

## **Section 604 R-M Multi-Family Residential District**

The R-M Residential District is established as a higher density district in which the principle use of land is for single family, two family, and multi-family residences and manufactured home parks. Regulations of this district are intended to provide for persons desiring small residences, multi-family structures and manufactured home parks in relative high-density neighborhoods. Residences in this district may be placed on a property so that the average of one acre per dwelling is maintained only if at least half of the property remains open and undeveloped. Otherwise, two acre per dwelling shall remain the requirement.

### **604.1 The following uses are permitted:**

All uses permitted in the R-S Residential District as well as:

Boarding and Rooming houses provided no more than eight (8) residence rooms are for rent

Duplex apartments individual or in complexes

Multi-Family Dwellings provided they meet density requirements

Nursery Schools, Child Development Centers and Kindergartens

Manufactured home parks provided they meet the requirements below:

### **604.2 R-M District Residential Manufactured Home Park**

The purpose of the regulations expressed herein is to guide and regulate the development of Manufactured Home Parks within The Village of Misenheimer in order to preserve the public health, safety and welfare, and to require preparation and approval of a plan whenever a Manufactured Home Park is created or expanded. Specifically, these regulations are designed to provide for an adequately planned street system; to avoid overcrowding of the land and extreme concentration of population; to secure safety from fire, panic and other dangers; to provide for adequate water and sewage systems; to insure against erosion, water and flood damage; to facilitate an orderly system for the design, layout, use of land. In order to achieve these goals the village shall not approve any Manufactured Home Park, where it has been determined through a proper investigation that such a development will include or cause excessive flooding, poor drainage, soil slippage, inadequate soil conditions or other potentially dangerous, unhealthy conditions.

(A) Manufactured Home Parks with site plan approval by the Planning Board and Village Council. A fee as specified by The Village of Misenheimer shall accompany each Manufactured Home Park application. This fee shall be in addition to any other applicable fees, such as the fee for a rezoning application, an improvement permit or a

building permit.

- (1) The Planning Board shall consider a site plan and application only after a completed application has been submitted to the Zoning Officer. (Note: Prior to submission of the site plan and application, and prior to any disturbance of any land or vegetation it is required that the applicant consult with the Zoning Officer in order for the applicant to be briefed on the requirements of this Ordinance and that consideration be given to natural features of the site.) Prior to the formal submission of the site plan and application, the applicant is required to submit a preliminary sketch plan for review by the Planning Department and Village Council.

The formal site plan and application shall, as a minimum, include the following items:

- (a) The proposed name of the Manufactured Home Park, the names, addresses and phone number(s) of the owner(s) and the designer of the park; date, approximate north arrow, and scale, and the boundary line survey of the tract with accurate linear and angular dimensions drawn to scale by a professional surveyor or engineer.
- (b) The locations of existing and platted property lines, streets, buildings, water courses, railroads, bridges, known grave site areas, water mains, sewers, culverts, drainpipes and any utility easements, both on the land to be developed as a Manufactured Home Park within 250 feet of land immediately adjoining the proposed Manufactured Home Park.
- (c) The proposed names, proposed location and approximate dimensions of proposed streets, entrances, exits, walkways, easements, recreation areas, parking areas, parks and other spaces, reservations, manufactured home spaces (with area calculations shown) and building lines (with setback distances shown). See Section 2(C)(5) for staking requirements where individual septic tanks will be used.
- (d) Plans of proposed utility layouts (sewer lines, water lines, hydrants, storm drainage, etc.) showing feasible connections to existing and proposed utility systems; plans for electric lighting; and the location and number of trash dumpsters and mail boxes.
- (e) Proposed screening, including walls, fences or planting areas as well as treatment of any existing natural features.
- (f) Delineation of areas within the regulatory flood plain as shown on the official Flood Hazard Boundary Maps.
- (g) Proposed number and location of signs including both park identification

signs and space identification numbers.

- (h) Proposed phasing, if any, and approximate completion time of the project.
- (i) Topographic lines at intervals of no greater than two (2) feet, unless the Zoning Officer in writing approves a greater interval.
- (j) The above items (1) through (9) shall be submitted on a plan drawn to a scale of one (1) inch equals fifty (50) feet or one (1) inch equals one hundred (100) feet on sheet(s) not exceeding twenty-four (24) inches by thirty-six (36) inches. Ten (10) complete copies of the application plus fifteen (15) copies of the scaled site plan shall be submitted. In addition, one reproducible copy shall be submitted. The Zoning Officer may require additional copies if outside agency review is deemed appropriate.
- (k) A management plan describing at a minimum how the common facilities will be maintained and how the park will be maintained in accordance with Section AA of this Ordinance.
- (l) Sedimentation control plan information in accordance with State regulations.

(2) All completed applications for a Manufactured Home Park shall be submitted to the Zoning Officer at least thirty (30) days prior to the Planning Board meeting. If individual septic tanks are to be used in the park, the minimum submittal period shall be increased to forty-five (45) days to allow outside agencies additional time for review prior to the meeting. The Zoning Officer shall have an opportunity at the meeting to present any written comments made by outside agencies concerning the proposed park.

(3) The Planning Board shall have a maximum of sixty (60) days from the date of the meeting to approve, conditionally approve, or deny the proposed plan. Failures to approve, conditionally approve, or deny the proposed plan within the 60 days shall constitute denial of the application, unless a written extension from the applicant is granted. Decisions of the Planning Board are subject to final approval by the Village Council, and may be appealed to the Village Council, under Village policy.

(4) When dealing with the application review process, it may be desirable to request additional information in order to evaluate the project and its relationship to the surrounding area. Therefore, the Zoning Officer, and/or Planning Board may request needed additional information as they deem necessary which the applicant should furnish within fourteen (14) days of the request, or the approval process may be delayed beyond the 60 day limit.

(5) The applicant shall address requirements of the Village Zoning Ordinance in obtaining a proper zoning for a Manufactured Home Park. The Planning Board approval of a park plan shall not constitute approval of zoning district changes. These changes shall be governed under guidelines in the Village of Misenheimer Zoning Ordinance.

## **(B) Standards**

This section sets forth the standards required for all new Manufactured Home Parks and expansions of existing Manufactured Home Parks. Where the intent of the standards herein contained can be met by other means not specifically listed, the Planning Board may approve other methods and designs to solve unique problems associated with individual developments, on an individual basis. In no case may the Planning Board approve a design of less than the minimum standards herein contained.

### **(1) Occupancy**

There must be at least four (4) improved manufactured home spaces at first occupancy. No manufactured home space shall be occupied, nor may a certificate of compliance be issued unless the requirements of this Ordinance have been met. The requirement of a minimum four (4) spaces at first occupancy shall apply only to the first four (4) spaces of a new Manufactured Home Park. In all other situations a Manufactured Home Park may increase in any increments.

### **(2) Minimum Park Area**

All Manufactured Home Parks shall have a gross land area of at least ten (10) acres outside of any street right-of-way. Park additions shall have at least 10 acres in gross area (including old and new) for any expansions.

### **(3) Space Sizes and Staking**

All manufactured homes within the park shall be located in designated manufactured home spaces. Minimum space sizes shall be as follows:

(a) Where a well and septic tank are on the same space - Thirty thousand (30,000) square feet.

(b) Where one of either public or a state regulated and monitored community water service, or public or state regulated and monitored community sewer service are provided to each space, a minimum of Twenty-five thousand (25,000) square feet shall be required.

(c) Where both public or state regulated and monitored community water and sewer services are provided to each space - Twenty thousand (20,000) square feet.

(d) The above space sizes are to be deemed the minimum size requirements and may be increased by the Planning Board due to requirements for placement of well and septic tank systems (such as soil conditions and separation distances), the topography of the land or other factors. The applicant shall indicate on the application the specific number of bedrooms per manufactured home for which the septic tank system should be evaluated.

(e) Where individual septic tanks are used, each manufactured home space shall have all corners marked during the application review and construction phase of the project.

(f) Under no circumstance shall the overall density of the park exceed one manufactured home per acre.

#### (4) Availability of Land for Spaces

Each manufactured home space shall be located on ground not located within the one hundred (100) year flood plain as established by maps published by the Federal Emergency Management Agency. No manufactured home shall be placed on land having excessive slope (30 degrees) or other characteristics making the land unsuitable for placement of manufactured homes. Each manufactured home space shall be graded so as to prevent any water from ponding or accumulating on the space.

#### (5) Space Widths

Each manufactured home space shall be at least forty (40) feet in width at the interior street right-of-way line and sixty (60) feet in width at the front yard setback line.

#### (6) Orientation

Each manufactured home shall be placed on its lot so that the front entrance faces the street which serves as its physical address.

#### (7) Setbacks

Minimum separation distances between manufactured homes within a Manufactured Home Park shall be observed. In addition, setbacks of manufactured homes from property lines and publicly maintained street right-of-way lines shall also be observed as herein required.

(a) The minimum setback for any structure within a Manufactured Home Park from a publicly maintained street right-of-way line or any property line shall be seventy-five (75) feet. Where a required screen area lies between a manufactured home space and a property line or street right-of-way line, all required setbacks shall be measured from the edge of the required screen nearest the manufactured home. In addition to these requirements a fifty (50) foot

minimum front setback from any interior street right-of-way line shall be observed.

(b) All manufactured homes within a Manufactured Home Park shall be located no closer than fifty (50) feet from each other.

#### (8) Location of Accessory Structures and Common Structures

(a) Accessory structures belonging to a particular manufactured home shall be located only on the lot containing that manufactured home. All such structures shall be (1) residential in character; (2) located only in the side or rear yards; (3) no closer than (10) feet from the Manufactured home space boundary and no closer than ten (20) feet from any Manufactured home on another space within the park. However, for detached carports having a capacity not exceeding two (2) car spaces, the only requirements shall be that such structures observe the same front yard setback as required for the Manufactured home and that such structures be located no closer than ten (10) feet from any property line.

(b) Accessory structures of benefit to all residents of the Manufactured Home Park shall be permitted within the park. Said structures (i.e., community pools, laundry facilities, game rooms, club houses, etc.) shall be located at least thirty (30) feet from any interior street line and fifty (50) feet from any manufactured home located within the park. Outdoor vending machines and public phones may be located in the Manufactured Home Park. All vending machines and public phones must be located indoors or, if outdoors, under a covered surface adjacent to a common building (i.e., administrative office) or facility (i.e., community pool). Vending machines or phones of any type on individual Manufactured home spaces shall be prohibited. No retail establishments (other than customary home occupations) may be allowed within the Manufactured Home Park.

#### (9) Manufactured Home Standards

No manufactured home shall be placed in a Manufactured Home Park unless it is a Class A or Class B Manufactured Home. In addition, no Class C nor Class D Manufactured Home shall be placed within any Manufactured Home Park as of the adoption of this ordinance. This prohibition shall also apply to moving an existing Class C or Class D Manufactured Home from one location to another within Village jurisdiction.

#### (10) Stand, Underpinning and Tiedown

The location of each manufactured home stand must be at an elevation, distance and angle in relation to the adjacent access drive so that placement and removal of the manufactured home is practical by means of customary moving equipment. All

manufactured homes shall have continuous brick, cinder block, concrete block, stucco, stone, or other masonry-type underpinning, unpierced except for required ventilation and an access door. Such underpinning shall be installed under all elements of the manufactured home. Each manufactured home in the park shall conform to North Carolina Department of Insurance Standards for tie-down requirements.

#### (11) Steps and Patios

All manufactured homes within the park shall have steps that comply with the NC Building Codes. All manufactured home spaces shall contain a patio. The patio shall be constructed of four (4) inch thick concrete and shall be at least fifty (50) square feet in area and shall be located at the front entrance to each manufactured home. In lieu of a patio, a deck that is at least fifty (50) square feet may be permitted.

#### (12) Space Numbers

Each manufactured home space shall have a space number assigned by the County E-911 Department. Such space number shall use numerals at least four (4) inches in height and shall be of a color that contrasts with the background material on which it is placed. The numerals shall be placed on the side of the manufactured home which lies in closest proximity to the manufactured home space's point of ingress and egress with the interior road.

#### (13) Public Road Frontage

All Manufactured Home Parks shall abut and have at least fifty (50) feet of frontage on a road maintained by NC DOT. Alternatively, a Manufactured Home Park may be developed on a lot that was recorded at the effective date of this Ordinance which does not abut a NC DOT-maintained street, provided that the park is given access to a NC DOT-maintained street by an easement, at least fifty (50) feet in width, for the exclusive use of persons traveling to and from the Manufactured Home Park. Such easement shall be maintained in a condition passable for automobiles, service, and emergency vehicles. This easement may not be extended to provide access to any other lots not having frontage on a NC DOT-maintained street. Said easement shall be paved to a minimum width of twenty (20) feet and shall be maintained by the manufactured home park owner in the same manner as any other interior road within the Manufactured Home Park.

#### (14) Ingress and Egress

The number of points of ingress and egress onto a public road in a Manufactured Home Park shall be as follows:

<b>Number of Manufactured Home Spaces</b>	<b>Points of Ingress and Egress</b>
Less than 25	1
25 - 50	2
51-75	3
75-100	4
over 100	requires a plan pre-approved by village council

No two points of ingress and egress onto a public road shall be closer than two hundred fifty (250) feet as measured from their nearest right-of-way.

(15) Park Identification Signs

All Manufactured Home Parks shall have one ground-mounted park identification sign at each point of ingress and egress on a public road,. Such signs shall not exceed 32 square feet in sign face area nor be greater than 6 feet in height. Each Manufactured Home Park shall be named, and the name of the park shall be shown on the identification sign. The sign shall show the park name in letters at least five (5) inches in height and the address in numerals at least five (5) inches in height. All signs shall conform to the Village Sign Ordinance and the Village Outdoor Lighting Ordinance

(16) Interior Streets, Drainage, and Markings

No structure within a Manufactured Home Park shall have direct access to a public street. Access to all manufactured homes and accessory structures within the Manufactured Home Park shall be made using internal two-way streets. All internal streets within a Manufactured Home Park shall be privately owned and maintained. All such streets shall be constructed to minimum NC DOT subdivision road standards. Two-way streets shall be paved to a minimum width of twenty (20) feet located within a thirty (30) foot right-of-way. Such area shall be used for street maintenance, underground utility and drainage purposes. The developer may be required to increase the width of said area to properly accommodate the slope and natural terrain of the area. If curb and gutter is provided, a right-of-way width of less than specified above may be approved.

Permanent street names shall be assigned to all internal streets. Permanent street name signs shall also be installed at street intersections within the park. All streets shall be named and all street signs shall be in accordance with the Stanly County ROAD NAME AND ADDRESS DISPLAY ORDINANCE (adopted January 20, 1981, as amended). Upon completion of the construction site, the Planning Department will install these signs following the developer submitting any related fees for such signs as specified on the county fee schedule. It shall be the developerís responsibility to maintain these signs including the cost of replacement by the County. The developer will be responsible for advising tenants of the property address assignments for respective manufactured home spaces and instructing them

in the purpose of these addresses.

Permanent traffic control signs shall be installed within the park. Such signs shall include, as a minimum the following:

- (a) Stop sign(s) where park streets access public roads;
- (b) Four-way Stop sign(s) are required at the intersections of interior streets;

Roads in Manufactured Home Parks must be designed and graded in such a manner as to allow for the adequate runoff of storm water from interior streets and other surface areas within the Manufactured Home Park.

Speed reduction bumps on paved internal streets are permissible, but they shall be painted and appropriate signs indicating the bump must be placed along the street. All dead-end internal streets that provide access to two (2) or more manufactured home spaces shall be provided with a permanent turnaround. All such turnarounds shall have a minimum paved surface diameter of seventy (70) feet.

Streets and roads within the Manufactured Home Park shall intersect as nearly as possible at right angles, and no street shall intersect at an angle of less than seventy (70) degrees. Where streets intersect with a State maintained road, the design standards of NC DOT shall apply.

Maintenance of all internal streets, signage, and all drainage facilities shall be the responsibility of the owner of the Manufactured Home Park. Such street shall be maintained in a manner to be free from pot holes, breaks in the pavement, rough surfaces, ponding of water during rainy periods, excessive washing of drainage ditches, and other associated problems which would impede or cause hazards to motor vehicles.

Street jogs ("T" intersections with a street or road, on opposite sides of said road) of less than one hundred twenty five (125) feet within and abutting the Manufactured Home Park shall be prohibited.

#### (17) Parking

At least three (3) off-street parking spaces with not less than four (4) inches of crushed stone or other suitable material (such as concrete, asphalt paving or bituminous surface treatment (BST) paving) on a well compacted sub-base shall be provided for each manufactured home space. Required parking spaces may be located in the required front or side yards of the manufactured home space. Parking spaces shall be located outside the roadway, shoulder, or drainage ditches. One or more separate common visitor parking areas may be designated within any Manufactured Home Park. Such areas shall be separate from any manufactured home

space, roadway, drainage facility, buffer or required open space and recreation areas.

Utility lots designated for the storage of the residents' unoccupied campers or boats may be located within the Manufactured Home Park in designated areas. No vacant manufactured homes shall be stored on said lot(s). All such lots shall be screened from all manufactured home spaces within the park with a minimum buffer strip as shown in Section 1302.

#### (18) Trash Facilities

Each manufactured home lot in a shall be provided with a trash receptacle that meets the requirements of the Village of Misenheimer solid waste disposal service.

#### (19) Lighting

Manufactured Home Parks which contain over five (5) manufactured home spaces or contain more than one internal street shall contain street lights throughout the Manufactured Home Park. Such lights shall be located at all internal street intersections, at the intersection of any internal street and a public street and elsewhere in the park at a maximum of three hundred (300) feet intervals. Said lighting shall be directed so as to cast light downward and not skyward.

#### (20) Electric, Telephone and Cable Television Utilities

Each manufactured home space shall have individual electric and telephone service connections provided.

All electric, telephone, and cable television, and other utility lines shall be placed underground unless unsuitable underground conditions (i. e., rock, swamp, etc.) exist. In such cases, above-ground utility lines may be provided, upon approval of the Village of Misenheimer Village Council, or its designee.

Each manufactured home must have an individual metered connection to an electric supply and must have an approved fuse disconnect box at the metered location. All wires from the meter to the manufactured home must be buried underground cable in conformance with the North Carolina Electrical Code. Each meter box shall be properly and distinctly identified with either paint or indelible ink.

#### (21) Mailboxes

Spaces for mailboxes within the Manufactured Home Park shall be provided in accordance with United States Postal Services Standards. At least one (1) mailbox per manufactured home space shall be provided. Where twenty (20) or more mailboxes are provided in one centralized location, the owner of the Manufactured Home Park shall provide at least two (2) parking spaces in the vicinity of the mailboxes specifically designated for persons using the mailbox area.

## (22) Administrative Office

One manufactured home may be used solely as an administrative office within the park or an administrative office may be located in a manufactured home that is used as a residence by the resident manager. An administrative office is not required.

## (23) Water Service

An accessible, adequate, safe and potable supply of water shall be provided in each Manufactured Home Park and to each manufactured home therein.

Adequate water supply shall be developed and its supply used exclusively, in accordance with the standards of the State of North Carolina and the Stanly County Health Department. Any water supply must be capable of providing three hundred (300) gallons of water per day per manufactured home space.

Each space shall be provided a minimum three-fourths (3/4)-inch size water service line that complies with the NC Building Codes.

## (24) Sewage Facilities

Adequate and safe sewage disposal facilities shall be provided in all Manufactured Home Parks. Collection systems and sewage treatment plants complying with the requirements of the North Carolina Department of Health and Environment and the County Health Department shall be provided. Individual septic tank systems are permissible in accordance with the requirement of the County Health Department's Sewage Disposal Regulations. There shall be no more than one (1) manufactured home connected to an individual septic tank, unless permitted by the Stanly County Health Department.

Each manufactured home space shall be provided with at least a three (3) inch PVC or ABS, Schedule 40 or equivalent sewer riser.

The sewer riser pipe shall be located on each space so that the sewer connection is located a distance of at least one hundred (100) feet or greater from any ground water supply.

All material used for sewer connections shall be semi-rigid, corrosion resistant, nonabsorbent, and durable. The inner surface shall be smooth.

A clean-out shall be provided at each space. Surface drainage shall be diverted away from the sewer connection. The sewer connection shall extend at least four (4) inches above ground elevation.

Community sewage disposal systems (commonly referred to as package plants), as permitted by the State of North Carolina, shall be an acceptable method of disposal of residential sewage for Manufactured Home Parks within the jurisdiction of this Ordinance, provided it is not visible from homes or roadways inside or outside of the mobile home park (i.e., hidden by a tree line, hedge line or opaque fencing, or other suitable, council approved, means). The following information must be submitted when a sewage package plant is proposed.

The developer shall indicate on the plans that a sewage package plant is being proposed for the Manufactured Home Park, and show on the preliminary plan the following:

- (a) Size and location of the package treatment plant.
- (b) All proposed sewer lines, including:
  - location and line size of gravity lines
  - location and line size of force mains
  - location and size of pump stations
- (c) Location of discharge point into surface water stream.
- (d) All associated easements and rights-of-way.
- (e) A plan for required visual barrier(s)

The developer shall provide a copy of the State Permit Application to the Zoning Officer and the County Health Department at the time of application.

The developer shall submit, at the time the application for a permit is submitted to the State, the following information:

- (a) Name of owner and licensed operator of the plant and name of the licensed firm that will operate the package plant, if different from the owner.
- (b) Amount of liability insurance required for operation of the system.
- (c) Name of owner and responsible party for the package plant.
- (d) Other pertinent information.

The developer shall submit the following, upon completion:

- (a) A set of as-built plans and drawings certified by the project engineer for the package treatment plant and all sewer lines, pump stations and other devices used in the sewer system.



Open space areas are required as follows in order for parks to meet required densities:

None of the following may be counted as an open space area:

- (a) Any portion of a manufactured home space;
- (b) Any parking areas or any area used as a utility lot as set forth in Section 604.2(B)(17);
- (c) Any area designated for street purposes, except that traffic medians and islands designated as special landscape areas may be counted as open space areas; (Refer to Open Space Areas below);
- (d) Any land occupied by a building, swimming pool, tennis court or other structure;
- (e) Any minimum screen area required by Section X;
- (f) Any area designated for common trash facilities;
- (g) Drainage ditches, structures or facilities.

Open space areas may consist of one or more of the following:

- (a) Screen areas in addition to any minimum screen areas required in this ordinance;
- (b) Natural wooded areas;
- (c) Open fields or lawns that are not individual home's yards;
- (d) Community garden plots, but not garden plots belonging to individual homes;
- (e) Special landscaped areas containing plant material such as traffic islands, medians and flower gardens that are outside street right of ways;
- (f) Ponds or perennial streams (the aggregate area of which within any Manufactured Home Park may constitute up to fifty (50) percent of the required open space).

Open space areas shall be well-maintained by the park owner to prevent the overgrowth of plant material and or other conditions which could create unsafe or unhealthy conditions for park residents or adjoining property owners.

The designated open space area within a Manufactured Home Park may consist of a single area or multiple areas. Except as provided in (e) above, any required open space shall consist of a contiguous area of at least two thousand (2,000) square feet.

(28) Maintenance

The grounds of a Manufactured Home Park shall be kept free of trash, litter, debris, noxious weeds, open sewage or other unhealthy matter. Any septic tanks that fail shall be immediately repaired or replaced by the Manufactured Home Park owner. Grounds, buildings and storage areas shall be properly maintained. The Manufactured Home Park owner or operator shall take all necessary steps to prevent infestation by rodents, vermin and insects. All grounds shall have proper drainage to prevent the accumulation of water. It shall be the responsibility of the Manufactured Home Park owner or operator to maintain the Manufactured Home Park in accordance with these standards at all times.

(29) Operating Permits

When the developer has completed the construction of the entire park or any phase, he shall make application to Zoning Officer for an Operating Permit Inspection. Any variance from the approved plan shall be noted. The Zoning Officer and representatives of any consulting agencies shall make an on-site inspection to verify the proper installation of the improvements.

(a) If the construction conforms to the approved park plan, the Zoning Officer shall issue the developer an Operating Permit.

(b) If the construction does not conform to the approved plan, the Zoning Officer shall delay issuance of the Operating Permit until it comes into conformity. The Zoning Officer shall inform the developer in writing of deficiencies in the construction and advise as to actions needed to be in compliance with the approved plan.

The Operating Permit issued to the developer shall constitute authority to lease or rent spaces in the Manufactured Home Park.

When a Manufactured Home Park is to be developed in stages, the proposed park plan may be submitted for the entire development, and application for Operating Permits may be made for each stage of development upon completion.

The County Health Department, Zoning Officer, and/or other County Or Village personnel designated by the Village of Misenheimer Village Council are hereby authorized, and directed to make such inspections as are necessary to determine satisfactory compliance with this Ordinance. It shall be the duty of the owners or occupants of the Manufactured Home Park to give these agencies free access to such premises at reasonable times for the purpose of inspection.

(30) Enforcement and Appeals

(a) Enforcement of this section shall be regulated through ARTICLE IX of the Village of Misenheimer Zoning Ordinance.

(b) A decision of the Planning Board under this section may be appealed to the Village of Misenheimer Village Council.

(31) Variances

The Planning Board may grant variances only when, in its opinion, undue hardship may result from strict compliance. In granting any variance, the Planning Board shall make the findings required below, taking into account the nature of the proposed Manufactured Home Park, the existing use of land in the vicinity, the number of persons to reside in the proposed Manufactured Home Park and the probable effect of the proposed Manufactured Home Park upon traffic conditions in the vicinity. No variance shall be granted unless the Planning Board finds:

(a) That there are special circumstances or conditions affecting said property such that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of his land.

(b) That the variance is necessary for the preservation and enjoyment of a substantial property right of the petitioner.

(c) That the circumstances giving rise to the need for the variance are peculiar to the parcel and are not generally characteristic of other parcels in the jurisdiction of this ordinance.

(d) That the granting of the variance will not be detrimental to the public welfare or injurious to other property in the territory in which said property is situated.

A decision of the Planning Board under this Section may be appealed to the Village Council.

(32) Interpretation of Terms and Words; Definitions

(a) Words in the present tense include the future tense.

(b) Words used in the singular number include the plural, and words used in the plural number include the singular.

(c) The word “shall” is always mandatory and not merely directory.

(d) Any word denoting gender includes the female and the male.

(e) The term “Village Council” shall mean the “Village Council of The Village of Misenheimer, North Carolina”.

(f) The term “Planning Board” shall mean the “Planning Board of The Village of Misenheimer, North Carolina”.

(g) The term “Zoning Officer” shall mean a duly appointed representative of the Village of Misenheimer, North Carolina as designated by the Village Council.

(h) The term “NC DOT” shall mean the “North Carolina Department of Transportation”.

(i) The term “Health Department” shall mean the “Stanly County Health Department”.

(j) The Term “Street” shall mean “Road”.

(k) The term “Private Road” shall mean any right-of-way having a width of twenty (20) feet for two-way traffic or greater for purposes of motor vehicle travel which has not been accepted for maintenance or ownership purposes by a public entity.

(l) The term “Street gravel” shall mean three inches of crushed stone or other suitable material on a well compacted sub-base to a continuous width of 20 feet, exclusive of required parking spaces or drainage ditches.