REQUEST FOR BOARD ACTION

ITEM NO. 29

DATE OF MEETING: March 16, 2015

REQUESTED BY: Megan O'Hare, Senior Planner, Planning & Community Development

SHORT TITLE: Resolution Requesting Approval of Special Use Permit (SUP) for the Construction and Operation of an Electrical Engineering Service Office.

BACKGROUND: David and Felecia Akerley, applicants and owners, are requesting approval of a Special Use Permit for the construction and operation of an electrical engineering service office. The property is zoned RP, Residential Performance zoning district and according to the Pender County Unified Development Ordinance §5.2.3 Table of Permitted Uses; professional, scientific, and technical services are permitted via Special Use Permit in the RP, Residential Performance zoning district. The property is located at 20764 U.S. Highway 17 North and may be further identified by Pender County PIN 4215-10-3026-0000.

SPECIFIC ACTION REQUESTED: To hold a public hearing and consider the approval of a Special Use Permit for the construction and operation of an electrical engineering service office.

RESOLUTION

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

on March 16, 2015 the Pender County Board of Commissioners (approved, modified, denied) a Special Use Permit Amendment, 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: Williams___ Brown ___ McCoy___ Piepmeyer___ Tate ___

_____ 3/16/2015
J. David Williams, Chairman Date

_____ 3/16/2015
ATTEST DATE
Delivered

PLANNING STAFF REPORT
Special Use Permit

SUMMARY:

Hearing Date: March 16, 2015
Applicant: David & Felecia Akerley
Property Owner: Felecia Akerley
Case Number: 10194R

Land Use Proposed: David and Felecia Akerley, applicant and owners, are requesting the approval of a Special Use Permit (SUP) for the construction and operation of an electrical engineering service office (NAICS System 541330).

Property Record Number and Location: The subject property is located at 20764 US Highway 17, approximately five hundred (500) feet east of the intersection of US Highway 17 and Union Bethel Road (SR 1562), Hampstead, NC and may be further identified by Pender County PIN 4215-10-3026-0000.

Zoning District of Property: The property is zoned RP, Residential Performance zoning district, and according to the Pender County Unified Development Ordinance §5.2.3 Table of Permitted Uses; electrical engineering service offices (NAICS 541330) are permitted via Special Use Permit in the RP zoning district.

HISTORY:

The applicants were granted approval for a Special Use Permit (#07-05-21-18) on May 21, 2007 at this location for the construction of an office building and associated interior storage (Exhibit 1). Based on the conditions outlined in the original Special Use Permit, if final zoning has not been approved within twelve (12) months of the date the permit was issued, the permit shall expire and become void according to Section 15.4.C of the Pender County Zoning Ordinance. As such, a new application and approval by the Board of County Commissioners is required per the Unified Development Ordinance.

PROJECT DESCRIPTION:

David and Felecia Akerley, applicant and owners, are requesting approval of a Special Use Permit for the operation of an electrical engineering service office (NAICS 541330).

The subject property is located at 20764 US Highway 17, approximately five hundred (500) feet east of the intersection of US Highway 17 and Union Bethel Road (SR1562), Hampstead, NC and may be further identified by Pender County PIN 4215-10-3026-0000. The property is zoned RP, Residential Performance zoning district, and according to the Pender County Unified Development Ordinance §5.2.3 Table of Permitted Uses; electrical engineering service offices (NAICS 541330) are permitted via Special Use Permit in the RP zoning district

The proposed ±1.19 acre tract is currently vacant. According to the applicant's site plan, the proposed electrical engineering service office is to be placed on the center of the vacant tract.

The applicant's narrative states that the hours of operation will be: Monday-Friday; from 7a.m.-5p.m, with typically one (1) to two (2) employees on site. Upon approval of the Special Use Permit the applicant will be required to comply with the Major Site Development requirements per section 6.3 of the Pender County Unified Development Ordinance.

Driveway Access
Primary access will be directly on US Highway 17 and is subject to NCDOT review and approval. A secondary access is proposed along Old Woodside Road (private), which the applicant intends on maintaining according to the submitted narrative. However, all secondary accesses shall be examined at the time of Major Site Plan application submittal.

Utilities
The site is served by on-site septic and well. On-site septic is subject to review and approval by the Pender County Environmental Health Department.

Buffers
The site is surrounded by properties zoned RP, Residential Performance zoning district, and must comply with the buffering requirements established in Section 8.2.8 in the Pender County Unified Development Ordinance.

All commercial or uses other than residential uses (excluding industrial uses) in the Residential Districts shall provide a Buffer A along all street boundaries, a Buffer C Along all boundaries adjacent to single family residential uses or residential lots with a parcel size of less than one (1) acre and when a single family structure is within fifty (50) of the boundary of the development, and a Buffer B Along all other non-street boundaries.

The applicant's site plan shows an A-3 Buffer along the street boundary with US Highway 17. A B-3 Buffer is shown on the east and west property lines that are not adjacent to a residential use. A C-1 Buffer is shown adjacent to the residential use on the west side of the property. Specific buffering descriptions are found in Exhibit 2.

Prior to the issuance of final zoning approval, a site development plan must be submitted and approved in accordance with applicable provisions of the Pender County Unified Development Ordinance. In addition, all other applicable permits and approvals must be obtained including inspections and health department regulation compliance.

		Zoning Districts									
Use Type	Ref NAICS	RA	RP	RM	MH	PD	C2	C1	IT	CI	EC
Sector 54: PROFESSIONAL, SCIENTIFIC, AND TECHNICAL SERVICES											
Professional, Scientific, & Technical Services	54	S	S			P	P	P	P	P	

EVALUATION:

A. ***Public Notifications:*** Advertisements for the proposal have been placed in the *Pender-Topsail Post & Voice*. Adjacent property owners were notified by first class mail; as well as a sign advertising the public hearing was placed on the subject property.

B. ***Basis for Granting SUP:*** See Attachment A for approval procedures (§3.12.3 of Unified Development Ordinance) and revocation procedures (§3.12.4 of Unified Development Ordinance).

C. ***Unified Development Ordinance Compliance:*** The property is currently zoned RP, Residential Performance zoning district, and according to the Pender County Unified Development Ordinance §5.2.3 Table of Permitted Uses; Professional, Scientific, & Technical Services (NAICS 54) are permitted via Special Use Permit in the RP zoning district.

D. ***2010 Comprehensive Land Use Plan Compliance:*** The subject property is classified as Rural Growth and Mixed Use in the *2010 Comprehensive Land Use Plan*. The Rural Growth land use classification defines those areas of Pender County where urban services, i.e., public water and sewer services, are not expected to be extended within the planning horizon. Rural Growth areas are where preservation of agricultural operations is a primary concern and where conflicts between agricultural and non-agricultural uses are to be discouraged. The Mixed Use land use classification designates locations where a mixture of higher density/intensity uses is to be encouraged. Mixed Use areas should be characterized by physically and aesthetically unified developments containing a mixture of commercial, office, institutional, and high- and medium-density residential uses, arranged in a walkable, compact, pedestrian and transit friendly manner.

a. The SUP request may be supported by a policy within the *2010 Comprehensive Land Use Plan:*

i. ***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*

E. ***Existing Land Use in Area:*** The subject parcel is bordered by two residential properties to south and west and a vacant tract to the north and east.

F. ***Site Access Conditions:*** The proposal will have direct access onto US Highway 17 and Old Woodside Road (private). Old Woodside Road (private) will be maintained by the applicant up to the proposed gravel drive entrance shown on the submitted site plan. The site's access will be subject to review and approval by the NCDOT.

G. ***Conditions To Consider In Issuing the Special Use Permit For This Project:***

1. The project shall comply with all requirements of the Pender County Unified Developed Ordinance, specifically use standards outlined in Section 5.3.12.Q, Telecommunication Facilities.

2. 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.
3. The applicant shall meet all other local, state and federal regulations.
4. Hours of operation: Will be from 7am to 5pm Monday through Friday.
5. 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.
6. A separate permit must be obtained for any proposed signage. Signage shall be in accordance with Article 9 of the Pender County Unified Development Ordinance.
7. No lighting should be directed so that adjacent properties are impacted.
8. No junk, debris, trash, or inoperable vehicles, recycled or salvaged materials shall be stored on the site outside a completely enclosed building.
9. The primary parking and access area shall be constructed and maintained to NCDOT road standards. The storage access on Old Woodside Drive must be maintained by the applicant.
10. The obligations imposed by this permit will be the responsibility of the property owner and operator and shall continue for the duration of this permit.
11. The project shall be developed and maintained in accord with the applicant's final site plan as approved by the Zoning Administrator, the Unified Development Ordinance, and the conditions contained in this permit.

Attachment A

3.12.3 Procedures for Reviewing Applications

A. The special uses, as specified in the various districts, may be established only after review and approval by the Board of Commissioners.
B. 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.
C. 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.
D. The 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.
E. All Special Use Permit applications must be presented to the Administrator for a determination of completeness.
F. An appeal from a completeness determination may be made to the Board of Adjustment within twenty (20) days of the determination.
G. 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:
    1. 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;
    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 Pender County Land Use Plan and other official plans or policies adopted by the Board of County Commissioners;
    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.

3.12.4 General Provisions Concerning Special Use Permits

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 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 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.

11/30/2015

APPLICATION FOR SPECIAL USE PERMIT

THIS SECTION FOR OFFICE USE			
Application No.	SUP 10194R	Date	12/1/2015
Application Fee	$ 300	Receipt No.	150217
Pre-Application Conference	11/21/2015	Hearing Date	3/7/2015

SECTION 1: APPLICANT INFORMATION

Applicant's Name:	David & Felecia Akerley	Owner's Name:	Felecia Akerley
Applicant's Address:	892 Kings Landing Rd S	Owner's Address:	892 Kings Landing Rd
City, State, & Zip	Hampstead, NC 28443	City, State, & Zip	Hampstead, NC 28443
Phone Number:	(910) 270-5288	Phone Number:	(910) 270-5288

Legal relationship of applicant to land owner: Husband & Self

SECTION 2: PROJECT INFORMATION

Property Identification Number (PIN):	4215-10-3086-0000	Total property acreage:	.89		
Zoning Classification:	RP, Residential performance	Acreage to be disturbed:	.605		
Project Address :	20764 N. Hwy 17, Hampstead, NC			NAICS Code:	541330
Description of Project Location:	Hwy 17 through Hampstead, Property on Right side after Barlow Vista Church and before Hilltop Grocery				
Describe activities to be undertaken on project site:	Engineering, design & consulting for electrical construction				

SECTION 3: SIGNATURES

Applicant's Signature	David & Felecia Akerley	Date:	11/21/15
Owner's Signature	Felecia Akerley	Date:	11/21/15

NOTICE TO APPLICANT

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

- [x] **General/** Fees: $300 +$10 per acre over 5 acres, Max. of $5,000
- [ ] **Tower over 75 Feet/** Fees $500
- [ ] **Minor Revisions /**Fees $100
- [ ] **Mining** Fees $750

Total Fee Calculation: $ 300.00

Application#: 10194R

Date of Hearing:

Attachments Included with Application: (Please include # of copies)

CD /other digital version	☐ Y ☒ N	Plan Sets 2	# of large	# of 11X17	Other documents/Reports	☒ Y ☐ N

Payment Method:	**Cash :**	**Credit Card:**	**Check:**
	☐ $_____	☐ Master Card ☐ Visa	☒ Check # 10007

Application received by:	Pat Oney	Date: 1-30-15
Application completeness approved by:	Pat Oney	Date: 2-2-15

Special Use Permit Checklist

- [x] Signed Application Form (Both Applicant and Owner)
- [x] Application fee
- [x] 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
- [x] One business size envelope legibly addressed with first class postage for each of the adjacent property owners on the above list.
- [x] Project Narrative--Written description of the project (max of 3 pages) including the following:
  - [ ] Location of the project and type of access to project site
  - [x] Detailed description of the activities to be undertaken on the site, including hrs. of operation, # of employees, etc.
  - [x] Description of all construction activities to be undertaken on the site
  - [ ] Describe type of utilities that will serve project and status of approval from applicable providers
  - [ ] List of all state and federal permits that will be required for the project
  - [x] Applicant must specifically address the 8 written findings for Special Use Permit approval which are identified on page 1 of this application and in the Pender County Unified Development Ordinance (Section 3.12.3.G.). 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. The applicant may also wish to describe any positive benefits the project will provide for the community and/or neighbors of the project.
- [x] 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 readable 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:
  - [x] 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.
  - [x] Access from the site and/or project boundaries to the nearest publicly maintained road.
  - [x] Location of any existing structures or uses on the property and within 50' of the property.
  - [x] Location of the project boundaries if they do not coincide with the property boundaries.
  - [x] 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.
  - [x] 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.
  - [x] Parking, loading areas, and access to the project (See Article 7, Pender County UDO)
  - [x] Landscaping and buffering (See Article 8, Pender County UDO)
  - [x] All signs to be located on the property (See Article 10, Pender County UDO)
  - [x] Pedestrian walks, area lighting and flood lighting.
  - [x] 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.
  - [x] Drainage plan and/or direction of flow of runoff from the project and site.
  - [ ] After review by the Planning and Community Development Department, additional information may be required to be submitted.
  - [x] 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

Narrative

Property location: 20764 N. HWY 17 Hampstead NC
PIN # 4215-10-3026-0000

Pro- Tech Electrical Services was established in 1998 and has served Pender County and the surrounding area in the commercial, industrial and residential markets. We provide design/build services for electrical and fire alarm systems. Our building design is a 4200 sq. foot facility with office space and storage space for the daily operations of our company. The property is .89 acres or 38,375 sq. feet. The area to be disturbed, including both driveways, septic field and building area, Would be approximately 15,000 sq. feet with 2000' sq. feet being re-landscaped for buffer zones. This would be less than half of the .89 acres disturbed for construction.

The hours of operation will be 7:00am to 5:00pm. Monday through Friday with typically 1 to 2 staff members on site. Employee's keep their company vehicles at their own home so employee traffic would be to pick up or return tools or supplies when needed also between the hours of 7:00am and 5:pm.

The construction process will consist of removing the necessary vegetation and soil as needed in the parking lot and building area, providing the necessary base fill for the paved parking area and the building slab. A concrete walkway is to be provided from the paved lot to the building entrance. The septic field will be located in front of the building and will be re-covered with grass and strategically placed shrubs. There will be a well located at the rear of the property for domestic water. Landscaping will be provided where needed to create the appropriate buffers and all run off and disturbed areas will be properly graded and seeded. Any areas that can be left natural will remain as such.

Access to the storage area will be provided from the Old Woodside road adjacent to the S.E. property line. A gravel access driveway will be constructed and we will provide new crushed concrete gravel on the portion of this road to our property line and will maintain this portion or Old Woodside rd.

An application has been applied for with NC DOT for the driveway to be located over the existing culvert. All other permits will be applied for to meet state and local regulations.

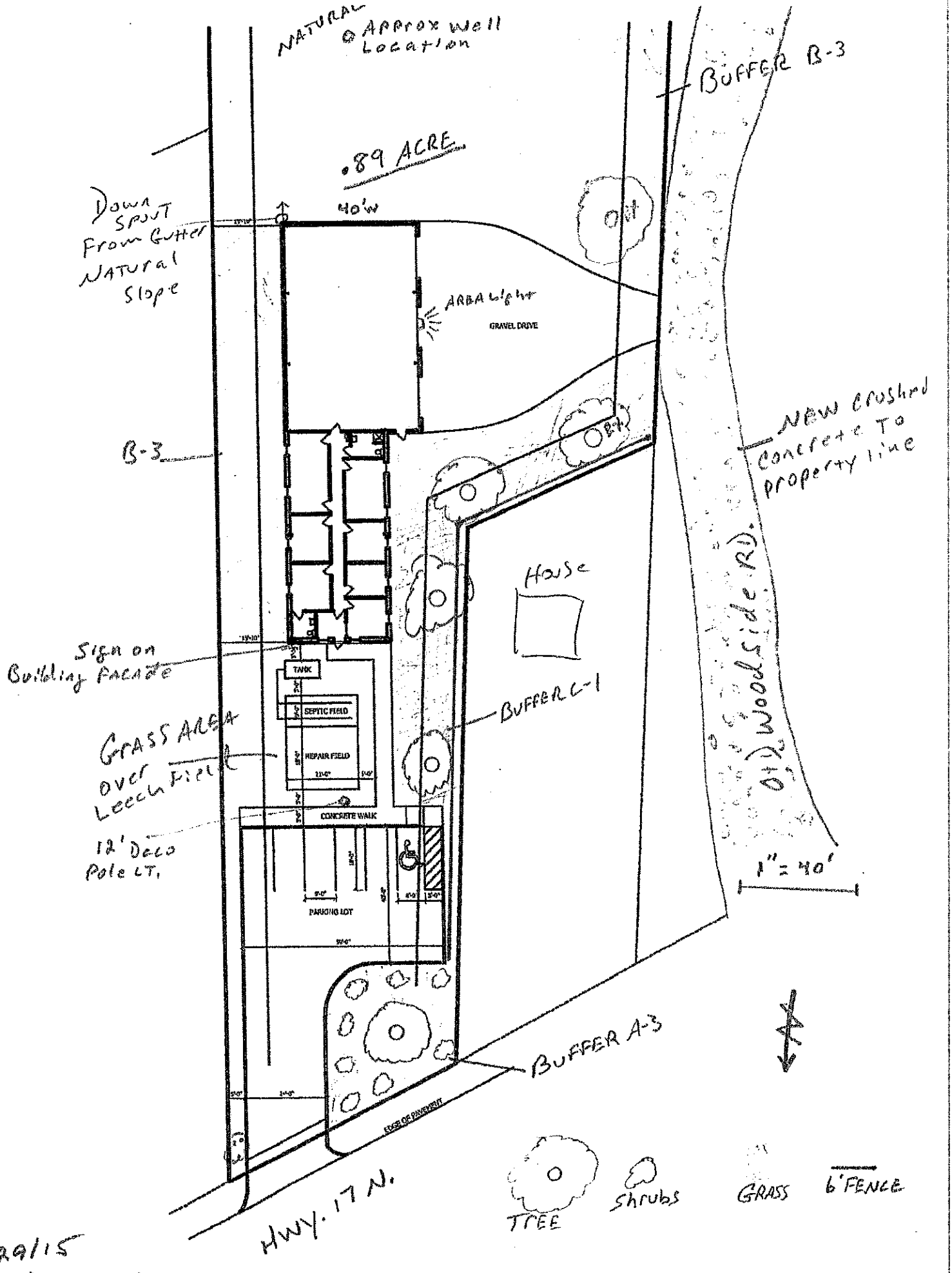
It is our intention to provide and attractive and functional facility to operate our office out of and provide improvements and maintenance of our property, as well as the adjacent road, that will add aesthetic and monetary value to the property and the surrounding properties.

FINDINGS

1) The special use request for this office facility meets the criteria for RP zone special use per Pender County special use guidelines.

2) The facility and it's use will not impair the integrity or character of the area. The improvements to the property and adjacent road will impact the adjacent properties in a positive manner. The activities that will take place will have no negative impact on safety or the welfare of the surrounding community.
3) The use of this facility will not create nuisances or hazards.
4) The use of this facility will conform with the Pender County Land Use plan and policies as adopted by the Board of County Commissioners for mixed use as deemed appropriate by the authorities having jurisdiction.
5) The access driveway from Hwy 17 will conform with DOT specifications as applied for. The vehicle access and property drainage will be designed by a licensed site planning engineer. Septic and well permits will be applied for and installed by licensed contractors.
6) An application has been submitted to the NC DOT for approval to ensure proper entry and egress of traffic is coordinated in the planning and construction of this property.
7) The use of this facility will conform to the applicable regulations and meet applicable zoning requirements.
8) The building and it's proposed use will have no adverse effects to the surrounding properties and has been designed to meet all applicable setbacks, buffers and provisions for at least 35% of undisturbed property.

Respectfully: _____ Date: 1/30/2015



1/29/15
By David Akerley

Exhibit 1

INTRODUCED BY: Planning Staff **DATE:** May 21, 2007 **ITEM NO:** 20.

Special Use Permit for Contractor's Offices, Indoor Storage of Materials

SUBJECT: **CASE NO:** 07-05-21-18
PROPERTY RECORD NO: 4215-10-2196-0000
APPLICANT: David Akerley
OWNER: Jino Chavarria

ACTION REQUESTED: Approval of a Special Use Permit for proposed contractor's offices, including an electrical contractor's office, with indoor storage of materials, tools, and equipment.

HISTORY/BACKGROUND:
Project Location: The property is located at 20764 US Hwy 17 North, in Hampstead, NC. (See attached vicinity map).

Project Description: The project will consist of Pro-Tech Electric contractor's offices, with indoor storage of materials, tools and equipment on 1.19 acres. An approximately 4,500 sq ft building will be utilized for the contractor's offices with an indoor storage area for materials and tools. An existing house on the property will be removed to make way for the new development. The hours of operation will 7 am to 5 pm Monday through Friday, with some Saturdays as well. There will only be 1 or 2 employees working at this location. The applicant proposes one driveway onto US Hwy 17 North providing access to the site. Six primary parking spaces are proposed at the front of the property. In addition, there will be a gravel/stone parking and turnaround surface for parking company vehicles and accessing the indoor storage portion of the building. The applicant will install buffers pursuant to Section 14 of the Zoning Ordinance for this project.

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 RT and Contractor's Offices, Indoor Storage of Materials is permitted via Special Use Permit.

D) ***Land Use Plan Compliance:*** This property is classified as Urban Growth Area with a Conservation II overlay on portions of the property. This request is consistent with the 2005 Land Use Plan.

E) ***Existing Land Use in Area:*** The property is bordered by vacant parcels to the north and east, a single family residence to the south, and US Hwy 17 to the west. Union Bethel AME Church is also in the area (See attached ortho map).

F) ***Site Access Conditions:*** The property has direct access to US Hwy 17 North.

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. Construction Authorization Approval from Environmental Health for septic system.
   d. NCDOT Driveway permits for any driveways to be constructed onto US Hwy 17.
   e. Certification of a drainage plan by licensed professional on a form provided by the County, if applicable.

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.
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: Will 7 am to 5 pm Monday through Friday, with some Saturdays as well.
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. With the exception of company vehicles; no outside storage of automobiles, materials, merchandise or unlicensed or salvage equipment will be permitted on the site.
9. All parking and access areas in the development shall be constructed and maintained to NCDOT secondary road standards, with the allowance of a gravel parking surface.
10. 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.
11. 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.
12. 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 May 21, 2007 the Pender County Board of Commissioners (approved, ~~modified, denied~~) a Special Use Permit for the development and operation of contractor's offices, including an electrical contractor's office, with indoor storage of materials, tools, and equipment as described herein, and F.D. Rivenbark, 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 Blanchard **SECONDED** Williams

APPROVED X **DENIED** ____ (UNANIMOUS)

YEA VOTES: Rivenbark ____ **Blanchard** ____ **Brown** ____ **Tate** ____ **Williams** ____

F. D Rivenbark
F.D. Rivenbark, Chairman

5-21-07
Date

Lena A Britt
ATTEST

5-21-07
Date

Exhibit 1

PENDER COUNTY
SPECIAL USE PERMIT APPLICATION FORM

THIS SECTION FOR OFFICE USE			
Application No.	07-05-21-18	Date	4-20-07
Permit Fee	$ 200.00	Receipt No.	067744

APPLICANT INFORMATION

Applicant	Owner
Name DAVID AKerley	Name JINO Chavarria
Address: 892 Kings Landing Rd Hampstead, NC 28443	Address: 550 Captain Beam Blvd. Hampstead, NC. 28443
Phone No: (910) 270-5288	Phone No: (910) 270-5549

Legal relationship of applicant to owner: None

PROJECT INFORMATION

Property tax record No. 4215-10-2878-0000	Total acreage
Zoning Designation: RT, Rural Transition	In property: 1.19 Acres
Acreage to be used for project: .65 Acre	Acreage to be disturbed: .65 Acre

Project location and address: 20764 U.S. Hwy 17 N Hampstead, N.C.

Describe activities to be undertaken on project site: Office Building + Storage

SIGNATURES

Applicant:	Date:	Owner:	Date:
	4/19/07		4/19/07

FAX #:

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).

Exhibit 1

PROJECT NARRATIVE

- **Location of Property:** 20764 U.S. Hwy 17 N, Hampstead, N.C. Access to project site is an existing driveway off U.S. Hwy 17 N.

- **Description of Activities:** Electrical Contracting Business. This site will be used as our primary office and storage facility with an enclosed outdoor storage area. Hours of operation would be 7am to 5pm, with 1or 2 employees at this site location.

- **Description of Construction Activities:** Storage of materials and tools.

- **Utilities:** Electrical, well and septic on site.

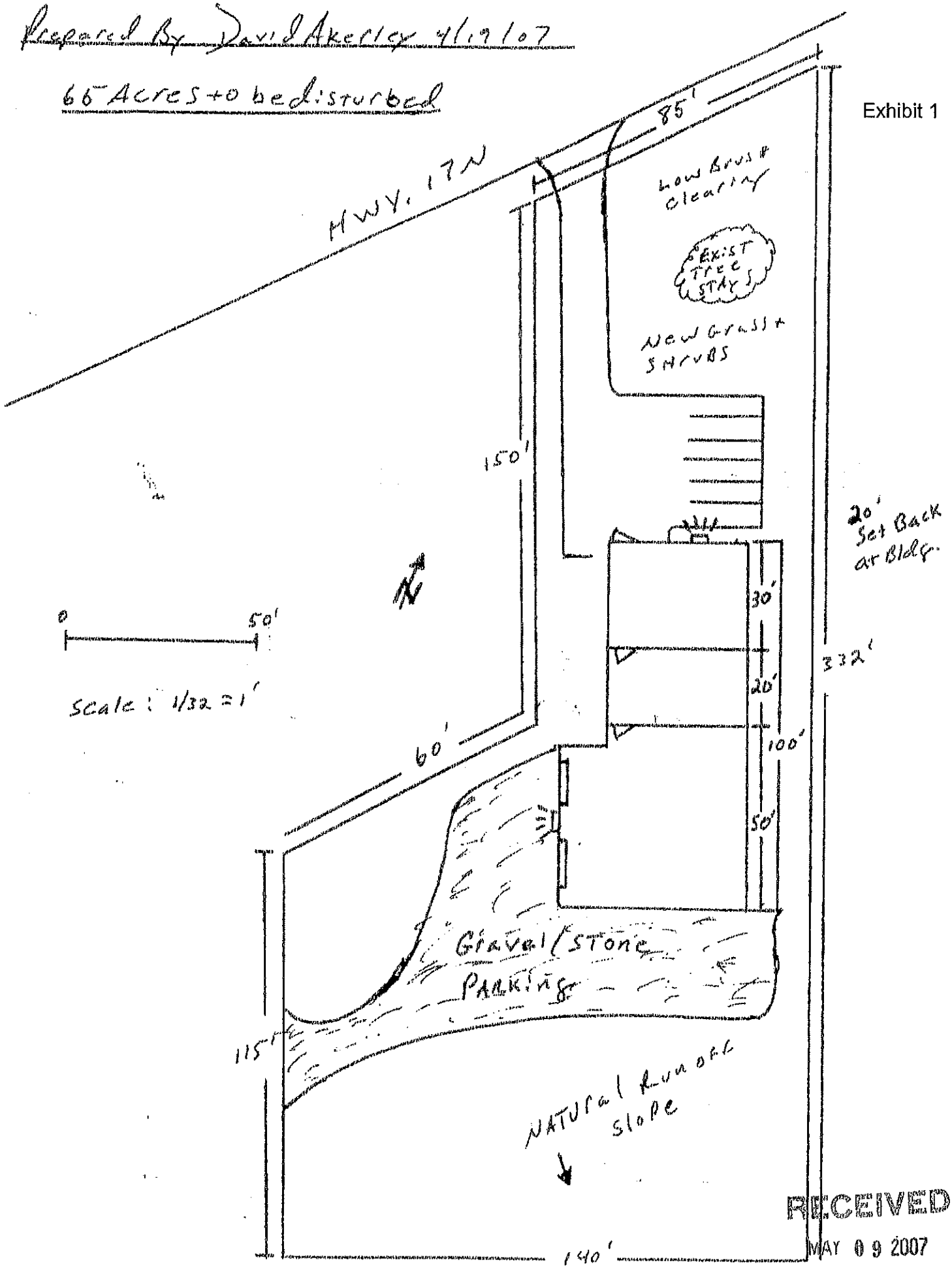
- **Impacts of Project:** Minimal traffic, no retail sales.

- **Positive Benefits:** Pro-Tech Electric was established in 1998 and has always resided in Pender County. We are located in Hampstead and currently renting storage space in Wilmington. Having our own building would allow us to operate solely out of Pender County.

Prepared By David Akerley 4.19.07

.66 Acres +0 be disturbed

Exhibit 1



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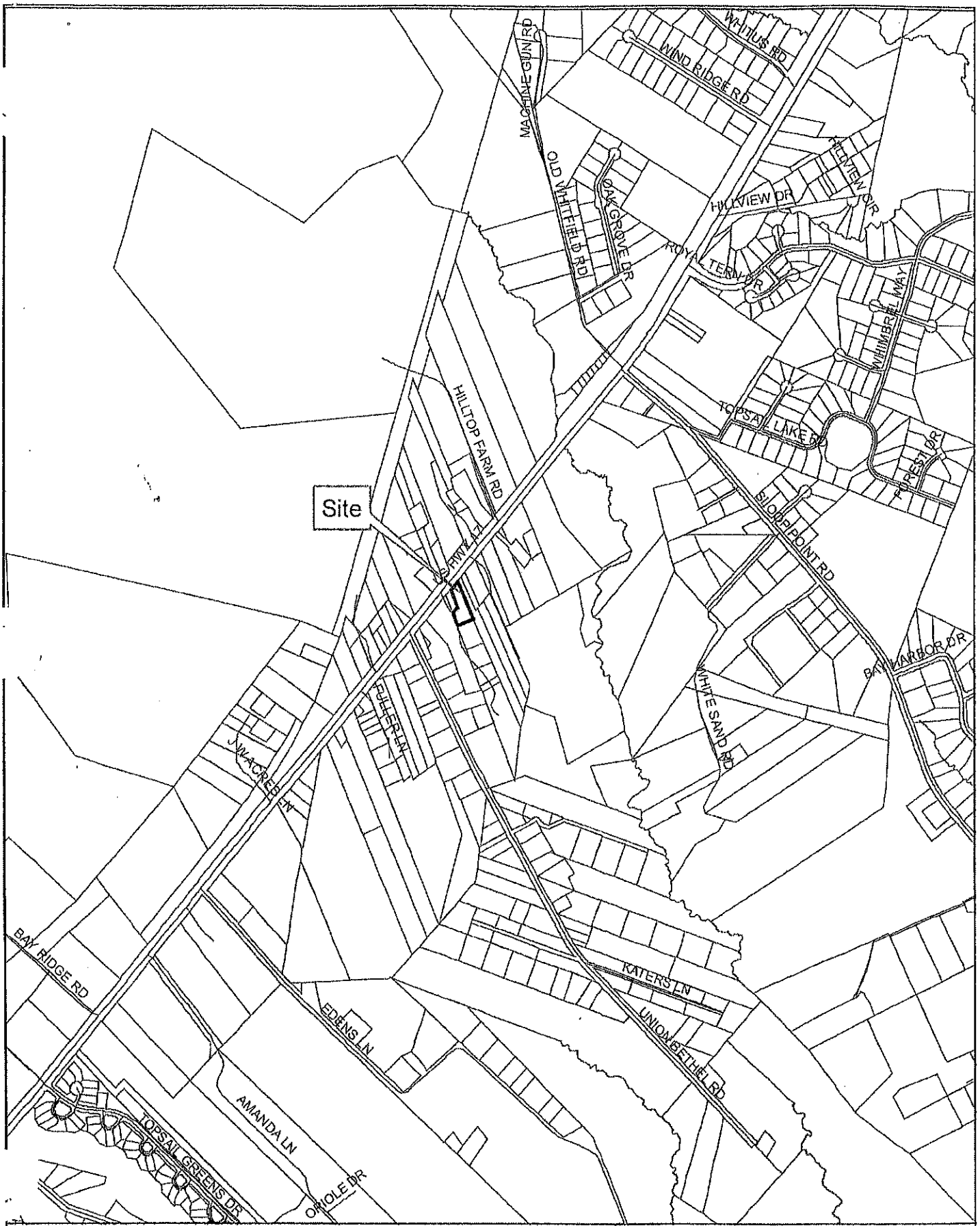
MAY 09 2007
PENDER PLANNING DEPT.

Exhibit 1



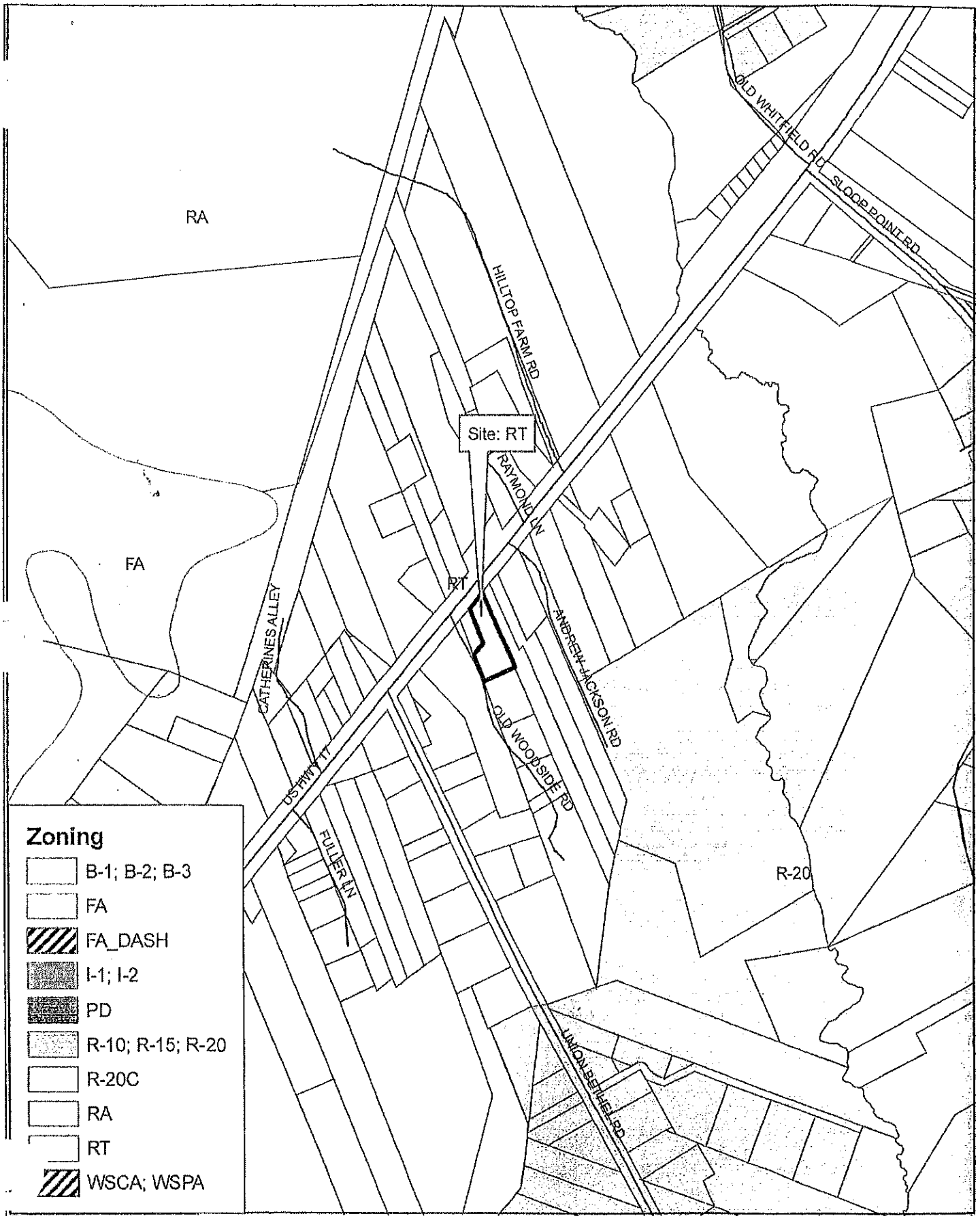
SUP - Pro Tech Electric Contractor's Offices

1 inch equals 1,000 feet

500 250 0 500 Feet

Vicinity Map

Exhibit 1



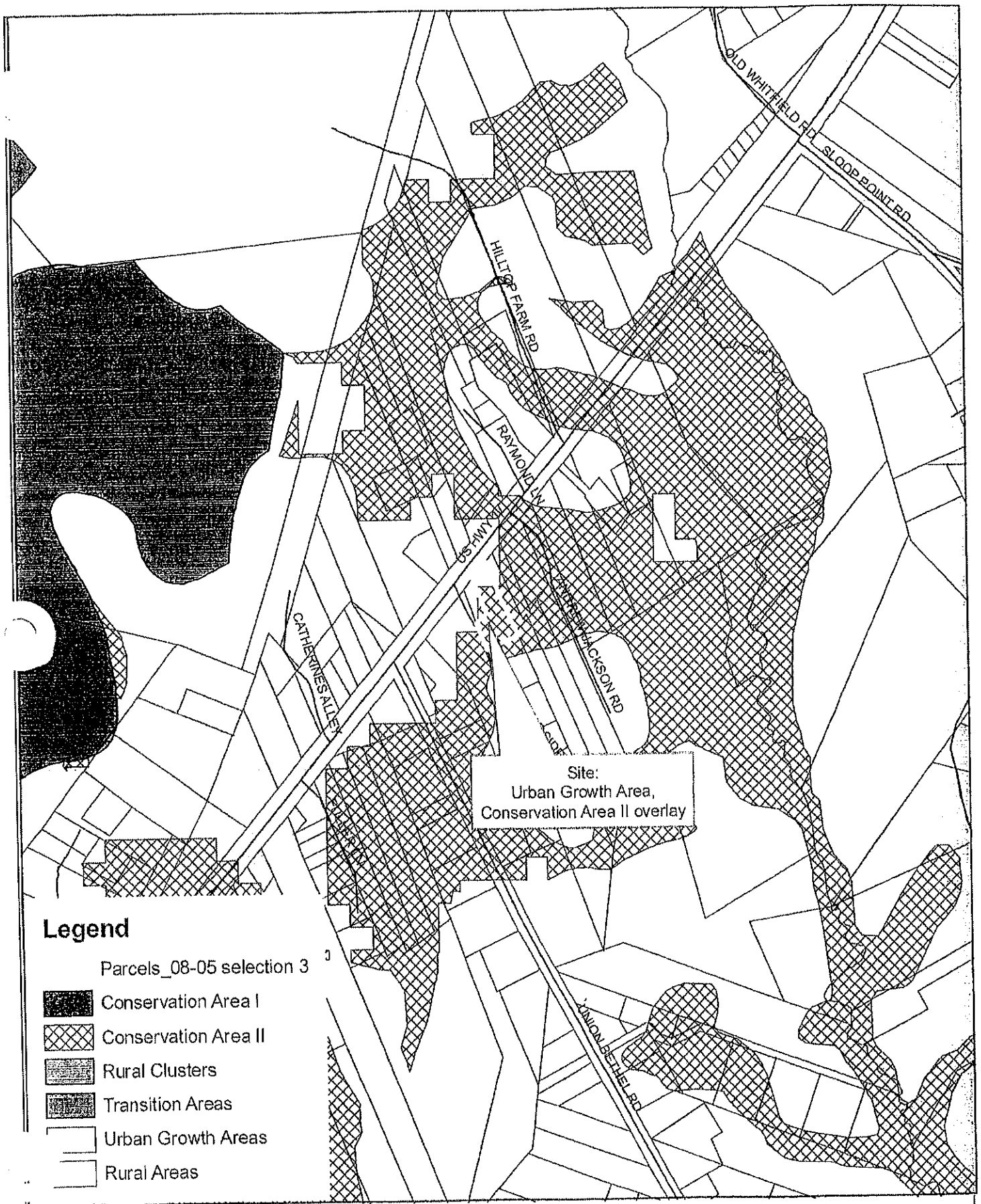
SUP - Pro Tech Electric Contractor's Offices

1 inch equals 500 feet

475 237.5 0 475 Feet

Zoning

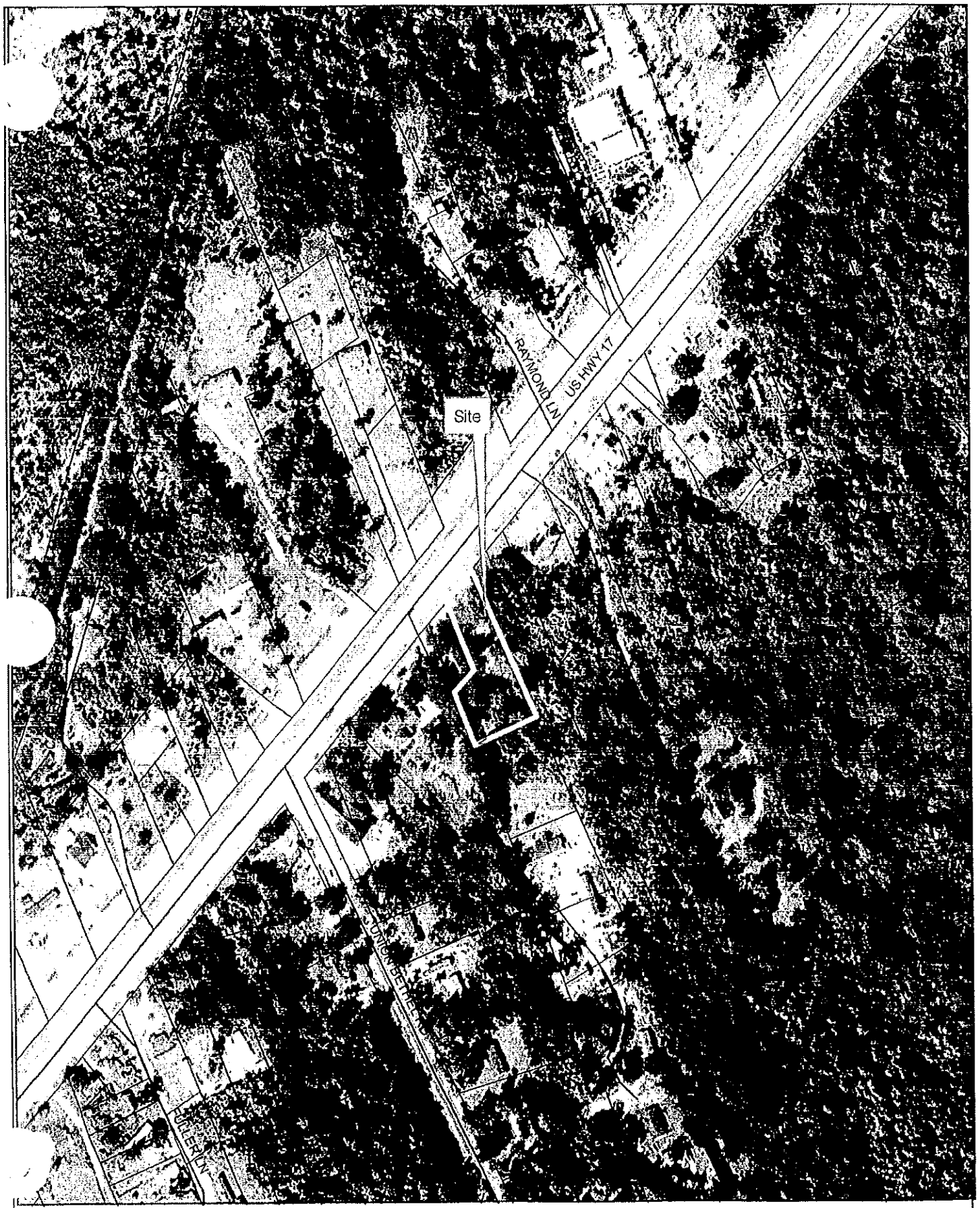
Exhibit 1



SUP - Pro Tech Electric Contractor's Offices

Land Use (2005)

Exhibit 1



SUP - Pro Tech Electric Contractor's Offices

1 inch equals 250 feet

240 120 0 240 Feet

Orthos (2003)

Exhibit 1

If you wish to speak during this meeting, PLEASE PRINT YOUR NAME, ADDRESS AND PHONE NUMBER LEGIBLY below.

PUBLIC HEARING SIGN IN SHEET
Monday, May 21, 2007

Special Use Permit for Contractor's Offices, Indoor Storage of Materials
Dave Akerley, Applicant

ITEM # 20

NAME	ADDRESS	PHONE #
Tyrone & Charmila Dubrey	20748 Hwy 17 N	270
David Akerley	892 Kings Landing rd. Hampstead	270-5288

8.2.6 Buffer Descriptions and Options

The following descriptions list the specifications of each buffer. The requirements reflect the minimum and the developer may increase the buffer at his/her option. Buffer requirements are stated in terms of width of the buffer and the number of plant units required per one hundred (100) linear feet of buffer. The requirements of a buffer may be satisfied by any of the options under each letter designation or existing equivalent vegetation. All mathematical rounding shall be upward and shall be applied to the total amount of plant material required in the buffer, not to each one hundred (100) foot length. The required canopy and understory trees shall generally be spread uniformly along the buffer. Shrubs may be clustered when a 98% grass cover is provided in all areas of the buffer other than within 4 ft. of the base of any tree or shrub.

Buffer A

Buffer "A" This buffer is designed primarily for road frontage areas and should run parallel to the street to provide a continuous, aesthetically pleasing streetscape. The requirements for buffer "A" shall be met by any one of the following:
A-1) 15 foot wide strip with 3 canopy trees, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet (width may be reduced to 10' for existing developed lots that are subject to new buffer requirements), or
A-2) 20 foot wide strip with 3 canopy trees, 2 understory trees and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 18 shrubs per 100 linear feet, or
A-3) 25 foot wide strip with 1 canopy tree, 2 understory trees and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 21 shrubs per 100 linear feet, or
A-4) 30 foot wide strip with 1 canopy tree, 2 understory trees and either a grass or other approved vegetative ground cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 32 shrubs per 100 linear feet.

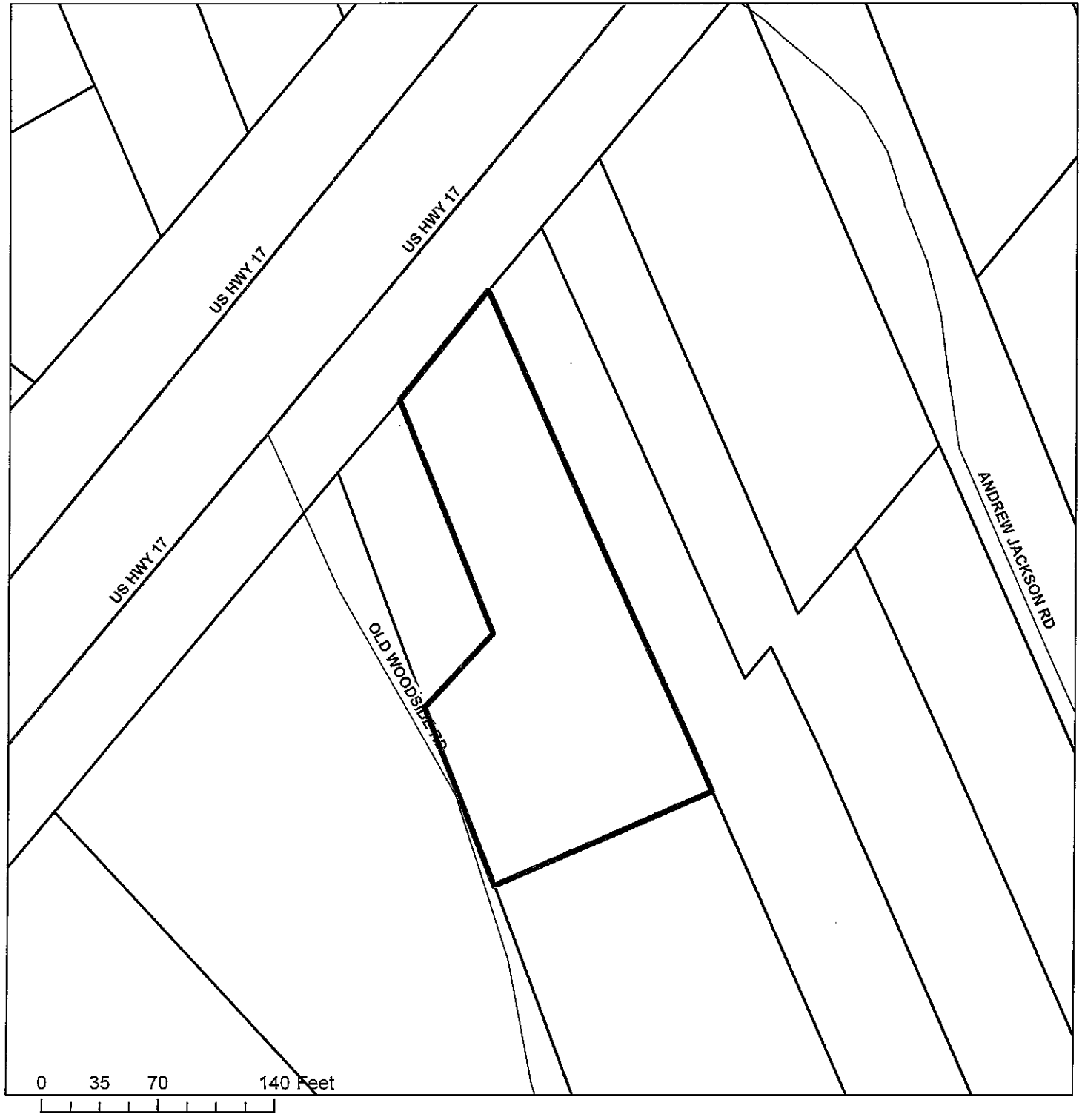
Buffer B

Buffer "B" This buffer is a medium density planting area to be used primarily along non street boundary lines to provide spatial separation between similar types of uses. The requirements for buffer "B" shall be met by any one of the following:
B-1) 10 foot wide strip with 3 canopy trees, 4 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or
B-2) 15 foot wide strip with 3 canopy tree, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or
B-3) 20 foot wide strip with 1 canopy tree, 2 understory tree and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 15 shrubs per 100 linear feet, or
B-4) 25 foot wide strip with 0 canopy trees, 5 understory trees and either a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree or shrub) or 21 shrubs per 100 linear feet.

Buffer C

Buffer "C" This buffer is designed to provide a high density screen primarily along non street boundary lines to provide buffer and separation between different categories of uses such as commercial adjacent to residential uses or other non-residential uses adjacent to high density single family residential uses. The requirements for buffer "C" shall be met be any one of the following:

C-1) 10 foot wide strip with a 6 foot high wood stockade, basket weave, or other solid wood fence and 2 canopy trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or
C-2) 15 foot wide strip with a 6 foot high wood stockade, basket weave, or other solid wood fence or an evergreen hedge* that will provide a continuous screen at least 6' high within 4 years and 1 canopy tree, 4 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or *Reference spacing requirements in plant list for specific species and spacing to achieve evergreen hedge
C-3) 20 foot wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years and 1 canopy tree or 3 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet, or
C-4) 25 foot wide strip with an evergreen hedge that will provide a continuous screen at least 6' high within 4 years, 2 understory trees and a grass cover of at least 98 % coverage (except within 4 feet of the base of any tree), per 100 linear feet.



COUNTY OF PENDER

Applicant:
David & Felecia Akerley

Owner:
Felecia Akerley

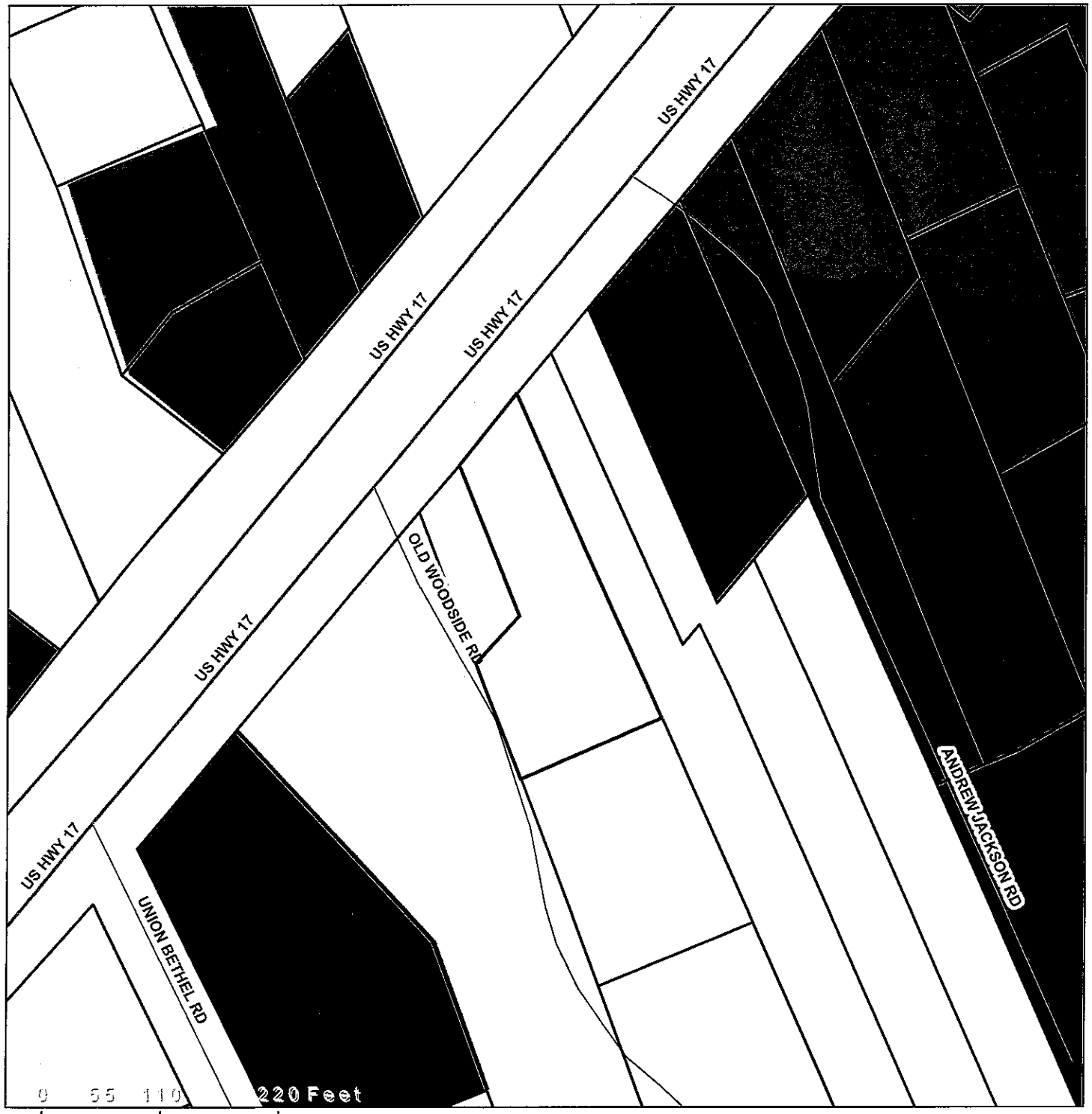
Special Use Permit:
#10194R

Legend

Subject Property

N

Vicinity



Applicant:
David & Felecia Akerley

Owner:
Felecia Akerley

Special Use Permit:
#10194R

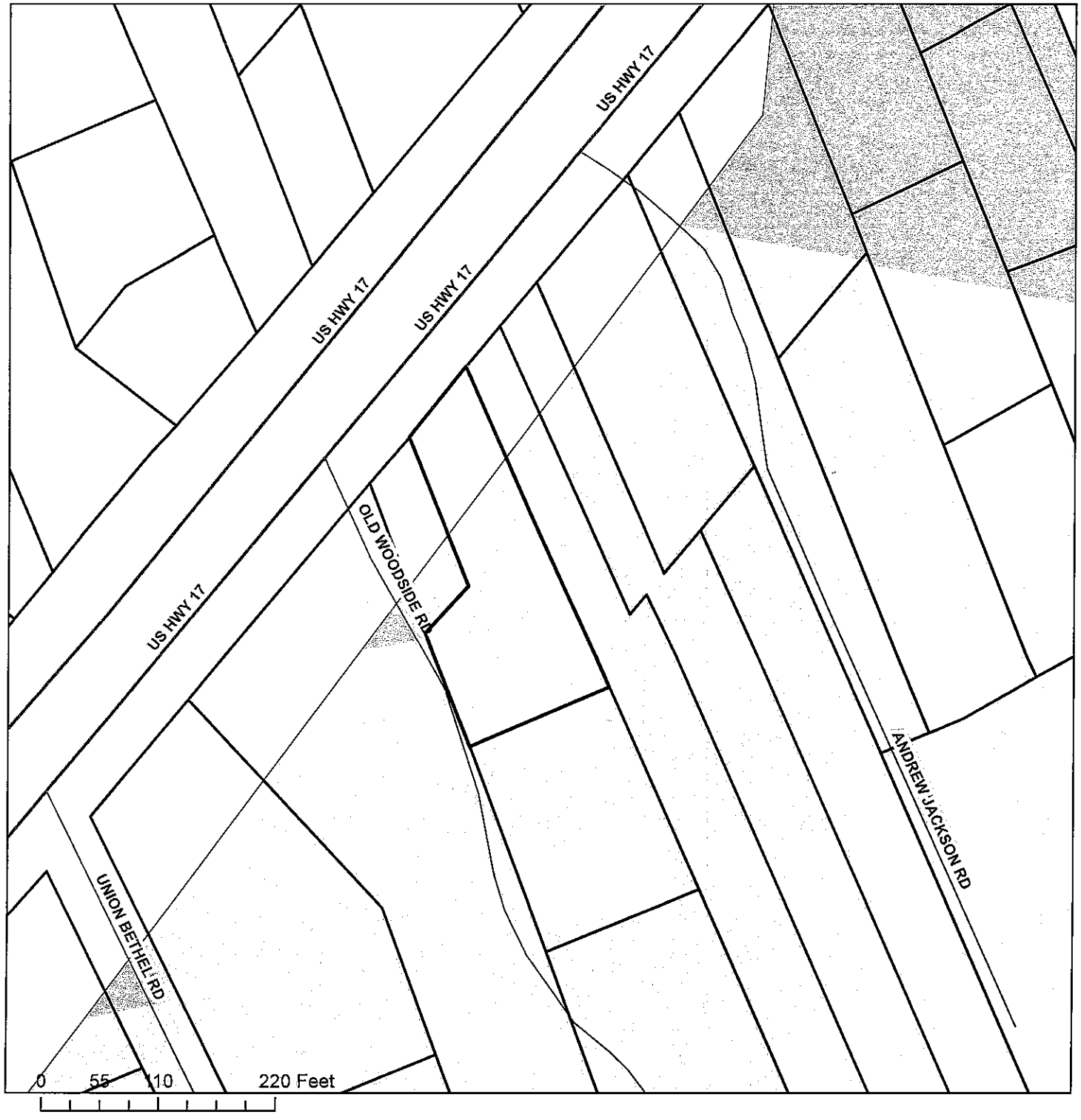
Legend

UDO Zoning

- EC, Environmental Conservation
- GB, General Business
- GI, General Industrial
- Incorporated
- IT, Industrial Transition
- MH, Manufactured Housing
- O&I, Office & Institutional
- PD, Planned Development
- RA, Residential Agricultural
- RA-Conditional Zoning 1
- RP, Residential Performance
- Subject Property

N

Current Zoning



Applicant:
David & Felecia Akerley

Owner:
Felecia Akerley

Special Use Permit:
#10194R

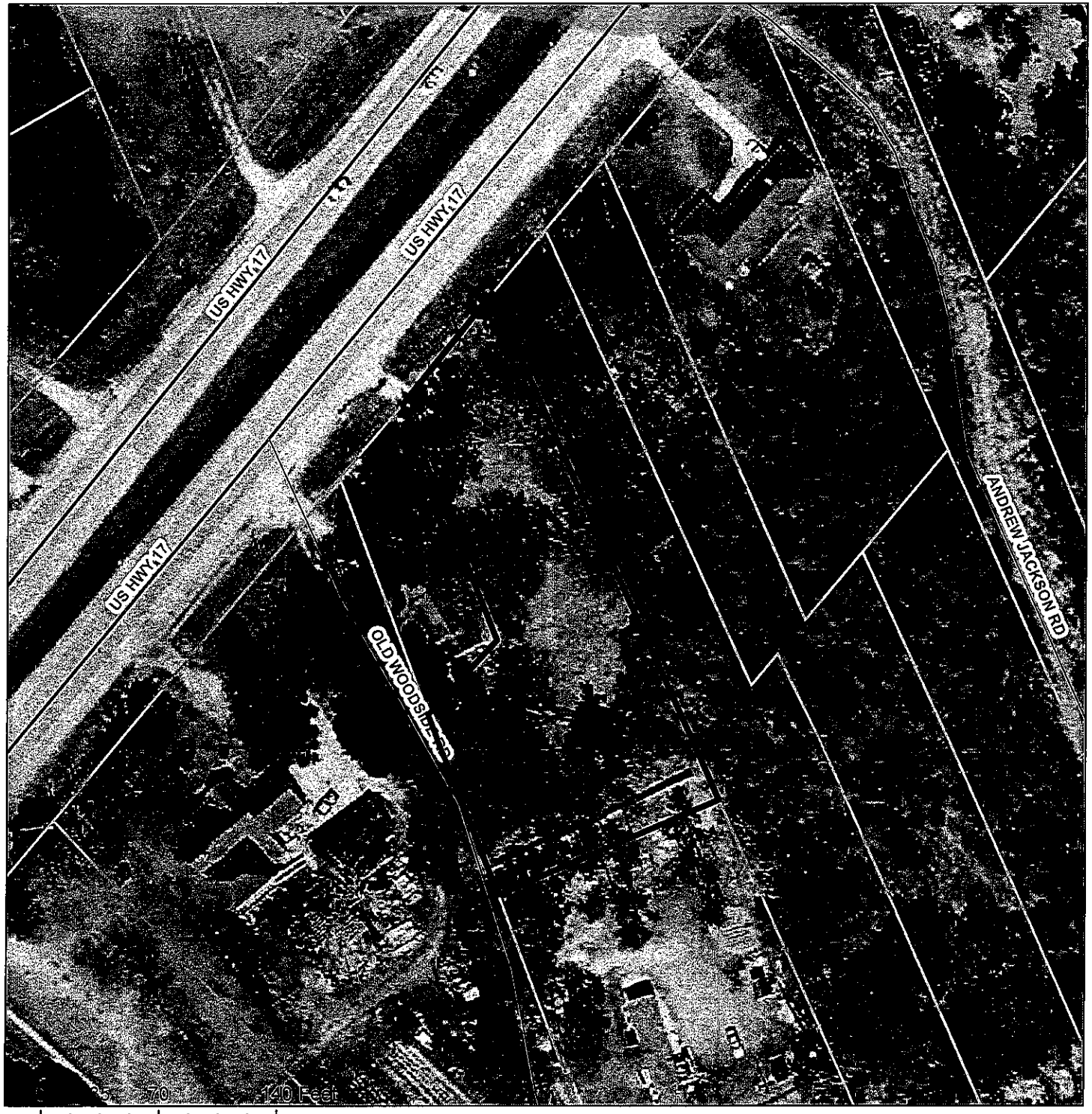
Legend

Future Land Use

- Industrial
- Mixed Use
- Office, Institutional, Business
- Rural Growth
- Suburban Growth
- Subject Property

N

Future Land Use



Applicant:
David & Felecia Akerley

Owner:
Felecia Akerley

Special Use Permit:
#10194R

Legend

Subject Property

2012 Aerial