

# REQUEST FOR BOARD ACTION / CONTRACT CONTROL FORM

Tracking Number: 15.

Date of Request: November 10, 2008

Date Request Received:

Board Meeting Date Requested: November 17, 2008

Board Meeting Date Assigned: November 17, 2008

**Short Title:** Special Use Permit-Ivey Pridgen, Applicant, And Owner Is Requesting Approval Of A Special Use Permit For A Portable Sawmill Service.

**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 is requesting a special use permit to operate a sawmill service located at 409 Horse Branch Road, Burgaw, NC.

**Specific Action Requested:** The Board of Commissioners is requested to hold a public hearing on a Special Use Permit.

(Administrative Use Only)

**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**

Budgeted Item:  Yes  No  
Date Rec'd:  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**

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

**PLANNING STAFF REPORT**  
**Special Use Permit**

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**SUMMARY:**

**Hearing Date:** November 17, 2008

**Case Number:** 08-11-17-20

**Applicant and Property Owner:** Ivey Pridgen

**Land Use Proposed:** The applicant is proposing to operate a portable sawmill service. This activity constitutes manufacturing of lumber and wood products per the Pender County Zoning Ordinance.

**Property Record Number and Location:** The property is identified by record number 2298-56-5665-0000 and is located at 409 Horse Branch Road, Burgaw, NC.

**Zoning District of Property:** The property is zoned RA, Rural Agricultural District, and manufacturing of lumber and wood products is permitted in this zone via Special Use Permit.

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**PROJECT DESCRIPTION:**

The applicant is requesting a special use permit to operate a portable sawmill operation within a pole barn at 409 Horse Branch Road. The operation will consist of the sawing of raw lumber brought in from other locations to produce lumber and firewood. Most of the byproduct will be for the applicant's personal use. However, because some of it will be sold, it has been determined that this use constitutes manufacturing of lumber and wood products as listed in the Pender County Zoning Ordinance and thus necessitates approval of a special use permit.

The hours of operation will vary as the operation is part time. The applicant intends to increase the hours of operation in the long term upon retirement from his present occupation. At this time there will be no additional construction, utility work, state or federal permits or traffic required or generated from the operation. A small tractor will be used in the operation to transport the materials while the sawmill is run by a small diesel engine.

**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.
- B) Basis for Granting SUP:** See attachment A for approval procedures (15.3 of Zoning Ordinance) and revocation procedures (15.4b of Zoning Ordinance).
- C) Zoning Ordinance Compliance:** The property zoned RA, Rural Agricultural District, and manufacturing of lumber and wood products is permitted via a special use permit (see attached zoning map).
- D) 2005 Land Use Plan Compliance:** The current CAMA Land Use Plan classifies this property as a Rural Area. The proposed development is consistent with this classification.
- E) Existing Land Use in Area:** The surrounding property contains single-family residential dwellings at a very low net density (one (1) residential unit per usable acre of project land).
- F) Site Access Conditions:** Access to the site will be provided via an existing driveway off of Horse Branch Road, subject to NCDOT requirements.
- G) Conditions To Consider In Issuing A Special Use Permit For This Project:**
  - 1. No junk, debris, trash or inoperable vehicles, recycled or salvaged materials shall be stored on the site outside a completely enclosed building.
  - 2. No project activity shall commence on the site including clearing and grading until a Final Zoning Permit has been issued.
  - 3. No permanent personnel occupancy on-site will be allowed.

4. All operations must follow federal, state, and local standards, regulations, ordinances, permits, statutes, and/or laws.
5. The project must have commercial site plan review for a zoning permit.
6. The project shall be developed in accord with the provisions of the Pender County Zoning Ordinance and the applicant's final revised site plan as approved by the Zoning Administrator and the conditions contained in this permit.
7. Any violations of the conditions of this permit, confirmed by the Zoning Administrator shall result in a notice of violation, if not corrected within 30 days of receipt of the notice of violation, a scheduling of a public hearing with the Board of Commissioners will be made at the next available meeting, the 31st day of receipt of the notice of violation for a revocation.
8. The obligations imposed by this permit will be the responsibility of the property owner and operator and shall continue in affect until all conditions of this permit and other permits have been complied with and the Pender County Planning Department has made a final inspection of the site and provided a written certification that the site is in compliance.

**RESOLUTION: NOW, THEREFORE, BE IT RESOLVED**, that on November 17, 2008 the Pender County Board of Commissioners (approved, modified, denied) a special use permit for the operation of a wastewater treatment plant for Ivey Pridgen, 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.,  
Chairman

11/17/2008  
Date

\_\_\_\_\_  
ATTEST

11/17/2008  
Date

# PLANNING AND COMMUNITY DEVELOPMENT

PLANNING • CODE ENFORCEMENT • BUILDING INSPECTIONS • CENTRAL PERMITTING



## APPLICATIONS COVER SHEET

Date Application Filed: 10/3/08

### I. REQUIRED NAMES:

Applicant Ivey Pridgen Owner same

Address 409 Horse Branch Rd Address \_\_\_\_\_

Burgaw, NC 28425 \_\_\_\_\_

Phone 259-4777 Fax \_\_\_\_\_ Phone \_\_\_\_\_ Fax \_\_\_\_\_

Email \_\_\_\_\_ Email \_\_\_\_\_

Legal Relationship of Applicant to Property Owner: self

Consultant Name/Company n/a

Address \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

Email \_\_\_\_\_

  
(Signature of Applicant)

\_\_\_\_\_  
(Signature of Owner)

\*If owner is different from applicant, both signatures are required.\*

### II. TYPE OF APPLICATION:

(Please check one)

#### Board of Adjustment:

Variance

Appeal

#### Zoning:

Text Amendment

Map Amendment

Special Use Permit

#### Plans:

Planned Development

Subdivision Preliminary Plat

# PLANNING AND COMMUNITY DEVELOPMENT

PLANNING • CODE ENFORCEMENT • BUILDING INSPECTIONS • CENTRAL PERMITTING



## SPECIAL USE PERMIT APPLICATION

Date 10/3/08

Application Fee 1200.00

### I. PROJECT INFORMATION:

Parcel ID #: 22985656650000

Total Property Acreage: 5.36

Zoning District: RA

Acreage to be Disturbed: None

Property Location/Address: 409 Horse Branch Rd, Burgaw, NC 28425

Describe activities to be undertaken on project site: Portable sawmill service

### II. REQUIREMENTS FOR ISSUING A SPECIAL USE PERMIT:

1. The use requested is listed among the special uses in the district for which the application is made; or is similar in character to those listed in that district;
2. The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor adversely affect the safety, health, morals, or welfare of the community or of the immediate neighbors of the property;
3. The proposed use shall not constitute a nuisance or hazard;
4. The requested use will be in conformity with the land use plan;
5. Adequate utilities, access roads, drainage, sanitation or other necessary facilities have been or are being provided;
6. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize the traffic congestion in the public roads;
7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located; and
8. The proposed use shall not adversely affect surrounding uses and shall be placed on a lot of sufficient size to satisfy the space requirements of said use.

Any information the applicant wishes to submit to assist in making the above findings may be included as part of the Project Narrative or as a supplement labeled "Support Information-Required Findings" (max. 1 page).

*\*Please refer to Special Use Application Checklist for further requirements.*

### III. SIGNATURE OF OWNER & APPLICANT:

*[Signature]* *same*  
(If owner is different from applicant, both signatures are required)

Ivey Pridgen  
Beaver Branch Sawmill  
409 Horse Branch Rd.  
Burgaw, NC 28425

October 3, 2008

To: Pender County Planning Dept

Ref: Special use permit for portable sawmill

To whom it may concern,

This request is for a special use permit to allow me to operate a custom portable sawmill service, located at 409 Horse Branch Rd in Burgaw, access to the site is by way of an existing driveway that connects directly to Horse Branch Rd.

Activities will include sawing logs that other people bring in (mostly yard trees) and sawing logs that are given to me. The lumber from these logs are for my personal use and some lumber will be sold. I will have some lumber neatly stacked under my pole barn. The scrap wood produced is used as firewood for myself and others.

Hours of operation will vary since this is a part time operation. I hope to retire from NCDOT in 4 years and then hope to devote more time to the sawmill business. I am the only primary employee at this point; my wife helps me when she can, so I would say that the number of employees are two part-time

There will be no new construction at this time; work is done in and around the existing pole barn.

There are currently no utilities on site; none are needed at this time. There will be no water or sewer so there is no need for a permit from Environmental Health.

No state or federal permits will be required for this project.

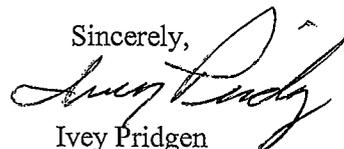
There will be little traffic in and out of the site, on average 3-4 small trucks a week.

The only noise made by this operation is a small farm tractor that I use to move the logs around and the sawmill itself, which has a small diesel engine (50hp). When sawing on site the sawmill is in a partially enclosed pole barn that baffles the sound.

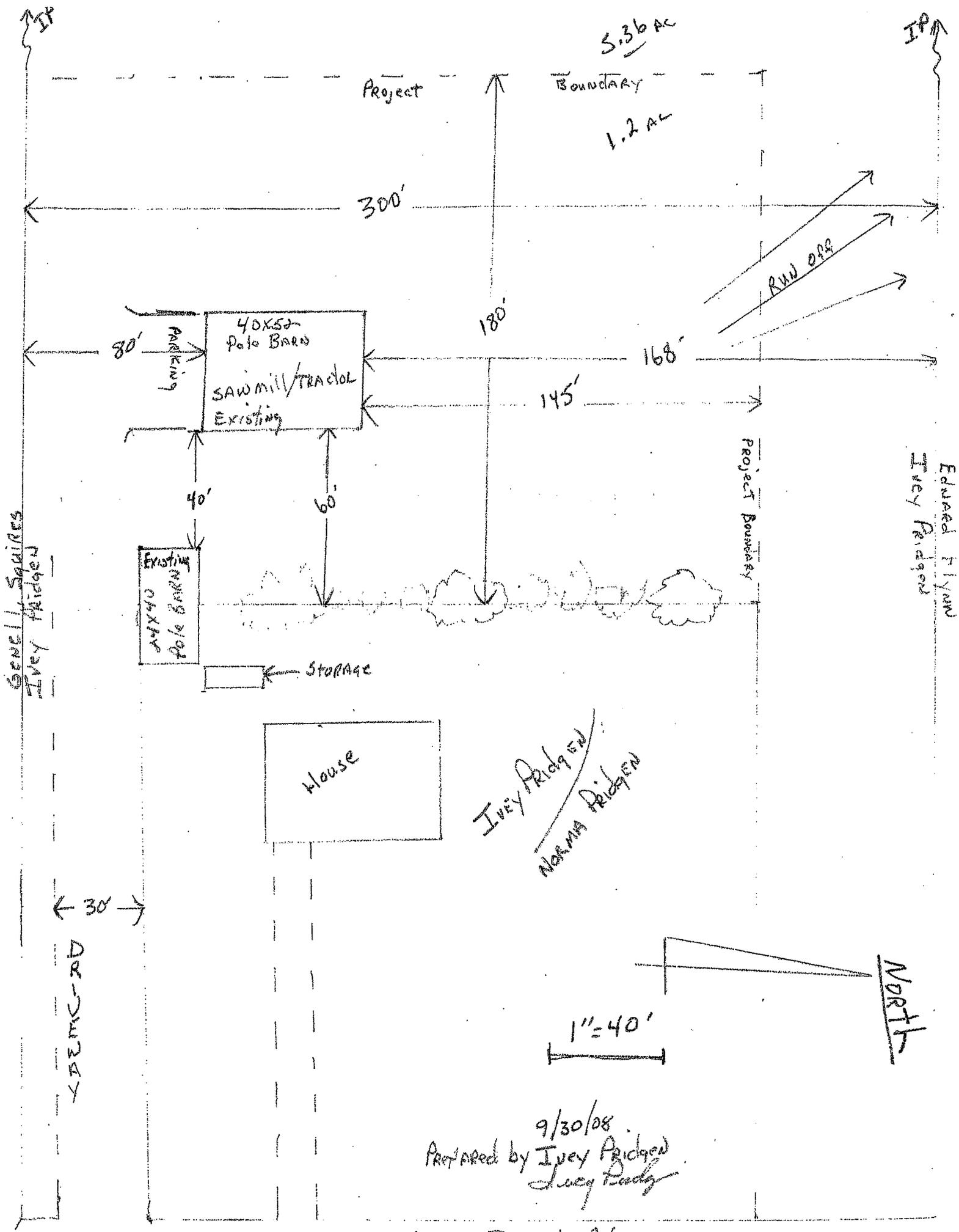
I have talked to all of my neighbors at different times and have asked if what I am doing disturbs them or if it is loud and they have all replied "not at all". I have been on this farm all of my life and have always strived to be a good neighbor.

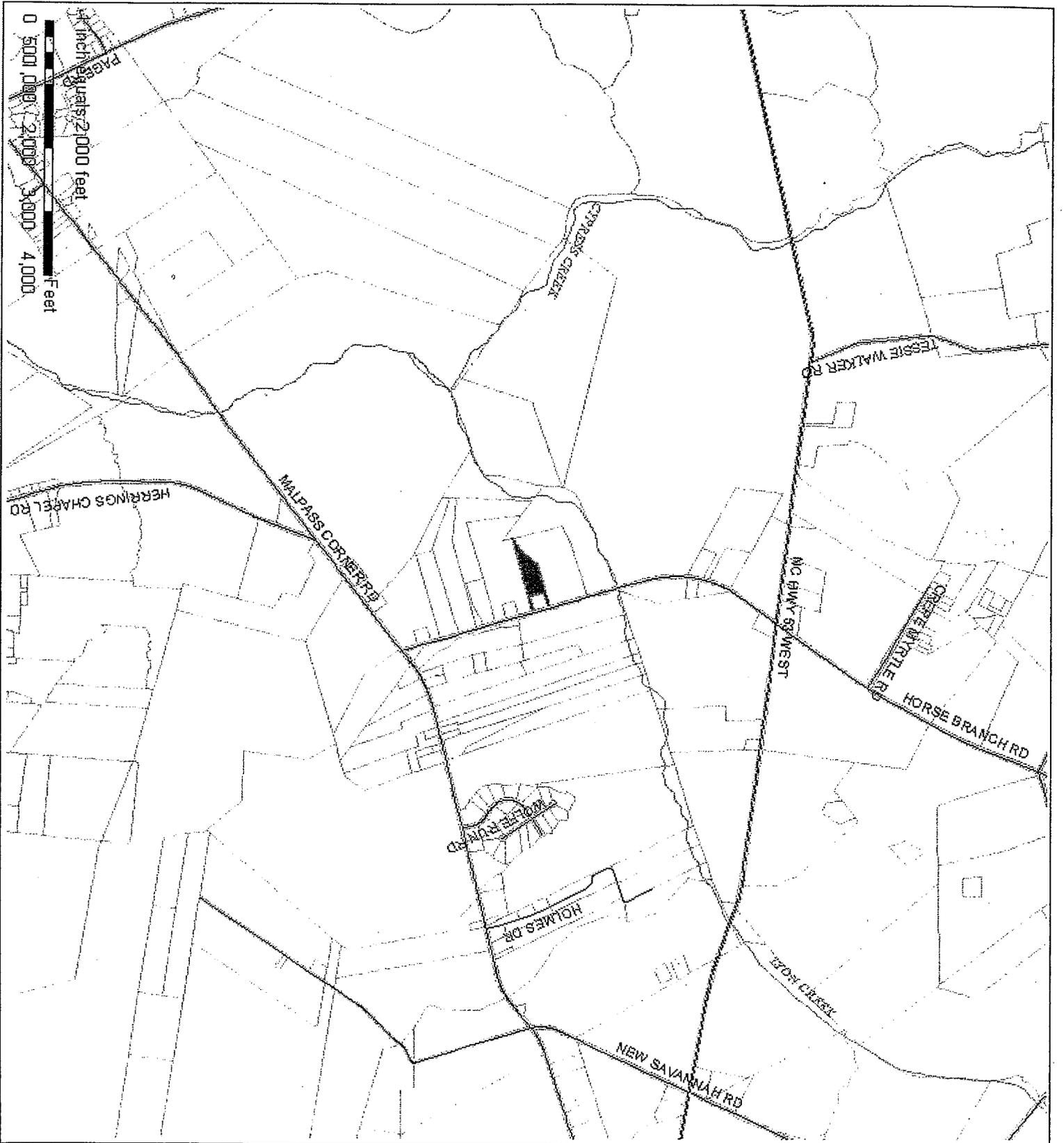
If you have any questions or concerns I can be contacted at (910) 259-4777 after 5 pm or cell (910) 540-0705.

Sincerely,



Ivey Pridgen



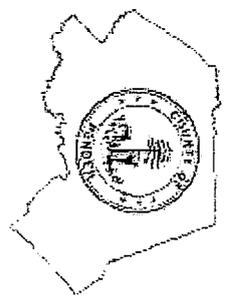


Applicant -  
Ivey Priddgen

Special Use Permit



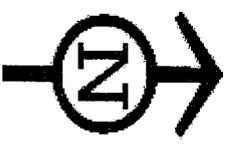
VICINITY MAP



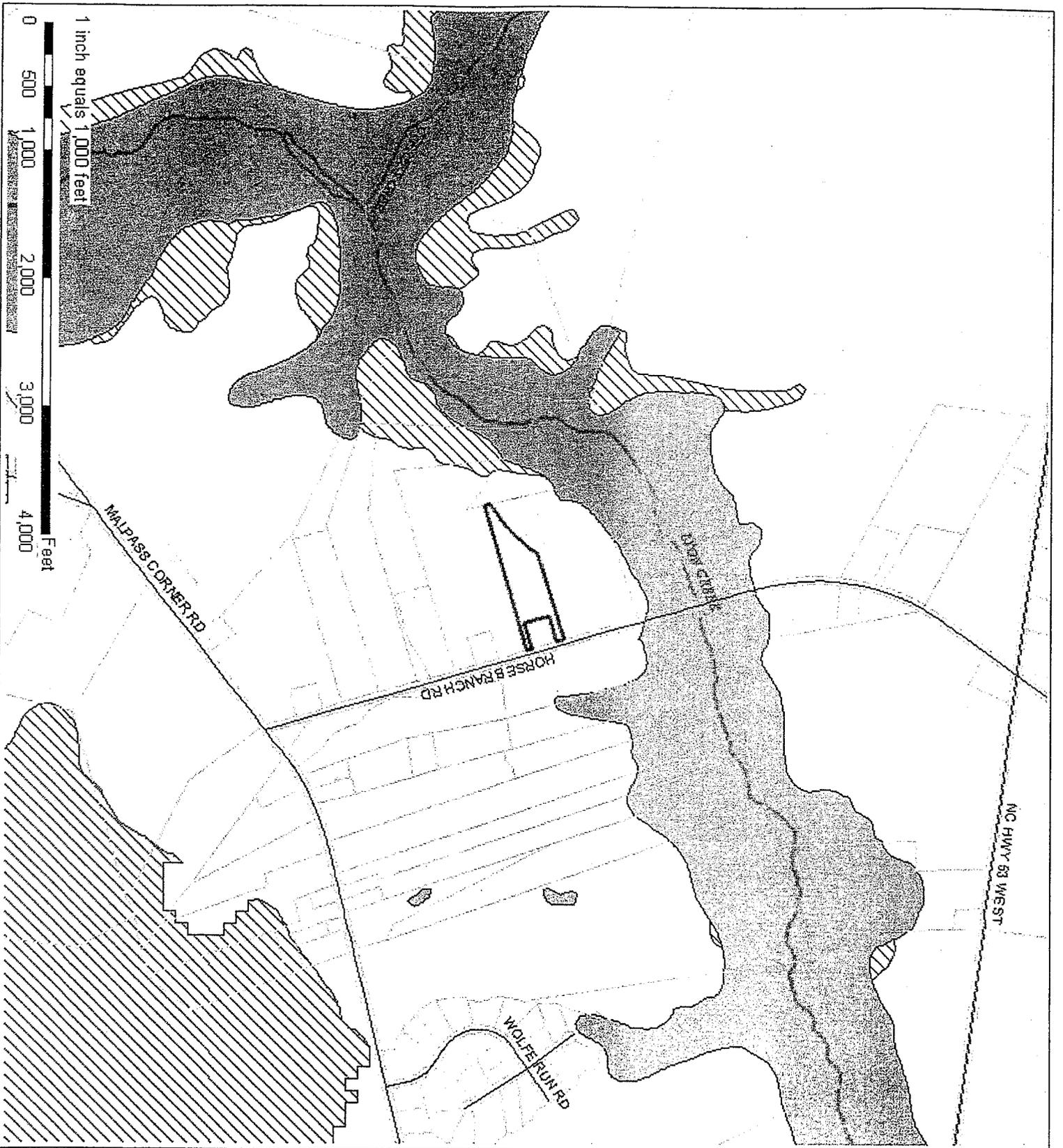
**Applicant -**  
Ivey Priddgen

**Special Use Permit**

Zoning	ALPHA
P-1	[Pattern]
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P-3	[Pattern]
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**ZONING MAP**



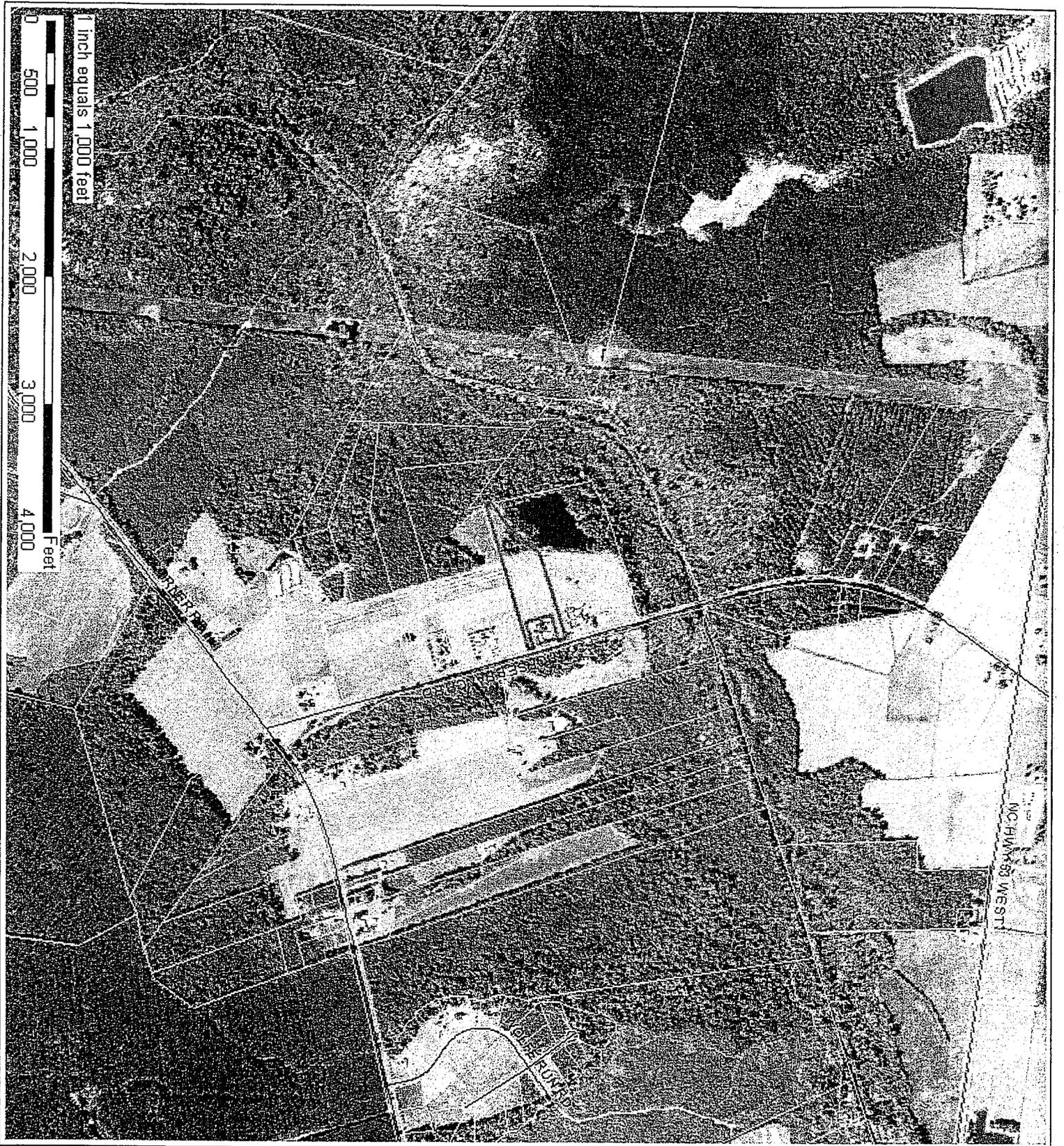
Applicant -  
Ivey Priddgen

Special Use Permit

	Concentration Area I
	Concentration Area II
	Timberland Forest
	Urban Growth Forest
	Rural Cluster
	Rural Forest



CAMA Land Use

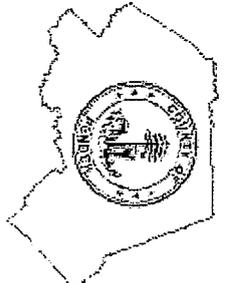
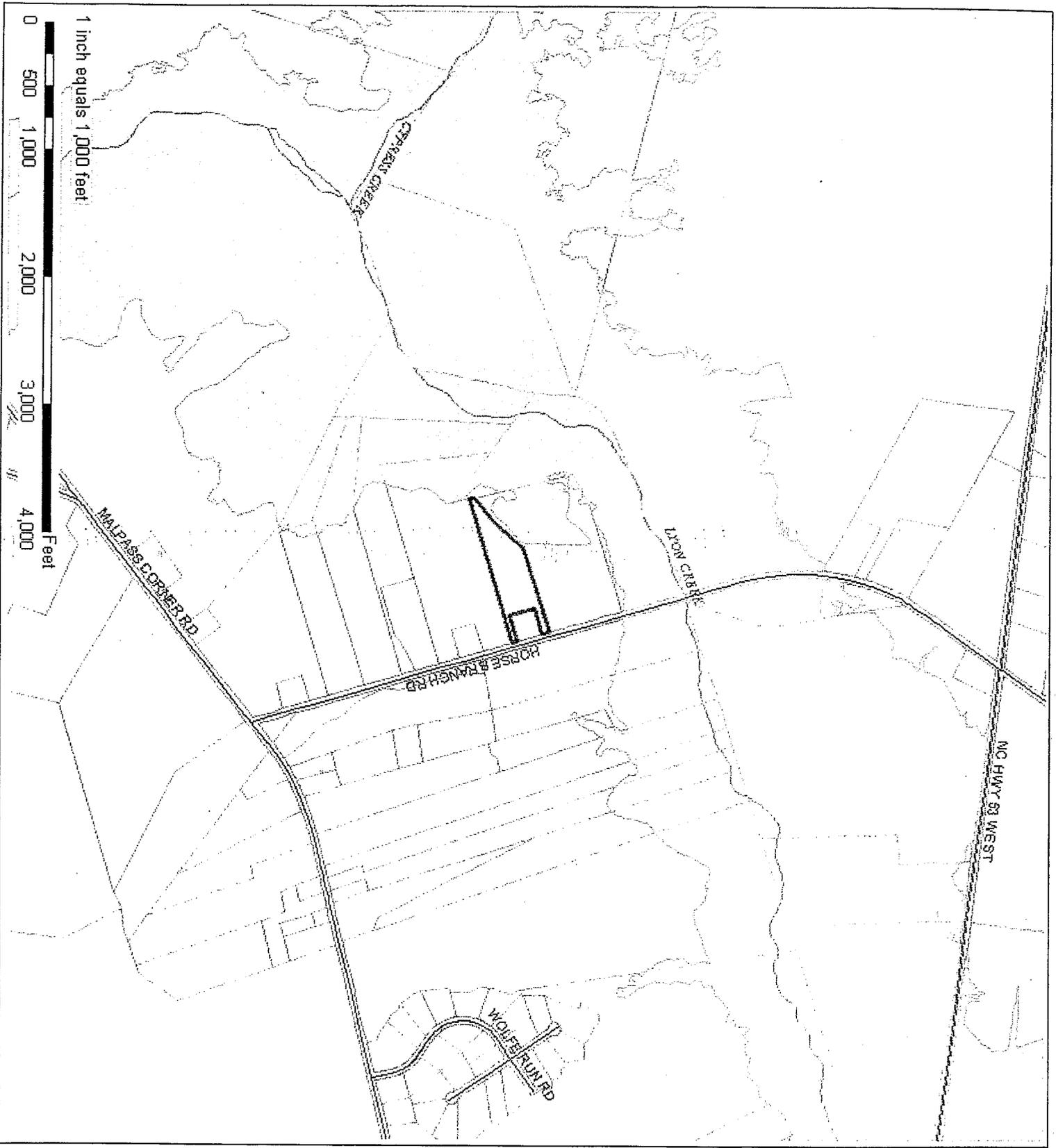


Applicant -  
Ivey Priddgen

Special Use Permit



Aerial Map



Applicant -  
Ivey Priddgen

Special Use Permit

Flood	
	A
	AE
	AEFW
	SHADED X
	VE



Flood Zones