

Section 406 Nonconforming Uses or Structures

(A) Any building, structure, or use of land existing at the time of the enactment of this ordinance or any amendment thereto may be continued subject to the following provisions. They shall not be:

(1) Enlarged or extended except in conformity with this ordinance, except that existing residential single family structures located in a district that does not normally permit such use may be enlarged provided setback requirements of the R-S Zoning district are maintained with no additional dwelling units

(2) Re-established as a nonconforming use or structure after a discontinuance of 90 days from the date of cessation, destruction, abatement or abandonment except as otherwise noted in this ordinance

(B) Nonconforming manufactured homes located in nonconforming manufactured home parks or on individual lots shall comply with the following applicable regulations:

(1) Manufactured home parks whether or not approved under the Village of Misenheimer Zoning Ordinance, shall comply with the following criteria for replacement of any manufactured home in the park from the date of this ordinance:

(a) All roadways shall be properly graded and maintained and streets will be paved to a minimum 18-foot in width per NCDOT design and construction standards. Roadways shall be construed to include the travel-way from the state maintained road right-of-way to the manufactured home site required parking area.

(b) Replacement manufactured homes shall meet the requirements for a Class A or B as defined in this ordinance. Class C and D manufactured homes that are legally in place at the time of this ordinance are allowed to continue but if moved they can only be replaced with a Class A or B manufactured home

(c) New installations of manufactured homes must be done so as to comply with all requirements of this ordinance and the Village Subdivision Ordinance.

(d) All required driveways, cul-de-sacs, and parking areas shall be paved either with concrete or asphalt, before home sites are sold. Stone used for sub-surfacing of parking areas shall be #7ABC grade or smaller, and shall be further subject to approval and periodic inspection by the Zoning Enforcement Officer or Inspector.

(e) Each replacement manufactured home shall comply with this ordinance and the sub-division ordinance and be provided with a minimum ten-foot by seven-foot concrete pad and steps or a minimum five-foot by seven-foot porch or deck

and steps constructed to building code standards at each entrance to the manufactured home.

(f) The mobile home park shall be subject to all requirements of the Village Subdivision Ordinance in place at the time or must obtain a variance from the Village Council.

(g) No replacement manufactured home shall be installed unless the entire mobile home park or the single home site that is to receive it complies with the then current subdivision and or zoning ordinance, unless a variance is obtained from the Planning Board and approved by the Village Council. Variances will be issued only for the benefit of the village

406.1 Manufactured Housing Violations

Any manufactured home not replaced in compliance with this ordinance will be considered a separate violation for each day it remains out of compliance. A fine of \$50.00 may be levied for the first violation, \$100.00 for the second violation \$500.00 for the third violation and \$500.00 for any and all subsequent violations.

(A) Nonconforming manufactured homes located on individual lots shall comply with the following criteria:

(1) The replacement structure shall meet the regulations of the underlying zoning district. This shall be construed to mean that a site built or modular home may be required as a replacement structure.

(2) The replacement manufactured home minimally shall meet all the requirements for a Class A or B manufactured home as defined in this ordinance. In no case shall the existing manufactured home be replaced with a lower class manufactured home as defined in this ordinance.

(3) The replacement manufactured home and any accessory structures shall comply with the zoning setbacks as required in the underlying zoning district.