

# REQUEST FOR BOARD ACTION / CONTRACT CONTROL FORM

Tracking Number: 25

Date of Request: March 5, 2008

Date Request Received:

Board Meeting Date Requested: March 17, 2008

Board Meeting Date Assigned: February 18, 2008

**Short Title:** Consider A Text Amendment To The Zoning Ordinance To Raise The County Height Limit For All Dry Storage Boat Facility Via Special Use Permit In The PD, R-20, R-20C, B-1, B-2, B-3, I-1, I-2, RT, RA & FA Zoning Districts.

- 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 request consists of amending the current Pender County Zoning Ordinance 8.10 – Schedule of District Requirements; Section 9 – Supplementary District Regulations and Section 15 - Special Uses. This amendment proposes that Dry Storage Boat Facility may request a height that exceeds the thirty five foot (35') current limit by applying for a Special Use Permit, being granted by the Board of County Commissioners.

(Administrative Use Only)

**Specific Action Requested:** The Board of Commissioners is requested to hold a public hearing for a Zoning Ordinance Text Amendment.

## CONTRACT TYPE

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

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

**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



**RESOLUTION: NOW, THEREFORE, BE IT RESOLVED**, that on March 17, 2008, the Pender County Board of Commissioners (approved, denied, modified) a text amendment to the Pender County Zoning Ordinance: Section 8.10 Schedule of District Requirements (Note: 20); Section 9 – Supplementary District Regulations (9.16 – Maximum Building Height); Section 15 -Special Uses (15.5 F Specific Provisions Concerning Listed Special & Permitted Uses), as described herein and James David Williams Jr., Chairman to the Board, 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.,      Date  
Chairman

\_\_\_\_\_  
ATTEST

\_\_\_\_\_  
DATE

**Zoning Text Amendment –**  
*\*proposed amendments*

**8.10 Schedule of District Requirements (20)**

(20) Note: The Board of County Commissioners may grant approval of construction where heights are greater than 35 feet for Dry Boat Storage Facility up to height of 48 feet via Special Use Permit. Please see Section 9 – Supplementary District Regulations (9.16 – Maximum Building Height)

**SECTION 9 – SUPPLEMENTARY DISTRICT REGULATIONS**

**\*9.16 Maximum Building Height for Dry Boat Storage**

**MAXIMUM HEIGHT FORTY -EIGHT FEET (48')**

*Any Dry Boat Storage Facility exceeding thirty-five feet (35') to a maximum of 48' must meet the following requirements:*

- A. *Any height limit above thirty-five feet (35') to a maximum of forty-eight feet (48') shall require a Special Use Permit approved by the Pender County Board of Commissioners. This requirement shall apply to all Dry Boat Storage facilities in the PD, R-20, R-20C, B-1, B-2, B-3, I-1, I-2, RT, RA & FA zoning districts.*
- B. *The proposed use must meet all requirements and is subject to all provisions of Section 15 (Special Uses) of the Pender County Zoning Ordinance.*
- C. *For buildings exceeding thirty-five feet (35'), the applicant shall be required to submit expert evidence that sufficient safeguards regarding fire protection and rescue area are in place.*
- D. *All Yard Setbacks (front, side & rear) must meet the district standard as set in section 8.10 District Requirements plus an additional 1 foot, for each additional foot in height over thirty-five feet (35').*

*EXAMPLE: A building of 45 feet in height is 10 feet over the standard. So in a R-20 Residential District the front yard setback would be...  
 $30' + (10*1) = \text{the front yard}$   
So the required front yard setback for a building in the R-20 district at a height of 45' would be 40'*