



REQUEST FOR BOARD ACTION

ITEM NO. 21

DATE OF MEETING: November 23, 2015

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

SHORT TITLE: Resolution Requesting Approval of a Special Use Permit (SUP) for the Operation of a Cottage Occupation for Gunsmithing.

BACKGROUND: Hope Lettieri, applicant and owner, is requesting approval of a Special Use Permit for the operation of a cottage occupation for the use of gunsmithing (NAICS 322994). The property is zoned RP, Rural Performance zoning district and according to the Pender County Unified Development Ordinance §5.2.3 Table of Permitted Uses; cottage occupations are permitted via Special Use Permit. There is one (1) tract associated with this request and is located at 9180 Old River Road (SR 1411). The subject property may be further identified by Pender County PIN 3246-28-7530-0000.

SPECIFIC ACTION REQUESTED: To Hold a Public Hearing and Consider the Approval of a Special Use Permit for a Cottage Occupation for Gunsmithing.

RESOLUTION

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

on November 23, 2015 the Pender County Board of Commissioners (approved, modified, denied) a Special Use Permit request 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 ___ Keith ___

J. David Williams, Jr., Chairman 11/23/2015
Date

ATTEST 11/23/2015
Date

PLANNING STAFF REPORT
Special Use Permit

SUMMARY:

Hearing Date: November 23, 2015
Applicant: Hope Lettieri
Property Owner: Hope Lettieri
Case Number: SUP 000056-2015

Land Use Proposed: Hope Lettieri, applicant and owner, is requesting approval of a Special Use Permit for the operation of a cottage occupation for the use of gunsmithing (NAICS 332994).

Property Record Number and Location: The subject property is located along the northwest side of Old River Road (SR 1411) in Burgaw, NC. There is one (1) tract associated with this request and is located at 9180 Old River Road (SR 1411). The subject property may be further identified by Pender County PIN 3246-28-7530-0000.

Zoning District of Property: The subject property is zoned RP, Residential Performance zoning district and according to the Pender County Unified Development Ordinance §5.2.3 Table of Permitted Uses; cottage occupations are permitted via Special Use Permit.

PROJECT DESCRIPTION:

Hope Lettieri, applicant and owner, is requesting approval of a Special Use Permit for the operation of a cottage occupation for the use of gunsmithing (NAICS 332994). 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; cottage occupations are permitted via Special Use Permit. There is one (1) tract associated with this request and is located at 9180 Old River Road (SR 1411). The subject property may be further identified by Pender County PIN 3246-28-7530-0000.

The subject property is zoned RP, Residential Performance zoning district and according to the Pender County Unified Development Ordinance §5.2.3 Table of Permitted Uses; cottage occupations are permitted via Special Use Permit. A cottage occupation is defined in the Pender County Unified Development Ordinance as a use conducted for the generation of revenue in an accessory structure located on the same lot or tract as a dwelling. The use must: be clearly incidental and secondary to the use of the property for residential purposes; not change the character of the structure or area; or have any exterior evidence of the occupation. Cottage Occupations are intended to be limited to low intensity uses that produce or repair a product, but can be operated in such a way that they do not adversely affect adjacent properties.

According to the applicant's submitted narrative, the applicant requests to use an accessory structure for the operation of a gunsmithing (NAICS 332994) business. The applicant intends to customize, repair, and manufacture a limited quantity of small arms weapons. The applicant is required by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATFE) to apply for a Federal Firearms License (FFL). BATFE requires zoning approval prior to issuing a FFL permit. Staff was contacted by the local BATFE office in Wilmington regarding the mandatory zoning approval. The North American Industry Classification System classifies this use as small arms manufacturing. This industry is comprised of establishments primarily engaged in manufacturing small firearms that are carried and fired by the individual. Corresponding uses are found in Attachment 1.

The applicant plans to use a small paint sprayer, sandblaster, drill press, and computer numerical control (CNC) machine within the 16 x 28 feet accessory building. The applicant intends to add an additional

fifty (50) square feet of accessory building space to accommodate the cottage occupation. The total accessory building space used in the cottage occupation is 498 square feet.

Hours of Operation

There will be no employees for the cottage occupation. The owners of the property will use the accessory building to conduct their business on a limited, need-based basis. The applicant proposes pick-up and drop-off on an appointment only basis, with some mail services.

Landscape and Buffers

Section 8.1.2 of the Pender County Unified Development Ordinance states that landscaping and buffering requirements are not required for residential uses within the RP, Residential Performance zoning district (Attachment 1).

Driveway Access

The applicant is showing residential driveway access to Old River Road (SR 1411). All existing driveways are subject to review and approval by the NCDOT through a driveway permit which may be required at the Site Development Plan submittal.

Utilities

The residence is currently served via private well and septic system. No additional water or wastewater systems are proposed for the cottage occupation use.

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.

Use Type	Ref NAICS	Zoning Districts									
		RA	RP	RM	MH	PD	GB	OI	IT	GI	EC
MISCELLANEOUS USES											
Cottage Occupations		SD	SD	SD		SD	SD				

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; cottage occupations are permitted via Special Use Permit in the RP, Residential Performance zoning district. The Residential Performance District is intended to allow a variety of residential uses and densities and also limited commercial activities as well as agritourism. Existing or new agricultural and farm uses shall be allowed on undeveloped land prior to development.

A Cottage Occupation is defined in the Pender County Unified Development Ordinance as a use conducted for the generation of revenue in an accessory structure located on the same lot or tract as a dwelling. The use must: be clearly incidental and secondary to the use of the property for residential purposes; not change the character of the structure or area; or have any exterior evidence of the occupation. Cottage Occupations are intended to be limited to low intensity uses that produce or repair a product, but can be operated in such a way that they do not adversely affect adjacent properties

Cottage Occupations are permitted with the following standards found in Section 5.3.3.B of the Pender County Unified Development Ordinance:

1. The use must be clearly incidental and secondary to the use of the property for residential purposes.
 2. The use shall not change the character or area of the structure or have any exterior evidence of the occupation.
 3. The floor area of the cottage occupation cannot exceed the total floor area of the primary residence.
 4. No cottage occupation shall be permitted which creates objectionable noise, dust, smoke, odor, glare, or traffic attraction greater than that of other residential properties in the vicinity.
 5. Workers not living on the property shall be limited to three (3) persons per day.
 6. Proposed Cottage Occupation permits in the GB, General Business district, shall not expand or increase the existing non-conforming use or structure.
- D. 2010 Comprehensive Land Use Plan Compliance:** The subject property is classified as Rural Growth in the 2010 Pender County 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. Rural Growth areas are intended to protect agricultural and forestry operations that are a major part of the County's economic base and that are key to preservation of the County's rural landscape. Major job-creating activities that are compatible with farms, forestry and very low-density development are appropriate. This project is consistent with the Rural Growth classification in the 2010 Pender County Comprehensive Land Use Plan.

- a. The SUP request may be supported by policies 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

This 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 subject parcel is bordered by low density residential properties to the north, south, and east, as well as wooded vacant land to the west.

F. Site Access Conditions: The applicant is showing direct access to US HWY 117 via an existing driveway and is subject to review and approval by the NCDOT through a driveway permit which may be required at the Site Development Plan submittal.

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 Development Ordinance.
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, including approval from BATFE.
4. 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.
5. All discharge of firearms shall be in compliance with all local, state, and federal regulations.
6. Any expansions of the existing accessory structure must meet accessory use and structure requirements found in Section 5.3.3 of the Pender County Unified Development Ordinance.

Attachment A

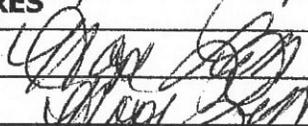
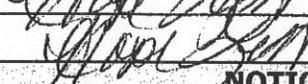
3.12.3 Procedures for Reviewing Applications

- 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.

APPLICATION FOR SPECIAL USE PERMIT

THIS SECTION FOR OFFICE USE			
Application No.	SUP 000056-2015	Date	10-9-15
Application Fee	\$ 300.00	Receipt No.	Invoice 0000022
Pre-Application Conference	-	Hearing Date	11-23-15
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	TOBY'S IRONS	Owner's Name:	HOPE CETHERI
Applicant's Address:	9180 OLD RIVER RD -GARAGE	Owner's Address:	9180 OLD RIVER RD
City, State, & Zip	BURGAW NC 28425	City, State, & Zip	BURGAW NC 28425
Phone Number:	910 789 7490	Phone Number:	732 300-6381
Legal relationship of applicant to land owner:			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	3240-28-7530-0000	Total property acreage:	.65
Zoning Classification:	RP	Acreage to be disturbed:	0
Project Address :	9180 OLD RIVER RD - GARAGE, BURGAW NC	NAICS Code:	
Description of Project Location:	FRAMED 16x28 STRUCTURE - SHOP - 6'x16' INSULATED SPACE WITHIN MAIN ENTRANCE ON ADJACENT 5x10 LOT -		
Describe activities to be undertaken on project site:	operate a small home based gunsmithing business, occasionally apply cerakote coatings, perform PPL transfers, build/manufacture custom firearms by appointment only for drop off/pickup phone/internet based		
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	10-2-2015
Owner's Signature		Date:	10-2-2015
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 checked="" 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 type="checkbox"/> Minor Revisions / Fees \$100 <input type="checkbox"/> Mining Fees \$750			Total Fee Calculation: \$ 300.00 Application#: 000056-2015 Date of Hearing: 11-23-15			
Attachments Included with Application: (Please include # of copies)						
CD /other digital version	<input type="checkbox"/> Y <input type="checkbox"/> N	Plan Sets	# of large 2	# of 11X17 2	Other documents/Reports	<input type="checkbox"/> Y <input type="checkbox"/> N
Payment Method:	Cash: <input type="checkbox"/> \$ _____	Credit Card: <input checked="" type="checkbox"/> Master Card <input type="checkbox"/> Visa		Check: <input type="checkbox"/> Check # _____		
Application received by:		<i>Patrick Max</i>			Date: 10-9-15	
Application completeness approved by:		<i>THE ORG</i>			Date: 10-15-15	

Special Use Permit Checklist

<input checked="" type="checkbox"/>	Signed Application Form (Both Applicant and Owner)
<input checked="" 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 checked="" type="checkbox"/>	One business size envelope legibly addressed with first class postage for each of the adjacent property owners on the above list.
<input checked="" type="checkbox"/>	Project Narrative --Written description of the project (max of 3 pages) 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"/> 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.
<input checked="" 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 checked="" 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 checked="" 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	

Special Use Permit Application --9180 Old River Rd, Garage, Burgaw, NC 28425

Project Narrative----

Toby's Irons, does hereby submit the following to the Pender County Authorities with regards to requested Special Use Permit. Property is located in an RP zone, business considered a Home Based Business by us, Cottage Industry requiring Special Use Permit by Pender County. The difference being the location on the property of said business operations, being space detached from main/principal structure.

Toby's Iron's possesses an active FFL application with the BATFE and requires zoning approval for license approval. We have registered the DBA with Pender County, possess NC tax IDs and Federal tax IDs. The business seeks to process occasional FFL transfers, apply Cerakote coatings (basically paint, which under the BATFE is considered Manufacturing, and via CERAKOTE requires an FFL to partake in their professional training), on a limited basis to firearms and parts as potential customers may so desire, and possibly build custom firearms for potential customers. These activities, other than the processing of transfers are nothing new to the property, as we have done this for personal use and hobby purposes for years.

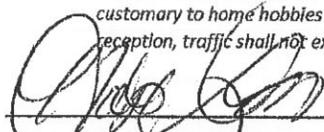
We propose to operate on an appointment only basis, for drop-off and pick-up, suspecting most activity to be via available mail services. There-by we see no increase to traffic in and out of the property. All utilities required are readily available, nothing new to be put into place. We also see no increase to noise or pollutant levels.

Other than a small paint sprayer, a small sand blaster and compressor we operate a drill press, and may add a small lathe, and table top CNC machine (see attached spec sheets), should the need arise. Aside from those electrical items we use numerous hand tools. Our shop is located, as per notes on attached survey, with no visibility from the road and limited visibility to the one surrounding neighbor. It is housed within an insulated 8x16' space within a 16 x 28' wood framed structure. We do propose to extend that space to incorporate an interior paint space of approximately another 5 x10' space. The need may arise to manufacture small parts using the equipment noted.

At the present time, we predict operations to begin after the first of 2016, again on a limited basis, with no employees. We both have full time jobs keeping us away from Burgaw most of the time. We will start if approval granted, again on an appointment basis when we are available, using the internet as our main source of customer base. It is our aim to grow to a point where we can forego other employment and grow to a store front to be located in a commercial zone, understanding in light of our current circumstances this may take more than a year or two. We are taking this endeavor on, on a trial basis.

Specifically:

- 1- The use requested is among the special uses in the district or is similar in character to those listed in the district- *current approved business on road with heavy truck traffic and traffic from general public- ie: Old River Farms and Sand Mining Operation.*
- 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 of the immediate neighbors of the property; *not visible from road, no signage,*
- 3- The proposed use will not constitute a nuisance or hazard--*no heavy equipment or machinery- no toxic materials- customers to site by appointment only, mostly mail and internet business*
- 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- *adequate septic, city and well water on site and electric provided by Four County Electric. No others required.*
- 6- Adequate measure have been taken or will be taken to provide ingress and egress so designed as to minimize the traffic congestion on public roads- *There is to be no increase in traffic to or from property- no more than guests visiting home, or postage being delivered, driveway circles the property, one way in one way out--*
- 7- 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. *No additional construction, exterior storage or display, no offensive noise vibrations, smoke, dust, heat, odor, glare, traffic hazards or congestion. Use of less than 25 % of available floor area currently on property, less than 500 sq ft., activity to be performed within the space noted above, All activity to be performed by the current 2 residents of the property, use is incidental and secondary to dwelling on the property, no variation as to the current character of the property, no machinery not customary to home hobbies and crafts normally used in residential settings, and will not cause interference to radio and/or television reception, traffic shall not exceed that generated by nearby residents.*


Hope Lettieri, Partner


Thomas Chrzan, Partner



(//www.census.gov/en.html)

Search

North American Industry Classification System

You are here: [Census.gov \(/\)](#) > [Business & Industry \(//econ/www/index.html\)](#) > [NAICS \(//eos/www/naics/index.html\)](#) > NAICS Search/Tools

2007 NAICS Definition

332994 Small Arms Manufacturing

This U.S. industry comprises establishments primarily engaged in manufacturing small firearms that are carried and fired by the individual.

Cross-References. Establishments primarily engaged in--

- Establishments primarily engaged in manufacturing firearms (except small) are classified in U.S. Industry [332995 \(//cgi-bin/sssd/naics/naicsrch?code=332995&search=2007\)](#). Other Ordnance and Accessories Manufacturing.

2002 NAICS	2007 NAICS	2012 NAICS	Corresponding Index Entries
332994	332994	332994	BB guns manufacturing
332994	332994	332994	Carbines manufacturing
332994	332994	332994	Dart guns manufacturing
332994	332994	332994	Firearms, small, manufacturing
332994	332994	332994	Grenade launchers manufacturing
332994	332994	332994	Guns, BB and pellet, manufacturing
332994	332994	332994	Pellet guns manufacturing
332994	332994	332994	Pistols manufacturing
332994	332994	332994	Pyrotechnic pistols and projectors manufacturing
332994	332994	332994	Revolvers manufacturing
332994	332994	332994	Rifles, BB and pellet, manufacturing
332994	332994	332994	Rifles, pneumatic, manufacturing
332994	332994	332994	Shotguns manufacturing
332994	332994	332994	Submachine guns manufacturing
332994	332994	332994	Tranquilizer guns, manufacturing

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ARTICLE 8 LANDSCAPING AND BUFFERING

8.1 GENERAL

8.1.1 Intent

The placement of landscape plants on a property can serve numerous purposes. One of the most obvious is to enhance the appearance of the property and increase the property's value. Other benefits of plants and vegetative buffers in the home and business property landscape are as follows:

- A. Reduce air pollution by absorbing Carbon Dioxide and releasing Oxygen.
- B. Reduce erosion by dispersing and absorbing rainfall.
- C. Reduce stream pollution by stabilizing soil and slowing, dispersing and absorbing stormwater runoff.
- D. Reduce stormwater runoff and the potential for flooding.
- E. As properties provide trees, plants and other landscape vegetation, not only is the appearance of individual properties improved, but community appearance is enhanced. This provides a substantial value to the community and other properties in the community.
- F. Buffer and Landscape trees and other plants also help reduce noise from auto traffic, glare from auto and other lights and help collect & reduce litter from reaching adjacent properties.

8.1.2 Applicability

The landscaping and buffering requirements found in this Article shall apply to all development within Pender County with the exception of bona fide farming activities, properties listed on the National Register of Historic Places (NRHP) and residential development of one housing type in the Residential Performance Districts.

Developments attempting to qualify for the National Register of Historic Places exemption must provide a copy of the National Parks Service listing, along with a narrative briefly requesting the aforementioned relief and how the landscaping standards would conflict with the historic significance of the property. Landscaping and buffer requirements shall apply in all business, planned development, industrial, and non-residential uses in other zoning districts when:

- A. A new principal structure is built, or
- B. An existing principal structure is expanded sufficiently to increase its interior square footage by fifty percent (50%) or more, in any one or more expansions, or
- C. An existing use is expanded sufficiently to increase its square footage by fifty percent (50%) or more, in any one or more expansions, or
- D. A change in use from residential related to office, service, commercial or industrial, or from office, service or commercial to industrial, or
- E. In any residential development with two or more types of housing development, or
- F. A use is discontinued on a site for a consecutive period of one hundred eighty (180) days per Section 10.3.4 and a new use is proposed.



Applicant:
Hope Lettieri

Owner:
Hope Lettieri

Special Use Permit:
#000056-2015

Legend

 Subject Property



Vicinity





Applicant:
Hope Lettieri

Owner:
Hope Lettieri

Special Use Permit:
#000056-2015

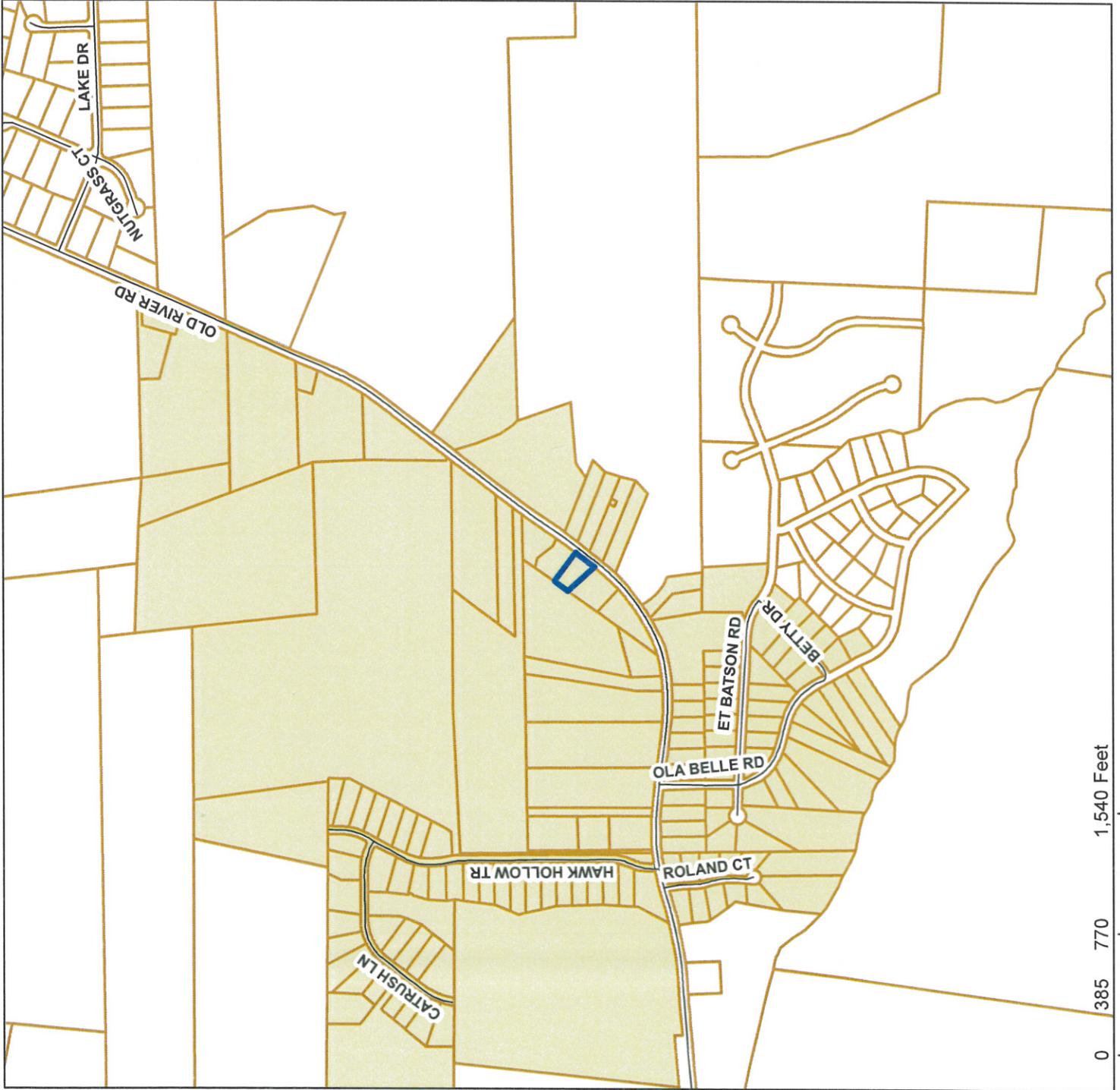
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UDO Zoning

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



Current Zoning





Applicant:
Hope Lettieri

Owner:
Hope Lettieri

Special Use Permit:
#000056-2015

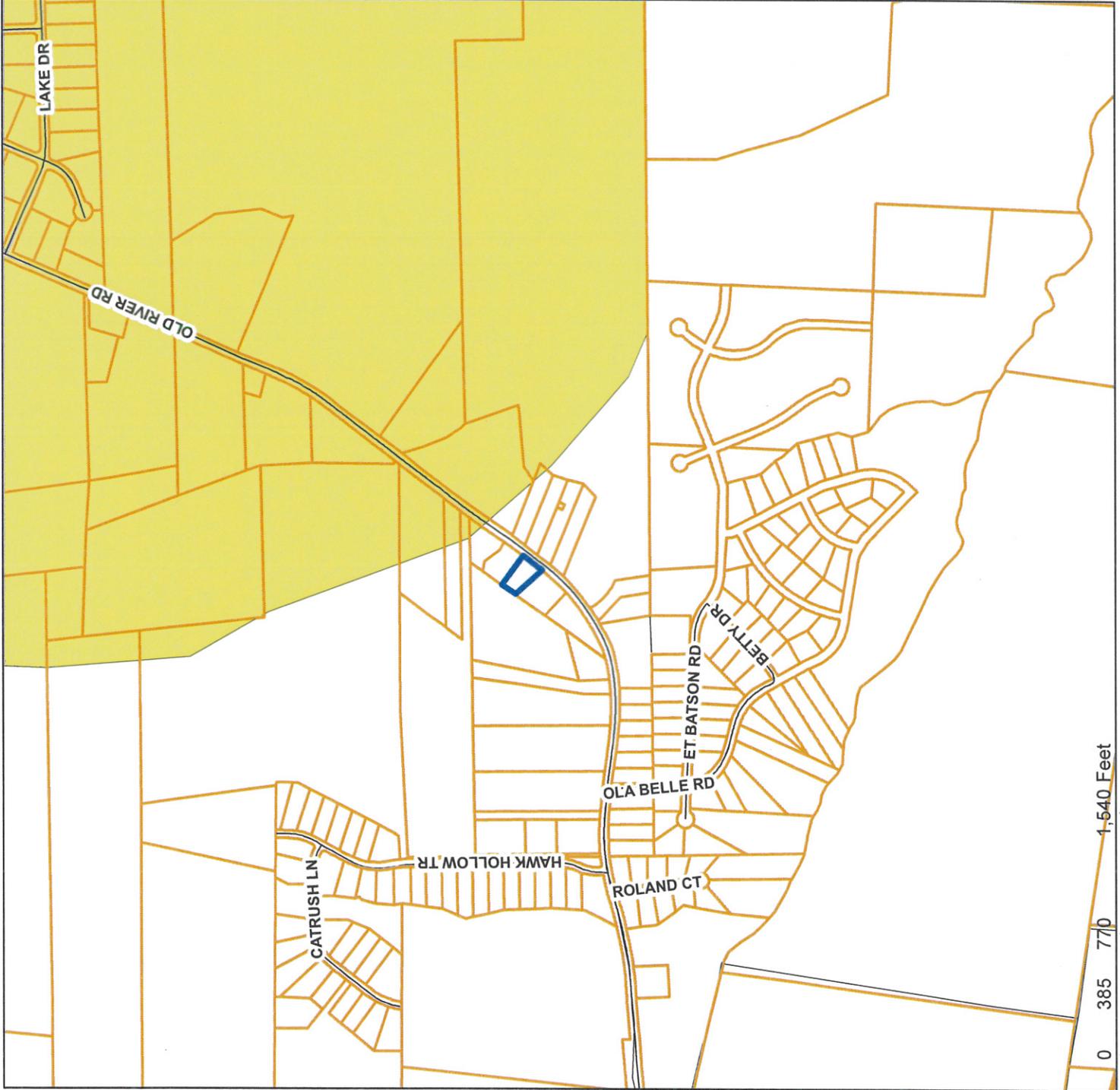
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Future Land Use

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



Future Land Use





Applicant:
Hope Lettieri

Owner:
Hope Lettieri

Special Use Permit:
#000056-2015

Legend



Subject Property



2012 Aerial

