

PENDER COUNTY BOARD OF ADJUSTMENT
STAFF CASE REVIEW
CLAUDE HARRY FOWLER – CONTINUANCE OF NONCONFORMING USE - 336

APPLICANT: Claude Harry Fowler

PROPERTY OWNER: Same

PROPERTY LOCATION: The property is located at 34 Pender Lake Road, Currie, NC. (See attached site map).

PROPERTY DESCRIPTION: The property contains 15.3 acres, and is identified as PIN #2293-41-2927-000L.

ZONING ON SITE: The property is zoned RA, Rural Agricultural District.

TYPE OF APPEAL: The applicant is requesting a variance to continue a nonconforming use per section 12.5, D of the Pender County Zoning Ordinance.

BACKGROUND AND DESCRIPTION OF APPEAL: In December 2007, the applicant, Mr. Harry Fowler attempted to receive permits for the allowance of mobile homes on this site. Planning was informed of the situation and recognized there was not an approved site plan for the mobile home park. Staff research, along with the applicant and other governmental agencies, has found that there is a site map of the mobile home park dated December 1984, along with valid septic permits for twenty-nine lots. There is a community well to provide water services located on the south side of the tract. This well is depicted in the original site plan, but Staff has not received any approval from Environmental Health.

The applicant is requesting a Board of Adjustment approval to further develop an existing mobile home park. The first half of the parcel is developed to accommodate twenty-nine (29) mobile home units. Septic permits were issued for all 29 lots. The date of issuance ranges from March of 1984 through March of 1993. These permits do not expire per the Pender County Health Department after the tanks are installed, which all of them are. Along with septic permits, there are electrical service poles installed for the first half of the development.

The lot sizes that are depicted in the site map, show to be approximately 9,000 – 10,000 square feet. Current Ordinance standards call for 15,000 square feet providing individual septic and community well. The road surface is installed and ends half way through the property, approximately at the 29th lot in the development. The road consists of a paved, asphalt surface.

In summary, the applicant, Mr. Fowler, is requesting a variance to continue a nonconforming use per Section 12.5, D, of the Pender County Zoning Ordinance for lots 1-29 of Prestige Woods Mobile Home Park. Any further development of this mobile home park will have to be developed to current ordinance standards.

APPLICABLE ZONING ORDINANCE PROVISIONS:

12.5 D Change in Kind of Nonconforming Use

If a nonconforming use and a conforming use, or any combination of a conforming and nonconforming uses, or any combination of nonconforming uses exist in one (1) lot, the use made of the property may be changed substantially (except to a conforming use), only in accordance with approval issued by the Board of Adjustment. The Board shall issue such approval if it finds that the proposed use will be more compatible with the surrounding neighborhood than the use combination of uses in operation at the time the approval is applied for.



Pender County Planning Department

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Email: planning1@pender-county.com

BOARD OF ADJUSTMENT APPLICATION FOR CONTINUANCE OF NONCONFORMING USE PER SECTION 12 PEDNER COUNTY ZONING ORDINANCE

Date <u>1/18/08</u>	Application No. _____
Application Fee <u>102⁴⁶/100</u>	Receipt No. <u>00-077138</u>

I. PROPERTY INFORMATION:

Record #: _____ Lot #: NA

Tax Map #: 2293-41-2927-0000L Zoning District: RA

Property Location: 34 PENDER LAKE Rd Corne NC 28435

Describe Reason for Request: OPEN PARK THAT HAS 29 lots with EXISTING ~~septic~~ septic systems and to add MORE lots AS need.

II. REQUIRED NAMES:

Applicant <u>CLAUDE HARRY FOWLER</u>	Owner <u>CLAUDE HARRY FOWLER</u>
Address <u>4175 US Hwy 421</u> <u>CURRIE N.C</u>	Address <u>4175 US Hwy 421</u> <u>CURRIE N.C</u>
Phone <u>231-4291</u> Fax <u>283-5010</u>	Phone <u>231-4291</u> Fax <u>283-5010</u>
Email _____	Email _____

Legal Relationship of Applicant to Property Owner: SAME

Person Authorized to Act for Applicant: CLAUDE HARRY FOWLER

III. SIGNATURE OF OWNER & APPLICANT:

Claude Harry Fowler _____

(If owner is different from applicant, both signatures are required)

Kyle or Joey

To: Pender County Planning Department
From: Claude Mary Fowler
Property Location: 34 Pender Lake Road
Prestige Mobil Home Park - Est. 1984

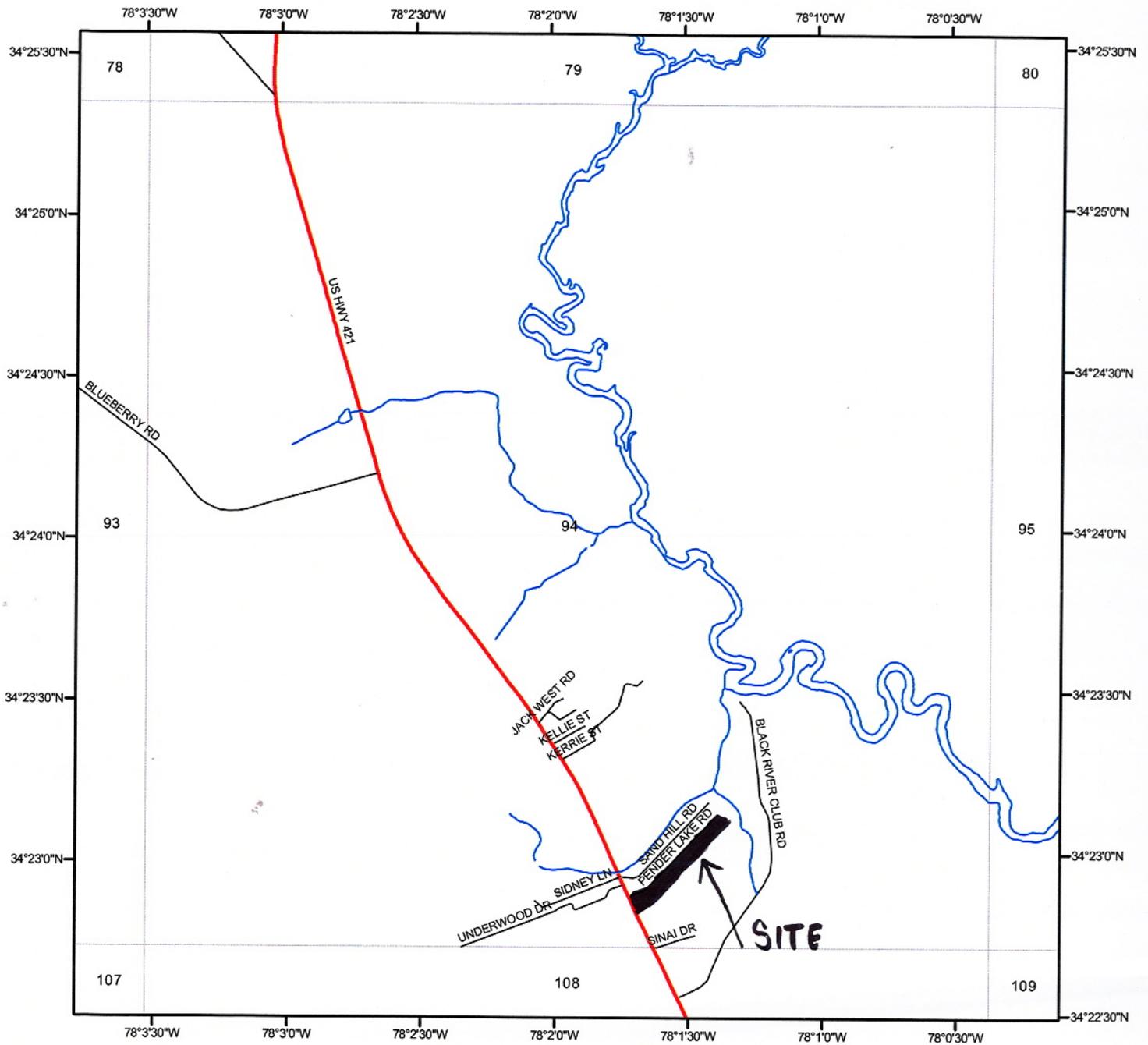
Prestige Mobil Home Park was owned by Mr. Smith. He became sick and moved away. So the park closed down.

I talked to the Smith's and they sold me the park.

Before I purchased the park I went to Pender County Planning in 2006 and was told that the front part of the park which has 29 lots with septic, paver and water could be used by old codes, but the land behind it would have to go by new codes.

So I'm asking the board to permit me to go on with my plans to reestablish.

Claude Mary Fowler
Owner

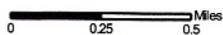


PENDER COUNTY
NORTH CAROLINA

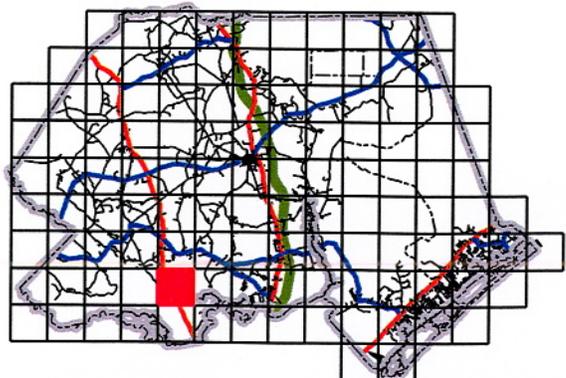
Map Prepared: Oct 10, 2007



1 inch equals 1/2 miles



- Private Roads
- US Highways
- Interstate
- Secondary Roads
- NC Highways





Parcels

Name:	FOWLER CLAUDE HARRY et al	PIN:	2293-41-2927-000L	Deed:	3116/061
Deed Date:	12/15/2006	Plat:	00050010	Address:	4175 HWY 421 LT 16
City:	CURRIE	State:	NC	Zip:	28435
Land Value:	88598	Building Value:	41570	Deferred Value:	0
Total Value:	130168	Tax Codes:	G01 F25 R40	Zone:	SEEMAP
Subdivision:		Neighborhood:	00	Property Address:	34 PENDER LAKE RD
Account:	895868	Acres:	15.3	Township:	GRADY
Property Description:	LT 4 PB 5/10 E/S 421 1 PRESTIGE WOODS MHP	Sales Price:	155000		

1:409 feet

Pender County GIS



This map is prepared for the inventory of real property found within this jurisdiction, and is compiled from recorded deeds, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for the verification of the information contained on this map. Pender County assumes no legal responsibility for the information contained on this map.