



REQUEST FOR BOARD ACTION

ITEM NO: 19.

DATE OF MEETING: March 18, 2013

REQUESTED BY: Ashley Frank, Planner II, Planning & Community Development

SHORT TITLE: Public Hearing and Resolution Requesting Approval of a Revision to a Special Use Permit (SUP) for the Expansion of an Existing Marina; More Specifically the Addition of Dry Dock Boat Storage.

BACKGROUND: B&M Holdings, LLC, applicant and owner, is requesting approval of a revision to an existing Special Use Permit (SUP) originally issued April 17, 2000; the revision will allow dry-dock storage of boats at the existing Scotts Hill Marina. The original Special Use Permit was reviewed and approved under the 1988-2010 Pender County Zoning Ordinance. The property is located at 2570 Scotts Hill Loop Road (SR 1571), at the intersection of Simmons Road (SR 1581) and Scotts Hill Loop Road (SR 1571), in Scotts Hill and may be identified by PIN 3280-26-2979-0000. There is one (1) tract associated with this request totaling approximately ±5.7 acres. The property is currently zoned RP, Residential Performance District; however it was zoned RA, Rural Agricultural, in April 2000 when the initial SUP was issued and R-20C, Residential Conventional Housing District, when the SUP was revised in August 2006. According to the Pender County Zoning Ordinance § 8.9 Table of Permitted Uses; marinas are permitted via Special Use Permit (SUP) in the both the RA, Rural Agricultural and R-20C, Residential Conventional Housing District.

SPECIFIC ACTION REQUESTED: To hold a public hearing and consider the approval of a Revision to an existing Special Use Permit.

RESOLUTION

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

on March 18, 2013 the Pender County Board of Commissioners (approved, modified, denied) a Special Use Permit (SUP) for Revision to a Special Use Permit (SUP) for the Expansion of an Existing Marina; more specifically the Addition of Dry Dock Boat Storage, as described herein. 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 ___ McCoy ___ Tate ___ Ward ___ Williams ___

George R. Brown, Chairman 03/18/2013
Date

ATTEST 03/18/2013
Date

PLANNING STAFF REPORT

Special Use Permit

SUMMARY:

Hearing Date: March 18, 2013

Applicant: B&M Holdings, LLC

Property Owner: B&M Holdings, LLC

Case Number: 10151-R

Land Use Proposed: B&M Holdings, LLC, applicant and owner, is requesting approval of a revision to an existing Special Use Permit (SUP) originally issued April 17, 2000; the revision will allow dry-dock storage of boats at the existing Scotts Hill Marina. The original Special Use Permit was reviewed and approved under the 1988-2010 Pender County Zoning Ordinance.

Property Record Number and Location: The property is located at 2570 Scotts Hill Loop Road (SR 1571), at the intersection of Simmons Road (SR1581) and Scotts Hill Loop Road (SR 1571), in Scotts Hill and may be identified by Pender County PIN 3280-26-2979-0000. There is one (1) tract associated with this request totaling approximately ±5.7 acres.

Zoning District of Property: The property is currently zoned RP, Residential Performance District; however it was zoned RA, Rural Agricultural, in April 2000 when the initial SUP was issued and R-20C, Residential Conventional Housing District, when the SUP was revised in August 2006. According to the Pender County Zoning Ordinance § 8.9 Table of Permitted Uses, marinas are permitted via Special Use Permit (SUP) in the both the RA, Rural Agricultural District and R-20C Residential Conventional Housing District.

Project History:

The current use of a marina, Scotts Hill Marina, was established sometime in the late 1950's or early 1960's. The marina was destroyed by Hurricane Fran in 1996 with the reconstruction of the facility completed late 1998.

The original SUP for Scotts Hill Marina was issued on April 17, 2000. The purpose of the SUP was to increase the total number of wet slips at the existing Scotts Hill Marina from 60 to 98 slips. The SUP was approved unanimously by the Pender County Board of Commissioners on April 17, 2000.

The SUP was revised for a second time in August 2006. This revision was to add 34 new temporary (day) wet slips, which brought the total to 124, approved wet slips. At the time of the SUP hearing in August 2006, the existing facility only had 69 floating wet slips and a floating dock for 6-8 vessels. The SUP was approved unanimously by the Pender County Board of Commissioners on August 21, 2006.

As defined in the Pender County Zoning Ordinance, marinas are any publicly or privately owned dock, basin, or wet boat storage facility constructed to accommodate more than five boats and providing any of the following services: permanent or transient docking spaces, dry storage,

fueling facilities, haul-out facilities or repair services. Excluded from this definition are boat ramp facilities that allow access and/or temporary docking only and none of the preceding services.

Because neither the original SUP nor the 2006 revision specifically addressed dry dock storage on this site, a request to revise the SUP to include the use of dry dock storage must be heard by the Board of Commissioners as per the Pender County Zoning Ordinance.

PROJECT DESCRIPTION:

B&M Holdings, LLC, applicant and owner, is requesting approval of a revision to an existing Special Use Permit (SUP) originally issued April 17, 2000; the revision will allow dry-dock storage of boats at the existing Scotts Hill Marina.

The existing marina is located on ±5.7 acres and currently includes 64 leased wet slips, a floating dock for 6 to 8 transient (day) boats, an office and a convenience store, a maintenance and repair shop, and a clubhouse. At this time the applicant is proposing the removal of the maintenance/repair building to accommodate the construction of a metal racking system to store marine vessels. No other modification is proposed at this time.

The applicant's proposal is to construct a metal racking system to allow the dry storage of marine vessels, along three (3) areas; the total area for the dry dock storage would not exceed 4,000 ft². The dry storage system would not exceed 35 feet in height, nor would the racks have roofs.

Scotts Hill Marina currently has four (4) employees working in the office/store and one to two (1-2) employees on the marina grounds to assist with boat ramp usage and parking during seasonal months. The marina hours of operation will remain the same:

- Summer Months hours of operation: 6am-7pm Sunday - Thursday and 6am - 8pm on Friday and Saturday.
- Winter Months hours of operation: 6am - 6pm Sunday - Thursday and 6am - 7pm on Friday and Saturday.

Access to the facility will be provided via two (2) existing driveways Scotts Hill Loop Road (SR 1571). The North Carolina Department of Transportation is not requiring a driveway permit at this time; reevaluation would be required for future expansion or additional uses for this site.

The Scotts Hill Marina is proposing to utilize the existing onsite well for potable water, and individual on-site septic system, both subject to review and approval from Pender County Environmental Health.

The subject property is located within the AE Special Flood Hazard Area (SFHA) and the VE Coastal Flood Zone along the Intracoastal Waterway, according to the 2007 Flood Insurance Rate Maps (FIRMs), Map Number 3720328000K, Panel Number 3280. Any new development must comply with the National Flood Insurance Rate Program (NFIP) in accordance with the Pender County Unified Development Ordinance, Article 9, Flood Damage Prevention.

Prior to the issuance of zoning approval and building permits; a commercial site plan review must be submitted and approved in accordance with 9.14 of the Pender County Zoning Ordinance. A part of this review will include compliance with Article 8, Landscaping and Buffering. The site plan submitted with this application is considered conceptual and does not reflect any approvals, regulations in effect or any additional conditions imposed on this SUP.

All applicable local, state and federal permits must be obtained prior to the construction and operation of the facility, as well as the delineating the Special Flood Hazard Area (SFHA). With the exception of the addition of the dry dock storage, as previously described, all other conditions of Case Number 10151(SUP 04-17-00 and SUP 06-08-21-11) shall remain in effect; with any modification or revision to this permit requiring Pender County Board of Commissioners review and approval.

EVALUATION:

- A. *Public Notifications:*** Public Notice of the proposal for Public Hearing has been advertised in the Pender-Topsail Post and Voice. Adjacent property owners have been given written notice of the request, as well as a sign placed on the subject property.
- B. *Basis for Granting SUP:*** See Attachment A for approval procedures (§15.3 of the Pender County Zoning Ordinance) and revocation, expiration and revision procedures (§15.4b, c, and h of the Pender County Zoning Ordinance).
- C. *Zoning Ordinance Compliance:*** The property is currently zoned RP, Residential Performance District; however it was zoned RA, Rural Agricultural, in April 2000 when the initial SUP was issued and R-20C, Residential Conventional Housing District, when the SUP was revised in August 2006. According to the Pender County Zoning Ordinance § 8.9 Table of Permitted Uses, marinas are permitted via Special Use Permit (SUP) in the both the RA, Rural Agricultural District and R-20C Residential Conventional Housing District.
- D. *2010 Comprehensive Land Use Plan Compliance:*** The 2010 Comprehensive Land Use Plan classifies the subject property as Conservation, which are considered areas of special significance and have unique environmental characteristics that make them worthy of preservation. Current conservation areas are typically owned by Federal or State agencies or private conservation groups and are often designated as Areas of Environmental Concern (AECs). In Pender County the Conservation areas are comprised primarily of the Holly Shelter Game Land and the Angola Bay Game Land. Other major conservation areas are located in Coastal Pender along the Intracoastal Waterway and major streams leading to the waterway, along the Black and Cape Fear Rivers in western Pender County, and along the Northeast Cape Fear River.
The 2010 Comprehensive Land Use Plan does state that public and private uses that require water access and cannot function elsewhere are appropriate in conservation areas.

The following goals and policies within this plan may be relevant to the proposed Special Use Permit request:

- i) *Growth Management Goal 1A.1:*** Manage the physical growth and development of Pender County by promoting more intensive land uses in key locations identified for such growth while preserving and protecting the unique physical character and social

assets of the predominant rural lifestyle and coastal environment that makes the County a unique place to live.

- (1) **Policy 1A.1.5:** The County supports a pro-business/pro-growth attitude, balanced by a concern for preserving the natural assets and quality of life factors that make the area attractive to visitors and permanent residents alike
- ii) **Public Access Management Goal 7D.1:** Pender County will support expansion of public access locations based on CAMA Site Classification Standards, through public and private actions as a high priority.
 - (1) **Policy 7.D.1.6:** Design and operate all facilities in a manner that minimizes any negative impacts on water quality and that minimizes any conflicts with other natural resources and surrounding land uses and where feasible, providing for universal accessibility.
- iii) **Economic Development Goal 10A.1:** Promote economic development which meets the needs of the County for expanding the non-residential tax base and providing well-paying jobs.
 - (1) **Policy 10A.1.11** Support maritime-related industries by exploring opportunities to make commercial fishing more profitable and viable.

Additionally, the Special Use Permit (SUP) request does not conflict with any goals and policies in the 2010 Pender County Comprehensive Land Use Plan.

- E. **Existing Land Use in Area:** The existing land use in the area includes single family residential and a vacant tract to the north. Along the eastern boundary of the project is the Intracoastal Waterway. To the south and west of the project is single family residential.
- F. **Site Access Conditions:** Access to the facility will be provided via two (2) existing driveways along Scotts Hill Loop Road (SR 1571).
- G. **Conditions To Consider In Issuing A Revision of the 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. Prior to the issuance of zoning approval and building permits; a commercial site plan must be submitted and approved in accordance with 9.14 of the Pender County Zoning Ordinance. A part of this review will include compliance with Article 8, Landscaping and Buffering.
 - 3. A commercial site plan application shall be submitted to Pender County Planning Department for review and approval before any final zoning permit or building permits are issued.
 - 4. ~~A separate permit must be obtained for any proposed signs in accordance with Article 10 of the Pender County Unified Development Ordinance.~~ Any existing signs shall be in accordance with Section 15 of the Zoning Ordinance; any new signs shall be in accordance with Article 10 of the Pender County Unified Development Ordinance (UDO).

5. Hours of Operation: Summer Months: 6AM to 7PM Sunday – Thursday and 6AM to 8 PM on Friday and Saturday. Winter Months: 6 AM to 6 PM Sunday-Thursday and 6 AM to 7 PM on Friday and Saturday.
6. Any flood or spotlights shall be oriented away from the street. Such lights shall 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. 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.
9. 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.
10. The obligations imposed by this permit will be the responsibility of the property owner and operator and shall continue in effect for the duration of this permit
11. 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.
12. The project shall comply with all requirements of the Pender County Zoning Ordinance, Adopted July 1, 1988, and Codified with Correction and Amendments as of February 2, 2009.
13. All applicable local, state and federal permits must be obtained prior to the construction.
14. Any new development within the "AE" or "VE" Special Flood Hazard Area (SFHA) will need to comply with the National Flood Insurance Rate Program (NFIP) in accordance with the Pender County Unified Development Ordinance, Article 9, Flood Damage Prevention.
15. With the exception of the addition of the dry dock storage, as previously described, all other conditions of Case Number 10151(SUP 04-17-00 and SUP 06-08-21-11) shall remain in effect; with any modification or revision to this permit requiring Pender County Board of Commissioners review and approval.

TECHNICAL REVIEW COMMITTEE (TRC) RESPONSES:

Cape Fear Council of Governments RPO

No response.

Four County Electric Company

No response.

NC DENR Division of Coastal Management

After further review, it appears the Scotts Hill Marina expansion project (dry stack storage addition) will require approval from the NC Division of Coastal Management, under a CAMA Major Development permit. This determination was made based on the proximity of the proposed development to SA-ORW waters, per the ORW boundary maps provided by the NC Division of Water Quality (i.e. the ORW boundary extends into the marina basin, almost to the boat ramp). Please see included map.

NC DENR Division of Forestry

No response.

NC DENR Division of Land Resources

No response.

NC DENR Division of Waste Management

No response.

NC DENR Division of Water Quality

If DCM requires a CAMA Major Permit, then the Division of Water Quality will require a stormwater management (SWM) permit. It appears that this proposed development might be able to utilize the redevelopment option under the stormwater rules. Redevelopment requires that there be no net increase in built-upon area and equal or better stormwater treatment.

NC DOT Division of Highways

No comments.

NC DOT Transportation Planning Branch

No response.

NC Office of State Archaeology

No response.

NC Wildlife Resources Commission

No response.

Pender County Building Inspections

No response.

Pender County Flood Plain Management

The flood line will need to be delineated on a site plan prepared by a surveyor to determine if any portion of the structure is in the SFHA.

Pender County Emergency Management

No response.

Pender County Environmental Health

Nothing is required from EH.

Pender County Fire Marshall

No response.

Pender County Parks and Recreation

No issues with this request.

Pender County Public Library

No response.

Pender County Public Utilities

No comment.

Pender County Schools

This project should not be any problem for Pender County Schools.

Pender County Sheriff's Department

No response.

Pender County Soil and Water Conservation District

No problem with this request.

Progress Energy Corporation

No response.

US Army Corps of Engineers

No response.

Wilmington Metropolitan Planning Organization

No response.

Attachment A

15.3 Procedures for Reviewing Applications

The special uses, as specified in the various districts, may be established only after review and approval by the Board of Commissioners.

The Board of County Commissioners, acting in a quasi-judicial manner and setting, shall hear evidence from the applicant and any interested members of the public. The Board of Commissioners shall hold a public hearing on the application for a Special Use Permit within sixty (60) days after the completed application is filed. The Zoning Administrator shall cause notice of the hearing to be published once a week for two successive calendar weeks. The notice shall be published for the first time not less than ten (10) nor more than twenty-five (25) days before the date fixed for the hearing. All Special Use Permit applications must be presented to the Zoning Administrator for a determination of completeness. An appeal from a completeness determination may be had to the Board of Adjustment or Superior Court within twenty (20) days of the determination.

The Board of Commissioners shall approve, modify, or deny the application for a Special Use Permit. In approving a Special Use Permit the Board of Commissioners, with due regard to the nature and state of all adjacent structures and uses in the district within same is located, shall make written findings that the following are fulfilled:

- A. The use requested is listed among the special uses in the district for which application is made; or is similar in character to those listed in that district;
- B. 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;
- C. The proposed use shall not constitute a nuisance or hazard.
- D. The requested use will be in conformity with the Pender County Land Use Plan and other official plans or policies adopted by the Board of County Commissioners;
- E. Adequate utilities, access roads, drainage, sanitation or other necessary facilities have been or are being provided;
- F. 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; and
- G. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located;
- H. 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.

B Revocation

In any case where the Special Use Permit or the conditions of a Special Use Permit have not been or are not being complied with, the Zoning Administrator may initiate a notice of violation for the provisions of this ordinance and the conditions of the Special Use Permit not in compliance or the Zoning Administrator, may initiate notice of a public hearing to consider revocation of the permit by the Board of Commissioners or both actions may be initiated. Procedures for notice of such hearing shall be the same as procedures for consideration of an initial application for a Special Use Permit and the permittee shall be

notified.

After a public hearing has been held, the Board of Commissioners may revoke the Special Use Permit upon finding any of the following:

- 1) That the approval was obtained by fraud.
- 2) That the use for which such approval was granted is not being executed.
- 3) That the use for which such approval was granted has ceased to exist or has been suspended for six months.
- 4) That the permit granted is being, or recently has been exercised contrary to the terms or conditions of such approval.
- 5) That the permit granted is in violation of an ordinance or statute.
- 6) That the use for which the approval was granted was so exercised as to be detrimental to the public health or safety, or so as to constitute a nuisance.

C. Expiration

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 after the Notice of Approval of the Special Use Permit has been served on the applicant. The Zoning Administrator may provide up to two extensions of the expiration date by no more than 6 months each, for complex projects requiring major state or federal permits, upon receipt of a written request for such extension by the applicant detailing the reasons for delay in completion of the requirements for the zoning permit.

H. Revisions

Major revisions to a Special Use Permit must be submitted to the Board of Commissioners. All legal notice and application fee requirements must be met for major revisions. Revisions that are considered minor revisions to an approved Special Use Permit may be reviewed and approved by the Planning Director after basic submission requirements have been completed. All revisions approved by the Planning Director must meet the original conditions of the permit as approved by the Board of Commissioners and current provisions of the Zoning Ordinance. The addition of an accessory structure less than 1000 sq. ft., addition of parking or other ancillary facilities or uses or the addition of similar product lines are examples of revisions that may be considered minor revisions (Rev. 01.20.04).

APPLICATION FOR SPECIAL USE PERMIT

THIS SECTION FOR OFFICE USE			
Application No.	SUP 10151-R	Date	1.8.2013
Application Fee	\$ 100.00	Receipt No.	10151-R
Pre-Application Conference	N/A	Hearing Date	2.18.2013
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Same -	Owner's Name:	B & M Holdings LLC
Applicant's Address:	—	Owner's Address:	233 INLET Dr.
City, State, & Zip	—	City, State, & Zip	WILMINGTON, NC 28411
Phone Number:	— 232.2085	Phone Number:	910 616-0631
Legal relationship of applicant to land owner: self			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	3280.26.2979	Total property acreage:	5.7 Acres
Zoning Classification:	RP	Acreage to be disturbed:	None
Project Address :	2570 Scotts Hill Loop Rd		NAICS Code:
Description of Project Location:	addition of dry stack storage at an existing Marina - (Modification to permit)		
Describe activities to be undertaken on project site:	Removal of Abandon structure for the addition of storage (dry stack)		
SECTION 3: SIGNATURES			
Applicant's Signature	Same	Date:	—
Owner's Signature	Estelle M. Bradshaw	Date:	1/7/2012
NOTICE TO APPLICANT			
<ol style="list-style-type: none"> 1. Applicant must also submit the information described on the Special Use Checklist. 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 found on page 1 of this application 5. Permit will become void after 12 months if a final zoning permit is not obtained, unless specifically requested at the time of public hearing. 			

Office Use Only					
<input type="checkbox"/> General/ Fees: \$300 +\$10 per acre over 5 acres, Max. of \$5,000 <input type="checkbox"/> Tower over 75 Feet/ Fees \$500 <input checked="" type="checkbox"/> Minor Revisions Fees \$100 <input type="checkbox"/> Mining Fees \$750			Total Fee Calculation: \$ 100.00 Application#: Date of Hearing: 2-18-2013		
Attachments Included with Application: (Please include # of copies)					
CD /other digital version	<input type="checkbox"/> Y <input type="checkbox"/> N	Plan Sets	# of large <input checked="" type="checkbox"/>	# of 11X17 <input checked="" type="checkbox"/>	Other documents/Reports <input checked="" type="checkbox"/> Y <input type="checkbox"/> N
Payment Method:	Cash : <input type="checkbox"/> \$ _____	Credit Card: <input type="checkbox"/> Master Card <input type="checkbox"/> Visa		Check: <input checked="" type="checkbox"/> Check # 1074	
Application received by: Ashley Granik		Date: 01.8.13			
Application completeness approved by: Ashley Granik		Date: 01.8.13			

Special Use Permit Checklist

<input type="checkbox"/>	Signed Application Form (Both Applicant and Owner)
<input type="checkbox"/>	Application fee
<input checked="" type="checkbox"/>	Legible list of all property owners adjacent to the property upon which the use is to be located. The list shall include the mailing address & physical address of these property owners (The application will not be advertised for public hearing until the list is accurate & complete)
<input type="checkbox"/>	One business size envelope legibly addressed with first class postage for each of the adjacent property owners on the above list.
<input type="checkbox"/>	Project Narrative --Written description of the project (<u>max of 3 pages</u>) including the following: <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Location of the project and type of access to project site <input checked="" type="checkbox"/> Detailed description of the activities to be undertaken on the site, including hrs. of operation, # of employees, etc. <input checked="" type="checkbox"/> Description of all construction activities to be undertaken on the site <input checked="" type="checkbox"/> Describe type of utilities that will serve project and status of approval from applicable providers <input checked="" type="checkbox"/> List of all state and federal permits that will be required for the project <input checked="" type="checkbox"/> Describe any potential impacts the project will have on the community or adjacent properties such as traffic, noise, etc. and explain efforts to mitigate these impacts (<u>this item must be addressed by the applicant</u>). The applicant may also wish to describe any positive benefits the project will provide for the community and/or neighbors of the project.
<input type="checkbox"/>	Project Map(s) --Map or maps of the special use project site with boundaries of the project if less than the parcel boundaries. This map or maps shall be drawn to a <u>readable</u> scale. The scale shall be not more than 200' to the inch. The map shall display an accurate bar graph scale, date prepared, north arrow and the author of the map. This map(s) shall show the following: <ul style="list-style-type: none"> - <input checked="" type="checkbox"/> Boundaries of the property upon which the special use will be located, the acreage in the property and project site, with a north arrow and bar graph. - <input checked="" type="checkbox"/> Access from the site and/or project boundaries to the nearest publicly maintained road. - <input checked="" type="checkbox"/> Location of any existing structures or uses on the property and within 50' of the property. - <input checked="" type="checkbox"/> Location of the project boundaries if they do not coincide with the property boundaries. - <input checked="" type="checkbox"/> Existing and proposed structures, other on-site improvements, and location of all activities associated with the use, location of well, septic tank, and/or other utilities. - <input checked="" type="checkbox"/> Boundary of all clearing, grading, and/or land disturbing activities on the site and the calculated acreage of all land disturbing activities on the site. - <input checked="" type="checkbox"/> Parking, loading areas, and access to the project (See Article 7, Pender County UDO) - <input type="checkbox"/> Landscaping and buffering (See Article 8, Pender County UDO) - <input checked="" type="checkbox"/> All signs to be located on the property (See Article 10, Pender County UDO) - <input checked="" type="checkbox"/> Pedestrian walks, area lighting and flood lighting. - <input checked="" type="checkbox"/> Existing natural features of the site including, wooded areas, tree lines, ponds, streams, other water bodies or ditches on or adjacent to the site, designated flood hazard areas & known or designated wetlands on the site. - <input checked="" type="checkbox"/> Drainage plan and/or direction of flow of runoff from the project and site. - <input type="checkbox"/> After review by the Planning and Community Development Department, additional information may be required to be submitted. - <input type="checkbox"/> Two full size and twenty reduced size (max. 11"x17") copies of this map(s) shall be submitted.
RETURN COMPLETED APPLICATION TO: Pender County Planning & Community Development P.O. Box 1519 Burgaw, NC 28425	

Print Form

Scotts Hill Marina
2570 Scotts Hill Loop Road
Wilmington, NC 28411

Project Location: The property is located at the existing Scotts Hill Marina; 2570 Scotts Hill Loop Road in Southeastern Pender County (See attach Vicinity map). The property has direct access to Scotts Hill Loop road which has 2 points of ingress and egress to US Highway 17.

Project Description: The existing facility is located on 5.7 Acres and includes 64 leased boat slips, a floating dock for 6 to 8 transit boats, office and convenience store, maintenance and repair shop and a clubhouse. 4 employees staff the marina in the office/ store and 1 to 2 employees on the marina grounds to assist with boat ramp and parking during seasonal months. The Marina hours of operation will remain the same. During summer months these hours are 6am-7pm Sunday - Thursday and 6am - 8pm on Friday and Saturday. During winter months these hours are: 6am - 6pm Sunday - Thursday and 6am - 7pm on Friday and Saturday. During peak season the marina sees an average of 100 uses per day on weekends and an average of 25 uses per day during the week. The proposed Dry Storage facility will maintain operational hours of 8am- 4pm week days and 7am - 5pm on weekends. The dry storage facility will staff 1 employee weekdays and up to 3 employees on weekends during seasonal months.

The proposed project will consist of removal of the existing maintenance and repair shop and the erection of a galvanized metal structure to store marine vessels. This structure is engineered to meet the 130 MPH wind code required in the coastal regions, and meet all Pender County building codes. This structure will have no roof, therefore no additional storm water run off will be created. The storage structure will be placed on the southeastern corner of the said property and will be placed outside the 20 foot mandatory setbacks required by the county. The highest point of this structure will be no greater than 35 feet high per Pender County code. (See attached map for purposed structure location on property).

The proposed project will add additional dry storage slips. These additional dry slips will be used for customers to store their boats year around. These boats will be loaded onto a trailer and launched into the water by the existing boat ramp located on the marina property and placed in a holding area for customer pick up and drop off using existing Marina slips. This launch and retrieval method will in no way alter the existing layout and or operations of the marina. Parking for these dry slips customers will utilize existing parking spaces on the Northeastern portion of the property, by the clubhouse. Any overflow vehicle parking will be provided via the 2 adjacent lots located across Scotts Hill Loop Road. These lots will provide 50 vehicle only spaces.

Construction: The only construction to be completed on the Marina sight will be on the Southeastern corner of said property for dry slip construction. This construction will consist of the removal of the existing repair shop/ building. Existing concrete pad will remain and we will add approximately 1000 square feet of rock to be located around the outer perimeter of the concrete pad to provide the necessary space required for dry storage equipment. Concrete footers will provide the necessary foundation needed to support the dry storage galvanized structure. Security fencing will be installed around the perimeter of the storage structure with required landscaping and buffering. All construction will be conducted in accordance with all applicable local and state regulations.

Utilities: No new utilities are required for this project

State and Federal Permits: In addition to the special use permit by Pender County, this project will not require any additional permits. The proposed storage rack will be placed outside the 75 foot normal high water line (bulkhead) therefore no CAMA permits are required (See attached correspondence). Storage rack will not have roof, thus will not have any run off. There are no wetlands on the site, and this project is being proposed on existing parking site and existing lift station for maintenance of boats.

Community impacts: The proposed project will be beneficial to Pender County due to the lack of water access in this area of the county. Utilizing a dry storage facility on existing business property will add much needed water access and storage for residence in Southeastern North Carolina, and neighboring counties. Visitors from these counties will support other Pender County business and activities. Given the dry storage business operation hours are within the existing marina hours, there will be no negative impact on the Scotts Hill community. Additional traffic impact for the area will be minimal and as stated, parking and access will be controlled by Marina staff. Noise and visual impacts for the proposed addition will not increase substantially from the current operations. Mitigation would be provided by buffering, landscaping and parking control.

Chad Kimes, PE
104 Newton Road
Hampstead, NC 28443
910-470-4494
dckimes@charter.net

February 01, 2013

CAMA
Attn: Mr. Jason Dail
127 Cardinal Drive
Wilmington, NC 28405

Subject: Request for Major Modification on Major Permit # 137-10
Scotts Hill Marina

Dear Mr. Dail,

Scott's Hill Marina is requesting a major modification on Major Permit #137-10. We are requesting the following:

1. Three sets of dry dock storage racks (4000 square feet total) to accommodate storage of approximately 60 boats.
2. Remove an existing maintenance building(Approximately 902 square feet)

PURPOSE and NEED:

Scotts Hill Marina currently has 75 wet slips available for wet slips and temporary docking. The demand for slips is very high in this area due to its location on the ICW. Scotts Hill Marina requested in a Scoping Meeting on April 04, 2012 to increase the number of slips and was denied by Shellfish Sanitation and Recreational Water Quality, North Carolina Division of Marine Fisheries due to a shellfish closure in this area. After this meeting, the owners of Scotts Hill Marina decided to pursue the idea of a proposed dry storage system.

After an extensive review of the property, a dry storage system would perform exceptionally well located at the existing maintenance building and storage area. The area is located in excess of 75' from the nearest normal high water line. This area is also used as a storage area for up to approximately 30 boats and trailers.

The proposed system would operate by a lift removing the boat from the storage rack, then placing the boat on a trailer. Then a vehicle will back down the ramp and unload the boat from the existing boat ramp. Placing the boat back into the dry storage will operate the same way.

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This proposal will allow Scotts Hill Marina to accommodate an additional 60 boats. This will also allow an individual the option of choosing between dry storage and a wet slip.

ENVIRONMENTAL IMPACTS:

According to Division of Water Quality, the basin is considered ORW. Therefore, this proposal is located within 575' of ORW and requires a Major Permit. However, this proposal is located greater than 75' of the normal high water line. The project will be staked out prior to any construction commencing.

The removal of the existing maintenance building will reduce total rainfall runoff. There will not be any additional concrete to be poured. The existing area from the existing maintenance building to the boat ramp has a stone base with some grass growing on top of the stone in some areas. Some stone may be added as a maintenance measure. There are not any plans for new stone locations on this property. Therefore, there will not be any new additional impervious areas created from this proposal.

The proposed dry storage racks will not have any types of roofs. This will prevent any type of runoff from this proposal.

There are not any environmental impacts with this proposal. All work is being performed on high ground with no impacts to any wetlands.

ADJACENT PROPERTY OWNER COMMENTS:

There are no objections to this proposal

CONCLUSION:

I, Chad Kimes, as a duly Registered Professional Engineer in the State of North Carolina, will be representing Scotts Hill Marina, and will personally oversee all of this proposed work. I am also certified in Erosion & Sediment Control Level III-A and Level III-B (#181, #204). If there are any additional questions, please contact me at 910-470-4494.