

3.2.2 Setback Certification

- A. Upon submittal of a building permit application or prior to approval of a site plan or preliminary subdivision plat, the Administrator shall confirm all required setbacks and make clear note of these requirements on the application, plat or plan documents, as applicable.
- B. Foundation Survey Requirements: Foundation surveys will be required and must be submitted in ~~its~~ original form **or electronic form with electronic signature** to verify that a new structure meets the ~~set-back~~ **setback** requirements of this Ordinance prior to occupancy. A foundation survey is required when the foundation wall is completed. Foundation surveys shall be required for all principal structures and accessory structures greater than 600 square feet with the exceptions noted below. The foundation survey submission shall consist of a map prepared by a Professional Land Surveyor showing the structure, lot boundaries and distance from the structure to the lot boundaries, and be signed and sealed by the surveyor. A signed and sealed letter from a Professional Land Surveyor, identifying the property and structure and certifying that the structure meets or exceeds the setbacks for the zoning district in which it is located may be provided in lieu of a survey map.
- C. Prohibition on Inspections: No inspections shall be provided by the Pender County Building Inspector on a structure after the “foundation inspection” unless the Foundation Survey is complete. The Inspector shall place a stop work order on any construction when the foundation verification is not submitted when required and shall not provide an occupancy permit or any authorization for power connection until the required foundation survey verification is submitted and approved by the Administrator or their designated representative.
- D. Exceptions to Survey Requirements: A foundation survey will not be required in the following circumstances:
- 1) For a structure erected on a bona fide farming operation.
 - 2) For individual mobile homes located in a mobile home park.
 - 3) For structures when the approved site plan shows the setbacks to be double those required by this Ordinance **or shows front yard setbacks to be twenty (20) feet above the minimum required and side and rear yard setbacks to be ten (10) feet above the minimum required by this Ordinance.** ~~and a building inspector upon visit to the site can observe and confirm that the structure has been located as shown on the site plan. The inspector shall verify his observation by providing a signed copy of the site plan or a permit for the structure to the Administrator. Other form of certification satisfactory to the Building Inspections Director and Administrator may be provided.~~
 - 4) ~~For structures when the conditions noted below are met and a building inspector upon visit to the site can observe and confirm that the structure has been located as shown on the site plan. The inspector shall verify his observation by providing a signed copy of the site plan or a permit for the structure to the Administrator. Other form of certification satisfactory to the Building Inspections Director and Administrator may be provided. The following conditions must be met for this exception to apply:~~

- a) ~~Site plan approved by Administrator and Environmental Health shows front yard setbacks to be 20 feet above minimum required and side and rear yard setbacks to be 10 feet above minimum required and is available at site.~~
- b) ~~A survey map of the site showing the property corners is available at the site.~~
- c) ~~The permanent property corners are clearly marked and flagged.~~
- d) ~~The owner or his representative is available at the site to provide measurements if necessary to confirm structure location.~~