

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

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SENATE BILL 1602*

Short Title: Caswell Beach/Building Height Limit. (Local)

Sponsors: Senator Soles.

Referred to: State & Local Government.

May 15, 2008

A BILL TO BE ENTITLED

1 AN ACT TO LIMIT THE HEIGHT OF STRUCTURES IN THE TOWN OF
2 CASWELL BEACH.

3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** No building erected within the corporate limits of the Town of
5 Caswell Beach may have a height that exceeds the limitation provided in this section
6 unless the building was erected before the effective date of this act. For purposes of this
7 act, the term "height" means the vertical distance of a building measured from the mean
8 of the finished grade along the front of the building to: (i) the midpoint between eaves
9 and ridges or to the highest point of any architectural design element extending above
10 the ridge, including a belfry, cupola, widow's walk, observation deck, or steeple, of a
11 gable, hip, or gambrel roof; (ii) the highest point of a flat roof; and (iii) the deck line of
12 a mansard roof. The vertical distance shall not exceed the higher of 26 feet above the
13 regulatory flood protection elevation or 35 feet above the mean elevation. Variances of
14 the height limitation shall not be granted by the Town or the Town Board of
15 Adjustment.

16 **SECTION 2.** The height limitation created by Section 1 of this act does not
17 apply to functional building appurtenances, including chimneys and ventilators, that are
18 incidental to but necessary for human occupancy of the building.

19 **SECTION 3.** This act is effective when it becomes law.
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