

TOWN OF MONTREAT

ZONING ORDINANCE

ARTICLE IV - ESTABLISHMENT OF ZONING DISTRICTS

(Revised 6/14/01)

(Revised 9/8/05)

400 Jurisdiction. The provisions of this Ordinance shall be applicable to all property within the town limits of Montreat, North Carolina and within the Town's extraterritorial jurisdiction.

401 Establishment of Districts. For the purposes of this Ordinance, the Town of Montreat is divided into Zoning Districts as follows:

- R-1: Low Density Residential District
- R-2: Medium Density Residential District
- R-3: Low Density Residential District
- I/R: Institutional/Residential District
- I: Institutional District
- WL: Woodlands District
- RPO: Ridge Protection Overlay District
- CD: Conservation District

402 District Boundaries. The boundaries of the above Zoning Districts are hereby established as shown on the Official Zoning Map of the Town of Montreat, North Carolina, which, together with all explanatory matters thereon, is hereby adopted by reference and declared to be a part of this Ordinance.

402.1 The Official Zoning Map shall be identified by the signature of the Mayor attested by the Town Clerk, and bearing the Seal of the Town under the words: "Official Zoning Map, Town of Montreat, North Carolina," together with the date of the adoption of the Official Zoning Map.

402.2 If, in accordance with the provisions of this Ordinance and North Carolina General Statutes Sections 160A-381 through 160A-394, changes are made in District boundaries or other matters portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map by the Zoning Official within seven (7) days after the amendment has been approved by the Board of Town Commissioners.

402.3 No changes of any nature shall be made on the Official Zoning Map or any matter shown thereon except in conformity with the procedures set forth in this Ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered as a violation of this Ordinance.

- 402.4 Regardless of the existence of any purported copy of the Official Zoning Map, the Zoning Map which shall be located in the office of the Town of Montreat shall be the final authority as to the current zoning status of land, Buildings, and other Structures in the Town. The original of the Zoning Map shall be kept in the Town office.
- 403 Rules for Interpretation of Zoning District Boundaries. When uncertainty exists as to the boundaries of Districts as shown on the Official Zoning Map, the following rules shall apply:
- 403.1 Boundaries indicated as approximately following the center lines of streets, highways, alleys, or public utility easements shall be construed as following such center lines;
- 403.2 Boundaries indicated as approximately following platted lot or tract lines shall be construed as following such lines, whether public or private;
- 403.3 Boundaries indicated as approximately following the Town Limits shall be construed as following such Town Limits;
- 403.4 Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
- 403.5 Boundaries indicated as approximately following the center lines of streams, rivers, channels, lakes, or other lines shall be construed as following the center line;
- 403.6 Boundaries indicated as approximately following topographic elevations shall be construed as following such elevations;
- 403.7 Boundaries indicated as parallel to or extensions of features indicated above shall be so construed.
- 403.8 Where a District boundary appears to divide a lot, the location of such boundary, unless the same is indicated by dimensions, shall be determined by the use of the scale on the map. In the event that a District boundary line on the Zoning Map divides a platted lot held in one ownership on the date of passage of this Ordinance, the District requirements for the least restrictive portion of said lot shall be deemed to apply to the whole thereof, provided that such extensions shall not include any part of such lot more than thirty-five feet (35') beyond the District boundary line;
- 403.9 If the boundary location cannot be resolved according to any of the above criteria, the Board of Adjustment shall interpret the intent of the map as to the location of District boundaries.