

**Town of Siler City Planning Board  
December 12, 2011 Meeting Minutes**

The Siler City Planning Board met on Monday, December 12, 2011 at 7:25 p.m. Chair Harold Hart called the meeting to order. Mr. Hart asked for a motion to approve the minutes of November 14, 2011. *Motion by JP Joyner, seconded by Wallace Matthews, followed by unanimous consent.*

**MEMBERS PRESENT:** Mary B. Harris, Harold Hart (Chair), Dacia Hayes, JP Joyner, Wallace Matthews, Dan McMasters, and Mickey Pore (Vice Chair)

**MEMBERS ABSENT:** Curtis Brown and Patty Poe

**STAFF PRESENT:** Joel J. Brower (Town Manager), Jack Meadows (Planning Director), William C. Morgan (Town Attorney), and Dee Lee Thompkins (Administrative Support Specialist)

**UDO TEXT AMENDMENT – EXTENDING AND ENLARGING NON-CONFORMING SITUATIONS:** Mr. Meadows reported that at the Planning Board meeting on November 14, 2011, Town staff shared some concerns from property owners and contractors regarding additions to nonconforming buildings. The Town's current ordinance requires that all additions must meet required building setbacks. After some discussion, the Planning Board unanimously directed Town staff to draft text amendments to allow additions to nonconforming buildings (with respect to building setbacks) if the addition does not intrude into the setback any closer than the existing building.

Mr. Meadows received information from 21 communities regarding the nonconforming situation. Sixteen communities (Asheboro, Asheville, Beech Mountain, Camden County, Franklin, Granville County, Greenville, Havelock, Hillsborough, Kitty Hawk, Maiden, New Hanover County, Pittsboro, Raeford, Sanford, and Shallotte) have the same ordinance/interpretation as Siler City. Three communities (Pender County, Pinehurst and Stanley County) allow the addition by ordinance/interpretation only for nonconforming single family structures, Gaston County allows with a special exception permit, and Apex allows both residential and non-residential structures.

Mr. Meadows reviewed two illustrations that were in the agenda packet. Mr. Meadows stated that the draft amendment would focus on single family homes that were built before our ordinance was adopted which was on August 1, 1993. Mr. Meadows reviewed the following draft amendment to § 114 (e): Existing single-family dwellings with setbacks which were made nonconforming by the adoption of this Ordinance on August 1, 1993 are exempt from the requirements of this section if: (1) The proposed addition or alteration will either meet the current setback requirements or will not further encroach into any required setback than the existing structure. (2) The expansion into a required yard setback does not more than double the area of encroachment already existing within that required yard setback. (3) Any addition or alteration that encroaches into any setback shall not exceed the height of the existing structure. (4) Nonconforming structures housing nonconforming uses shall not be enlarged or expanded in any way. (5) This shall not apply to enclosing existing nonconforming decks and patios if the deck or patio is the furthest projection into the setback. (6) Such encroachment shall meet the North Carolina Building Code.

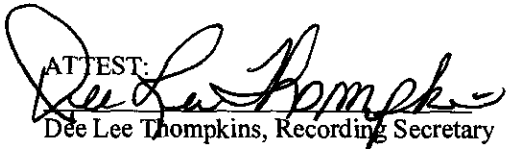
**Discussion:** Dan McMasters asked why this amendment came about. Mr. Meadows explained that he had received concerns from property owners and mostly recently a request from a contractor. Mr. Hart asked for a motion to initiate the draft text amendment to the UDO. *Motion was made by JP Joyner, seconded by Wallace Matthews, followed by unanimous consent.*

**COMPREHENSIVE TRANPORATION PLAN (CTP):** Mr. Meadows reported that there was an email from Brendan Merithew (NCDOT Transportation Planning Branch) in their agenda packet stating there was no new business to report.

**PLANNING ACTIVITY UPDATE:** Mr. Meadows reviewed the planning activity update memo.

**ADJOURNMENT:** With no further business, Mr. Hart asked for a motion to adjourn. *Motion by JP Joyner, seconded by Mary Harris, followed by unanimous consent. Adjourned at 7:50 p.m.*

ATTEST:

  
Dee Lee Thompkins, Recording Secretary

  
Harold Hart, Chair