

BOARD OF ALDERMEN

ITEM NO.(3)

AGENDA ITEM ABSTRACT

MEETING DATE: Tuesday, November 23, 2010

TITLE: Continuation of Public Hearing to consider LUO Text Amendment Related to Flag Lots and Minimum Lot Widths.

DEPARTMENT: PLANNING	PUBLIC HEARING: YES <u>X</u> NO <u> </u>
ATTACHMENTS: A. Resolutions finding consistency / not finding consistency B. Draft ordinance C. Staff memo D. Excerpt of minutes, October 26, 2010	FOR INFORMATION CONTACT: Marty Roupe – 918-7333 Patricia McGuire – 918-7327 Mike Brough – 929-3905

PURPOSE

On October 26th, the public hearing on this matter was further continued to the current meeting date so that additional information could be presented and input received. The draft ordinance has been revised, per the Board's request and, along with a resolution finding consistency with adopted town policies, is recommended for adoption.

INFORMATION

Staff provided background information and illustrations of developments that inspired the preparation of the draft ordinance. The Board of Aldermen discussed the draft ordinance and received comments from one citizen. Ken Gorfkle requested that the Board of Aldermen grant some relief for him as he has a pending subdivision of property before the town; the additional delay associated with flag lots going before the Board of Adjustment has the potential of harming the sale of one of the lots he hopes to create. The Board of Aldermen continued the public hearing to November 23 and directed that the following actions occur: (staff response follows in *italicized text*):

1. Flip section 15-175.10 (a) and 15-175.10 (b): *This has been done (Attachment B). The draft ordinance has also been revised to include the change staff reported on October 26th. Namely, that Section 15-147(c) state that the threshold for review by the Board of Adjustment shall be "twelve or fewer" rather than "fewer than twelve" lots.*
2. Contact Non-profit/affordable housing developers for feedback on amendment. *See staff memo.*
3. Finish subdivision request for Mr. Gorfkle before 11/23/10 meeting. *Staff has reviewed Mr. Gorfkle's plat and provided comments. As it turns out, his request involves a further subdivision of land that had already been both recombined with neighboring properties and exempt subdivided into three separate lots. After careful analysis of the request, staff has determined that further subdivision of the subject property does not qualify as an exempt subdivision. The plat submitted would create three lots from one of the lots that had been*

previously created by exempt subdivision at 427 South Greensboro Street. Therefore, the subdivision plat cannot be approved as submitted, regardless of the Board of Aldermen's action on the currently proposed text amendment. Staff continues to work with Mr. Gorfkle to identify options to create a lot around the existing home at 427 South Greensboro Street through either the Minor Subdivision process or through a recombination of the three lots previously created by exempt subdivision plat at 427 South Greensboro Street

4. Prepare agenda item for 11/23/10 meeting and provide Board with information on special use (or conditional use) permit review process for subdivisions with flag lots. *The attached staff memo describes the process, time frame, and cost staff anticipates such subdivisions would involve (Attachment C).*

Materials from previous agenda items have not been attached. Background information related to the draft ordinance may be found the following URLs:

http://www.townofcarrboro.org/BoA/Agendas/2010/05_18_2010.htm (Item C. 4)

http://www.townofcarrboro.org/BoA/Agendas/2010/06_22_2010.htm (Item C.3)

http://www.townofcarrboro.org/BoA/Agendas/2010/09_21_2010.htm (Item C.5)

http://www.townofcarrboro.org/BoA/Agendas/2010/10_26_2010.htm (Item B.3)

Additionally, an excerpt from the October 26, 2010 minutes is included as *Attachment D*.

FISCAL AND STAFF IMPACT

No particular fiscal or staff impact is expected from these changes. A fee for this type of subdivision review is noted in *Attachment C*.

STAFF RECOMMENDATION

The staff recommends that the Board of Aldermen consider adopting the attached resolution finding consistency of the ordinance provisions and the draft ordinance itself (*Attachments A and B*).