a manufactured home park shall be located closer than twenty-five (25) feet to any adjoining property line. Not more than one manufactured home per lot is allowed.
    - c. Access: All manufactured home spaces shall abut upon a driveway of not less than forty (40) feet in right-of-way width. Such driveways shall have unobstructed access to a public street or highway. All driveways shall be hard surfaces and the minimum width of such driveways shall be well marked and lighted in the manufactured home parks. All manufactured home lots must enter and exit the park through the use of the interior road network of the park; no direct access to public from a lot shall be allowed.
    - d. Off Street Parking: At least two (2) off-street parking spaces shall be constructed and maintained for each manufactured home space and shall be located so as not to interfere with the movement of vehicles on streets or access drives. Each parking space shall be at least ten (10) feet by twenty (20) feet in dimensions and may be included with the 4,000 square feet required for each space.
    - e. Recreation space: At least two hundred (200) square feet of usable land per manufactured home space shall be reserved by the

## TOWN OF BOLIVIA

manufactured home park owner for play or recreation usage and aggregated in suitable locations.

- f. Curtaining: All manufactured homes shall be curtained around their base and this shall extend around their entire circumference. This curtain wall shall be either masonry or vinyl siding.
3. Utility and garbage disposal requirements:
    - a. Water Supply: Every manufactured home shall be provided with a supply of water for domestic purposes from a source approved by the Brunswick County Health Department.
    - b. Sewage disposal: Every manufactured home shall be provided with an adequate sewage disposal system by connection to a public sewage system or a septic tank system constructed in compliance with State regulations and approved by the Brunswick County Health Department:
    - c. Garbage disposal: All garbage and refuse in every manufactured home park, after removal from the manufactured home, shall be stored in suitable watertight and airtight metal or heavy-duty plastic receptacles which shall be covered with fitted lids and enclosed in an animal proof rack. The manufactured home park owners or operators shall be responsible for the sanitary disposal of all refuse.
    - d. Buffer zone: An evergreen vegetation and fence buffer at least six (6) feet high and three (3) feet wide shall be constructed and maintained around the entire perimeter of the manufactured home park with the exception of the points of ingress and egress.

# TOWN OF BOLIVIA

## Article IV. Administration

I. **Added Requirements:** The following requirements qualify or supplement, as the case may be, the zone regulations or requirements appearing elsewhere in this ordinance:

- A. Public or semi-public buildings, hospitals, sanatoriums, schools and churches or temples, where permitted in a zone, may be erected to a height not exceeding 3 stories.
- B. Chimneys, water tanks or towers, penthouses, scenery lofts, elevator bulkheads, stacks, ornamental towers or spires, wireless or broadcasting towers, or monuments, cupolas, domes, false mansards, parapet walls, similar structures, and necessary mechanical appurtenances may be erected to a height in accordance with existing or hereafter adopted ordinances.
- C. Every part of a required yard shall be open from its lowest point to the sky unobstructed.
- D. There shall be erected only one principle building and its accessory buildings on one lot except in the following:
  - 1. Any bona-fide farm
  - 2. Any existing lot presently zoned Agriculture/Forestry (AF)
- E. No building, structure or use of land other than agriculture purposes shall be established on a lot which does no abut a dedicated public street.

## II. Conditional Uses

A. Purpose:

The development and execution of this ordinance is based upon the division of the community into districts within which districts the use of land and buildings and structures in relation to the land, are

## TOWN OF BOLIVIA

substantially uniform. It is recognized, however, that there are certain uses which, because of their unique characteristics cannot be properly classified in any particular district or districts, without consideration, in each case, of the impact of those uses upon neighboring land and of the public need for the particular use in the particular location. Such conditional uses fall into two (2) categories:

1. Uses publicly operated or traditionally affected with a public interest.
2. Uses entirely private in character, but of such an unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

### B. Initiation of Conditional Uses

Any person having a freehold interest in land, or a possessory interest entitled to exclusive possession, or a contractual interest which may become a freehold interest or an exclusive possessory interest, and which is specifically enforceable, may file an application to use such land for one or more of the conditional uses provided for in this Ordinance in the zoning district in which land is located.

### C. Application for Conditional Use

An application for a conditional use shall be filed with the Zoning Administrator on a form prescribed by the Zoning Administrator. The application shall be accompanied by such plans and/or data prescribed by the Planning Board and such plans shall include a statement in writing by the applicant and adequate evidence showing that the proposed conditional use will conform to the standards set forth below hereinafter. Such application shall be forwarded from the Zoning Administrator to the Planning Board with a request for review of said application and accompanying data and submission of a written recommendation thereon to the Board of Aldermen.

### D. Hearing on Application:

## TOWN OF BOLIVIA

Upon receipt in proper form of the written recommendations referred to above, the Board of Aldermen shall hold at least one public hearing on the proposed conditional use.

### E. Authorization:

For each application for a conditional use, the Planning Board shall report to the Board its findings and recommendations, including the stipulations of additional conditions and guarantees that such conditions will be complied with when they are deemed necessary for the protection of the public interest. If an applicant for a proposed conditional use is not approved by the Board of Aldermen, it shall be deemed to have been denied.

### F. Standards:

No conditional use shall be recommended by the Planning Board unless such Board shall find:

1. That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
2. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
3. That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
4. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable



## TOWN OF BOLIVIA

district, as to cause a substantial depreciation in the property values within the neighborhood.

5. That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.
6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets, and
7. That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Aldermen pursuant to the recommendations of the Planning Board.

### G. Conditions and Guarantees:

Prior to the granting of any conditional use, the Planning Board may recommend, and the Board of Aldermen may stipulate, such conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the conditional use as is deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified above. In all cases in which conditional uses are granted, the Board of Aldermen shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

### III. Non-Conforming Uses

- A. The lawful use of a “building” existing at the time of the passage of this ordinance shall not be affected by this ordinance, although such use does not conform to the provisions of this ordinance; and such use may be extended throughout the building, provided no structural alterations, except those required by law or ordinance or ordered by an authorized officer to secure the safety of the building, are made

## TOWN OF BOLIVIA

therein, but no such use shall be extended to occupy any land outside such building. If such nonconforming building is removed or the nonconforming use is discontinued for a continuous period of not less than one (1) year, every subsequent use of such premises shall be in conformity with the provisions of this ordinance.

B. The lawful use of “land” existing at the time of the passage of this ordinance, although such use does not conform to the provisions of this ordinance, shall not be affected by this ordinance; provided, however, that no such nonconforming use shall be enlarged or increased, nor shall any nonconforming use be extended to occupy a greater area of land than that occupied by such use at the time of passage of this ordinance. If such nonconforming use is discontinued for a continuous period of not less than one (1) year, any future use of said land shall be in conformity with the provisions of this ordinance.

C. Change in kind of non-conforming use:

1. A non-conforming use may be changed to a conforming use. Thereafter, the property may not revert to a non-conforming use.
2. A non-conforming use may be changed to another non-conforming use only in accordance with a use permit issued by the Board of Adjustment. The Board shall issue such a permit if it finds that the proposed use will be more compatible with the surrounding neighborhood than the use or combination of uses in operation at the time the permit is applied for.

In permitting such change, the Board of Adjustment may require appropriate conditions and safeguards in accordance with the provisions of this ordinance.

This provision does not invalidate Section III A and B above.

D. Minimum Single Lot Requirements: Where the owner of a lot at the time of the adoption of this ordinance or his successor in title thereto

## TOWN OF BOLIVIA

does not own sufficient land to enable him to conform to the dimensional requirements of this ordinance, such lot may be used as a building site for a single-family residence in a district in which residences are permitted; provided the yard dimensions and requirements other than those applying to area or width or both shall not be reduced below the minimum specified in this ordinance and further provided if a septic tank is used that the Brunswick County Health Department has approved the dimensional requirements reduction. Variance from dimensional requirements other than those related to lot width and area shall only be granted by the Board of Adjustment in consideration of appeals from the decision of the Zoning Enforcement Officer and, when applicable, if the Brunswick County Health Department submits a letter of approval.

**Minimum Multi-Lot Requirements:** If two or more adjoining and vacant lots on record are in a single ownership at any time after the adoption of this ordinance, such lots shall be considered as a single lot or several lots which meet the minimum requirements of this ordinance for the district in which such lots are located. No portion of said parcel shall be used or sold which does not meet the area and width requirements established by this ordinance nor shall any division of the parcel be made which leaves any lot remaining with width or area below the requirements of this ordinance.

- E. Any nonconforming building or any building containing a nonconforming use, which has been damaged by fire or other causes, may be reconstructed and used as before if it be done within (1) year of such damage, unless such building or structure has been declared by the Building Inspector to have been damaged to an extent exceeding sixty (60) percent of its appraised value at the time of destruction. If the physical structure of the building is damaged to a degree greater than sixty (60) percent, future use of the building and site must be in conformance with the zoning district regulations. The only exception to the 60 percent damage clause will be single family dwelling units on lots of record at the time of the adoption of this ordinance. Those structures may be replaced if damaged to any degree.

# TOWN OF BOLIVIA

## IV Board of Adjustment

A Board of Adjustment is hereby established. In succeeding paragraphs the word "Board" shall mean the Board of Adjustment.

- a. Regular Members:  
The Board of Adjustment will consist of the members of the Bolivia Board of Aldermen and one representative from the Extra-Territorial Jurisdiction.
  - B. Alternate Members:  
One alternate Board of Adjustment member will be appointed.
  - C. A Quorum:  
A quorum shall consist of four (4) members.
- A. All meetings of the Board shall be held at a regular place and be open to the public. The Board shall keep minutes of its proceedings in a file maintained for that purpose. The minutes shall show those members present, the nature of the issue, facts presented as evidence, findings of fact by the Board, and the decision of the Board (including a record by name of each member's vote). The minutes shall be considered public record. No action shall be taken on any matter unless a quorum is present.
  - B. An appeal from the decision of the Zoning Administrator may be taken to the Board of Adjustment by any person aggrieved or any officer, department, board or bureau of the city affected by such decision. Such appeal shall be taken within a reasonable time as provided by the rules of the Board by filing with the officer from whom the appeal is taken and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken.

An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board that by reasons of facts stated in the certificate a stay would in his opinion cause imminent peril to

## TOWN OF BOLIVIA

life or property. In such case proceedings shall not be stayed otherwise than by restraining order which may be granted by the Board or by a court of record on application of notice to the officer from whom the appeal is taken and on due cause shown.

C. The Board of Adjustment shall have the following powers:

1. To hear and decide appeals where it is alleged that there is error in any order, requirement, decision or determination made by the Zoning Administrator. The concurring vote of five members (four fifths) of the Board shall be necessary to reverse any order, requirement, decision or determination of the Zoning Administrator to decide in favor of the applicant any matter which it is required to pass under the zoning ordinance or to affect any variation in such ordinance.
2. To permit a temporary building for business or industry in the residential zone, which is incidental to the residential development, such permit to be issued for a period of not more than one (1) year.
3. To permit a garage, other than a private garage, but for storage purposes only, as an accessory building to a hotel, hospital or similar institution in the residential zone where it is deemed necessary for the public convenience or welfare and where this can be done without substantially derogating from the intent and purposes of this ordinance.
4. To authorize upon appeal in specific cases variance from the terms of this ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance will result in undue hardship, and so that the spirit of this ordinance shall be observed and substantial justice done.

In considering all proposed variations of this ordinance, the Board shall before making any finding in a specified case, first determine that the proposed variation will not constitute any change in the zones shown on the property, or materially increase the public danger of fire, and safety, or materially diminish or impair established property values within the

## TOWN OF BOLIVIA

surrounding area, or in any other respect impair the public health, safety, morals, and general welfare.

In granting a variance the Board may attach thereto such conditions regarding the location, character and other features of the proposed building, structure or use as it may deem advisable in furtherance of the purposes of this ordinance.

Before a variance is granted, it shall be shown that special circumstances attach to the property which does not generally apply to other property in the neighborhood. A variance may be granted only when the practical difficulty of undue hardship complained of is due to the particular characteristics of the property and not to the general conditions of the neighborhood which may reflect an undue stringency of the ordinance itself. A hardship peculiar to the applicant, as distinguished from others affected by the general rule, must be shown. The fact that property may be utilized variance.

- D. Any person or persons, jointly or severally, aggrieved by any decisions of the Board, or any taxpayer, or any officer, department, board or bureau of the Town of Bolivia may within thirty (30) days after the filing of the decision in the office of the Board, but not thereafter, present to a court of competent jurisdiction, a petition duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of illegality, whereupon such decision of said Board shall be subject to review as provided by law.

### **V. Certification of Occupancy**

No land shall be used or occupied, except for agricultural purposes, and no building hereafter structurally altered or erected shall be used or changed in use until a certificate of occupancy shall have been issued by the Building Inspector stating that the building and/or the proposed use therefor complies with the provisions of this ordinance. A like certificate shall be issued for the purpose of maintaining, renewing, changing, or extending a nonconforming use. A certificate of occupancy, either for the whole or a part of a building shall be applied for coincident with the application for a building permit and shall be issued within 10 days after the erection or structural

# TOWN OF BOLIVIA

alterations of such building, or part, shall have been completed in conformity with the provisions of this ordinance. A record of all certificates shall be kept on file in the office of the Zoning Administrator and copies shall be furnished on request to any person having a proprietary or tenancy interest in the building erected. No permit for excavation for, or erection of, any building or part of a building, or for repairs to, or alteration of, a building shall be issued until after a statement of its intended use has been file by the applicant.

## **VI. Plats**

Each application for a building permit shall, if required by the Board of Aldermen, be accompanied by a plat in duplicate, drawn to scale, showing accurate dimensions of the lot to be built upon, accurate dimensions of the building to be erected, the location of the lot, and such other information as may be necessary to provide for the enforcement of this ordinance. A careful record of such applications and plats shall be kept in the office of the Zoning Administrator.

## **VII. Interpretation, Purpose and Conflict**

In interpreting and applying the provisions of this ordinance they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, prosperity and general welfare. It is not intended by this ordinance to interfere with or abrogate or annul any easements, covenants or other agreements between parties, provided, however, that where this ordinance imposes a greater restriction upon the use of buildings or premises or upon the height of buildings, or requires larger open spaces than are imposed or required by other ordinances, rules, regulations, or by easements, covenants or agreements, the provisions of this ordinance shall govern.

## **VIII. Changes and Amendments**

## TOWN OF BOLIVIA

The Board of Aldermen may amend, supplement or change the text regulations and zoning map according to the following procedures.

1. Initiation of amendments: Proposed changes of amendments may be initiated by the Board of Aldermen, Planning Board, Board of Adjustment, or by one or more interested parties.
2. Application: An applicant for any change or amendment shall contain a description and/or statement of the present and proposed zoning regulation or district boundary to be applied and the names and addresses of the property owner. Such application shall be filed with the Zoning Administrator not later than ten (10) days prior to the Planning Board Meeting at which the application is to be considered.
3. Fee: When a proposed amendment is initiated by individuals or parties other than the Board of Aldermen, Planning Board, or Board of Adjustment, a fee set by the Board of Aldermen shall be paid to the Town of Bolivia, North Carolina for each application for an amendment to cover the cost of advertising and other administrative expenses involved.

### B. Action by the Planning Board

The following action shall be taken by the Planning Board:

1. Planning Board consideration: The Planning Board shall consider and make recommendations to the Board of Aldermen considering each proposed Zoning Amendment. The Planning Board may hold separate hearings or may sit concurrently with the public hearing held by the Board of Aldermen.

### C. Action by the Board of Aldermen

1. Notice and public hearings: No amendment shall be adopted by the Board of Aldermen until after public notice and hearing. Notice of such a public hearing shall be published once a week for two (2) successive calendar weeks in a local newspaper of general circulation



## TOWN OF BOLIVIA

in the municipality. Notice may also be made by posting the property concerned or my mailing notices to the owners of the surrounding property.

2. Board of Aldermen: Before taking such lawful action as it may deem advisable, the Board of Aldermen shall consider the Planning Board's recommendation of each proposed Zoning Amendment. If no recommendation is received from the Planning Board within (30) days from the date when submitted to the Planning Board, the petitioner may take the proposal to the Board of Aldermen without a recommendation from the Board. The Board of Aldermen, at the close of public hearing, may defer taking lawful action on the proposed amendment until it has sufficient time to consider any new evidence or suggestions presented at the public hearing.
3. Protests: In case of protest against any such change signed by the owners of twenty (20) percent or more either of the area of lots included in such proposed change, or of those immediately adjacent thereto in the rear thereof or on either side thereof extending one hundred (100) feet there from, or of those directly opposite thereto extending one hundred (100) feet from the street frontage of such opposite lots, such amendment shall not become effective except by favorable vote of three fourths (3/4) of all the a) written, b) bears the actual signature of the requisite number of property owners and states that they protest the proposed amendment, and c) is received by the municipal clerk in time to allow at least two (2) normal working days (excluding weekends and legal holidays) prior to the public hearing on the amendment, so as to allow time for municipal personnel to check the accuracy and sufficiency of the petition.

### D. Repeal of Amendment

In any case where a change of boundary lines of the zoning district map has been granted, and where no development has taken place within one and one-half (1 ½) years, the Planning Board may recommend and the Board of Aldermen after notice and public hearing thereon, may affirm, or repeal such

# TOWN OF BOLIVIA

ordinance, and rezone the property to the most appropriate and district **classification.**

## **IX. Validity**

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance and each section, subsection, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

## **X. Enforcement**

The Zoning Administrator is hereby authorized, and it shall be his duty to enforce the provisions of this ordinance. Appeal from the decision of the Zoning Administrator may be made to the Board of Aldermen.

## **XI. Building Permits Prior to Effective Date**

No section of this ordinance shall in any way prohibit, restrict or affect in any manner or form any person, firm or corporation who has secured a building permit prior to the effective date of this ordinance.

## **XII. Penalty**

Any person, firm or corporation who violates the provisions of this ordinance shall, upon conviction, be guilty of a misdemeanor and shall be fined not exceeding fifty (50) dollars or imprisoned not exceeding thirty (30) days. Each day that violation continues to exist shall be considered a separate offense.

# TOWN OF BOLIVIA

## **Article V Provisions of N. C. General Statutes 160A-385.1 Establishment of the Vested Right**

### Legislative/Intent/Purpose:

The North Carolina General Assembly on July 20, 1990, ratified Senate Bill 766 as Chapter 996 of the 1989 Session Laws (1990 Regular Session), to be effective October 1, 1991. This legislation has been codified as N.C. General Statute 160A-385.1. The law provides for the establishment of vested rights with respect to site specific development plans that are reviewed and approved in accordance with certain procedures.

The Town of Bolivia is authorized and required by N.C. General Statute 160A-385.1 to identify the specific types of zoning or land use approvals that constitute a site specific development plan within the meaning of zoning ordinance is to implement the provision of N. C. General Statute 160-385.1 pursuant to which a vested right is established upon the approval of a site specific development plan.

### A. Definitions

For the purposes of this ordinance, the words and phrases defined in this subsection shall have the meaning indicated unless otherwise specifically provided, or unless otherwise clearly required by the context:

1. Owner - Any owner of a legal or equitable interest in real property, including heirs, devisees, successors and assign, having a vested estate, and the agent of personal representative of such owner. For purposes of this Article, owner shall include a person holding a valid and recorded option to purchase the real property with respect to which he seeks to establish a vested right.
2. Site specific development plan – A plan that has been submitted to the Town by an owner, describing with a specificity the type and intensity of use for a specific parcel or parcels of property. At a minimum, such plan must include the approximate boundaries of the site; significant topographic and other natural features affecting development of the site; approximate location on the site of proposed buildings,

## TOWN OF BOLIVIA

structures and other improvements; approximate dimensions, including height, of the proposed buildings and other structures; and the approximate location of all existing and proposed infrastructure on the site, including water, sewer, roads, and pedestrian walkways. Included within this definition are plans submitted pursuant to the following specific provisions of the Town Code, and meeting the requirements specified therein: (1) Preliminary subdivision plans as defined in the subdivision ordinance and (2) Conditional Use Permit (Article IV, IIC) and Planned Unit Developments (Article III, J). A variance shall not constitute a site-specific development plan, and approval of a site-specific development plan with the condition that a variance be obtained shall not confer a vested right unless and until the necessary variance is obtained. Neither a sketch plan nor any other document which fails to describe with reasonable certainty the type of and intensity of use for a specified parcel or parcels of property may constitute a site-specific development plan.

3. Vested right – The right of an owner of property to undertake and complete the development and use of property under the terms and conditions of an approved site-specific development plan or phased development plan.
4. Approval Authority - The approval authority for the establishment of vested rights shall be the Town of Bolivia Board of Aldermen.

### B. Establishment of a Vested Right

1. A vested right shall be deemed established upon the valid approval or conditional approval, by the Town of Bolivia Board of Aldermen, as applicable, of a site-specific development plan following notice and public hearing as provided for by the law.
2. The approval authority may approve a site-specific development plan upon such terms and conditions as may be reasonably necessary to protect the public health, safety, and welfare. Such conditional approval shall result in a vested right being established; provided, that

## TOWN OF BOLIVIA

failure to satisfy any of the terms and conditions so imposed will result in a forfeiture of vested rights.

3. A site-specific development plan shall be deemed approved as of the effective date of the approval authority's final action or adoption of an ordinance relating thereto. In the event that applicable ordinance procedures require a site-specific development plan to be approved under the Bolivia Zoning Ordinance, such a plan shall not be deemed approved until all required approvals have been obtained from the appropriate approval authority.

### C. Approval Procedures and Approval Authority

1. Except as otherwise provided in the Article, an application for site specific development plan approval shall be processed in accordance with the procedures established by ordinance and shall be considered by the designated approval authority for the specific type of zoning or land use permit or approval for which application is made.
2. Notwithstanding the provisions of subsection 1., if the authority to issue a particular zoning or land use permit or approval has been delegated by ordinance to a board, committee or administrative official other than the Bolivia Board of Aldermen, in order to obtain a zoning vested right, the applicant must request in writing at the time of application that the application be considered and acted on by the Bolivia Board of Aldermen following notice and a public hearing as provided in G.S.160A-364, in accordance with the procedures set forth in Article IV, IIC of this Chapter for consideration of Conditional Use Permit requests.
3. In order for a zoning vested right to be established upon approval of a site-specific development plan, the applicant must indicate at the time of application, on a form to be provided by the Town, that a zoning vested right is being sought.
4. Each map, plat, site plan or other document evidencing a site-specific development plan shall contain the following notation: "Approval of

## TOWN OF BOLIVIA

this plan established a zoning vested right under G.S. 160A-385.1. Unless terminated at an earlier date, the zoning vested right shall be valid until (date).”

### D. Duration of Vested Rights

1. A vested right established pursuant to this Article shall remain vested for a period of two years from the effective date thereof.
2. Nothing in this Article shall be construed to exempt a site-specific development plan with respect to which a vested right has been established from subsequent review and approvals by the Town to ensure compliance with the terms and conditions of the original approval as provided for in the original approval or by applicable Town Code provisions.
3. The establishment of vested right pursuant to this Article shall not preclude the application of overlay zoning that imposes additional requirements but does not affect the allowable type of intensity of use, or ordinances or regulations that are general in nature and are applicable to all property subject to land use regulation by the Town, including but not limited to building, fire, plumbing, electrical and mechanical codes. New and amended zoning regulations that would be applicable to certain property but for the establishment of a vested right with respect thereto shall become effective upon the expiration or termination of the vested right in accordance with this Article.
4. Upon issuance of a building permit, the expiration provisions of G.S. 160A-418 apply and the revocation provisions of G.S. 160A-422 shall apply, except that a building permit shall not expire or be revoked because of the running time while a zoning vested right under this section is outstanding.

### E. Termination of Vested Rights

## TOWN OF BOLIVIA

A zoning right that have been vested as provided in this Article shall terminate:

1. At the end of the applicable vesting period with respect to buildings and uses for which no valid building permit applications have been filed.
2. Upon written request or with the written consent of the affected landowner;
3. Upon findings by the Town Council, by ordinance after notice and a public hearing, that natural or man-made hazards on or in the immediate vicinity of the property, if uncorrected, would pose a serious threat to the public health, safety, and welfare if the project were to proceed as contemplated in the site specific development plan;
4. Upon payment of the affected landowner of compensation for all costs, expenses, and other losses incurred by the landowner, including, but not limited to, all fees paid in consideration of financing, and all architectural, planning marketing, legal, and other consultant's fees incurred after approval by the Town, together with interest thereon at the legal rate until paid. Compensation shall not include any diminution in the value of the property which is caused by such action;
5. Upon findings by the Town Board of Aldermen, by ordinance after notice and a hearing, that the landowner or his representative intentionally supplied inaccurate information or made material misrepresentations which made a difference in the approval by the approval authority of the site-specific development plan; or
6. Upon the enactment or promulgation of a State or Federal law or regulation that precludes development as contemplated in the site-specific development plan, in which case the approval authority may law has a fundamental effect on the plan, by ordinance after notice and a hearing.

# TOWN OF BOLIVIA

## F. Miscellaneous Provisions

1. A vested right, once established as provided for in this Article precludes any zoning action by the Town which would change, alter, impair, prevent, diminish, or otherwise delay the development of use of the property as set forth in an approved site specific development plan.
2. Nothing in this Article shall prohibit the revocation of the original approval or other remedies for failure to comply with applicable terms and conditions of the approval or the zoning ordinance.
3. A vested right is not a personal right, but shall attach to and run with the land with respect to the affected property. All successors in title and interest of the owner who obtained the vested right shall be entitled to exercise the right.

## G. Voluntary Annexation

A petition for annexation filed with the Town under G.S. 160A-31 or G.S. 160A-58-1 shall contain a signed statement declaring whether or not any zoning vested right with respect to the properties subject to the petition has been established under G.S. 160A-385.1 or G.S. 153A-344.1, or the failure to sign a statement declaring whether or not a zoning vested right has been established, shall be binding on the landowner and any such zoning vested right shall be terminated.

## H. Limitations

Nothing in this Article is intended or shall be deemed to create any vested right other than those established pursuant to G.S. 160A-385.1.

## I. Repealer



## TOWN OF BOLIVIA

In the event that G.S. 160A-385.1 is repealed, this Article shall be deemed repealed and the provisions hereof no longer effective.

### J. Effective Date

1. This Article will be implemented upon the date of adoption of the Bolivia Zoning Ordinance.
2. A violation of any provisions of this ordinance shall subject the offender to the penalties set forth in Article IV, Subsection XII, Penalty, of this zoning ordinance.
3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.
4. If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.
5. This ordinance shall be effective immediately upon its adoption.

# TOWN OF BOLIVIA

## VESTED RIGHT APPLICATION FORM

### CERTIFICATION THAT A STATUTORY ZONING VESTED RIGHT IS BEING SOUGHT PURSUANT TO G. S. 160A-385.1

As applicant for (identify land use approval or permit that is being sought), I hereby certify that I am also seeking to acquire a vested right pursuant to G.S.160A-385.1 and Article V of the Town Code.

If the Town Code provides that the approval authority for the type of land use approval or permit for which I am applying is a board, committee or administrative official other than the Bolivia Board of Aldermen, I understand and agree that my application will be considered and acted on by the Bolivia Board of Aldermen, following notice and a public hearing.

---

Applicant

---

Date

# TOWN OF BOLIVIA

## Article VI. OFF STREET PARKING REQUIREMENTS

### 1. Off Street Parking:

The following off-street parking space shall be required and maintained:

Uses	Required Off-Street Parking
Residential use consisting of one or more dwellings units	Two (2) parking spaces on the same lot for each dwelling unit.
Auditorium or Theater	One (1) space for each four (4) seats In the largest assembly area.
Churches	One (1) space parking space for each Four (4) seats in the sanctuary.
Clinics, Medical	Four (4) parking spaces for each Doctor plus one (1) parking space for each employee.
Elementary Schools and Junior High School	Two (2) parking spaces for each Classroom and two (2) spaces for each administrative office, plus ten (10) additional parking spaces.
General or Professional Offices	One (1) parking space for each two Hundred and fifty (250) square feet Of gross floor space.
Golf Course, Par 3 or Miniature Golf Course	Three (3) spaces for each hole plus requirements for any other use associated with the golf course, restaurant, etc.
Home occupations the residence	Two (2) parking spaces in addition to parking requirements.

## TOWN OF BOLIVIA

Hotel	One (1) space for each guest room, Suite, or unit plus one (1) space for each two employees.
Industrial or Manufacturing Establishment or Warehouse	One and one-half (1 ½) spaces for each two (2) employees on shift or greatest employment, one (1) space for each managerial personnel, one (1) visitor parking space for each ten (10) managerial personnel and one (1) space for each vehicle used directly in conduct of the business
Kindergarten or Nursery	One (1) space for each employee and Four (4) spaces for drive-in off-street drop-off and pickup.
Motel	One (1) space for each unit plus one (1) space for each two (2) employees plus requirements for any other use Associated with the establishment.
Nursing Homes	One (1) parking space for each four (4) beds intended for patient use, plus one (1) per employee on largest shift.
Public or Private Club	One (1) parking space for each one Hundred (100) square feet of gross floor space.
Restaurant or Place Dispensing Food, Drink or Refreshments	One (1) space for each three (3) seats plus one (1) space for each two (2) employees

## TOWN OF BOLIVIA

Religious Conference of  
Assembly Uses

One (1) space for each five (5) seats  
plus one (1) space for each two (2)  
beds.

Restaurant, Drive-In

One (1) space for each three (3) seats  
plus a minimum of fifteen (15) spaces  
for drive-in service plus one (1) space  
for each two (2) employees.

Retail Use Not Otherwise  
Listed

One (1) parking space for each four  
hundred (400) square feet of gross  
Floor area.

Senior High School

One (1) parking space for each five  
(5) students for which the building  
Was designed, two (2) parking spaces  
For each classroom and two (2)  
spaces for each administrative office,  
plus ten (10) additional spaces.

If the required parking space cannot be reasonable provided on the same  
Lot or premises, such required space may be provided on another lot or  
Premises separated therefrom by not more than five hundred (500) feet,  
provided, such lot is located in a zone which such use is permitted.

In accordance with the foregoing provisions, off-street parking space shall  
be provided as set out above, and a required parking space shall be an  
area not less than nine (9) feet by twenty (20) feet.

# TOWN OF BOLIVIA

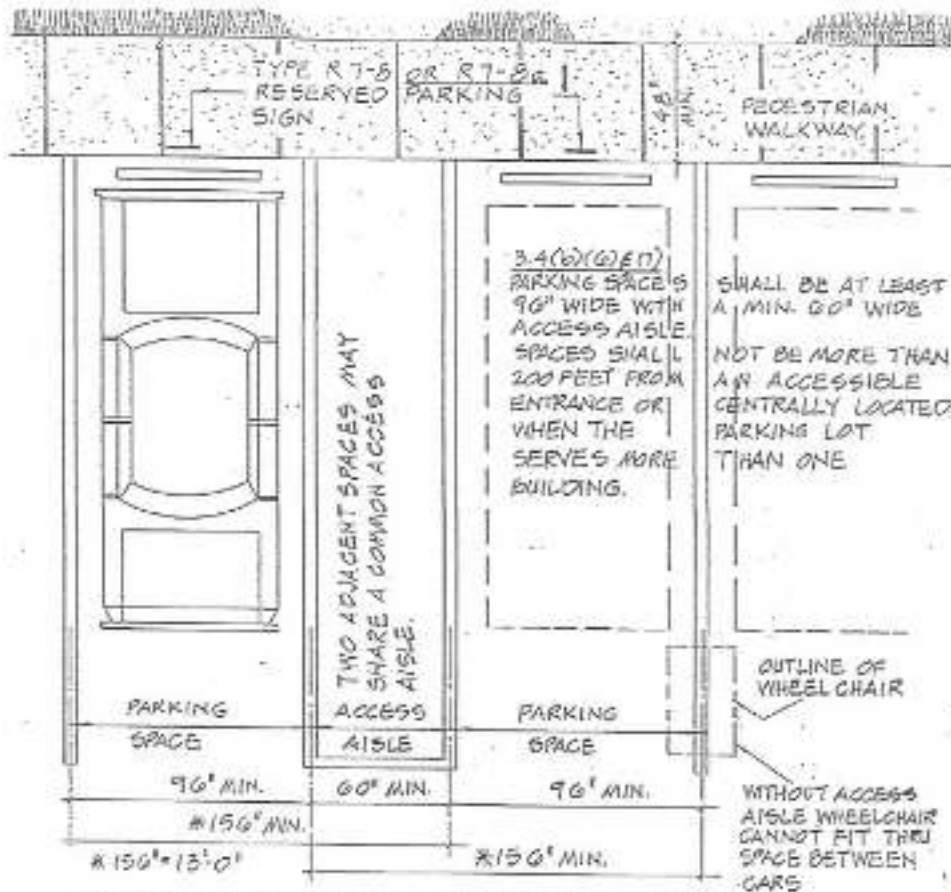
## **Article VII. Handicapped Parking Requirements**

In addition to the use requirements for off-street parking detailed in number 1 above, a minimum of one (1) parking space for the handicapped shall be provided at governmental buildings, public or quasi-public buildings, professional offices, clinics, short and long term care facilities, commercial facilities and any triplex residential units. An additional handicapped space shall be provided in parking areas for each additional twenty- five (25) spaces. Each space must be a minimum of 12'6" wide and be visibly marked.

The handicapped parking sign must meet State sign requirements. The State approved sign which can be purchased through safety equipment companies is designated R7-8 or R7-8A. As of January 1, 1991, the State of North Carolina requires each handicapped parking sign to include a statement indicating there is a \$100 penalty imposed on anyone violating handicapped parking laws.

(See illustrations on pages (78 – 82)

# TOWN OF BOLIVIA



3.4(b)(1) ACCESSIBLE PARKING SPACES SHALL BE IN ACCORDANCE WITH THE FOLLOWING TABLE:

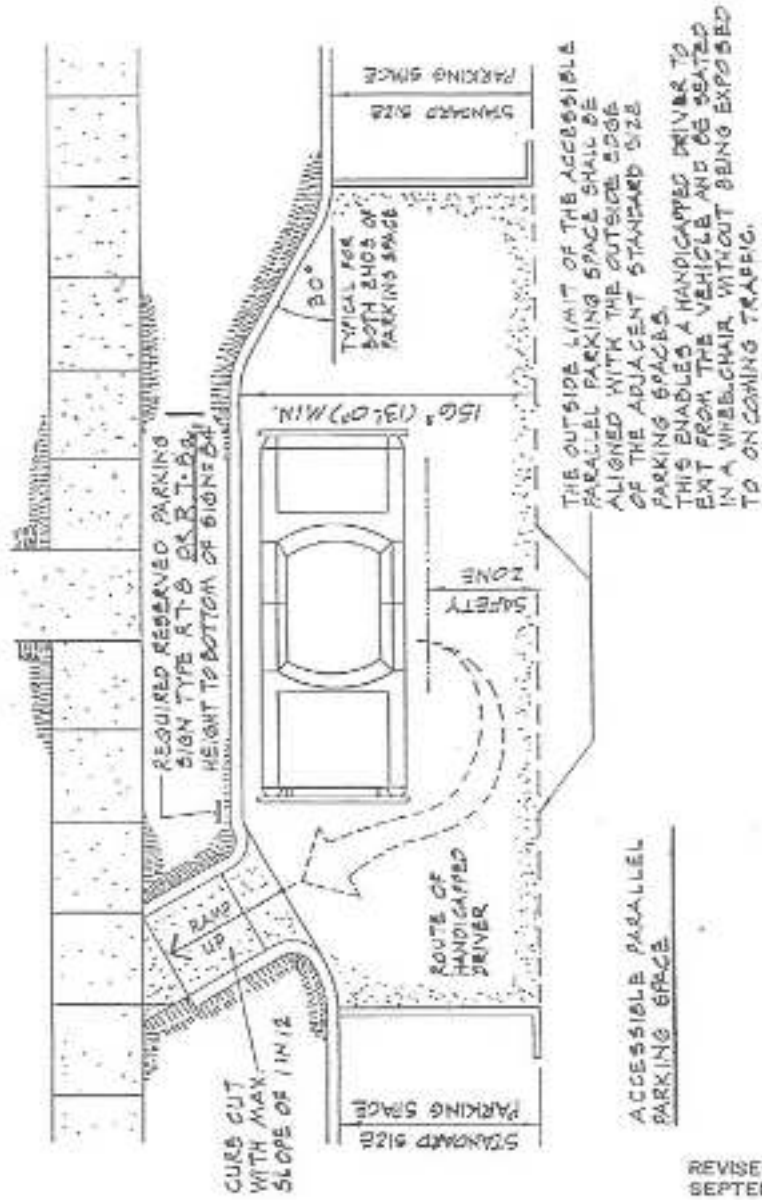
TOTAL SPACES IN PARKING LOT	MIN. NO. OF ACCESS. SPACES	TOTAL SPACES IN PARKING LOT	MIN. NO. OF ACCESS. SPACES
1 TO 25	1	301 TO 400	3
26 TO 50	2	401 TO 500	4
51 TO 75	3	501 TO 1,000	*
76 TO 100	4	1,001 AND OVER	**
101 TO 150	5		
151 TO 200	6		
201 TO 300	7		

\* 2% OF TOTAL  
 \*\* 20 PLUS 1 FOR EACH 100 OVER 1,000

3 SITE DEVELOPMENT

REVISED  
 SEPTEMBER 12, 1989

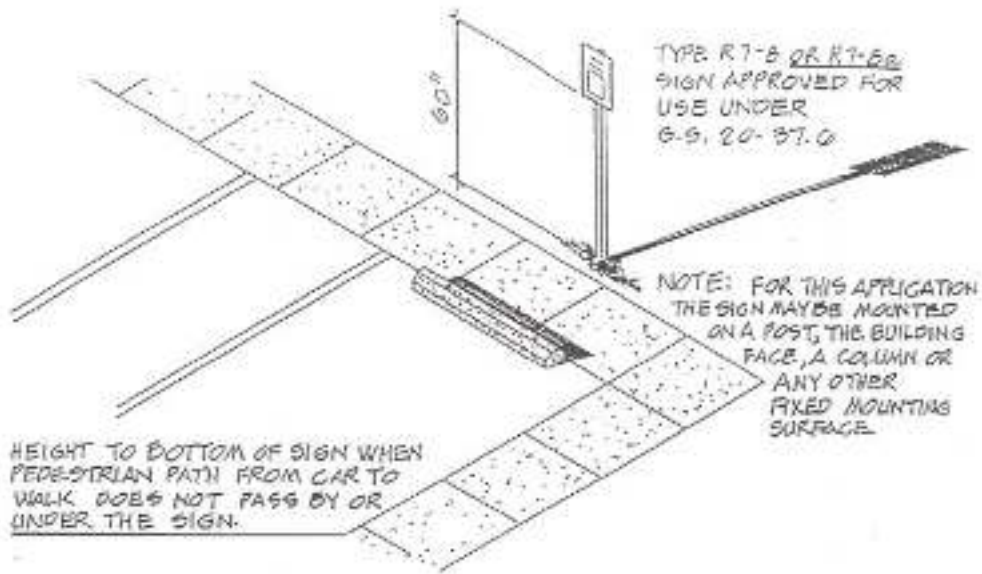
# TOWN OF BOLIVIA



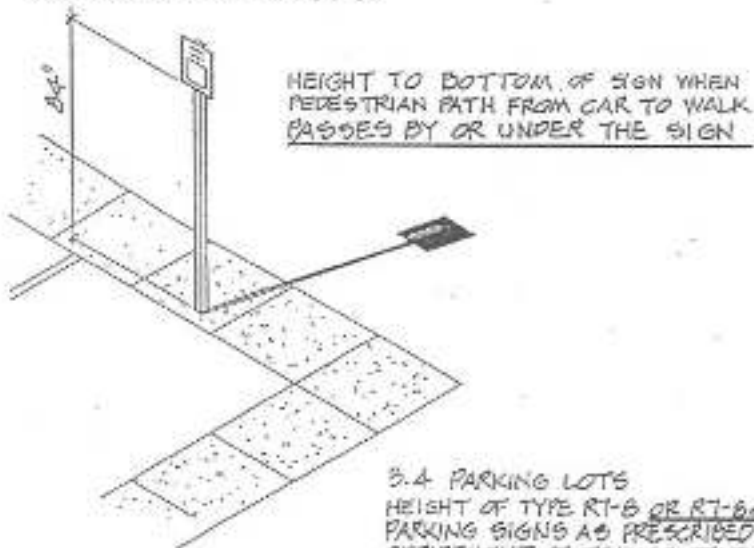
## 3.4 PARKING LOTS



# TOWN OF BOLIVIA



TYPE R7-B OR R7-Ba SIGN APPROVED FOR USE UNDER G.S. 20-37.6



REVISED  
SEPTEMBER 12, 1989

3.4 PARKING LOTS  
HEIGHT OF TYPE R7-B OR R7-Ba RESERVED  
PARKING SIGNS AS PRESCRIBED BY N.C.  
DEPARTMENT OF TRANSPORTATION MANUAL ON  
UNIFORM TRAFFIC CONTROL DEVICES,  
SECTION 2A-29, PART II

# TOWN OF BOLIVIA



R7-8a

SIGN APPROVED FOR USE  
UNDER GENERAL STATUTE 20-37.6

#### COLORS

LEGEND AND BORDER — GREEN  
WHITE SYMBOL ON BLUE BACKGROUND  
BACKGROUND — WHITE

### 3.4. PARKING LOTS

TYPE R7-8a PARKING SIGN APPROVED FOR  
USE UNDER GENERAL STATUTE 20-37.6

NOTE: BEGINNING JANUARY 1, 1989 ALL ACCESSIBLE  
PARKING SPACES (INCLUDING THOSE SPACES  
EXISTING PRIOR TO JULY 1, 1979) SHALL BE  
REQUIRED BY GENERAL STATUTE TO BE  
IDENTIFIED BY AN R7-8 OR R7-8a SIGN.

SEPTEMBER 12, 1989

# TOWN OF BOLIVIA

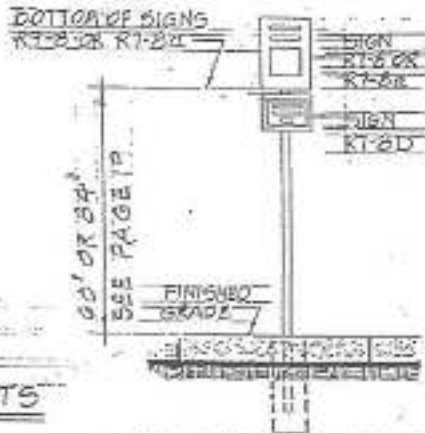


R7-8D

SIGN APPROVED FOR USE  
UNDER GENERAL STATUTE 20-37.6.

LEGEND AND BORDER—GREEN  
BACKGROUND—WHITE

R7-8D PENALTY SIGNS ARE  
REQUIRED TO ACCOMPANY ALL  
R7-B OR R7-8a PARKING SIGNS  
ERECTED AFTER DECEMBER 31, 1990.



3.4 PARKING LOTS

ADDED: JULY 27, 1990  
N.C. GENERAL ASSEMBLY

# TOWN OF BOLIVIA

## **ARTICLE VIII. TRAVEL TRAILER CAMPGROUND REGULATIONS**

Travel trailer campground regulations are established to encourage well planned, attractive land development by providing fair standards and beneficial requirements for the sitting, operation, maintenance of campgrounds. The campgrounds shall only be located in the OAR and AF zoning districts.

1. Application to construct a travel trailer campground.
  - a. Application: Prior to the construction of a campground, the builder shall make application to the Building Inspector for a permit to construct such a park. The application shall include a plan of the proposed park, which shall be reviewed by the Planning Board for compliance with the requirements of this Ordinance, before making written recommendation to the Board of Aldermen.
  - b. Required Information: The following information shall be submitted with the application for a permit to construct a campground.
    1. A complete site plan of the campground, showing streets, driveways, walkways, recreation areas, trailer spaces, vehicular parking spaces, buildings, street lighting, and the location and types of screening, fences, hedges, or buffers.
    2. Plans of proposed layouts and connections for sewers, water storm drainage, and other utilities.
    3. Where public water or public sewage is not available, a written statement from the Brunswick County Health Department indicating that the campground has sufficient land area and adequate soil conditions to accommodate the proposed water supply and sewage disposal systems.
    4. The name of the campground, names and addresses of the owner or owners, and the designer of the campground.

## TOWN OF BOLIVIA

5. A vicinity map showing the location of the travel trailer campgrounds in relation to other existing land uses within the general area.
2. Travel trailer campground requirements.
    - a. Every trailer park shall contain at least twenty-five (25) spaces.
    - b. Every space shall consist of a minimum area of two thousand (2,000) square feet. Each space shall be designated on the ground by permanent markers or monuments.
    - c. Parking spaces sufficient to accommodate at least one (1) motor and camping vehicle shall be constructed within each space. No more than one (1) camping vehicle may be parked in one any space.
    - d. All spaces developed adjacent to a public street shall be set back a minimum of forty minimum of forty (40) feet from the street right-of-way.
    - e. All spaces shall be located on sites with elevations that are not susceptible to flooding. The spaces shall be graded to prevent any water from ponding or accumulating within the park. Each space shall be properly graded to obtain a reasonable flat site and to provide adequate drainage away from the space.
    - f. The park shall have all weather roads that directly abut each space. All road rights-of way shall have a minimum width of twenty (20) feet. Rights-of-way for one-way roads have minimum width of twelve (12) feet. In areas of heavy vehicle use wider rights-of-way shall be required.
    - g. No space shall have a direct vehicular access to a public road.
    - h. The park shall be developed with proper drainage ditches. All banks shall be sloped and seeded.

## TOWN OF BOLIVIA

- i. Cul-de-sacs or dead-end roads shall not exceed one thousand (1,000) feet in length measured from the entrance to the center of the turnaround. Any road designed to be permanently closed shall have a turnaround at the closed end with a minimum right-of-way diameter of eight (80) feet.
  - j. When the park has more than one (1) direct access to a public road, they shall not be less than three hundred (300) feet apart or closer than three (300) feet to a public road intersection unless unusual site condition demand otherwise.
  - k. Each park shall have a central structure or structures that will provide separate toilet facilities for both sexes. This structure may also contain a retail sales counter and/or coin operated machines for the park residents' use only, provided there is no exterior advertising. Vending machines also may be permitted in a sheltered area.
  - l. No swimming pool or bathing area shall be installed, altered, improved, or used without compliance with applicable regulations.
  - m. Signs for identification of parks, must be in accordance with Section 9, Signs Regulated.
3. Sanitary facilities, water supply, sewerage, garbage collections and utilities.

### Sanitary facilities –

- 1. All toilet, shower, lavatory, and laundry facilities shall be provided and maintained in a clean and sanitary condition and kept in good repair at all times. They shall be safely and adequately lighted. Facilities shall be easily accessible and conveniently located. All toilet, shower, lavatory, and laundry room facilities shall be acceptable and shall be in conformity with all Brunswick County codes.
- 2. All buildings shall be constructed in accordance with the building codes of the Town.

## TOWN OF BOLIVIA

3. All buildings and workshops shall be constructed to meet State handicapped accessibility requirements.
  - b. Water Supply: A safe, adequate, and conveniently located water supply must be provided for each park. No water supply shall be installed, altered, or used without the approval of the Brunswick County Health Department.
  - c. Sewage disposal –
    1. Sewage dumping stations shall be approved by the Brunswick County Health Department. Each park shall provide at least one (1) sewage dumping station.
    2. No method of sewage disposal shall be installed, altered, or used without the approval of the Brunswick County Health Department. All sewage waste from each park, including waste from toilets, showers, bathtubs, lavatories, wash basins, sinks, and water using appliances not herein mentioned, shall be piped into the park's sewage disposal system or systems.
  - d. Garbage and reuse disposal –
    1. The park owner is responsible for refuse collection.
    2. Storage, collection, and disposal of refuse shall be so managed as not to create health hazards, rodent, harborage, insect-breeding areas, accidents, fire hazards, or air pollution.
    3. All refuse shall be stored in a convenient, centrally located, animal proof container.
  - e. Where electrical service is used, the installation and use of such facilities shall conform with all applicable codes. Such facilities shall be inspected by the electrical inspector.
4. Recreation areas:

## TOWN OF BOLIVIA

Each park shall provide recreation areas to serve the needs of the anticipated users. One-half (1/2) acre of level well-drained ground for every twenty-five (25) spaces shall be utilized as a recreation area. The park owner is responsible for the development and maintenance of the recreation areas.

5. Mobile homes:

It shall be unlawful for a person to park or store a mobile home in a travel trailer park. However, one (1) mobile home may be allowed within a travel trailer park to be used as an office and/or residence of persons responsible for the operation and maintenance of the travel trailer park.

6. Registration:

It shall be the duty of the operator of a travel trailer campground to keep an accurate register containing a record of all occupants of the park. The operator shall keep the register available at all times for inspection by law enforcement officials, public health officials, and other officials whose duties necessitate acquisition of the information contained in the register. The register shall contain the following information:

1. Name and address of the occupants of each space.



# TOWN OF BOLIVIA

## **ARTICLE IX. BYLAWS FOR THE OPERATION OF THE TOWN OF BOLIVIA PLANNING BOARD**

### **ARTICLE I. General Rules:**

The Town of Bolivia Planning Board created by a Local Ordinance dated May 3, 1993, shall be governed by that Ordinance, Chapter 150A, Article 19 of the General Statutes of North Carolina, and these Bylaws.

### **ARTICLE II. Members and Terms of Office:**

The Planning Board shall consist of six members. Five of the members shall be citizens and residents of the Town of Bolivia and shall be appointed by the Town Board of Aldermen. Two of the initial members shall be appointed for a term of one year; two for two years; and one for three years. Their successors shall be appointed for terms of three years. Vacancies occurring for reasons other than for expiration of terms shall be filled as they occur for the period for the unexpired term. Members may be removed for cause by the Town Board of Aldermen. One member shall be a citizen and resident of the Extraterritorial Jurisdiction appointed by the Brunswick County Board of Commissioners for a term of three years.

### **ARTICLE III. Officers and Duties:**

- A. Election of Officers: The Planning Board shall organize and elect a chairman, vice-chairman, and secretary at the regular meeting in July. All officers may succeed themselves.
- B. The Chairman: The chairman shall preside at all meetings and public hearings of the Planning Board; shall decide on all matters of order and procedure; shall appoint any committees necessary to study specific matters; shall develop a meeting agenda with the assistance of the zoning administrator; and shall provide the Town of Bolivia Board of Aldermen with an annual report of Planning Board activities by May 30<sup>th</sup> of each year.

## TOWN OF BOLIVIA

- C. The Vice-Chairman: In the absence of the chairman, the vice-chairman shall perform all duties assigned to the chairman.
- D. The Secretary: The secretary is charged with keeping the minutes of all regular meetings, special meetings, and public hearings called by the Planning Board. The secretary, after conferring with the chairman, shall send notices of all regular meetings, special meetings and public hearings at least four (4) days in advance of the meeting and shall notify members by phone at least twenty-four hours in advance of special or emergency meetings. In addition, the secretary shall carry on routine correspondence and maintain the Planning Board's record and files.
- E. The Building Inspector: Inspections will be provided by Brunswick County.

### **ARTICLE IV. Meetings:**

- A. Regular Meetings: Regular meetings of the Planning Board shall be held on the first Tuesday of each month. Unless special notice is given by the chairman all meetings will begin at 7:30 p.m. and be conducted at the Town Hall.
- B. Special Meetings: Special meetings of the Planning Board may be called at any time by the chairman or the vice-chairman acting in the absence of the chairman, provided that a minimum of twenty-four (24) hour notice is given to members.
- C. Quorum: A quorum shall consist of four (4) members.
- D. Conduct of Meetings: All meetings shall be open to the public and public comment or input shall be encouraged. The order of business at regular meetings shall be as follows:
  - 1. Call to order
  - 2. Approval of minutes of the previous meeting
  - 3. Old business

## TOWN OF BOLIVIA

4. New business
  5. Committee reports
  6. Chairman's report
  7. Member comments
  8. Public comments
  9. Adjournment
- E. Change of Bylaws: No change shall be made to these bylaws without the affirmative vote of two-thirds (2/3) members of the Planning Board.
- F. Vote: Except as otherwise specified herein, the vote of a majority Of those members present shall be sufficient to decide matters coming before the Planning Board, provided a quorum is present. Members shall be required to vote unless excused by the chairman for reasons of financial or personal interest on the subject. An abstention shall constitute an affirmative vote. Proceeding shall be conducted according to the Roberts Rules of Order.
- G. Cancellation of Meetings: Whenever there is no business for the Planning Board, the chairman may dispense with a regular meeting by giving notice to all members.
- H. Attendance: The Planning Board will request the Town Board to replace any member missing three (3) consecutive regular meetings or fifty percent (50% or more of all meetings over a twelve (12) month period.
- I. Agenda Preparation for Regular Meetings: The agenda for regular meetings shall be prepared by the chairman with the assistance of the secretary. Only those items requested by planning board members or those items properly filed with the Town according to its ordinances shall be placed on the agenda. The public and specific interests may appear for comment or input on any matter not on the agenda at any meeting regular or special, but no formal action will be taken on non-agenda items. This rule does not preclude public comment and input on regular agenda items that will be acted upon.

# TOWN OF BOLIVIA

The agenda shall be circulated to all members of the Planning Board, the Town Board, and the Town Clerk by the Thursday prior to the regular meeting date.

## **ARTICLE V. Records:**

- A. Public Record: All records of the Planning Board shall be made available to the public in accordance with state statutes.
  
- B. Retention: The secretary shall maintain a file of all studies, plans, reports, recommendations, minutes, and correspondence of the Planning Board. The file should be maintained at the Town Hall. Requests for copies shall be forwarded to, or addressed to the building inspector.

---

Date Adopted

---

Chairman

---

Secretary

# TOWN OF BOLIVIA

## ARTICLE X. TOWN OF BOLIVIA BOARD OF ADJUSTMENT

### RULES OF PROCEDURE

#### I. GENERAL RULES

The Zoning Board of Adjustment shall be governed by the terms of Chapter 160A, Article 19, Part 3 of the North Carolina General Statutes and by the Zoning Ordinance of the Town of Bolivia. All members of the Board shall thoroughly familiarize themselves with these laws. The Bolivia Board of Aldermen will serve as the Board of Adjustment and a representative from the Extraterritorial Jurisdiction.

#### II. OFFICERS AND DUTIES

A. CHAIRMAN: The chairman shall be a regular member and be elected by the regular members of the Board of Adjustment. The Chairman's term of office shall be one (1) year beginning on July 1<sup>st</sup>. The chairman shall be eligible for reappointment. The Chairman shall preside over the meetings and shall decide on all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the Board in session at the time. The Chairman shall appoint any committees found necessary to investigate any matter before the Board.

B. VICE-CHAIRMAN: The Vice-Chairman shall be a regular member elected by the regular members of the Board. The Vice-Chairman's term of office shall be for one (1) year beginning July 1<sup>st</sup>. The Vice-Chairman shall serve as Chairman in the absence of the Chairman and at such times shall have the same powers and duties as the Chairman. The Vice-Chairman shall be eligible for reappointment.

C. SECRETARY/CLERK: The Secretary/Clerk shall be a regular member elected by the regular members of the Board of Adjustment and shall serve for a period of one (1) year beginning July 1<sup>st</sup>. The Secretary/Clerk, subject to the direction of the Chairman and the Board, shall keep all records, conduct all correspondence of the Board,

# TOWN OF BOLIVIA

notify members of pending meetings and their agenda, and shall generally supervise the clerical work of the Board. The Secretary/Clerk shall keep the minutes of every Board meeting in a permanent volume. The minutes shall show those members present, the nature of the issue, facts presented as evidence, findings of fact by the Board, and the decision of the Board, including a record, by name, of each member's vote. The Secretary/Clerk shall be eligible for reappointment. (Arranging for all required notices and notifying interested parties of the Board's decisions, shall be the responsibility of the Zoning Administrator. The Zoning Administrator will prepare the minutes of the Board of Adjustment under the supervision of the Secretary/Clerk.

## III. ALTERNATE MEMBERS

One alternate member who is a resident of the Town of Bolivia will be appointed.

## IV. RULES OF CONDUCT FOR MEMBERS

- A. Members of the Board may be removed for cause, including violation of the rules stated below.
- B. Faithful attendance at all Board meetings and conscientious performance of the duties required of Board members shall be considered a prerequisite of continuing membership on the Board.
- C. No Board member shall take part in the hearing, consideration, or determination of any case in which he is personally or financially interested.
- D. No Board member shall discuss any case with any parties thereto before the public hearing on that case; provided, however, that members may receive and/or seek information pertaining to the case from any other member of the Board, its secretary, or clerk before the hearing.
- E. No Board member shall vote on any matter that decides an application or appeal unless he has attended the public hearing on that application or appeal.

## TOWN OF BOLIVIA

F. Members of the Board shall not express individual opinions on the proper judgment of any case with any parties thereto before that case is determined. Violation of this rule shall be cause for dismissal from the Board.

### V. MEETINGS

A. TIME: The Board of Adjustment shall not hold regularly scheduled meetings. Meetings will be called as needed and each member shall be given at least 48-hour notice prior to the meeting. The meeting shall be held as soon as possible after receiving application for appeal or hearing but shall not be delayed more than 30 days. Meetings shall be held at the Town Hall at a time and date designated by the Board.

B. QUORUM: A quorum shall consist of no fewer than four (4) members.

C. VOTING: All regular members may vote on any issue unless they have disqualified themselves for one or more of the reasons listed in Section IV. The required vote to decide appeals and applications shall be as provided in Section VI, D, 4, and shall not be reduced by any disqualification. In all other matters the vote of a majority of the members present and voting shall decide issues before the Board.

D. CONDUCT OF MEETINGS: All meetings shall be open to the public. The order of business at meetings shall be as follows: a. roll call; b. approval of minutes c. hearing of cases; d. reports of committees; e. unfinished business; f. consideration and determination of cases heard.

### VI. APPEALS AND APPLICATIONS:

A. TYPES OF APPEALS: The Board shall hear and decide all appeals from and review any order, requirement, decision, or determination made by the Building Inspector or Zoning Administrator. It shall also hear and decide all matters referred to it or on which the Zoning Ordinance of the Town of Bolivia requires it to pass. In deciding appeals, and the Board may hear both those cases based upon an allegedly improper or erroneous interpretation of the ordinance and those based upon alleged hardship resulting from strict interpretation of the Ordinance.

## TOWN OF BOLIVIA

- B. **PROCEDURE FOR FILING APPEALS:** No appeal shall be heard by the Board unless notice thereof is filed within thirty (30) days after the interested party or parties receive notice of the order, requirement, decision, or determination by the Building Inspector and/or Zoning Administrator. The applicant must file his application for a hearing with the Zoning Administrator, who shall act as clerk for the Board in receiving this notice. All applications shall be made on the form furnished for that purpose, and all information required thereon shall be complete before an appeal may be considered as having been filed.
- C. **HEARINGS:**
1. **TIME:** After notice of appeal is received, the Board Chairman shall schedule a time for the hearing. The hearing shall be held as soon as possible after the notice of appeal is received but shall not be delayed more than thirty (30) days.
  2. **NOTICE:** The Board shall give notice of the hearing in a newspaper of general circulation by advertisement published at least five (5) days before the date of the hearing. The Board shall cause to be posted notice of the hearing on the property in question at least five (5) days before the hearing. Such notice shall state the location of the building or lot, the general nature of the question involved in the appeal, and the time and place of the hearing.
  3. **CONDUCT OF THE HEARING:** Any party may appear in person, by agent, or by attorney at the hearing. The order of business for each hearing shall be as follows: a. the chairman, or such person as he shall direct, shall give a preliminary statement of the case; b. the applicant shall present the evidence and arguments in support of his application; c. persons opposed to granting the application shall present evidence and arguments against the application; d. both sides shall be permitted to present rebuttals to opposing evidence and arguments; e. the chairman shall summarize the evidence that has been presented, giving the parties opportunity to make objections or corrections. Witnesses may be called and factual evidence may be submitted, but the Board shall not be limited to consideration of such



## TOWN OF BOLIVIA

evidence as would be admissible in a court of law. The Board may view the premises before the hearing, but the facts indicated by such inspection shall be disclosed at the public hearing and made a part of the record. All witnesses before the Board shall be placed under oath, and the opposing party may cross-examine them.

4. REHEARINGS: An application for a rehearing may be made in the same manner as an application for an original hearing. Evidence in support of the application shall initially be limited to what is necessary to enable the Board to determine whether there has been a substantial change in the facts, evidence, or conditions in the case. The Board shall deny the application for rehearing if, from the record, it finds that there has been no substantial change in facts, evidence, or conditions. If the Board finds that a change has occurred, it shall thereupon treat the request in the same manner as any other application.

D. DECISIONS: Decisions by the Board shall be made not later than thirty (30) days from the time of the hearing.

1. FORM: The Board's final decision shall be shown in the record of the case as entered in the Board's minutes and signed by the Secretary/Clerk and the chairman on approval of the minutes by the Board. Such record shall show the reasons for the determinations, with a summary of the evidence introduced and the findings of fact made by the Board. When a variance is granted, the record shall state in detail any exceptional difficulty or unnecessary hardship upon which the appeal was based and which the Board finds to exist. The decision may reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from. The record shall state in detail what, if any, conditions and safeguards the Board imposes in connection with granting of a variance. A separate record of the decision of each case shall be prepared, filed in the Town Clerk's office, and furnished to the parties as specified in subsection 5.
2. EXPIRATION OF PERMITS: Unless otherwise specified, any order or decision of the Board granting a variance shall expire if the applicant

## TOWN OF BOLIVIA

does not obtain a building permit or certificate of occupancy for such use within six (6) months from the date of the decision.

3. VOTING AT HEARINGS: The concurring vote of four-fifths (4/5) of the Board members shall be necessary to reverse any order, requirement, decision, or determination of the Building Inspector and/or Zoning Administrator, to decide in favor of the applicant any matter on which the Board is required by ordinance to pass, or to grant a variance from the ordinance provisions.
4. NOTICE AND PUBLIC RECORD OF DECISIONS: The Secretary/Clerk shall give written notice of the decision in the case to the appellant and/or applicant and to every aggrieved party who has filed a written request for such notice with the Secretary/Clerk or the Chairman of the Board when the hearing is held. A copy of the decision shall also be filed in the Town Clerk's office. The decision shall be a public record, available for inspection at all reasonable times.

### **VII. AMENDMENTS**

These rules may, within the limits allowed by law, be amended at any time by an affirmative vote of not less than three (3) members of the Board, provided that such amendment be presented in writing at a regular or special meeting at which the vote is taken.

# TOWN OF BOLIVIA

## ARTICLE XI SIGN REGULATIONS

### I. SIGNS, GENERAL

The regulations contained in this section shall pertain to signs in all zoning districts.

- A. No signs shall overhang or be erected in any public right-of-way. Traffic regulation, information or warning signs erected by the State Department of Transportation or signs erected by the Town of Bolivia are exempt.
- B. No sign shall be permitted in the vertical area between 2-1/2 feet and 10 feet above the adjacent crown of the road unless the sign is set back 20 feet or more from adjacent right-of-way line.
- C. Blinking or flashing incandescent bulbs, spot lights, floodlights or similar lights that are in current use by emergency or law enforcement vehicles are prohibited. Exempt are neon or other tubular lights. Also exempt are traffic regulation, information, and warning signs erected by the State Department of Transportation or by the Town of Bolivia.
- D. Floodlights for signs must be directed away from any residential structure and oncoming vehicular traffic on any road, street, or alley.
- E. Off-premises signs are prohibited.
- F. No sign shall be within 10 feet of an adjacent residential lot line.

### II. SIGNS IN R-15 AND RM-15 ZONES

#### A. Permitted Signs

**Identification signs:** Not more than 2 signs per principal use and a combined maximum area of 20 sq. ft.

**Home occupation signs:** 1 sign and a maximum of 2 sq. ft.; sign must be mounted flat against a wall of the principal use structure.

# TOWN OF BOLIVIA

**Temporary Real Estate sign:** Any number of signs with a combined area of not more than 4 sq. ft.; with each 150 ft. of lot line fronting on a public thoroughfare an additional 4 sq. ft. of sign area is permitted.

## B. Prohibited Signs

**Advertising Signs**

**Roof Signs**

## III. SIGNS IN C-1 ZONES

### A. Permitted Signs

**Identification signs:** Not more than 2 signs per principal use not exceeding a total combined area of 30 sq. ft.

**Temporary Real Estate sign:** 1 or more signs with a total combined surface area not exceeding 10 sq. ft.

### B. Prohibited Signs

**Advertising signs**

## IV. SIGNS IN C-2 and C-3 ZONES

### A. Permitted Signs

**Identification signs:** 1 or more signs with a combined surface area not exceeding 30 sq. ft.

**Temporary Real Estate signs:** 1 or more signs with a total combined surface area not exceeding 10 sq. ft.

**Advertising signs:** 1 or more signs with a total combined surface area not exceeding 50 sq. ft.

TOWN OF BOLIVIA

TOWN OF BOLIVIA

ORDINANCE AMENDMENT # Z - 0001

Official Date of Amendment Change: 06/05/95

Name of Ordinance: Zoning

Amendment:

Commercial District 3, Permitted Uses.

Text Change to add Schools as a Permitted Use.

Amended page(s) of the original ordinance 23

Public Hearing - Date 06/05/95

Recorded in Minutes - Date 06/05/95  
(Copy Attached)

  
Zoning Administrator

# TOWN OF BOLIVIA

## TOWN OF BOLIVIA

### ORDINANCE AMENDMENT # 0002

Official Date of Amendment Change: 08/27/99

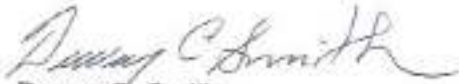
Name of Ordinance: Zoning

Amendment:

Commerical District 3, Permitted Uses.

Text Change to add as a Permitted Use:

Other commercial uses upon the finding that such use is compatible with those permitted and which will not be detrimental to other uses within the district or to adjoining land use.



Dewey C. Smith  
Mayor

# TOWN OF BOLIVIA

## TOWN OF BOLIVIA

ORDINANCE AMENDMENT # 0003

Official Date of Amendment Change:

Name of Ordinance: Zoning

AMENDMENTS: Zoning Ordinance Amendment #Z-0003

Amend Article II, section A (pg 13) by adding:

Thoroughfare District (TD)

Amend Article III (beginning at pg 27) by adding:

Section J. Thoroughfare District (TD)

1. Purpose: It is the purpose of the Thoroughfare District to regulate the use of land adjacent to major thoroughfares, i.e., US 17 By-Pass, in the Town of Bolivia and its extra-territorial jurisdiction, in a manner that will promote commercial activities particularly those suitable to highway traffic, enhance overall property values, and protect residential neighborhoods and the general health, safety and welfare of the community.

2. Permitted Uses: All general uses permitted in Commercial District S.

3. Buffer: Buffers are required on property in the Thoroughfare District which abuts property in a residential district or property occupied by any pre-existing residential use. Unless excluded elsewhere in this ordinance, applications for a building permit on such property shall be accompanied by a plan in compliance with Article VI of this ordinance and which shows the visual buffer. The buffer shall consist of one of the following:

a) A compact evergreen hedge or other type of evergreen foliage screening. Minimum height and width for such buffer shall be five feet when planted.

b) A combined fence and shrubbery screen, the latter facing the residential use. Minimum height and width for such buffer shall be five feet high; and four feet wide when planted.

c) An earthen berm a minimum of three feet high and a maximum of five feet high, with a minimum of three feet high by three feet wide evergreen foliage. In the event the berm and shrub option is used, the maximum slope on the berm sides shall be no greater than one foot to one foot.

The visual buffer shall be inspected by the Town Official enforcing zoning ordinances.

4. Lighting: The lighting in thoroughfare District must be designed in such a way that it will have minimal effect on adjoining property. Outside lighting shall be constructed so that it will shine only upon the premises and shall not be directed so that it shines directly onto adjoining property. This is to be accomplished by the proper selection, placement and height of the fixtures. Signs may be illuminated in compliance with Article XI of this ordinance. The lighting plan shall be approved by the Town Official enforcing zoning ordinances.

5. Lot, Yard and Height Requirements:

# TOWN OF BOLIVIA

Minimum Lot Size	15,000 sq. ft.
Front Yard	30 ft.
Side Yard	12 ft.
Rear Yard	35 ft.
Maximum Building Height	45 ft.

6. Off Street Parking: Shall comply with the provisions contained in Article VI of this ordinance.
7. Signs: Shall comply with the provisions contained in Article XI of this ordinance.
8. Additional Thoroughfare District Requirements:
  - a) Building permits for all residential construction located in this district must include a statement by the property owner acknowledging that the property is located in a commercial use district.
  - b) An opaque buffer shall be constructed on all four sides of trash receptacles located in this district and must be of sufficient height to effectively shield the receptacle from an adjacent property view. Materials include solid wooden fence, metal fence with vinyl slats woven through the metal mesh, or other material approved by the Town.

Remaining pages will be re-numbered accordingly, beginning with page 27.

Article III, Section J (beginning at existing page 27) by changing:

- to:
- J. Planned Unit Development, PUD
  - K. Planned Unit Development, PUD

Article III, Section K (beginning at existing Page 35) by changing:

- to:
- K. Manufactured Home Overlay District (MHO District)
  - L. Manufactured Home Overlay District (MHO District)

Article III, Section L (beginning at existing page 36) by changing:

- to:
- L. Manufactured Home Park (residential) MHP
  - M. Manufactured Home Park (residential) MHP

Article XI, Section I: Delete item E and change item F to item E.

Article XI: Add Section V SIGNS IN TD ZONES

## A. Permitted Signs

Identification signs: One or more signs with a combined surface area not exceeding 30 sq. ft.

Advertising signs: Advertising signs shall be no closer than 1200 feet apart on the same side of the thorough fare. Signs with an advertising face no greater than 400 sq. ft. including extensions and no higher than 50 feet, constructed of monopole steel to withstand a loading factor of 35 psf are allowed. Only



# TOWN OF BOLIVIA

one face per side are allowed. No double decker signs are allowed.

Official date of Amendment Change: 03/12/2001



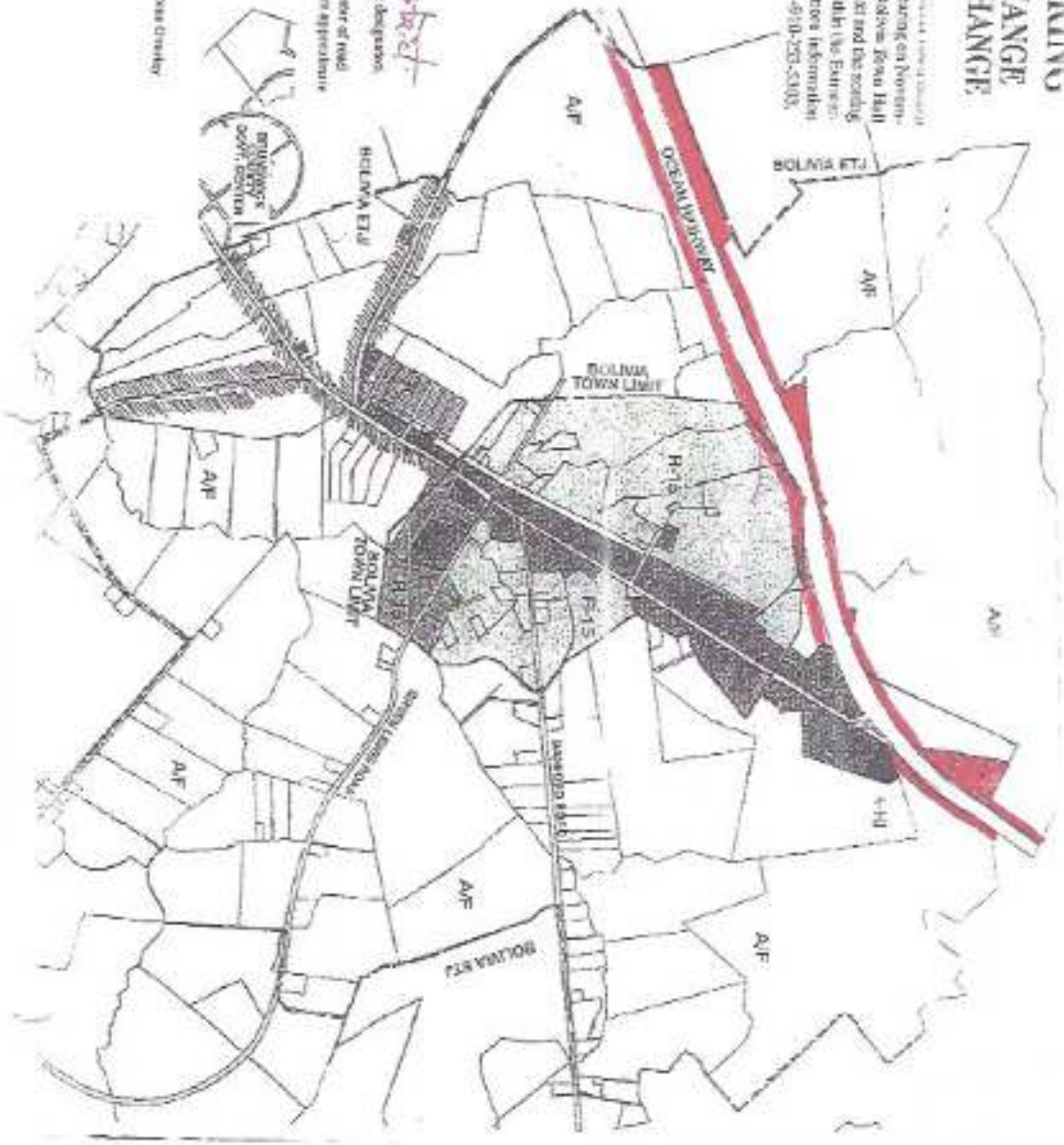
Dewey C. Smith  
Mayor

# TOWN OF BOLIVIA

## TOWN OF BOLIVIA PUBLIC HEARING ZONING MAP CHANGE ZONING TEXT CHANGE

Notice of Hearing: The Board of Selectmen of the Town of Bolivia will hold a Public Hearing on November 1, 1994, at 7:00 p.m. in the Bolivia Town Hall to consider changing the zoning text and the zoning map within the town limits and within the Fairview Zoning Jurisdiction. For more information contact Len King, Town Clerk at 1-610-253-5103.

- Thompson Town District*
-  Commercial, CA, urban alternative designations.
  -  Commercial, CA, 150 feet from center of road or its most narrow section. Label: no application and not set to scale.
  -  Heavy Industrial, HI
  -  Agricultural/Service, A/S
  -  Residential, R-13
  -  Residential, R-25, Manufactured Home Overlay



# TOWN OF BOLIVIA

## TOWN OF BOLIVIA

ORDINANCE AMENDMENT # 0004

Official Date of Amendment Change: June 11, 2001

Name of Ordinance: Zoning

AMENDMENTS: Zoning Ordinance Amendment #Z-0004

1. Change the zoning of property on James Street to include Manufactured home overlay.
2. Change zoning of lots # 5, 6, 7, 8, 9, & 10 on Mercer Street to Commercial (C-3).



Dewey Smith, Mayor