



**Town of Laurel Park  
Planning Board**

**Date of Meeting:** December 10, 2024

**Time of Meeting:** 3:00 pm

**Location:** Town Hall, 441 White Pine Drive, Laurel Park NC 28739

1. Call to Order
2. Approval of the Agenda
3. Approval of the Minutes
  - a. November 12, 2024
4. New Business
  - a. Text Amendment for restoration of nonconforming structures
  - b. 2025 Calendar Approval
5. Adjourn



TOWN OF LAUREL PARK  
**AGENDA ITEM SUMMARY**

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**Title of Item:** Text Amendment for restoration of nonconforming structures

**Presenter:** Cara R. Reeves- Zoning Administrator

**Attachment(s):** Yes/No

**Summary of Item:**

Staff have received multiple Zoning Permit Applications to rebuild nonconforming structures destroyed during Hurricane Helene. Existing language only allows “Restoration” for manufactured or mobile homes. Proposed language will allow any single-family dwelling to rebuild in the existing footprint. The minimum lot area and minimum lot width are already exempted to allow single-family detached dwellings (see UDO 5.4.2.B attached).

The text amendment proposes changes to UDO sections 5.3.4: Restoration and 5.4.2.B Single lot of record in a residential district follows:

**5.3.4: RESTORATION**

If a nonconforming structure ~~other than a manufactured or mobile home~~ is damaged or destroyed by any means to an extent of 75 percent or more of its replacement cost or size, it may only be reconstructed in accordance with the requirements of this Ordinance. Nothing herein shall prevent the reconstruction of a nonconforming single-family dwelling that was destroyed by fire or natural disaster provided such reconstruction does not extend, expand, enlarge, or alter the use in any way that increases the degree of nonconformity.

**5.4.2.B: SINGLE LOT OF RECORD IN A RESIDENTIAL DISTRICT**

When development is proposed on a lot in a residential zoning district that has an area or width which does not conform to the dimensional requirements of the district where it is located, but was lawfully established on or before *August 18, 2021*, a single-family detached dwelling may be built on the lot, ~~subject to compliance with applicable setbacks. Approval of an administrative adjustment (see Section 6.3.2: Administrative Adjustment) or a variance (see Section 6.3.20: Variance) is required in cases when the proposed development cannot meet the setback requirements for the district where located.~~

**Suggested Action:** NC General Statute 160D-604 (c) requires all proposed amendments to zoning regulations to be reviewed and commented on by the Planning Board. Therefore, Staff requests Planning Board review and comment.

**Suggested Motion:** Motion to approve, approve as amended, or deny the UDO nonconforming structures restoration text amendment.

## CHAPTER 5: NONCONFORMITIES

### SECTION 5.3: NONCONFORMING STRUCTURES

#### 5.3.1: APPLICABILITY

Nonconforming principal and accessory structures shall be subject to the standards in this section.

#### 5.3.2: CONTINUATION AND REPLACEMENT

##### A: CONTINUATION

A nonconforming structure may be continued in accordance with Section 5.1.3: Continuation, Minor Repairs, and Maintenance Allowed.

##### B: REPLACEMENT

- 1: Except in accordance with Section 5.3.4: Restoration, a nonconforming structure may be replaced provided the nonconformity is not extended, expanded, enlarged, or the use is altered in any way that increases the degree of nonconformity.
- 2: Nonconforming manufactured or mobile homes may only be replaced in accordance with the standards in Section 5.2.3:B: Manufactured or Mobile Homes.
- 3: Nothing shall limit activities that increase habitable space of a nonconforming residential structure to a height above the regulatory flood elevation.

##### C: RELOCATION

A nonconforming structure shall not be moved, in whole or in part, to another location on the parcel of land on which it is located, unless the relocation removes or reduces the nonconformity.

#### 5.3.3: ALTERATION AND EXPANSION

- A: No nonconforming structure may be altered in any way which increases the nonconformity; however, any nonconforming structure or portion thereof may be altered to decrease the degree of nonconformity.
- B: Nothing shall limit the elevation of a structure as necessary to ensure habitable floor area is outside the regulatory flood elevation.

#### 5.3.4: RESTORATION

If a nonconforming structure other than a manufactured or mobile home is damaged or destroyed by any means to an extent of 75 percent or more of its replacement cost or size, it may only be reconstructed in accordance with the requirements of this Ordinance.

## **5.4: NONCONFORMING LOTS OF RECORD**

### **5.4.1: APPLICABILITY**

Lawfully established nonconforming lots of record may be developed in accordance with the standards in this section.

### **5.4.2: NONCONFORMING LOT WIDTH OR AREA**

#### **B: LOTS WITH CONTIGUOUS FRONTAGE IN ONE OWNERSHIP**

When two or more adjoining lots with contiguous frontage are under common ownership and one or more of the lots are nonconforming in terms of width or area, such lots shall be combined prior to filing a development application to create one or more lots, each of which conforms to the applicable dimensional requirements of the district prior to the commencement of development.

#### **C: SINGLE LOT OF RECORD IN A RESIDENTIAL DISTRICT**

When development is proposed on a lot in a residential zoning district that has an area or width which does not conform to the dimensional requirements of the district where it is located, but was lawfully established on or before *August 18, 2021*, a single-family detached dwelling may be built on the lot, subject to compliance with applicable setbacks. Approval of an administrative adjustment (see Section 6.3.2: Administrative Adjustment) or a variance (see Section 6.3.20: Variance) is required in cases when the proposed development cannot meet the setback requirements for the district where located.

#### **D: SINGLE LOT OF RECORD IN A NON-RESIDENTIAL DISTRICT**

When development is proposed on a lot in a non-residential district that has an area or width which does not conform to the dimensional requirements of the district where it is located but was lawfully established on or before August 18, 2021, the development may be permitted, subject to compliance with all required dimensional, development, design, and use-specific standards.

#### **E: ADDITION OF LAND ENCOURAGED**

Landowners seeking to develop a nonconforming lot of record are strongly encouraged to investigate if adjacent landowners will consider transferring land to the nonconforming lot in order to reduce or remove the nonconforming situation.

### **5.4.3: NONCONFORMITY AFFECTS REQUIRED SETBACKS**

In cases where the size or shape of a nonconforming lot inhibits the ability of a use to comply with required setbacks, an applicant may apply to reduce the setback requirements by the minimum amount necessary in accordance with the standards and requirements in Section 6.3.2: Administrative Adjustment.

### **5.4.4: EXPANSION OR ENLARGEMENT**

The boundaries, shape, or size of a nonconforming lot may be modified through a lot line adjustment, boundary adjustment, recombination, or consolidation, provided it reduces the extent of the nonconformity.

**DRAFT 2025**  
**Town of Laurel Park**  
**Regularly Scheduled Meetings**

	Council Regular Meeting	Council Work Session	Invasives Species Committee	Parks & Greenways	Planning Board	Board of Adjustment	Bee Committee	Steering Committee	Centennial Committee	Bicycle Advisory Committee	Parks & Greenways Site Meeting
	9:30 a.m.	9:30 a.m.	10:00 a.m.	9:30 a.m.	3:00 p.m.	4:00 p.m.	4:30 p.m.		11:30 a.m.	3:00 p.m.	4:00 p.m.
	3 <sup>rd</sup> Tuesday of each month	Thursday prior to the Regular Meeting	1st Wednesday of every other month	2 <sup>nd</sup> Tuesday of each month	2 <sup>nd</sup> Tuesday of each month	Thursday prior to the Town Council Regular Meeting, every other month	3rd Tuesday of each month		Monday prior to the Town Council Work Session	Monday prior to the Parks and Greenways Meeting, every other month	4th Thursday of each month
<b>January</b>	21	16	8*	14	14	16	21		13		23
<b>February</b>	18	13		11	11		18		10	10	27
<b>March</b>	18	13	5	11	11	13	18		10		27
<b>April</b>	15	10		8	8		15		7	7	24
<b>May</b>	20	15	7	13	13	15	20		12		22
<b>June</b>	17	12		10	10		17		9	9	26
<b>July</b>	15	10	2	8	8	10	15		7		24
<b>August</b>	19	14		12	12		19		11	11	28
<b>September</b>	16	11	3	9	9	11	16		8		25
<b>October</b>	21	16		14	14		21		13	13	23
<b>November</b>	18	13	5	cancelled	cancelled	13	18		10		cancelled
<b>December</b>	16	11		9	9		16		8	8	cancelled

\* Date changed due to holiday

Town Hall & Public Works Are Closed in Observance of the Following:			
Holiday	Date	Day of the Week	
New Year's Day	January 1, 2025	Wednesday	
Birthday of Martin Luther King, Jr.	January 20, 2025	Monday	
Presidents' Day	February 17, 2025	Monday	
Good Friday	April 18, 2025	Friday	
Memorial Day	May 26, 2025	Monday	
Juneteenth	June 19, 2025	Thursday	
Independence Day	July 4, 2025	Friday	
Labor Day	September 1, 2025	Monday	
Veteran's Day (observed)	November 11, 2025	Tuesday	
Thanksgiving Day	November 27, 2025	Thursday	
Day After Thanksgiving	November 28, 2025	Friday	
Christmas Eve	December 24, 2025	Wednesday	
Christmas Day	December 25, 2025	Thursday	
Christmas Holiday	December 26, 2025	Friday	