

**Attachment "A"**

**A RESOLUTION CALLING A PUBLIC HEARING ON LAND USE ORDINANCE  
TEXT AMENDMENTS TO REVISING THE LIMITATIONS ON RESIDENTIAL  
UNIT ADDITIONS AND REPLACEMENTS**

**Resolution No. 30/2005-06**

WHEREAS, the Carrboro Board of Aldermen seeks to provide ample opportunities for the public to consider modifications to existing policies and regulations; and

NOW, THEREFORE BE IT RESOLVED that the Board of Aldermen calls a public hearing on November 22, 2005 to consider adopting "An Ordinance Amending the Carrboro Land Use Ordinance to Revise Limitations on Residential Unit Additions and Replacements."

BE IT FURTHER RESOLVED that the draft ordinance is referred to Orange County for review per the Joint Planning Agreement and to the Town of Carrboro Planning Board for its recommendations.

# **TOWN OF CARRBORO**

## **LAND USE ORDINANCE AMENDMENT REQUEST**



**To the Board of Aldermen, the Planning Board, and the Appearance Commission, as appropriate, of the Town of Carrboro:**

**I (we), the undersigned do hereby respectfully make application and petition the Board of Aldermen to amend the Land Use Ordinance. In support of this application, the following facts are shown:**

- 1) The Land Use Ordinance, at present, would allow (description/quote, page and number of section in question):**

**Section 15-147 Use of the Designations Z,S,C in Table of Permissible Uses. (AMENDED 11/18/03; 6/22/04) ...**

- (i) (h) Whenever any 1.000 classification use is proposed for a lot in the R-2, R-3, R-7.5, and R-10 zoning districts and such use would otherwise require the issuance of a zoning permit under the provisions of this section, a special use permit shall nevertheless be required if:
  - a. (1) The use involves (i) construction of an addition to an existing dwelling, or (ii) construction of an additional dwelling on a lot where at least one dwelling already exists, or (iii) construction of a dwelling on a lot from which a previously existing dwelling has been removed within a period of three years prior to the application for a permit under this chapter, and
  - b. (2) The gross floor area of any one dwelling unit exceeds 3,500 square feet, or the gross floor area of all dwellings covered by the proposed permit exceeds 5,500 square feet.
  - c. (3) This requirement shall not apply if at least one of the dwelling units is an affordable housing unit as defined in Section 15-182.4(a).

**2) The proposed amendment to the Land Use Ordinance would allow (describe briefly intended change):**

Our goal would be to amend the current ordinance to allow renovations to existing structures to take into consideration the size of the lot in relation to the gross floor area of the buildings on the property.

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**3) State the reasons for the proposed amendment:**

We are currently undertaking the renovation of the Watters Road property commonly known in the past as the “Kuralt house.” For background, this is a unique historical house located on a 1.292 acre lot and aptly described in the Carrboro Architectural & Historical Inventory as a “mélange of forms and materials.” The gsa is approx. 3,300 sf, , with only slightly over 2,400 of that being heated (example- there is a nearly 300 square ft. unheated log-frame room with barn doors to the outside).

The age and “mélange” floor plan has made goals such as creating a kitchen large enough to accommodate modern appliances, adding a small laundry room and a screened porch, require additions to the gross floor area. This list of renovations, which we feel are certainly not out of line with the basic desires of a three-bedroom family home, has unfortunately placed the project approximately 500 sq. ft. over the 3,500 sq. ft. limit outlined in section 15-147 of the land use ordinance.

While we whole heartedly agree with the community’s goals of protecting the city from “monster house syndrome,” we feel that this project has been unfairly caught in the net and does not reflect the sort of building the ordinance is intended to control.

Given the likelihood that such questions regarding older homes on larger lots like ours (again, our lot is 1.292 acres) will come up in the future, we’re hoping to find a way of adding language to the existing ordinance that will preserve the good intentions of the code while not thwarting the good intentions of home owners seeking to undertake reasonable renovation goals.

Toward this goal we have attached two attempts at revised language that might be used as a

starting place to create a text amendment that will work more as the original ordinance intended. Please know that we don't intend either text amendment option we are presenting as anything but a first draft from which to discuss possible flaws and needed revisions.

Thank you for your consideration in this matter. Very Sincerely, Kirk Streb

SIGNATURE:

[Signature]  
applicant

KIRK STREB  
{print}

ADDRESS:

110 WATTERS ROAD  
CARRBORO, NC 27510

TELEPHONE NUMBER:

621-4119

### Large lot option

Section 15-147(h)(3) is hereby amended to read as follows (text to be added / ~~text to be deleted~~):

- (3) This requirement shall not apply if at least one of the dwelling units is an affordable housing unit as defined in the Section 165-182.4(a). Additionally, the special use permit requirement shall not apply if both of the following conditions exist:
- (i) the gross floor area of the principal dwelling (after any building addition) does not exceed 15% of the area of the subject lot; and
  - (ii) the gross floor area of all dwelling units (after any building additions) does not exceed 20% of the area of the subject lot.

### Floor area ratio (FAR) option

Section 15-147(h)(2) is hereby amended to read as follows (text to be added / ~~text to be deleted~~):

- (2) The gross floor area of any one dwelling unit exceeds ~~3,500 square feet~~ 35% of the area of the subject lot, or the gross floor area of all dwellings covered by the proposed permit exceeds ~~5,500 square feet~~ 40% of the area of the subject lot."

**\*\*DRAFT 10-11-05\*\***

AN ORDINANCE AMENDING THE CARRBORO LAND USE ORDINANCE TO  
REVISE LIMITATIONS ON RESIDENTIAL UNIT ADDITIONS AND  
REPLACEMENTS

THE BOARD OF ALDERMEN OF THE TOWN OF CARRBORO HEREBY  
ORDAINS:

Section 1. Subsection 15-147 (h) of the Carrboro Land Use Ordinance is amended by adding thereto a new subsection (4) that reads as follows

- (4) This requirement shall not apply with respect to a proposed addition to a dwelling that has been in existence for a period of at least twenty years if such addition results in less than a 25 percent increase in the gross floor area of such dwelling and less than a 15 percent increase in the gross floor area of all dwellings covered by the proposed permit.

Section 2. All provisions of any town ordinance in conflict with this ordinance are repealed.

Section 3. This ordinance shall become effective upon adoption.