

#### § 152.016 DEFINITIONS OF BASIC TERMS.

Unless otherwise specifically provided, or unless clearly required by the context, the words and phrases defined in this section shall have the meaning indicated when used in this chapter.

DOCKS, PIERS (Not commercially operated, with or without launching facilities). A fixed or floating structure, including moorings, used for the purpose of berthing buoyant vessels and which does not produce income, and does not serve as an inducement to renting, purchasing, or using accompanying facilities.

MARINA. A facility for the docking, mooring, berthing, or storage of marine vessels that also include, but are not limited to, a wide variety of accessory uses such as boat fuel sales, sales of boating supplies and equipment, boating related services, laundries, boat repair and rental, storage racks and dry storage of boats.

#### § 152.170 ESTABLISHMENT OF ZONING DISTRICTS, AND THE PURPOSE THEREOF.

For the purpose of this chapter, the Town of Swansboro and its extraterritorial jurisdiction is divided into the following classes of zones:

(D) R6SF - Residential. The purpose of this district shall be that only single-family structures shall be permitted in this district.

#### § 152.049 BURDEN OF PROOF IN APPEALS AND VARIANCES.

- (A) When an appeal is taken to the Board of Adjustment in accordance with § 152.030(C), the administrator shall have the initial burden of presenting to the board sufficient evidence and argument to justify the order or decision appealed from. The burden of presenting evidence and argument to the contrary then shifts to the appellant, who shall also have the burden of persuasion.
- (B) The burden of presenting evidence sufficient to allow the Board of Adjustment to reach the conclusions set forth in § 152.046, as well as the burden of persuasion on those issues, remains with the applicant seeking the variance.

(Ord. 2005-03, passed 3-15-2005)

§ 152.179 TABLE OF PERMITTED/SPECIAL USES.

- (A) Districts in which particular uses are a permitted use-by-right are indicated by "P." Uses with certain conditions may include a reference to a footnote to this table.
- (B) Districts in which particular uses are a special use upon approval of the Town Board of Commissioners are indicated by "S". See the Table of Regulations for Special Uses , § 152.211, for details of each special use .
- (C) Districts in which particular uses are reviewed for compliance by the Town Planner are indicated by "US". See § 152.212 Use Standards for details of each Use Standard.
- (D) Districts in which particular uses are a minor special use upon approval of the Town Board of Adjustments are indicated by "MS". See the Table of Regulations for Special Uses , § 152.211, for details of each minor special use.
- (E) Districts in which particular uses are prohibited are indicated by not being listed or by a blank.
- (F) Any land use listed in the Table of Permitted Uses that incorporates or utilizes a drive-in facility must have its site design plan and proposed traffic circulation and parking plan approved by the Town of Swansboro. Those plans must be approved prior to construction of the drive-in facility.

PERMITTED/SPECIAL USES	CON	RA	R6	R6SF	R8SF	R10SF	R15SF	R20SF	R40SF	PUD	MHP	MHS	MHS-O	O/I	G/E	B1	B2	B3	B2HDO	MI
Docks, piers (government operated with or without launching facilities)	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	
Marinas (greater than 10 boat slips)																MS	MS	MS	MS	
Storage, warehouse, including mini storage																US				P

§ **152.212 USE STANDARDS**

(V) **Use- Storage**, warehouse, including mini storage - permitted as a use standard in B1

- (1) Requirements for open storage of recreational and dry storage of pleasure boats of the type customarily maintained by persons for their personal use shall be permitted within the Storage, Self-Service use, provided that the following standards are met:
- (a) The storage shall occur only within a designated area. Th designated area shall be clearly delineated.
  - (b) The storage area shall not exceed twenty-five percent (25%) of the buildable area of the site.
  - (c) No dry stacking of boats shall be permitted on the site.
  - (d) Boats shall be stored in a manner so as to prevent the collection of rainwater.
  - (e) The storage area shall be entirely screened from view from adjacent residential areas and public roads by a building and/or opaque fencing or fencing with landscaping along the fence's exterior side.
  - (f) Storage shall not occur within the area set aside for minimum building setbacks.
  - (g) If separate structures are constructed, there shall be a minimum separation of ten (10) feet between the buildings within the facility.
  - (h) Interior parking shall be provided in the form of aisles adjacent to the storage bays. These aisles shall be used both for circulation and temporary customer parking while using storage bays. The minimum width of these aisles shall be thirty (30) feet.

(2) Plans are required and must show:

- (a) Size and location of all outdoor areas used for principal use.
- (b) Topography: on new construction, well drained site with adequate storm drainage facilities (including retention pond facilities, when applicable).
- (c) Structures: location of signs, entrance, and buildings must be shown on the plan.
- (d) Circulation: proposed points for access and egress and a parking layout.
- (e) Buffering: as specified in §§ 152.528 of this chapter, unless the property abuts residentially used or zoned property in which case a Type C buffer is required.
- (f) Sign size and location as specified §§ 152.265-152.277 of this chapter.
- (g) Lighting plan which must include wattage and illumination. The use of full cut-off luminaries is required.
- (h) List of all services to be provided.
- (i) Security/management plan.
- (j) Hours of operation (refer to Town noise ordinance §§92.01- 92.06).
- (k) Landscaping Requirements, §§152.525- 152.544.
- (l) Parking: shall conform to §§ 152.290 through 152.296, Off-Street Parking and Loading Requirements.