

REQUEST FOR BOARD ACTION / CONTRACT CONTROL FORM

Tracking Number: 30.

Date of Request: January 7, 2008

Date Request Received:

Board Meeting Date Requested: January 22, 2008

Board Meeting Date Assigned:

Short Title: Special Use Permit For The Construction And Operation Of A 9-Slip Boat Marina Utilizing 3 Floating Docks.

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

Background: The applicant, Stephen Carpenter, is requesting approval of the aforementioned SUP on the property located at 314 Lewis Road in Hampstead. At the January 16, 2007 Board of Commissioners meeting, an SUP was granted on adjacent property for a dry-stack boat storage facility.

(Administrative Use Only)

Specific Action Requested: The Board of Commissioners is requested to hold a public hearing for a special use request.

CONTRACT TYPE

Requested by: Planning Staff
Department: Planning Department
Title: Planning
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

Special Use Permit to Construct and Operate a Marina with Floating Docks

SUBJECT: **CASE NO:** 08-01-22-03
PROPERTY RECORD NO: 4224-02-6283-000L, 4224-02-6152-000L
APPLICANT: Stephen Carpenter
OWNER: Glenn and Mark Lewis

ACTION REQUESTED: Approval Of Special Use Permit for construction and operation of a 9-slip boat marina utilizing 3 floating docks.

HISTORY/BACKGROUND:

Project Location: The property is located at 314 Lewis Road, off Sloop Point Loop Road, in Hampstead. (See attached vicinity map).

Project Description: The project will consist of the construction of three floating docks, totaling 150 feet in length, which will accommodate 9 boat slips on the property. Two of the docks will be constructed adjacent to an existing wooden walkway, and the third will be located on the opposite side of an existing concrete travel lift. The property currently has a bulkhead installed along the Intracoastal Waterway (See attached site plan and narrative).

The adjacent property, under the same ownership, has historically been used as a commercial boat yard, and the owners received a Special Use Permit to operate a dry-stack boat storage facility at the January 16, 2007 Board of Commissioners meeting.

Access will be provided via Lewis Road, which is an existing NCDOT maintained road. The docks will be available 24 hours per day, though hours of operation for services provided are proposed to be from 5 AM to 9 PM, seven days per week. In addition to the commercial site plan review required by Planning staff, all applicable state and federal permits must be obtained prior to construction and operation of the marina.

EVALUATION:

- 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 FA, Flood Hazard Area and a marina is permitted via Special Use Permit.
- D) Land Use Plan Compliance:** This property is classified as an Urban Growth area and Conservation I area due to the location along the Intracoastal Waterway. This request is consistent with the 2005 Land Use Plan (See attached CAMA Land Use map).
- E) Existing Land Use in Area:** The property is surrounded by single-family dwellings to the immediate north and west. The Intracoastal Waterway lies to the immediate east and south of the property.
- F) Site Access Conditions:** The property has direct access to Lewis Road, which intersects Sloop Point Loop Road to provide ingress and egress to US Highway 17.
- 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 following shall be submitted prior to issuance of the zoning permit as contained in the Commercial Site Plan Review Standards:
 - a. Approval of a current Sediment & Erosion Control Plan by NC Land Quality, if applicable.
 - b. Approval of a current Stormwater Management Plan by NC Water Quality, if applicable.
 - c. NCDOT Driveway permits for any new driveways to be constructed on Lewis Road.

- d. Certification of a drainage plan by licensed professional on a form provided by the County.
3. The project shall comply with all requirements of the Commercial Development Standards and Site Plan Review, Section 9.14 of the Pender County Ordinance. This will include parking and landscaping requirements that will be in compliance with Sections 13 and 14 of the Pender County Zoning Ordinance.
 4. Perimeter wall and security fencing shall be installed on site.
 5. A separate Permit must be obtained for any proposed signs. Signs shall be in accordance with Section 16 of the Pender County Zoning Ordinance.
 6. Hours of operation, all seasons:
 - 5 AM to 9 PM, seven days per week.
 7. Any flood or spotlights shall be oriented away from the street. Such lights shall also be oriented away from adjacent properties or shielded to prevent direct light from shining on such properties. This provision does not apply to normal area lights (non-directional).
 8. No junk, debris, trash or inoperable vehicles, recycled or salvaged materials shall be stored on the site outside a completely enclosed building.
 9. With the exception of boats and boat trailers; no outside storage of automobiles, materials, merchandise or unlicensed or salvage equipment will be permitted on the site.
 10. All parking and access areas in the development shall be constructed and maintained to NCDOT secondary road standards.
 11. 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.
 12. 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.
 13. 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 January 22, 2008, the Pender County Board of Commissioners (approved, modified, denied) a Special Use Permit for Stephen Carpenter as described herein and James David Williams, Jr., 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: Williams ___ Tate ___ Blanchard ___ Brown ___ Rivenbark ___

 James David Williams, Jr.,
 CHAIRMAN

1/22/08

 DATE

 DEPUTY CLERK

1/22/08

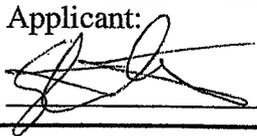
 DATE

**PENDER COUNTY
SPECIAL USE PERMIT APPLICATION FORM**

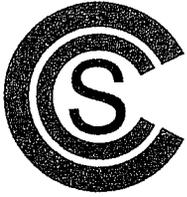
THIS SECTION FOR OFFICE USE			
Application No.	08-01-22-03	Date	12/21/07
Permit Fee	\$ 200.00	Receipt No.	077120

APPLICANT INFORMATION	
Applicant Name: <u>Stephen Carpenter</u> Address: <u>2312 Belvedere Drive</u> <u>Wilmington, NC 28405</u>	Owner Name: <u>Glenn & Mark Lewis</u> Address: <u>314 Lewis Road</u> <u>Hampstead, NC 28443</u>
Phone No: <u>910.538.4661</u>	Phone No: <u>910.538.4661</u>
Legal relationship of applicant to owner: <u>Consultant</u>	

PROJECT INFORMATION	
Property tax record No. <u>4224-02-6283/6152-000L</u> Zoning Designation: <u>FA</u> Acreage to be used for project: <u><0.1ac</u>	Total acreage In property: <u>2.27ac</u> Acreage to be disturbed: <u><0.1ac</u>
Project location and address: <u>314 Lewis Road - End of Lewis Road</u>	
Describe activities to be undertaken on project site: <u>Nine (9) slip marina - three (3) floating docks</u>	

SIGNATURES			
Applicant:	Date:	Owner:	Date:
	<u>12/20/07</u>	<u>Glenn Lewis</u>	<u>12/20/07</u>

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).



December 20th, 2007

Mr. Joey Raczkowski
Director
Pender County Planning Department
805 S. Walker St.
Burgaw, NC 28425

Re: Lewis Brother's Boatyard – Marina SUP – Narrative

Dear Mr. Raczkowski,

Enclosed is an application and supporting documentation for a Special Use Permit - Marina to construct and maintain three (3) floating docks totaling 150' at 314 Lewis Road, Hampstead NC. A total of nine (9) boat slips are anticipated. The property owned by Mark and Glenn Lewis has been operated as a commercial boatyard and boat building facility for nearly a century and the proposed floating docks are a necessity in operating the boatyard effectively. At one time the property owners maintained over 380' of fixed and floating docks. Most of these structures were destroyed as a result of Hurricane Fran. An emergency permit was issued to replace the damaged structures, but the owners did not have insurance and could not acquire the funding to restore the docks within the year allowed by the emergency permit. This permit application is an attempt to restore the property's viability as a commercial boatyard. No negative impacts are anticipated as a result of this project. The project will help support the commercial fishing industry as well as private boaters by providing a safe and secure location to access our public waterways.

The site is accessed by a state maintained - Lewis Road. The docks will be available 24hrs a day, but services and hours of operation are anticipated from 5am to 9pm. The docks will be supplied with water and electricity. No additional impervious surfaces are anticipated and no new waste water or stormwater management devices are proposed. A NCDENR stormwater permit and Environmental Health approval is not required for this facility. The project requires and has been granted a CAMA Major permit for the proposed construction. No structures will encroach into adjacent riparian setbacks.

Thank you for your time. If you have any questions or concerns please contact me personally at 910.538.4661.

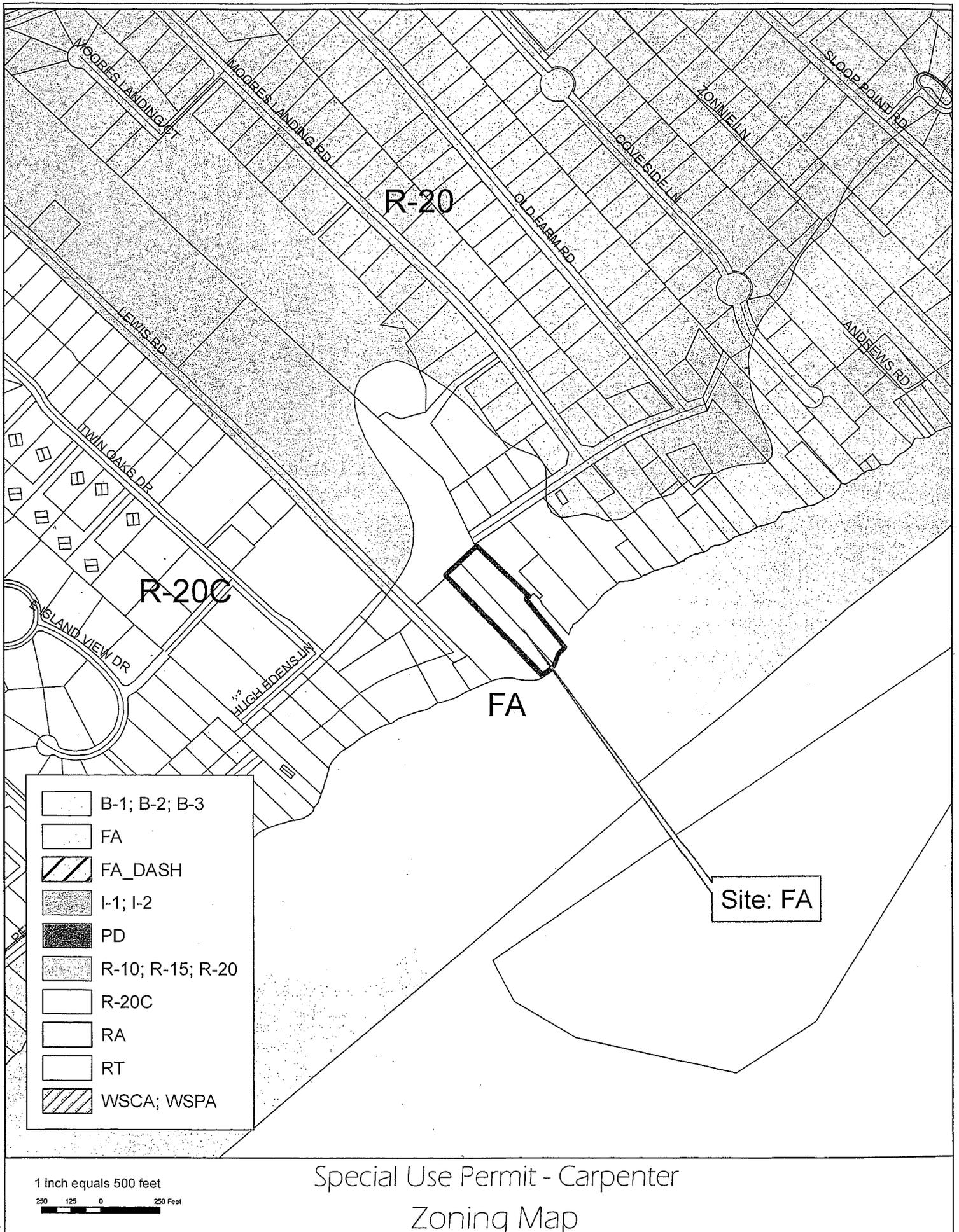
Sincerely,

Stephen Carpenter
Principal Planner
Carpenter Consulting Services – (910).538.4661



1 inch equals 1,000 feet
510 255 0 510 Feet

Special Use Permit - Carpenter Vicinity Map



	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

Site: FA

1 inch equals 500 feet
 250 125 0 250 Feet

Special Use Permit - Carpenter
 Zoning Map

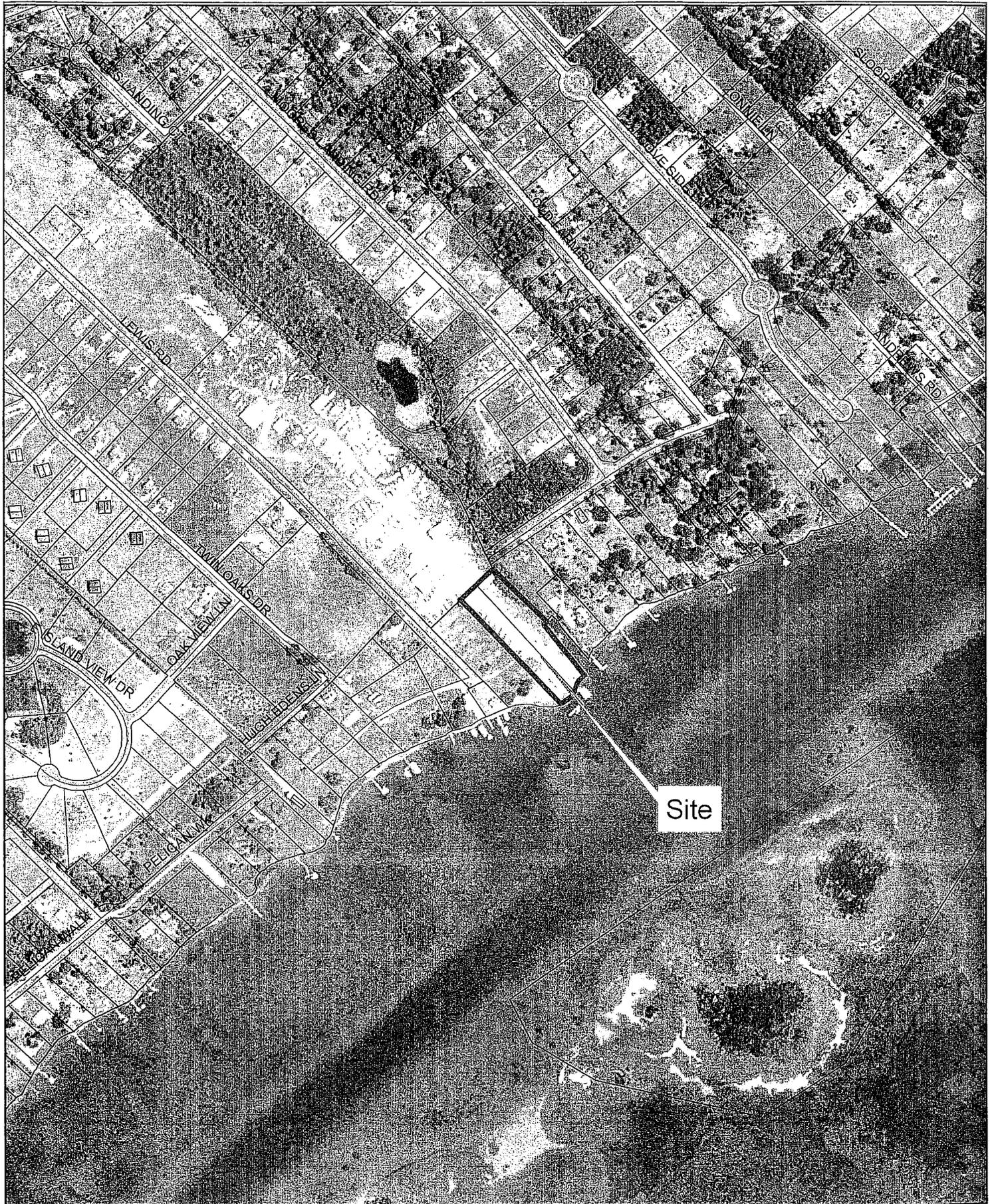


Site: Urban Growth,
Conservation I

1 inch equals 500 feet

250 125 0 250 Feet

Special Use Permit - Carpenter
CAMA Land Use Map



1 inch equals 500 feet

250 125 0 250 Feet

Special Use Permit - Carpenter
2006 Orthos