

- **Section 15-491. - Neighborhood conservation overlay district statement of purpose.**

The neighborhood conservation overlay district is designed to protect and enhance the general quality and character of the city's older, established neighborhoods through the creation of specific use and design standards and dimensional regulations that reflect predominant existing built conditions in the neighborhood. The intent of these provisions is to recognize that certain neighborhoods in the city's planning jurisdiction were developed prior to the adoption of the land use ordinance and were built to standards that are inconsistent with contemporary land use regulations in terms of lot size, lot coverage, building setback, building height, and architectural expression. In creating the conservation overlay district, the city acknowledges:

(1)

The preservation of neighborhood character is a vital component of the city's identity and promotes a positive image for the community; and

(2)

The promotion and implementation of specifically tailored land use standards reduces conflicts between new construction and existing development and aids in stabilizing and improving property values.

(Ord. No. 1997-37, § 1, 7-22-97)

- **Section 15-492. - Criteria for establishment of a neighborhood conservation overlay district.**

Neighborhoods to be considered for the establishment of conservation overlay districts shall meet two or more of the following criteria:

(1)

The area was established prior to 1968 and is at least 75 percent developed.

(2)

The area possesses distinctive, unifying, built environmental characteristics that create an identifiable "sense of place".

(3)

The area has an established neighborhood association or active grassroots citizen group that is concerned about the neighborhood's development patterns and the future impact of said patterns on the quality of life in the neighborhood; and/or

(4)

A neighborhood plan has been completed for the area and the overlay district is recommended as one implementation tool for neighborhood improvement.

- **Section 15-495. - Establishment of Ghent neighborhood conservation overlay district; promulgation of use and design standards.**

(a)

Statement of intent. Platted in 1906 as New Bern's second residential suburb, Ghent is a neighborhood of predominantly single-family houses set on compact lots and surrounded by mature vegetation. Roughly half of the original 130-acre subdivision was developed in the first three decades of the 20th century and consists of one- and two-story frame and brick dwellings characterized generally by spacious front porches, uniform setbacks, vertical orientation, and bungalow and colonial revival detailing popular during the period. Garages, if present, were detached and located in rear yards. This area, bounded generally by First Street on the East, Seventh Street on the West, Trent Boulevard on the North, and Park Avenue on the South, is designated as a National Register Historic District.

The remaining residential blocks to the west of Seventh Street and concentrated primarily along Spencer Avenue developed mainly in the decades after World War II. Houses in this section of Ghent typically were built in the popular ranch-style with no front porches and a more horizontal building orientation. Garages were also frequently attached to the residence.

(b)

Neighborhood conservation district established. The Ghent neighborhood conservation district is established as a district which overlays existing zoning districts, the extent and boundaries of which are divided into two subareas, "Area 1" and "Area 2", and indicated on the official zoning map of the city. The boundaries of the Ghent neighborhood conservation district are as shown on the official zoning map, which are the same as shown on the plat entitled "Ghent Neighborhood Conservation Overlay District - Proposed Option #4," prepared by the engineering department of the city, bearing date December 2, 1997, a copy of which is on file in the office of the city engineer.

(c)

Standards. The following design standards and dimensional requirements are intended to integrate new residential construction into the Ghent neighborhood in a manner that is consistent with and reinforces the character of the neighborhood's existing housing stock. Variations in design standards and dimensional requirements have been instituted to reflect the differences in residential building design that are found in the Ghent National Register Historic District and established residential areas to the west of the historic district. Standards have also been created for existing structures where the intent is to ensure that certain alterations to existing buildings are not inconsistent with the character of the neighborhood.

Area 1: Residential standards for the area bounded generally by the west side of First Street on the East, the east side of Seventh Street on the West, the south side of Trent Boulevard on the north, and the north side of US 70 by-pass and the west side of Country Club Road on the south, exempting the YMCA property and those lots located on the north and south sides of Park Avenue between Fifth and Seventh Streets:

New residential construction:

(1)

Residential structures shall be built on a crawl space or a modified slab at least 18 inches above grade with a minimum 18-inch brick masonry curtain wall exposed.

(2)

Principal building roofs on residential structures shall be gabled or hipped with a minimum 6/12 -roof pitch. Gabled or shed roofed dormers may be permitted provided that they do not exceed, in the aggregate, 80 percent of the facade width.

(3)

Residential structures shall have their principal entrance facing the street and shall have a front covered porch consistent with the majority of older historic homes found in the neighborhood.

(4)

Covered porches shall span a minimum of 50 percent of the front facade of the house and shall have a minimum usable depth of six feet.

(5)

Porch roofs shall be supported by architectural elements traditionally used in the neighborhood such as, but not limited to, round Doric or Tuscan columns, square posts (five inches by five inches minimum size) with ornamental base and cap, or tapered square posts set on brick masonry piers. Ornamental metal supports which are inconsistent with early 20th century architecture in Ghent shall be prohibited. All porch supports, excluding masonry elements, shall be painted.

(6)

Ornamental metal railings are prohibited. Railing pickets, spindles, or balusters, if used, shall be spaced in accordance with state building code requirements, but in no case shall said pickets, spindles, or balusters exceed a maximum distance of six inches on center. Pickets, spindles, or balusters should not be attached to the outside of horizontal rail members, but shall be positioned in the center of said members. Porch railings, excluding masonry units, shall be painted.

(7)

Buildings shall be sheathed in horizontal siding, wood shingles, stucco, or brick. Siding boards shall have a maximum six inches exposure to the weather.

(8)

Windows and doors shall have a vertical orientation and be fitted with a minimum four and one-half-inch wide casing or trim.

(9)

Garages, if incorporated into the design of the house, shall be set back a minimum of four feet from the front wall of the house (not including porch).

(10)

Front yard setbacks for residential properties shall be within a zone established by the minimum and maximum setbacks of existing structures found on the block. In new residential blocks developed within the neighborhood conservation district, buildings shall maintain a 15- to 20-foot front yard setback. The minimum side yard setback for residential properties shall be five feet. However, sufficient space shall be provided along one side of the lot to accommodate off-street parking within the side or rear yard of the property. Residential structures and accessory buildings shall not exceed 60 percent total lot coverage. Rear yard setbacks will be the resultant ground remaining from compliance with front and side yard setbacks and lot coverage requirements, but shall be no less than 15 feet.

Alterations to existing residential structures.

(1)

Residential structures with front porches shall retain these features.

(2)

Wood or masonry porch supports or railings may not be replaced with ornamental metal.

(3)

Wooden porch elements, if replaced with new wood materials, shall be painted.

(4)

When a front porch is added to an existing residential structure, the porch roof shall be supported by architectural elements traditionally used in the neighborhood such as, but not limited to, round Doric or Tuscan columns, square posts (five inches by five inches minimum size) with ornamental base and cap, or tapered square posts set on brick masonry piers. Railing pickets, spindles, or balusters, if used, shall be spaced in accordance with state building code requirements, but in no case shall said pickets, spindles, or balusters exceed a maximum distance of six inches on center. Pickets, spindles, or balusters should not be attached to the outside of horizontal rail members, but shall be positioned in the center of said members. Porch elements, excluding masonry units, shall be painted. Ornamental metal supports and railings are prohibited.

(5)

Windows and doors in new additions shall have a vertical orientation and be fitted with casing or trim to match the existing casing or trim on the house.

(6)

Front yard setbacks for residential properties shall be within a zone established by the minimum and maximum setbacks of existing structures found on the block. The minimum side yard setback for residential properties shall be five feet. However, sufficient space shall be provided along one side of the lot to accommodate off-street parking within the side or rear yard of the property. Residential structures and accessory buildings shall not exceed 60 percent total lot coverage. Rear yard setbacks will be the resultant ground remaining from compliance with front and side yard setbacks and lot coverage requirements, but shall be no less than 15 feet.

(7)

In accordance with [section 15-127](#) of this ordinance, residential structures that do not comply with the standards enumerated in this section that are destroyed by fire, demolition, or act of God may be reconstructed within a 180-day period without complying with said standards. Compliance with the above enumerated standards may be waived in part or in whole by the zoning administrator beyond the 180-day period in situations involving the reconstruction of a house that is identified as a "contributing" structure in the Ghent National Register Historic District, as identified in the Ghent Historic District National Register of Historic Places Registration Form, prepared by Black & Black Preservation Consultants, bearing date December 1987, a copy of which is on file in the office of the city planner. Flexibility in the administration of these standards is necessary where the intent is to reconstruct a historic house to its original appearance prior to its destruction.

Area 2: Residential standards for the area bounded by the west side of Seventh Street on the East, the east and south sides of Trent Boulevard on the West and North respectively, and lots abutting the north side of Park Avenue right-of-way. Also included are lots located on the north and south sides of Park Avenue between Fifth and Seventh Streets and the YMCA property:

New residential construction.

(1)

Residential structures shall be built on a crawl space or a modified slab at least 18 inches above grade with a minimum 18 inches brick masonry curtain wall exposed.

(2)

Buildings shall be sheathed in horizontal siding, wood shingles, stucco, or brick. Siding boards shall have a maximum six inches exposure to the weather.

(3)

Garages or carports, if incorporated into the design of the house, shall be set back a minimum of two feet from the front wall of the house.

(4)

Front yard setbacks for residential properties shall be within a zone established by the minimum and maximum setbacks of existing structures found on the block. The minimum side yard setback for residential properties shall be eight feet. However, sufficient space shall be provided along one side of the lot to accommodate off-street parking within the side or rear yard of the property. Residential structures and accessory buildings shall not exceed 60 percent total lot coverage. Rear yard setbacks will be the resultant ground remaining from compliance with front and side yard setbacks and lot coverage requirements, but shall be no less than 15 feet.

Alterations to existing residential structures.

(1)

Residential structures with covered front porches shall retain these features.

(2)

Wood or masonry porch supports or railings may not be replaced with ornamental metal.

(3)

Wooden porch elements, if replaced with new wood materials, shall be painted.

(4)

When a front porch is added to an existing residential structure, the porch shall be supported by architectural elements traditionally used in the neighborhood such as, but not limited to, round Doric or Tuscan columns, square posts (five inches by five inches minimum size) with ornamental base and cap, or tapered square posts set on brick masonry piers. Railing pickets, spindles, or balusters, if used, shall be spaced in accordance with state building code requirements, but in no case shall said pickets, spindles, or balusters exceed a maximum distance of six inches on center. Pickets, spindles, or balusters should not be attached to the outside of horizontal rail members, but shall be positioned in the center of said members. Porch elements, excluding masonry units, shall be painted. Ornamental metal supports and railings are prohibited.

(5)

Windows and doors in new additions shall be fitted with casing or trim to match the existing casing or trim on the house.

(6)

Front yard setbacks for residential properties shall be within a zone established by the minimum and maximum setbacks of existing structures found on the block. The minimum side yard setback for residential properties shall be eight feet. However, sufficient space shall be provided along one side of the lot to accommodate off-street parking within the side or rear yard of the property. Residential structures and accessory buildings shall not exceed 60 percent total lot coverage. Rear yard setbacks will be the resultant ground remaining from compliance with front and side yard setbacks and lot coverage requirements, but shall be no less than 15 feet.

(Ord. No. 2005-77, § 1, 12-13-05)