

REQUEST FOR BOARD ACTION / CONTRACT CONTROL FORM

Tracking Number: 26.

Date of Request: February 4, 2008

Date Request Received:

Board Meeting Date Requested: February 18, 2008

Board Meeting Date Assigned: February 18, 2008

Short Title: Special Use Permit – Southern Outdoor Living, Llc

Request Status:

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

Background: 2.27 acres zoned B-2, Business (Highway) District

(Administrative Use Only)

Specific Action Requested: The Board of Commissioners is requested to hear a Special Use Permit for the sale of prefabricated buildings. The property is zoned B-2 Business (Highway) District and is located approximately 1/4 mile west of the intersection of US Highway 17 and NC Highway 210 in Hampstead, NC.

CONTRACT TYPE

Requested by: Planning Staff
Department: Planning Department
Title: Planning
Contact Phone: 910.259.1202
Contact Fax: 910.259.1295

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

PURCHASING

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

Date Sent:

Signed:

ATTORNEY

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

Date Sent:

Signed:

FINANCE

Date Rec'd: Sufficient Funds Available 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 Sell Prefabricated Buildings

SUBJECT: **CASE NO:** 08-02-18-05
PROPERTY RECORD NO: 3282-88-1093-0000
APPLICANT: Gary Poirier/Southern Outdoor Living, LLC
OWNER: Joseph N. Honeycutt

ACTION REQUESTED: Approval Of Special Use Permit for the sale of prefabricated buildings.

HISTORY/BACKGROUND:

Project Location: The property is located approximately ¼ mile west of the intersection of US Highway 17 and NC Highway 210, Hampstead, NC. (See attached vicinity map).

Project Description: The project will consist of the placement of prefabricated buildings for display and sale. According to the project narrative and submitted site plan, total disturbed acreage will be approximately 0.85 acres. The prefabricated buildings range from about 64 square feet to about 288 square feet. The number of structures on the site will be consistent with displaying several types of products offered. (See attached site plan and narrative). The adjacent property to the east houses Eastern Outfitters, a commercial retail establishment and to the west, single family residences. Access will be provided via NC Highway 210 and Peanut Road, which is an existing NCDOT maintained road, with the driveway being 20 feet by 100 feet, located on NC Highway 210. The operating hours will be Monday – Thursday 2:00 p.m. – 5:00 p.m.; Friday 10:00 a.m. – 1:00 p.m.; and Saturdays 10:00 a.m. – 1:00 p.m. There will be one part-time employee running the operation, utilizing a product shed/gazebo as office space to draw up contracts. All installation and building is done off-site at the customer's property.

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 B-2, Business (Highway) District, and the sale of prefabricated buildings is allowed via a special use permit.
- D) Land Use Plan Compliance:** This property is classified as an Urban Growth area. 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 bordered by two roads, NC Highway 210 and Peanut road to the southwest and northeast respectively. To the southeast is Eastern Outfitters and to the northwest is a single family dwelling zoned R-20, Residential District.
- F) Site Access Conditions:** The property has direct access to NC Highway 210 and Peanut Road, utilizing NC Highway 210 for ingress and egress.
- 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. 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. A separate Permit must be obtained for any proposed signs. Signs shall be in accordance with Section 16 of the Pender County Zoning Ordinance.
5. Hours of operation, all seasons:
 - 2:00 p.m. – 5:00 p.m. Monday thru Thursday
 - 10:00 a.m. – 1:00 pm. Friday and Saturday
6. 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).
7. No junk, debris, trash or inoperable vehicles, recycled or salvaged materials shall be stored on the site outside a completely enclosed building.
8. All parking and access areas in the development shall be constructed and maintained to NCDOT secondary road standards.
9. 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.
10. 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 February 18, 2008, the Pender County Board of Commissioners (approved, modified, denied) a Special Use Permit for Southern Outdoor Living 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

2/18/08

 DATE

 DEPUTY CLERK

2/18/08

 DATE

**PENDER COUNTY
SPECIAL USE PERMIT APPLICATION FORM**

THIS SECTION FOR OFFICE USE

Application No.		Date	1/14/08
Permit Fee	200.00	Receipt No.	077123

APPLICANT INFORMATION

Applicant Name: <u>Betty Poavice / Southern Outdoor Living Center</u>	Owner Name: <u>Joseph N. Honeycutt</u>
Address: <u>Po Box 835 Hampstead NC 28443</u>	Address: <u>7821-1 Blue Heron Dr. W Wilmington, N.C. 28411</u>
Phone No: <u>910-409-1212</u>	Phone No: <u>681-3787</u>
Legal relationship of applicant to owner: <u>Tenant</u>	

PROJECT INFORMATION

Property tax record No. <u>3282-88-1093 0000</u>	Total acreage
Zoning Designation: <u>B2</u>	In property: <u>2.27</u>
Acreage to be used for project: _____	Acreage to be disturbed: <u>.86</u>
Project location and address: <u>NE Hwy 210 Hampstead</u>	
Describe activities to be undertaken on project site: <u>Display of Storage Sheds and Gazebos for sale under "Mobile Home Dealers' Prefabricated Buildings"</u>	

SIGNATURES

Applicant: <u>[Signature]</u>	Date: _____	Owner: <u>Joseph N. Honeycutt</u>	Date: <u>1-12-08</u>
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NOTICE TO APPLICANT

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).

Southern Outdoor Living Center

PROJECT NARRATIVE

Project location: Parcel 3282-88-1093-0000 NC Hwy 210W, Hampstead, NC 28443. There is no known assigned street address. Parcel location is immediately before #296 NC Hwy 210W, Hampstead NC 28443. The parcel is fenced around the perimeter with access from both NC Hwy 210W and Peanut Rd. via 20' wide gates. Southern Outdoor Living Center will utilize space within the boundaries of the property which, after considering set-back requirements, measures 200' x 175' x 200' x 175' with a driveway measuring 20' x 100' as the disturbed area (refer to project map) for total disturbed space of 37,000 sq ft, or approx .85 acre.

Southern Outdoor Living Center will lease this property for a maximum period of 1 year. The owner of the adjacent property on the right side has a purchase option on the property we are leasing. He is also the son-in-law of the present owner. We view the site as temporary and to be used while we search for a permanent site. We will actually disturb very little property as our business is portable in nature and our products will sit on top of the existing soil. Our principle goal is to secure a relatively high traffic visibility site to display of our storage sheds and gazebos.

Activities and Uses to be undertaken on the site: The main use of the property is the display of storage sheds and gazebo's for retail sale. The display will consist of various sheds from 8' x 8' to 12' x 24' and gazebo's measuring 8' x 8' and 10' x 10'. Our display is used to show potential customers examples of our product choices i.e. sizes, designs, colors, and quality of workmanship. We "dress-up" the display with potted plants between storage sheds on the front line of the display and a liberal amount of flowers hanging from storage shed porches, gazebos and in pots. The display is arranged in a tasteful manner and some have said it depicts a small village due to the unique designs of the storage sheds (please refer to project map).

Business is generally conducted off-site (at a customer's site) and by appointment but we would like to maintain operating hours as follows: Mon. thru Thurs 2:00pm – 5:00 pm. Fri, 10:00am to 1:00 pm and Sat. 10:00 am – 1:00 pm. One part-time employee will be on site during operating hours. A display storage shed will be used to write sales contracts and to provide shelter to the part-time employee. A sign that meets all county requirements will be constructed on site. The site will have a 25'x50' loading/unloading area for delivery of custom storage shed/gazebo orders. These orders arrive 3 to 5 at a time (depending on shed size. max load is 40' long) on a tractor trailer. The orders are then delivered to the customer sites within 1-2 days by an independent contractor. The site will have defined parking spaces. The four spaces will be defined by wood timbers on the sides and wheel bumpers at the head of each space. Main access to the site will be via the NC Hwy 210W gate with the Peanut Rd. gate locked and not used.

The property is fenced around the perimeter with 6' high chain link fence. The fence is fronted by vegetative screening consisting of shrubs and trees. Along NC Hwy 210 and

Peanut Rd., the existing buffer meets requirement category A-1. Along left side of property abutting the residential area, the existing buffer meets requirements of category C3. Along the right boundary and abutting B-2 property, the existing buffer meets requirement category B4.

Construction Activities: Minimal. We will erect a sign per the Pender County Sign Ordinance. We will place timbers and wheel bumpers to define parking spaces. All storage sheds will be placed on the existing "rocky/top" surface which is also adequate for parking and loading areas. Construction of 2 poles for security lighting.

Federal and State Permits Required: No known permits required.

Utilities: Will require electricity for security lighting. No lighting will cast on adjacent properties or streets. If permitted to hold hours for retail operations as stated above, we would rent a portable toilet unit.

Community impact: This will be minimal. Based on past history of our business, approximately 5 customer vehicles visit our lots during the non-selling season, January through March. An average of 7 customers visit during March and early April. Customer visits peak at an average of 9 per day for the months of April, May and June. Customer visits average 3 per day in July and early August. Customer visits average 8 per day mid August through November and 4 per day in December.

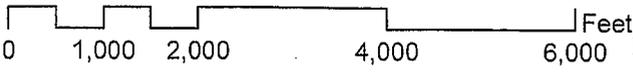
Our deliveries consist of 3 to 5 sheds/gazebo's arriving at a time via tractor trailer. Deliveries always occur between the hours of 2:00 pm and 4:00 pm. (9 hour trip from manufacturer in PA. All trips leave at 5:00 am. We expect 2 deliveries per week. Noise from a standard tractor trailer exhaust is the most disturbing characteristic and is no louder than a truck passing in the street. Deliveries take 15-20 minutes each. Deliveries cause minor traffic impact as there is ample turning radius within our lot to all the truck to enter and leave cab first.

Security lighting may have an impact in that it creates a relatively insignificant though "brighter" area than presently exists. Lighting will be arranged so it does not impact adjacent properties directly.

The sign may have an impact on the neighborhood. Some people do not like any signs. We will construct our sign in accordance with the Pender County Sign Ordinance.

We strive to be excellent community neighbors. Hampstead residents need storage solutions and no other business in the community offers the products to meet those needs. Our display is aesthetically pleasing and has received many compliments when used at other locations. Our part-time employee is a resident of Peanut Rd. living in a home adjacent to the property we will lease.

Submitted by: Gary Poirier/Southern Outdoor Living Center 1/14/08



1 inch equals 1,942 feet



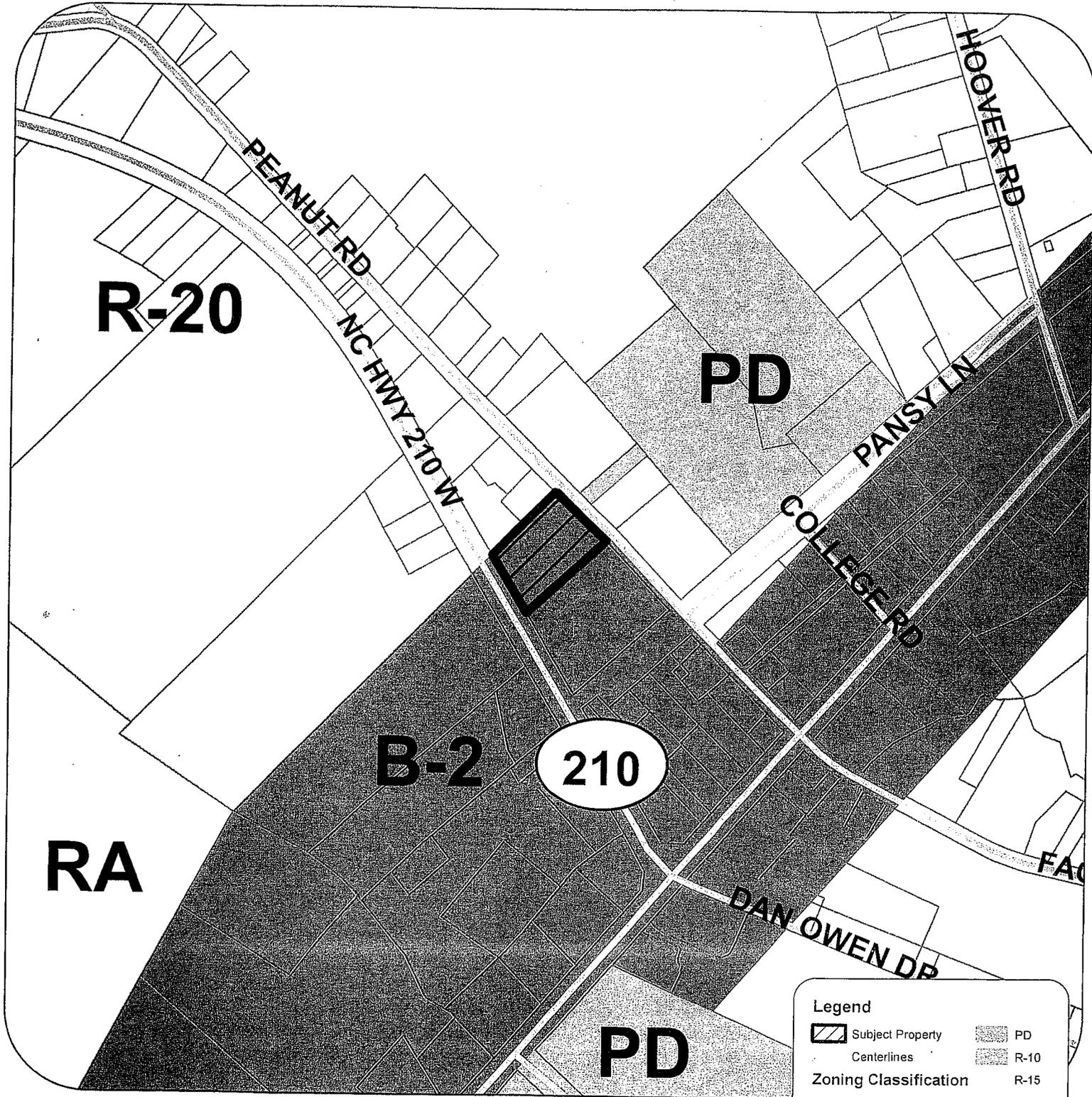
Legend

- Centerlines
- Subject Property



Special Use Permit
Mobile Home Dealers & Prefabricated Buildings
Gary Poirier/ Southern Outdoor Living Center

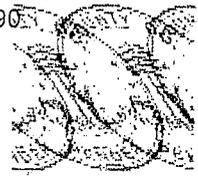
Vicinity Map



Legend

Subject Property	PD
Centerlines	R-10
Zoning Classification	
B-1	R-15
B-2	R-20
FA	R-20C
FA_DASH	RA
	RT

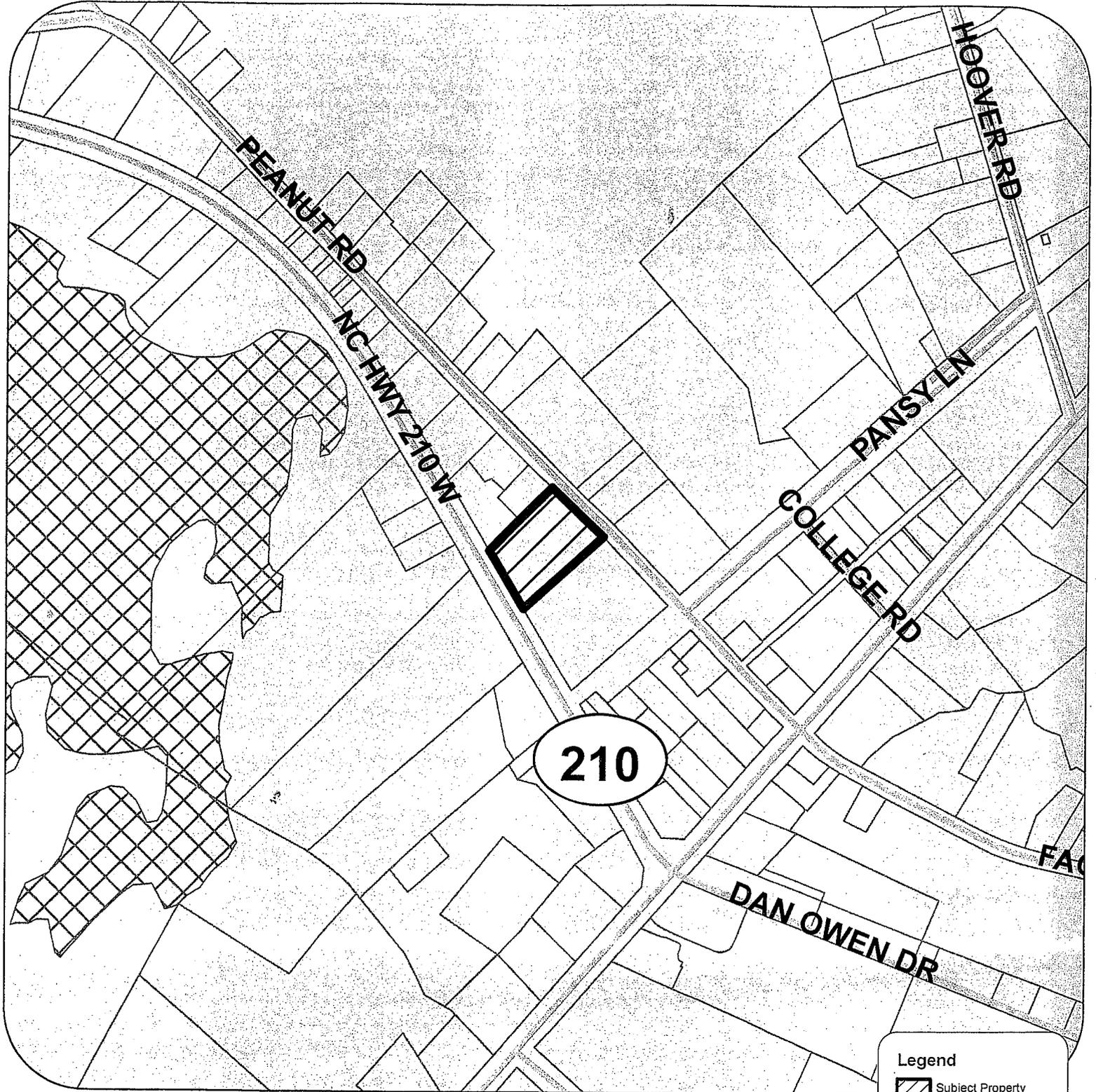
0 265 530 1,060 1,590 Feet
 1 inch equals 485 feet



Special Use Permit
Mobile Home Dealers & Prefabricated Buildings
Gary Poirier/ Southern Outdoor Living Center



Zoning Map



1 inch equals 500 feet



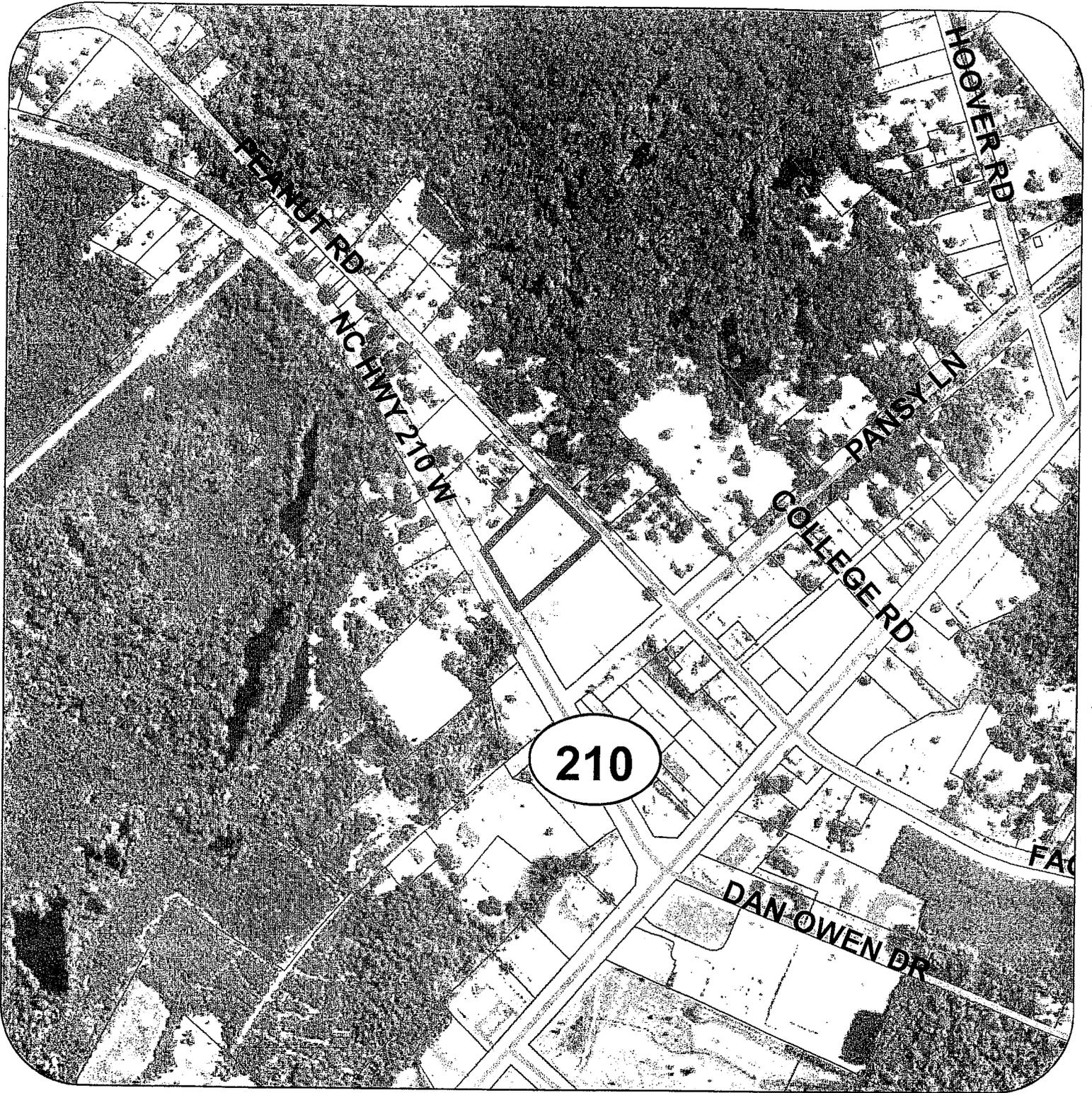
Legend

- Subject Property
- Centerlines
- Future Land Use**
- Conservation Area I
- Conservation Area II
- Rural Clusters
- Transition Areas
- Urban Growth Areas
- Rural Areas

Special Use Permit
Mobile Home Dealers & Prefabricated Buildings
Gary Poirier/ Southern Outdoor Living Center

2005 CAMA Future Land Use





1 inch equals 485 feet



Legend

-  Subject Property
-  Centerlines



Special Use Permit
Mobile Home Dealers & Prefabricated Buildings
Gary Poirier/ Southern Outdoor Living Center

2006 Color Orthos