



REQUEST FOR BOARD ACTION

ITEM NO. 18.

DATE OF MEETING: March 19, 2012

REQUESTED BY: Ashley Moncado, Planner I, Planning & Community Development Department

SHORT TITLE: Resolution Requesting the Revocation of Two Special Use Permits for One Tract of Property Located at 4235 US Highway 421, Issued on December 28, 1994 and January 21, 2003.

BACKGROUND: Pender County, on behalf of applicant and owner, Jerry Hamman, is requesting the revocation of two Special Use Permits for one tract of property located at 4235 US Highway 421. The property can be identified as Pender County PIN # 2293-04-7583-0000.

On December 28, 1994, the Pender County Board of County Commissioners approved a Special Use Permit for the operation of a metal fabrication and tool manufacturing business. Further expansion of the building located on the site was approved with an additional Special Use Permit on January 21, 2003.

In November 2003, a County initiated zoning map amendment rendered the use nonconforming by rezoning the tract from I-2, Heavy Industrial, to RA, Rural Agricultural. On September 19, 2011, the Board approved a general use rezoning, reverting the property to GI, General Industrial, allowing the previously existing land use to be permitted.

However, due to the recent change in land use and zoning map amendment, the applicant is requesting to repeal the two existing Special Use Permits, associated with the aforementioned tract. This proposed revocation is consistent with Section 3.12.4.B.2-3 of the Unified Development Ordinance, which states that revocation of an existing Special Use Permit can be permitted when the use for which such approval was granted is not being executed and the use for which such approval was granted has ceased to exist or has been suspended for one year.

SPECIFIC ACTION REQUESTED: To consider a resolution to revoke two existing Special Use Permits for 4235 US Highway 421.

RESOLUTION

NOW, THEREFORE BE IT RESOLVED by the Pender County Board of Commissioners that:

the Board hereby authorizes the revocation of two Special Use Permits for one tract of property located at 4235 US Highway 421, based on Section 3.12.4.B.2-3 of the Pender County Unified Development Ordinance. The Chairman/County Manager is authorized to execute any/all documents necessary to implement this resolution.

AMENDMENTS:

MOVED _____ SECONDED _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Brown _____ Tate _____ Rivenbark _____ Ward _____ Williams _____

George R. Brown, Chairman

3/19/2012
Date

ATTEST

DATE

October 24th, 2011

Ashley Moncado
Pender County
Planning & Community Development
Division of Planning
805 S Walker Street
Burgaw, NC 28425

Ref: Revoke Special Use Permits

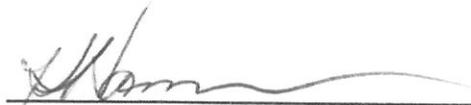
Per the Pender County rezoning of 4235 HWY 421, Currie, NC, we are asking that the two special use permits for the Porta - Nails, Inc. issued on 12/28/1994 & January 21, 2003 be revoked.

The Porta - Nails, Inc. is no longer in business. The facility has been sold to our company, EOR-4235 HWY 421, LLC.

The business name is Coastal Power. We build power lines and are a subcontractor for the power companies. We are proposing a contractor yard and office (office staff is approx.12-14 people). The contractor yard will be used for equipment(bucket trucks, diggers, cranes, loaders, track machines). The majority of the time the equipment stays on the jobs in the field.

Enclosures:

Special Use Permit (Dec.1994)
Special Use Permit (Jan.2003)
Pender County Health Permit


Jerry Hamman- Sr. Executive VP

County/City of Powhatan
Commonwealth/State of Virginia
The foregoing instrument was acknowledged
before me this 24th day of October
by Jerry Hamman
(name of person seeking acknowledgement)
Dawn Ailyn Myhre
Notary Public
My Commission Expires: July 31, 2013

Commonwealth Of Virginia
Dawn Ailyn Myhre - Notary Public
Commission No. 7306406
My Commission Expires 7/31/2013



Case Number 10667

SUP Revocation

Legend
Subject Property



2008 Aerial

