



AGENDA ITEM COVERSHEET

PREPARED BY: Jeremy Hardison, Community Development Director

DEPARTMENT: Community Development

MEETING: Town Council – October 28, 2025

SUBJECT: **Text Amendment** discussion to amend side setback exceptions.
Applicant: Town of Carolina Beach

BACKGROUND:

On March 17, 2025, the Board of Adjustment heard a variance request for reduced setbacks on an existing nonconforming lot with an existing structure. The variance was granted for reduced setbacks on all sides of the structure. On May 22, 2025, a similar variance request was heard by the Board of Adjustment for reduced setbacks and was denied by the Board. Both requests also included exceeding maximum coverage and impervious surface coverage.

One of the goals of the UDO updates that Planning and Zoning wanted to make after adoption included looking at setback exceptions for smaller lots. Staff has compiled a list of the number of lots that would benefit from the setback exception. The minimum lot width for most of the zoning districts in the Town is 50 feet. 72 lots are below the 50-foot minimum requirement.

Road Frontage Width	Number of Lots
30 feet or less	26
31 to 40 feet	29
41 feet or greater	17

The proposed ordinance was written to allow for a reduction of the side setback to be no less than 5 feet when the width of the lot is less than 30 feet. Roof overhangs shall be the only encroachment permitted in the 5-foot setback area with a maximum encroachment of 1.5 feet. All other encroachments (HVAC, utility stairs, cantilevers, outdoor showers, etc.) would have to be in the rear or front setback area.

The proposed ordinance was reviewed at TRC in October. Fire is not in favor of reducing the setbacks no matter the width of the lot due to safety concerns. Smaller setbacks increase the difficulty of servicing a 3-story building with a ladder if the setback is less than 7.5' wide. Most of the lots with smaller road frontage are in a flood zone and would have to have the first floor of living space elevated to meet flood requirements.

ACTION REQUESTED:

Give staff direction to bring back an ordinance for consideration at the November 13th Planning and Zoning meeting.