

REQUEST FOR BOARD ACTION / CONTRACT CONTROL FORM

Tracking Number: 25

Date of Request: November 5, 2007

Date Request Received:

Board Meeting Date Requested: November 19, 2007

Board Meeting Date Assigned:

Short Title: Special Use Permit To Allow For The Sale Of Motorcycles.

- Request Status:**
- Request is proceeding to Board of Commissioners
 - More information is needed – see attached
 - Request on hold – no further information needed
 - Other:

Background: Applicant is requesting approval of a Special Use Permit for the sale of motorcycles. The property is zoned B-2, Highway Business District and is located at 16647 US Highway 17 in Hampstead, NC.

(Administrative Use Only)

Specific Action Requested: The Board of Commissioners is requested to hold a public hearing for the submitted Special Use Permit.

CONTRACT TYPE

Requested by: Planning Staff
Department: Planning
Title: N/A
Contact Phone: 910.259.1202
Contact Fax: 910.259.3735

- Renewal
- For Service(s)
- Intergovernmental – County as Grantee
 - Federal Grantor
 - State Grantor
 - Grantor
- County as Grantor
 - County Funds
 - Other Funds:
- Revision
- For Equipment

PURCHASING Budgeted Item: Yes No
Date Rec'd: Reviewed and Approved
 Comments on Reverse

Date Sent: Signed:

ATTORNEY Reviewed and Approved
Date Rec'd: Legal Problem(s)
 Comments on Reverse

Date Sent: Signed:

FINANCE Sufficient Funds Available
Date Rec'd Not Available
 Budget Amendment Necessary
 Budgeted Amendment is Attached
 Comments on Reverse

Date Sent: Signed:

CLERK Signature(s) Required:
 Board Chairman/County Manager
 Other:

Date Rec'd Approved by Board: Yes No
At meeting on

INTRODUCED BY: Planning Staff

DATE: November 19, 2007

ITEM NO: 25.

Special Use Permit for Motorcycle sales

SUBJECT: CASE NO: 07-11-19-32
PROPERTY RECORD NO: 3293-64-0729-0000
APPLICANT: Dennis Shaw
OWNER: Richard and Kathy Hazel

ACTION REQUESTED: Approval of a Special Use Permit to allow sales of motorcycles: Shaw Motor Sports.

HISTORY/BACKGROUND:

Project Location: The property is located at 16641 US Hwy 17 in the Coastal Landing Plaza, Hampstead, NC

Project Description: The applicant is requesting a Special Use Permit to sell motorcycles at Shaw Motor Sports at 16647 US Hwy 17, Hampstead. The property consists of 1.4 acres and is zoned B-2 Business District (Highway). The showroom is approximately 2000 sq ft occupying the north end of the Coastal Landing Plaza building. Currently the shopping center has two tenants Hampstead Pools and Shaw Motor Sports. The shop is operated by two employees with the hours of operation being 9 am to 6 pm Monday through Saturday, and closed on Sundays. No construction activities will be required in conjunction with this Special use Permit. The existing utilities present on the site will serve the needs of this showroom. A license from the DMV is required for the sale of motorcycles. No federal permits are required in conjunction with this Special Use Permit.

- A) Public Notifications:** Advertisements for the proposal have been placed in the Topsail Voice and Pender Post. Adjacent property owners were notified by first class mail. Special Use Permit signs were posted on or near the proposed site.
- B) Basis for Granting SUP:** See attachment A for approval procedures (15.3 of Zoning Ord.) and revocation procedures (15.4b of Zoning Ord.).
- C) Zoning Ordinance Compliance:** This property is zoned B-2, Business District (Highway); the sale of motorcycles is permitted via Special Use Permit (Section 8, Zoning Districts and Regs, of Zoning Ord.)
- D) Land Use Plan Compliance:** This property is classified as an Urban Growth Area. The request is consistent with the 2005 Land Use Plan.
- E) Existing Land Use in Area:** Hampstead Pools is directly next door located in Coastal Landing Plaza. All directly adjacent property and property across US Hwy 17 is zoned B-2 Business District (Highway).
- F) Site Access Conditions:** The property has direct access to US Hwy 17, which is a state maintained road.
- G) Conditions to Consider in Issuing a Special Use Permit for this Project:**
 - 1. Unless approved otherwise as a condition of the permit, a Special Use Permit shall expire and become void, if a final zoning permit has not been issued for the project within 12 months.
 - 2. The project shall comply with all requirements of the Commercial Development Standards and Site Plan Review, Section 9.14 of the Pender County Ordinance.
 - 3. A separate Permit must be obtained for any proposed signs. Signs shall be in accordance with Section 16 of the Pender County Zoning Ordinance.
 - 4. Hours of operation: Will be 9 am to 6 pm Monday through Saturday.
 - 5. No junk, debris, trash, recycled or salvaged materials, or inoperable vehicles shall be stored on the site outside a completely enclosed building.
 - 6. No outside storage of materials, merchandise, or unlicensed or salvage equipment will be permitted on the site.
 - 7. Any violations of the conditions of this permit, confirmed by the Zoning Administrator shall result in this permit becoming void, if not corrected within 30 days of receipt of the notice of violation.

8. The obligations imposed by this permit will be the responsibility of the property owner and operator and shall continue in affect for the duration of this permit.
9. The project shall be developed and maintained in accord with the applicant's final revised site plan as approved by the Zoning Administrator, the Zoning Ordinance and the conditions contained in this permit.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED, that on November 19, 2007 the Pender County Board of Commissioners considered a Special Use Permit for Dennis Shaw as described herein. The Chairman is authorized to execute the order implementing this resolution and provide notice to the applicant of the action taken herein.

AMENDMENTS:

MOVED _____ SECONDED _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Rivenbark ___ Blanchard ___ Brown ___ Tate ___ Williams ___

 Chairman 11-19-2007
Date

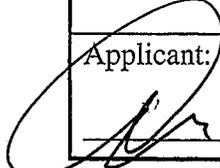
 ATTEST 11-19-2007
Date

**PENDER COUNTY
SPECIAL USE PERMIT APPLICATION FORM**

THIS SECTION FOR OFFICE USE			
Application No.	67-11-11-37	Date	10/14/2007
Permit Fee	200.00	Receipt No.	077062

APPLICANT INFORMATION	
Applicant Name: DENNIS SHAW	Owner Name: RICHARD HAZEL & KATHY HAZEL
Address: 4334 ISLAND DRIVE N. TOPSAIL BEACH, 28460 CELLPHONE 910-270-7039 910-620-9738	Address: 321 GRANDVIEW DR. SNEADS FERRY, NC 28460
Phone No: 910-270-7039	Phone No: 910-620-1145
Legal relationship of applicant to owner: RENTER	

PROJECT INFORMATION	
Property tax record No. 3293-64-0729	Total acreage
Zoning Designation: B-2	In property: 1.4
Acreage to be used for project: N/A	Acreage to be disturbed: N/A
Project location and address: 16647 HYG. 17 HAMPSHIRE, NC 28443	
Describe activities to be undertaken on project site: SALE OF MOTORCYCLES	

SIGNATURES			
Applicant: 	Date: 10-16-07	Owner: Kathy R. Hazel	Date: 10.16.07

NOTICE TO APPLICANT
<ol style="list-style-type: none"> 1. Applicant must also submit the information described on page two of this form. 2. Applicant or agent authorized in writing must attend the public hearing. 3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Board of Commissioners or other authorized person agrees to table or delay the hearing. 4. Applicant may wish to review the required findings for approval of a Special Use Permit (p. 3).

**Pender County
Board of Comm.**

**Shaw Motor Sports
16647 US Hwy 17 N
Hampstead, NC 28443**

**Application for Special Use Permit
A permitted use in a B-2 Zone, Motor cycle sales**

PROJECT NARRATIVE

The project is located at 16641 HWY 17 N HAMPSTEAD, NC 28443 in the Costal Landing Plaza. The commercial building was built in 1993 has a retail strip center in a B-2 Zone and has been occupied with retail and service tenants since that date. The showroom is approximately 2000 square feet occupying the north end of the building. At this time there our two tenants occupying this center, Hampstead Pools and Shaw Motor Sports. The center is located directly on Highway 17 North, with access from that highway in both directions, via the state turning lane in the opposite direction.

The activities planned for the existing space occupied by Shaw Motor Sports is to sell street legal motorcycles. The hours of operation are Monday thru Saturday 9am to 6pm; we will be closed on Sundays. The showroom will have two employees.

There are no construction activities required in conjunction with this special use permit.

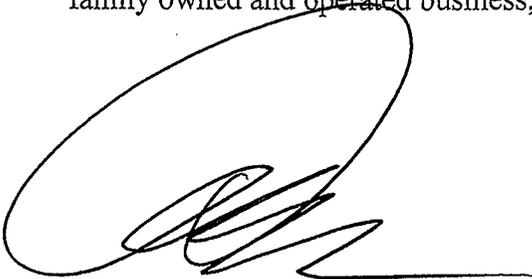
The existing utilities present on the site will serve the needs of this showroom.

LICENCE FROM DMV FOR STREET BIKE SALES

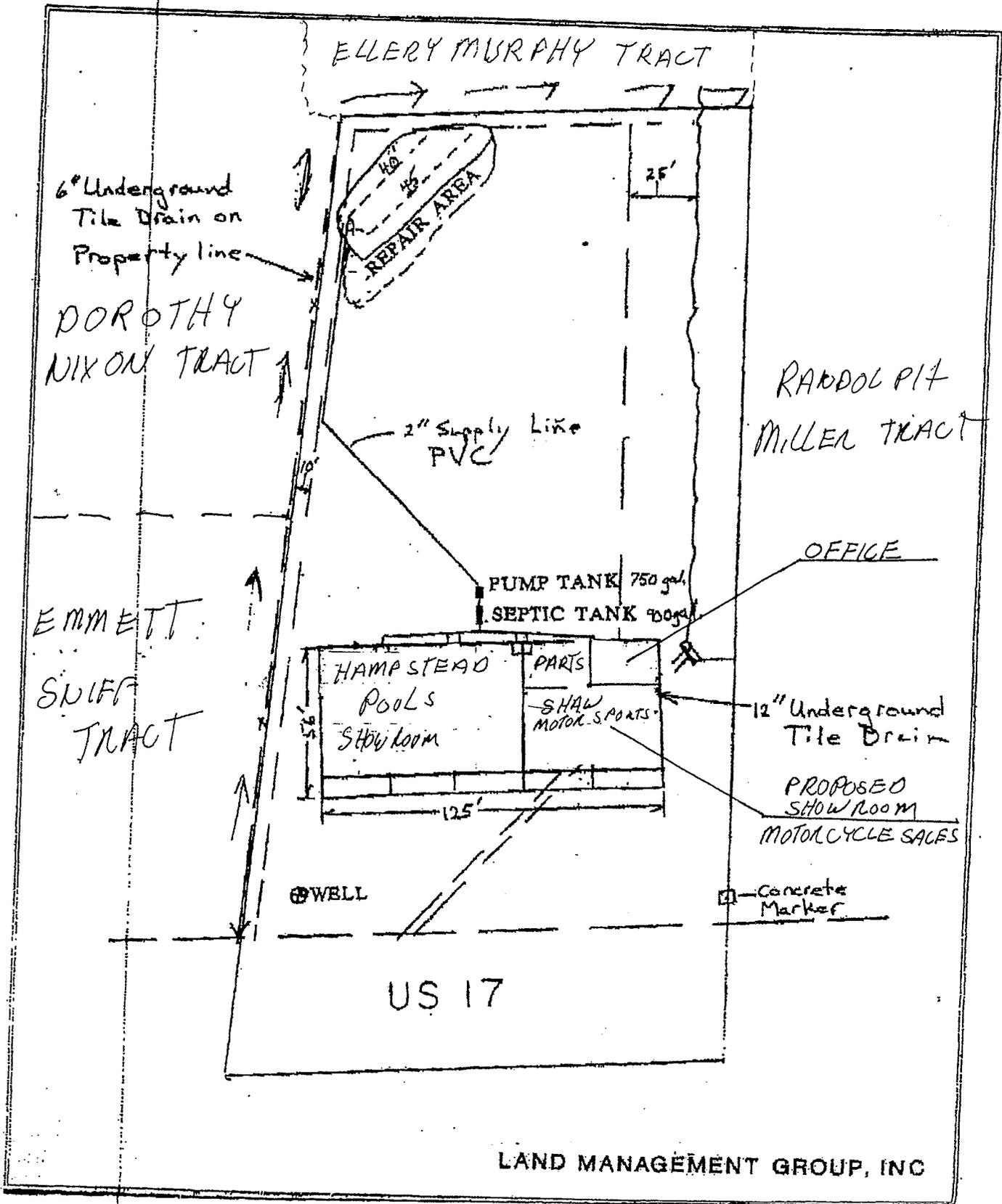
No ~~state~~ federal permits are required in conjunction with this special use permit.

Our business is a destination business that offers specialty products to the motor sports community; based upon operating as a specialty destination business in this center with limited traffic flow, no load on public utilities, low hours of operation and a small employee work force we foresee the issuance of this special use permit not to have any potential impacts on the community.

What we can offer to the community the benefit of an outlet to purchase and maintain the power sport equipment they purchase for their families in a convenient location in their community. Shaw Motor Sports is a family owned and operated business, striving to build strong ties with our neighbors in Hampstead.



PROPOSED



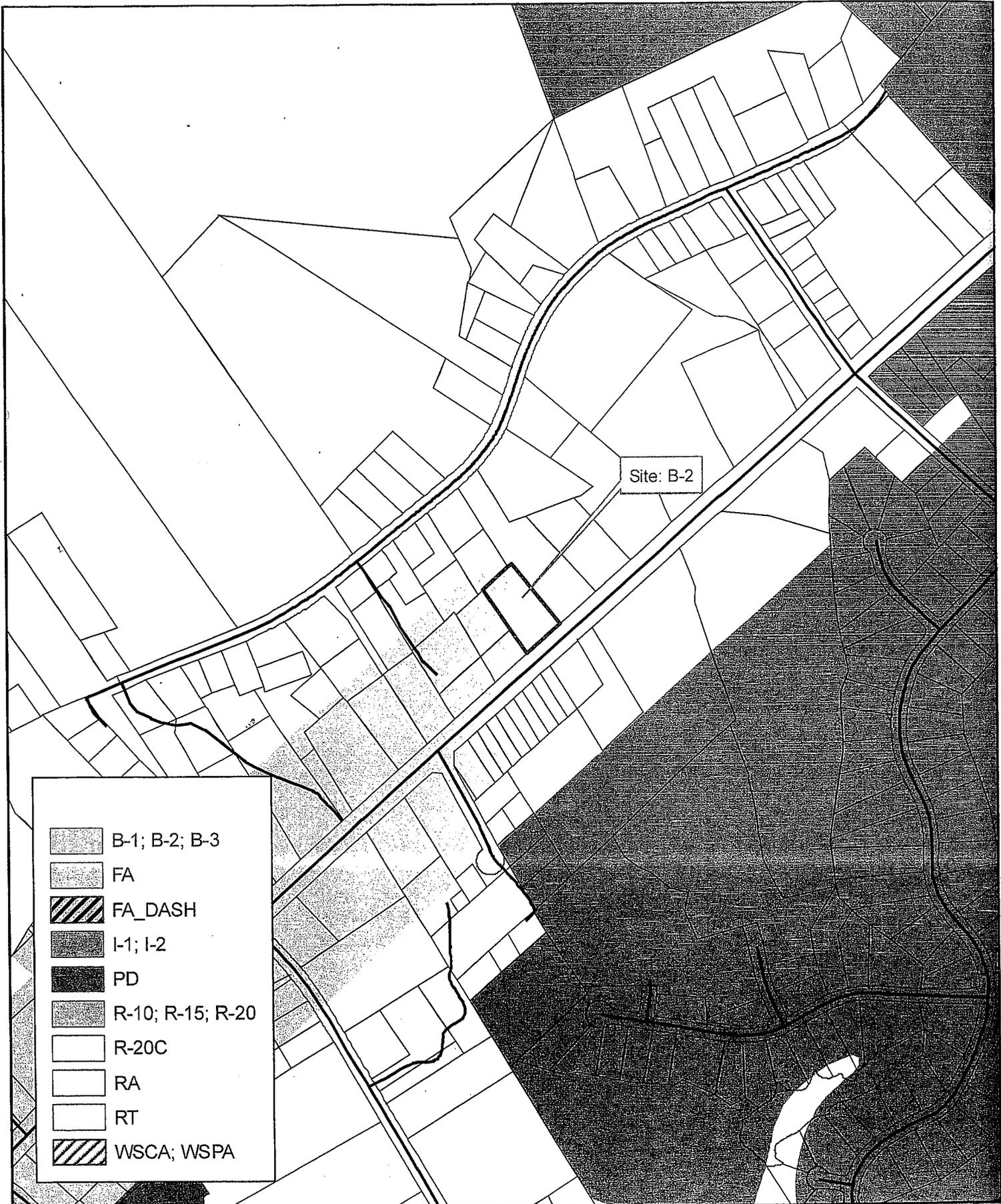
LAND MANAGEMENT GROUP, INC



Site: B-2

1 inch equals 500 feet
240 120 0 240 Feet

Vicinity- Dennis Shaw
Vicinity Map



Site: B-2

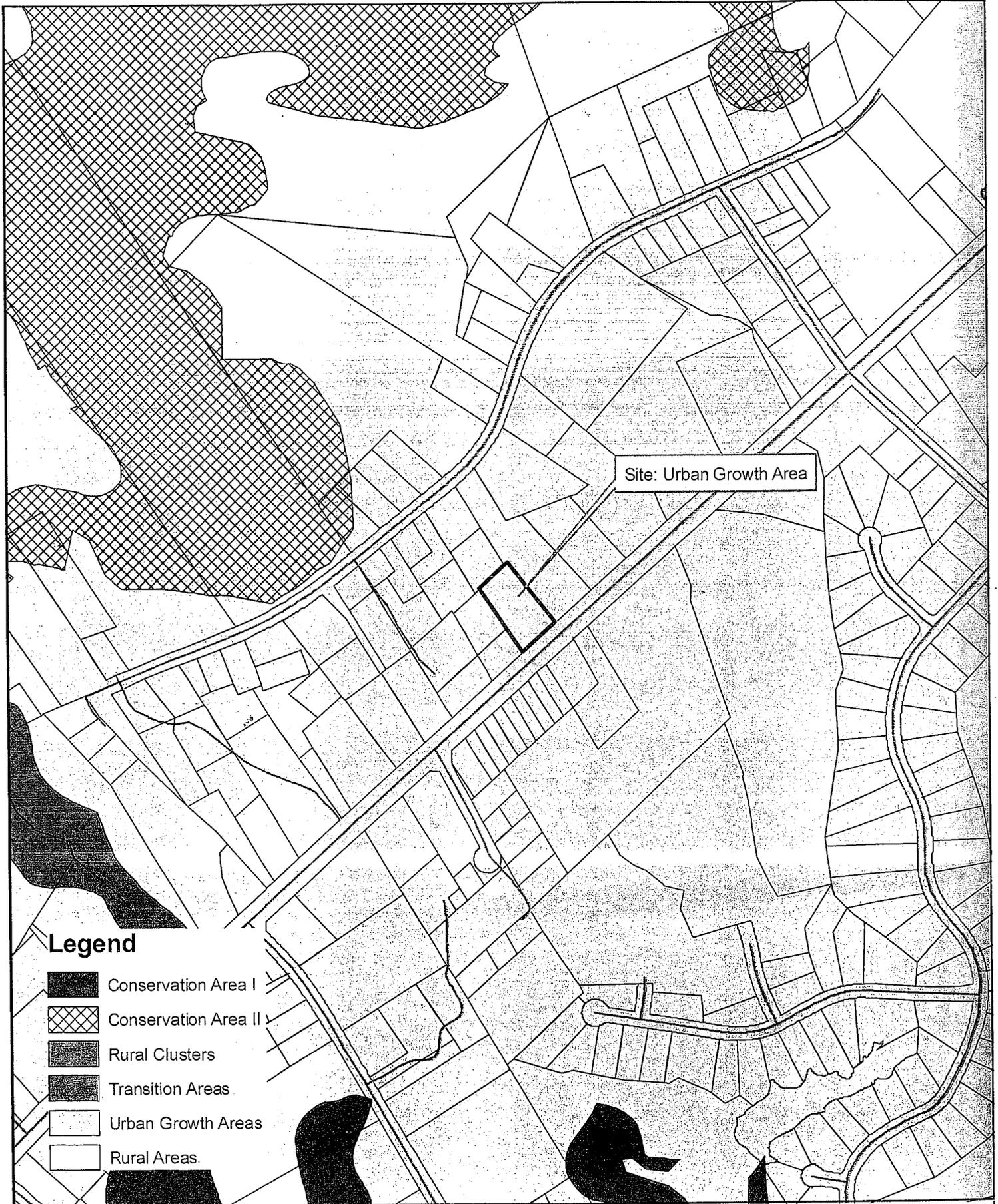
Legend:

- B-1; B-2; B-3
- FA
- FA_DASH
- I-1; I-2
- PD
- R-10; R-15; R-20
- R-20C
- RA
- RT
- WSCA; WSPA

1 inch equals 500 feet



Special Use Permit - Dennis Shaw Zoning Map

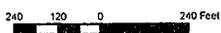


Site: Urban Growth Area

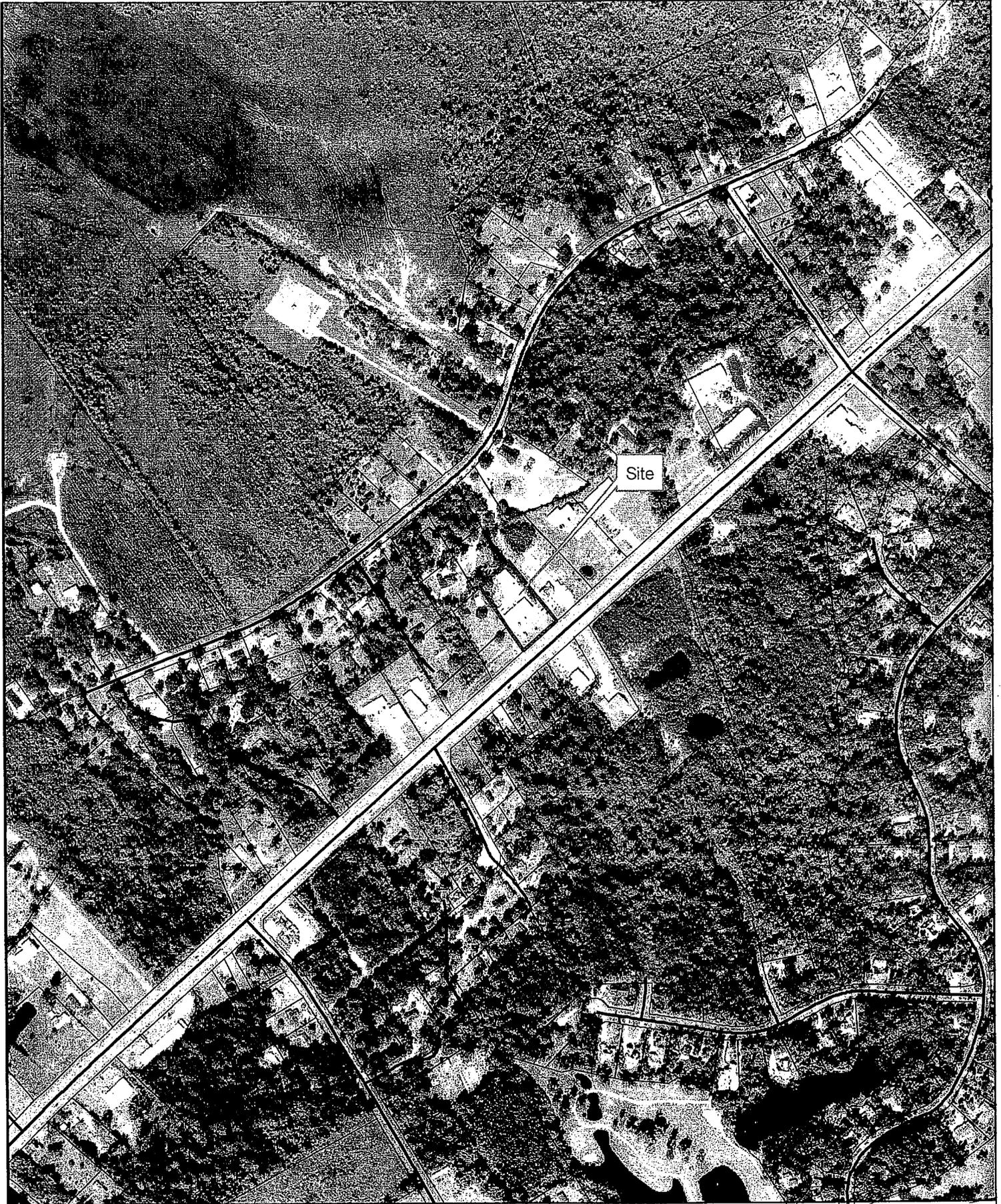
Legend

-  Conservation Area I
-  Conservation Area II
-  Rural Clusters
-  Transition Areas
-  Urban Growth Areas
-  Rural Areas

1 inch equals 500 feet

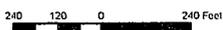


CAMA Land Use - Dennis Shaw
Land Use



Site

1 inch equals 500 feet



Special Use Permit - Dennis Shaw
Ortho (2003)