



Legislation Text

File #: 20-236, **Version:** 1

TITLE:

Review of the Lloyd Broad Neighborhood Overlay District Provisions

PURPOSE: Town Council is asked to review information about how the overlay district provisions have been working.

DEPARTMENT: Planning Department

CONTACT INFORMATION: Marty Roupe, Development Review Administrator, 919-918-7333 or mroupe@townofcarrboro.org <<mailto:mroupe@townofcarrboro.org>>; Walter Horton, Police Chief, 919-918-9397 or whorton@townofcarrboro.org <<mailto:whorton@townofcarrboro.org>>

INFORMATION: When the Lloyd Broad Neighborhood Overlay District land use ordinance provisions were adopted in June 2018, Town Council requested that a follow up report be provided regarding how they were working. This agenda item contains information about development activity and any known complaints regarding land use or other issues in the neighborhood since that time.

Development Activity:

Development and building related activity has been fairly limited since adoption of the ordinance in June 2018. The Zoning Division processed and the Board of Adjustment approved a Variance application involving an encroachment into a stream buffer for the property owner at 406 Broad Street in September 2018 for an addition to the existing home. The addition maximized but did not exceed the permissible size for an addition under the new ordinance, allowing the home to increase from approximately 1,240 sf to 2,000 sf. The property owner had to obtain and file a recombination plat with a neighbor before building the addition, so the addition hasn't actually been constructed yet. The plat has recently been recorded, so construction likely will begin soon.

A zoning permit application was also approved on January 15, 2019 for a home addition at 208 Broad Street. After the addition, the home will be 1,948 sf, thereby almost maximizing the permissible size. This work has been completed.

Lastly, a zoning permit was approved on June 25, 2019 at 217 Broad Street to allow for the addition of a 12' X 12' rear deck. The Zoning Division has not received any additional inquiries or land use permit applications since adoption of the provisions. This work has been completed as well.

Complaints and Miscellaneous Issues:

Mr. Billy Jackson, owner of 302 Lloyd Street, recently submitted an email regarding use of property and other matters at 308 Lloyd Street. Another email was sent by Mr. Jackson one week later regarding additional issues at the same property. Information related to Mr. Jackson's messages is provided below:

- Ms. Showchien Hsieh, owner of 308 Lloyd Street, stated to staff that she lived in the house until earlier this Spring, at which point she moved and listed it on AirBnB;
- Ms. Hsieh stated to staff that she rented the property on two occasions through the service, and that she did not / does not know how many people were present during either rental period;
- Staff reviewed the applicable Land Use Ordinance provisions and made clear to Ms. Hsieh that short term rentals require a Special Use Permit for what our LUO calls a Tourist Home and that she will need to obtain the permit if additional short term rentals are desired;
- Ms. Hsieh replied by stating that she has now removed the property from AirBnB and has established a long term, one year, lease beginning June 1, 2020;
- About the long term lease, staff also reviewed the applicable Land Use Ordinance regulations and discussed the lease situation with Ms. Hsieh. It is staff's understanding that the completed lease agreement includes four unrelated signatories. Staff further understands from Ms. Hsieh that additional family members to the signatories may reside there as well. Staff is now advising Ms. Hsieh regarding what occupancy will comply with the ordinance;
- About the bricks, Fire Marshall Ray Enoch has determined that the bricks located in the front yard of the property are a nuisance violation under Chapter 11 of the Town Code. Mr. Enoch is contacting the property owner and requiring that they be removed. As additional information, note that the presence of the bricks does not constitute a Land Use Ordinance or Building Code violation;
- During the period of time the overlay district provisions have been in place, the Police Department has received 107 calls for service from the neighborhood. Seven calls were about on street parking and five were related to noise. Chief Horton will provide an overview of the information during the Council meeting.
- The Town also received a complaint about a handicap accessibility at Piedmont Health Center that required follow up from Zoning and Inspections. The matter has now been addressed.

The Planning Department has reached out to members of the neighborhood with whom we had regular contact during development of the ordinance and asked for their thoughts on the effectiveness of the ordinance to date. Staff has also made it clear to members of the neighborhood that they may request to participate in the June 9 Council discussion.

FISCAL & STAFF IMPACT: No fiscal impact noted with reviewing the information provided.

RECOMMENDATION: Town staff requests that the Town Council review the information.