

§ 152.481 ZONING ORDINANCE COMPLIANCE.

(A) *Affirmation of existing zoning.* Property located within the Historic District will continue to be subject to all Zoning Ordinances of the Town of Swansboro. This Ordinance shall not be construed as impairing the Zoning Ordinance in any manner.

(B) *Required conformance to dimensional regulations.* Any structure erected in the Historic District shall be subject to the dimensional and other regulations of the Zoning Ordinance, except as follows:

(1) No structure or part thereof shall extend nearer to or be required to be set back farther from the front lot line than the average distance of the setbacks of the nearest principal building (s) within 100 feet on each side of such building and fronting on the same side of the street ;

(2) No building shall exceed a maximum height established by §§ 152.195 through 152.196 without a variance from the Board of Adjustment and recommendations for variance from the Historic Preservation Commission; and

(3) The Commission shall place emphasis on adherence to and preservation of appropriate historic scale, mass, height, and architectural detail of the Historic District. However, if the property for which a certificate of appropriateness is sought is located in a flood hazard area, or in any other area such that the first habitable floor of the replacement building must be elevated above the elevation of the first habitable floor of the building, the Historic Preservation Commission shall give due regard to balancing the mass and scale of the building with the increased height of the building, and to balancing the mass, scale, and height of the building with the mass, scale, and height of other buildings in the Historic District by the use of setbacks and other creative architectural and landscaping designs to create a building which complies with this § 152.481.

(Ord. 2005-O3, passed 3-15-2005)