

PROPOSED AMENDMENT TO
SECTION 15-163 SINGLE FAMILY ATTACHED RESIDENTIAL DWELLINGS

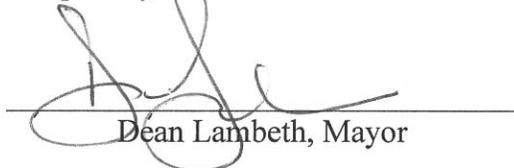
The following regulations shall apply to residential single-family attached dwellings:

- (1) Purpose: To provide for residential single-family attached developments in the Town of Kure Beach by Declaration of Covenants and recorded plat(s) following approval by all applicable departments of the said Town, and to provide for conversion of certain other types of residential dwelling units to residential single-family attached units.
- (2) Definitions:
 - a. Single-family attached development: Two to four single-family dwelling units constructed in a series or group of attached units with property lines on the ground separating such units from other units and from common area. No unit shall be connected on more than two (2) sides by common walls with other units.
 - b. Residential single family attached dwelling: A dwelling unit designed for use by a single-family. Units previously platted and approved as townhouses or condominiums may be converted to residential single-family attached units.
 - c. Vertically bounded units: Condominium units bounded by solely vertical boundaries; "side-by-side" units.
- (3) Acreage requirement: None.
- (4) Minimum setback requirements: Those setbacks applicable to Residential Planned Unit developments as provided for in Article 15 of these ordinances.
- (5) Establishment of lots within Single Family Attached developments:
 - a. Vertically bounded units: Lot size is determined by the structure foundation, in that the lot may not exceed the perimeter of the structure foundation, and the lot shall be located immediately beneath such foundation.
- (6) Applicable building code: All building codes applicable to the construction of residential townhouses shall be applicable to single-family attached dwellings. Conversion of any other type unit, such as previously constructed townhouses or condominiums, to single family attached units requires the applicable departments of the Town be provided adequate evidence that the unit was built to the building code applicable at the time of construction for construction of townhouses to include an engineer approved drawing, and if no such applicable code existed at the time of construction, the unit was built to the building code applicable at the current time for construction of townhouses. In no event may less that all of the units in a development be converted.
- (7) Conversion of vertically bounded condominium units to single-family attached units: A plat, or plats, conforming to the requirements of Article IV, Chapter 15, must be reviewed and approved as required by Article III, Chapter

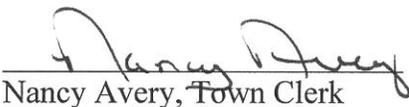
15 of these ordinances. Said duly approved plat(s) shall be recorded in the New Hanover County Registry prior to any conversion becoming effective. Prior to such recordation, the condominium regime shall be dissolved in accord with the provisions of North Carolina General Statutes Chapter 47C-2-118 or Chapter 47A-16, as applicable.

- (8) Conversion of townhouse units to single-family attached units: Townhouses conforming with the provisions of this ordinance and those for townhouse construction are deemed to be single-family attached units.
- (9) Miscellaneous applicable ordinances, codes and regulations: In the absence of other clearly applicable ordinances, codes and regulations, those ordinances, codes and regulations applicable to platting and construction of townhouses shall apply. In the absence of ordinances, codes and regulations applicable to townhouses, the ordinances, codes and regulations applicable to platting and construction of planned unit developments shall apply.
- (10) Additional allowed Housing Type: Housing unit types allowed by the Kure Beach ordinances shall include single-family attached dwellings, a/k/a single-family attached units.
- (11) The approval of the conversion of condominium units to single family attached units under this section is conditional, subject to the filing of an attorney prepared certificate and the aforementioned engineer approved drawing that specifies that the new HOA for the single family attached complex is similar to the previous condominium HOA.

Adopted by vote of Council 8/17/10


Dean Lambeth, Mayor



ATTEST: 
Nancy Avery, Town Clerk