Pender County
Planning and Community Development

Code Enforcement
805 S. Walker Street
PO Box 1519
Burgaw, NC 28425

Phone: 910-259-1202
Fax: 910-259-1295
www.pendercountync.gov

1st NOTICE OF VIOLATION

DATE: March 27, 2014

TO: Hampstead Woman's Club
14435 US Hwy 17
Hampstead, NC 28443

NOTICE OF ZONING VIOLATION:
You are hereby given notice that a violation or violations of the Pender County Unified Development Ordinance exists at the property described below and owned/occupied by you.

LOCATION AND DESCRIPTION OF PROPERTY WHERE VIOLATION EXIST:
Property located at 14435 US Hwy 17, Hampstead. NC, 28443, and identified by the Pender County Tax Office as Tax Record Number 3282-86-0228-0000.

CONDITIONS THAT CREATE VIOLATION: Zoning Approval has not been approved as required. A violation of setbacks and separation requirements currently exist on this property.

ARTICLES OF COUNTY ORDINANCE VIOLATED:

ARTICLE 3 REVIEW PROCEDURES

3.2 PERMITS AND CERTIFICATIONS

3.2.1 Zoning Approval

A. Activities for which a Zoning Approval is required: A valid Zoning Approval shall be required for any application for a Building or Electrical Permit. No Building or Electrical Permit shall be issued for any activity in a zoned area until such Zoning Approval or a written determination by the Administrator that no approval is required, has been issued. Zoning approvals may be issued in the form of an individual permit or as a corresponding approval on a related form, such as a building permit. In all circumstances a Zoning Approval shall be required for the following activities:

1) To commence the excavation for or the construction of any building or other structures including accessory structures,
2) To commence the moving, exterior alteration, expansion or substantial repair (see definition of substantial repair) of any structure including accessory structures,
3) To initiate a new use or change the use on any land, lot, parcel or property,
4) To initiate a new use or change the use for any building including accessory structures.

The Administrator shall not issue the Zoning Approval for such activities until a determination has been

made that such activities, work or use and the plans and specifications required herein are in compliance with the provisions of this ordinance. A Zoning Approval shall be required for these activities whether or not a building or related permit is required.

5.3.3 Accessory Uses and Structures

A. Accessory Building Setbacks and Separation Requirements

1) Accessory Buildings 50-599 Square Feet In Area:
   ~~a)~~ Setback of ten (10) feet from all property lines, access easements, and any other structures located on the property.
2) Accessory Buildings 600-1,199 Square Feet In Area:
   a) Setbacks shall adhere to zoning district requirements and separation must be ten (10) feet from any other structure and access easements located on the property.
3) Accessory Buildings 1,200 Square Feet in Area or Greater:
   a) Same setback and separation requirements as principal buildings per zoning district regulations

CORRECTIVE ACTIONS THAT MUST BE TAKEN BY PROPERTY OWNER/VIOLATOR:
A Zoning Permit must be applied for and received in order the accessory structure to be legally constructed or placed on the property. If permits are not obtained the structure must be removed from the property.

DATE BY WHICH CORRECTIVE ACTION MUST BE COMPLETE:
This violation must be corrected within thirty (30) consecutive calendar days of receipt of this notice. If the violation(s) is/are are not corrected within this period, you will immediately thereafter be subject to the penalties noted herein.

PROPERTY OWNER/VIOLATOR'S RIGHT TO APPEAL:
You are hereby given notice that you have the right to appeal the determination made by the Code Enforcement Officer to the Pender County Board of Adjustment. If you elect to appeal this determination, you must file a written request for appeal, specifying the reason for the appeal and paying the associated fees for appeal within thirty (30) days of receipt of this notice. The appeal shall be filed with the Pender County Planning Department, Zoning Administrator, 805 South Walker Street, Burgaw, NC 28425. An appeal will stay all required proceedings under this notice until the Board of Adjustment acts upon the appeal.

PENALTIES FOR VIOLATIONS NOTED: When corrective action is not taken as prescribed in the notice, the property owner/violator shall upon conviction be guilty of a misdemeanor punishable by fine of up to $50.00, or imprisoned for not more than thirty (30) days, for each offense. **In addition, the property owner/violator will be subject to a civil penalty of $100.00 each day the violation continues after the date specified that the violation was to have been corrected.**

REMEDIES IF CORRECTIVE ACTION NOT TAKEN:
The County shall through its County Manager and County Attorney initiate legal action to insure compliance through court action and the violator may be subject to paying the cost of this action, pursuant to G.S. 153A-123, in addition to any penalties noted above.

DATE OF NOTIFICATION:

This determination of violation first made on March 7, 2014 by the Pender County Code Enforcement Officer, after inspection of the property and the conditions. Please feel free to contact this office at any time. We will be happy to discuss this issue with you.

Charlie Ring_____

Code Enforcement Officer