

**PROPOSED TEXT AMENDMENTS TO KBC CHAPTER 15 FOR  
MODIFICATION TO REQUIRED LOT AREA AND REQUIRED YARDS/SETBACKS**

*(PZC Review and Report)*

[amendatory text is set forth in red]

**15.10 RA-1 RESIDENTIAL DISTRICT**

15.10.010 Purpose

15.10.020 Permitted Uses

15.10.030 Dimensional Requirements

15.10.040 ~~Reserved Modification To Required Lot Area And Required Yards/Setbacks~~

15.10.050 Parking Requirements

15.10.060 Signs

**15.10.040 Modification To Required Lot Area And Required Yards/Setbacks**

A dwelling may be erected on a lot or plot having less than the minimum area and width in KBC 15.10.030, provided the same existed under one (1) ownership, to include heirs at law or legislators, by virtue of a recorded plat or deed recorded in the office of the register of deeds of New Hanover County prior to the original passage of this requirement. The following modification to required lot area and required yards/setbacks shall apply in this case:

A. ~~Required lot area shall be five thousand (5,000) square feet.~~

B. ~~No modification shall be allowed in front yards/setbacks.~~

C. ~~Side yards/setbacks shall not be reduced to less than five (5) feet on each side and the total width of the two (2) side yards/setbacks shall not be less than ten (10) feet.~~

D. ~~Rear yards/setbacks shall not be reduced to less than ten (10) feet.~~

E. ~~Corner lot side yard/setback shall not be allowed to reduce the buildable width of the main building to less than twenty (20) feet.~~

~~(Ord. of 2-20-18)~~

**15.10.040 Reserved**

**15.20 RA-3 RESIDENTIAL DISTRICT**

15.20.010 Purpose

15.20.020 Permitted Uses

15.20.030 Dimensional Requirements

15.20.040 ~~Reserved Modification To Required Lot Area And Required Yards/Setbacks~~

15.20.050 Parking Requirements

15.20.060 Signs

#### **15.20.040 Modification To Required Lot Area And Required Yards/Setbacks**

The following requirements are for lots having less than the required minimum area:

~~A. A dwelling may be erected on a lot or plot having less than the required minimum area and width provided the same existed under one (1) ownership, this to include heirs at law or legators, by virtue of a recorded plot or deed recorded in the office of the register of deeds of New Hanover County prior to the original passage of this requirement.~~

~~B. The following modification to required yards/setbacks shall apply in this case:~~

~~1. Front yards/setbacks shall not be modified.~~

~~2. The required side yard/setback on every lot having less than thirty eight (38) feet frontage may be reduced by one half foot for each foot said lot is less than forty (40) feet in width, provided further, however, that no side yard/setback in this case shall be less than three (3) feet in width.~~

~~3. The side yard/setback on the street side of a reversed corner lot shall have a width not less than fifty (50) percent of the front yard/setback required on lots in the rear of such a reversed corner lot. The modifications provided for in this subparagraph shall not have the effect of reducing the buildable width of the main building, to less than twenty six (26) feet or for accessory buildings to less than twenty (20) feet on any lot of record at the time of the adoption of this modification in January, 1961.~~

~~(Ord. of 2-20-18)~~

#### **15.20.040 Reserved**

### **15.38 NONCONFORMING USES**

#### **15.38.010 Nonconforming Situation**

#### **15.38.020 Continuance Of Nonconforming Situation**

#### **15.38.030 Modification To Required Lot Area and Required Yards/Setbacks**

#### **15.38.030 Modification To Required Lot Area And Required Yards/Setbacks**

The following requirements are for lots having less than the required minimum area located in the Residential Districts only (RA-1, RA-1A, RA-2, RA-2A, RA-2T, RA-3, RA-3A, RA-4):

A. A dwelling may be erected on a lot or plot having less than the required minimum area and width.

B. The following modification to required yards/setbacks shall apply in this case:

1. Front yards/setbacks shall not be modified.

2. Rear yards/setbacks shall not be modified.

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3. The required side yard/setback on every lot having less than forty (40) feet Lot Width may be reduced by one half foot for each foot said lot is less than forty (40) feet in width, provided further, however, that no side yard/setback in this case shall be less than three (3) feet in width.