



REQUEST FOR BOARD ACTION

ITEM NO. 34

DATE OF MEETING: June 20, 2016

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 to Allow for Cabinetry.

BACKGROUND: Jennifer Johnson et al, applicant and owner, is requesting approval of a Special Use Permit for the operation of a cottage occupation to allow for cabinetry. 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 totaling approximately five (5) acres and is located at 103 Tarwolf Trail (private). The subject property may be further identified by Pender County PIN: 3234-61-5153-0000.

SPECIFIC ACTION REQUESTED: To Hold a Public Hearing and Consider the Approval of a Special Use Permit for a cottage occupation to allow for cabinetry.

RESOLUTION

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

on June 20, 2016 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: Brown ___ McCoy ___ Keith ___ Piepmeyer ___ Williams ___

George Brown, Chairman 6/20/2016
Date

ATTEST 6/20/2016
Delivered Date

PLANNING STAFF REPORT
Special Use Permit

SUMMARY:

Hearing Date: June 20, 2016
Applicant: Jennifer Johnson et al
Property Owner: Jennifer Johnson et al
Case Number: SUP 228-2016

Land Use Proposed: Jennifer Johnson et al, applicant and owner, is requesting approval of a Special Use Permit for the operation of a cottage occupation to allow for the purpose of cabinetry.

Property Record Number and Location: The subject property is located along the east side of Tarwolf Trail (private) in Rocky Point, NC. There is one (1) tract associated with this request and is located at 103 Tarwolf Trail (private). The subject property may be further identified by Pender County PIN: 3234-61-5153-0000.

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:

Jennifer Johnson et al, applicant and owner, is requesting approval of a Special Use Permit for the operation of a cottage occupation to allow for cabinetry. 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 103 Tarwolf Trail (private). The subject property may be further identified by Pender County PIN 3234-61-5153-0000.

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 use of a cabinet manufacturing (NAICS 337 – Furniture and Related Product Manufacturing) business. The applicant intends to build custom cabinets for online sales with no on premise retail sales within a 1,920 square foot accessory structure located in the rear of the applicant's property, as shown on the submitted site plan. No additions or alterations are proposed to the existing accessory structure.

A Special Use Permit (Case #10364) was unanimously approved on March 15, 2004 for the subject parcel for the operation of an auto repair business. At the time, the property was under different ownership. The applicant wishes to utilize the same accessory structure for the cabinet manufacturing operation (Attachment 1).

Hours of Operation

There will be no additional employees for the cottage occupation. The owners of the property will use the accessory building to conduct their business Monday-Friday from 8a.m. to 5p.m. The applicant's submitted narrative proposes normal residential delivery methods, with one employee.

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 2).

Driveway Access

The applicant is showing residential driveway access to Tarwolf Trail (private), an existing 50' wide unpaved access easement. Single family residential uses do not require NCDOT driveway permits. Although all proposed uses for the existing structures will be reviewed by NCDOT at the Site Development Plan submittal.

Utilities

The residence is currently served via Pender County Utilities water and private 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	GI	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 Office/Institutional/Commercial in the 2010 Pender County Comprehensive Land Use Plan.

Office/Institutional/Commercial (OIC) areas are designated at key locations, typically along major highways and at major intersections, within the County. The purpose of the OIC land use classification is to encourage more efficient and attractive development, integration of commercial uses with other land uses, and to discourage unsightly and inefficient strip commercial development. Strip commercial development (characterized by non-related business development with numerous road-cuts and no interconnectivity) detracts from community appearance and has significant negative impacts on both road capacity and traffic safety.

OIC areas should be planned to accommodate a range of land uses including small and large scale commercial uses possibly transitioning to office/institutional uses or higher density residential uses that would buffer and transition to surrounding lower density residential areas. These areas should be served by both public water and sewer. The subject property is located in a low density residential area and will not adversely impact the surrounding area due to the low traffic volume and existing vegetative buffering surrounding the property. This project is consistent with the Office/Institutional/Commercial 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 and west, as well as wooded vacant land to the south and east.
- F. **Site Access Conditions:** The applicant is showing existing residential driveway access to Tarwolf Trail (private). Single family residential uses do not require NCDOT driveway permits. Although all proposed uses for the existing structures will be reviewed by NCDOT 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.
 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. 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.
 6. Any expansion exceeding the requirements of Section 3.12.4.H of the Pender County Unified Development Ordinance will require a revision to the Special Use Permit.
 7. All activities of the proposed cottage occupation shall take place within the enclosed accessory structure.

Attachment A

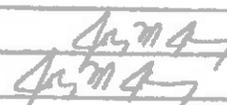
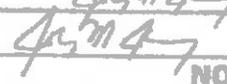
3.12.3 Procedures for Reviewing Applications

- 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 228 - 2016	Date	Inv. 0000137 4-25-16
Application Fee	\$ 300.00	Receipt No.	00000137
Pre-Application Conference	3-31-16	Hearing Date	6-20-16
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Joshua Johnson	Owner's Name:	Joshua Johnson
Applicant's Address:	103 Tarwolf Trail	Owner's Address:	Same as Applicant
City, State, & Zip	Rocky Point, NC 28457	City, State, & Zip	
Phone Number:	910-547-6285	Phone Number:	
Legal relationship of applicant to land owner: I am the applicant and also the land owner			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	3234-61-5153-0000	Total property acreage:	5 acres
Zoning Classification:	RP, Residential Performance	Acreage to be disturbed:	0
Project Address :	103 Tarwolf Trail Rocky Point, NC 28457	NAICS Code:	337
Description of Project Location:	Detached building behind main residence		
Describe activities to be undertaken on project site:	Cabinet making and online retail sales		
	1920 sq accessory building -> "Cottage Occupation"		
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	04/01/16
Owner's Signature		Date:	04/01/16
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.- Application#: 228-2016 Date of Hearing: 6-20-16
Attachments Included with Application: (Please include # of copies)	
CD (other digital version) <input type="checkbox"/> Y <input type="checkbox"/> N Plan Sets # of large _____ # of 11x17 _____ Other documents/Reports <input type="checkbox"/> Y <input type="checkbox"/> N	
Payment Method: <input type="checkbox"/> Cash: \$ _____ <input type="checkbox"/> Credit Card: <input type="checkbox"/> MasterCard <input type="checkbox"/> Visa <input checked="" type="checkbox"/> Check # 1958	
Application received by: J. D. Only	Date: 4-28-16
Application completed approved by: J. D. Only	Date: 4-28-16

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 (<u>max of 3 pages</u>) including the following: <ul style="list-style-type: none"> <input type="checkbox"/> Location of the project and type of access to project site <input type="checkbox"/> Detailed description of the activities to be undertaken on the site, including hrs. of operation, # of employees, etc. <input type="checkbox"/> Description of all construction activities to be undertaken on the site. <input type="checkbox"/> Describe type of utilities that will serve project and status of approval from applicable providers <input type="checkbox"/> List of all state and federal permits that will be required for the project <input type="checkbox"/> Applicant <u>must</u> specifically address the <u>8</u> 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 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 type="checkbox"/> Access from the site and/or project boundaries to the nearest publicly maintained road. <input type="checkbox"/> Location of any existing structures or uses on the property and within 50' of the property. <input type="checkbox"/> Location of the project boundaries if they do not coincide with the property boundaries. <input 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 type="checkbox"/> Boundary of all clearing, grading, and/or land disturbing activities on the site and the regulated acreage of all land disturbing activities on the site. <input 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 type="checkbox"/> All signs to be located on the property (See Article 10, Pender County UDO) <input type="checkbox"/> Pedestrian walk, area lighting and flood lighting. <input 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 type="checkbox"/> Drains 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 two (2) 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 1515 Burgin, NC 28625	



Special Use Permit Project Narrative

Project location:

103 Tarwolf Trail
Rocky Point, NC 28457

Access to project:

Off of Hwy 117, turn onto E. Strawberry Ln, turn right onto Tarwolf trail Rd., turn left onto private drive. Project is located behind residence at the above address.

Activities to be undertaken on site:

Cabinet building and online retail sales.

Hours of operation:

Monday – Friday 8:00 am – 5:00 pm

Number of employees: 2

Utilities that will serve the project:

- Electric: Duke energy
- Water: Pender County Utilities
- Internet: AT&T

Approval Standards:

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;
 - The request is for a special use permit for a Cottage Occupation for cabinet making and online retail sales.

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;
 - All wood chips and saw dust is collected by a 3hp grizzly cyclone dust collector via 6 inch ducting located at every stationary machine.
 - The shop will be cleaned at the end of every work day to prevent loose saw dust and wood materials from entering outside environment.
 - All wood waist and trash is properly disposed of in a 2yd container serviced by Pink Trash.
 - My account #3260.

3. The proposed use shall not constitute a nuisance or hazard;
 - The shop is located on the back side of a rectangular 5 acre lot (see map)
 - The shop is 346 feet from the nearest home.
 - There is a 100 ft canopy and understory buffer between nearest residence.
 - The structure is fully insulated resulting in noise reduction.

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;
 - My business will abide by any codes and adopted plans for the district of Pender county.

5. Adequate utilities, access roads, drainage, sanitation or other necessary facilities have been or are being provided;
 - The existing shop has a dedicated electrical meter.
 - It has a bathroom that uses city water and also has a designated septic system.
 - The shop is accessed through the existing driveway off of Tarwolf Trail. (see map)

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;
 - The shop will be used for cabinet building and online sales only. Customers will not be visiting the shop.
 - Any services such as garbage pickup and postal deliveries will be used in the same manner as adjoining neighbors. There will not be excessive road use by these services.
 - Trash pickup is every two weeks.

7. That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located; and
 - My business will abide by any applicable regulations for the district of Pender county

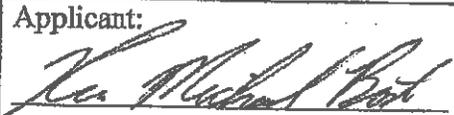
8. The proposed use shall not adversely affect surrounding uses and shall be placed on a lot of sufficient size to satisfy the space requirements of said use.
 - The shop is a pre-existing structure and no new construction will be done without prior approval.

PENDER COUNTY
SPECIAL USE PERMIT APPLICATION FORM

THIS SECTION FOR OFFICE USE			
Application No.	04-03-15-01	Date	1-15-03
Permit Fee	\$200.00	Receipt No.	040018

APPLICANT INFORMATION	
Applicant Name: KEVIN MICHAEL BOST	Owner Name: KEVIN MICHAEL BOST
Address: 103 TARWOLF TRAIL ROCKY POINT, NC 28457	Address: 103 TARWOLF TRAIL ROCKY POINT, NC 28457
Phone No: (910) 675-1705	Phone No: (910) 675-1705
Legal relationship of applicant to owner: SELF	

PROJECT INFORMATION	
Property tax record No. 42629	Total acreage
Zoning Designation: RT	In property: FIVE
Acreage to be used for project: FIVE	Acreage to be disturbed: 1/3
Project location and address: TRACT#4 WOODBERRY FARMS 103 TARWOLF TRAIL, ROCKY POINT, NC 28457	
Describe activities to be undertaken on project site: Maintenance and repair of cars and light trucks	

SIGNATURES			
Applicant:	Date:	Owner:	Date:
	1/14/2004		1/14/2004

NOTICE TO APPLICANT
<ol style="list-style-type: none"> Applicant must also submit the information described on page two of this form. Applicant or agent authorized in writing must attend the public hearing. 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. Applicant may wish to review the required findings for approval of a Special Use Permit(p. 3).

ZONING PERMIT
APPLICANT CERTIFICATION FORM

- Applicant Name: * Kevin Michael Bost Property Owner Name: Kevin Michael Bost
* If applicant or occupant is not owner explain relationship on back, Owner may have to sign app. or give permission.
- Property 911 Address: 103 TARWOLF TRAIL
- Parcel Tax Record Or Tax Identification No.: -42629
- Provide instructions on how to get to the site: South on 117 from Burnham Hwy. approx. 1 1/2 miles south of intersection 117/210, left onto East Strawberry Lane, Right onto Tarwolf Trail, east end on left
- Is the property and or structure located in a Coastal Area Management Act, Area of Environmental Concern? Property? Yes No Structure? Yes No
- Is the property within 75' of a stream or other body of water? Yes No
- Is the property within 1000' of a water body or stream classified as Outstanding Resource Water? Yes No
- Proposed use of the property Residential/Busin the structure Business
- For Non-Residential Projects Only-Describe the proposed use of the property and/or activities to occur on the property along with product type, capacities, no of members, etc. (Be thorough and use additional space if needed). Auto Repair Business, For the repair of cars + light trucks. Shop is a 4-Bay, 1500 sq. ft. building.
- Are there any Mfg. Homes or other Structures on the property or adjacent properties under the same ownership? If so list & describe each one. Yes. 2000 sq. ft modular off-frame home.
- Are there any protected wetlands located on the Property? Yes No
- Are there any access easements on the property? Yes No Does the property abut a public road that is at least 30' wide? Yes No If the property does not abut a public road, does it have a recorded access easement at least 20' wide to a public road? Yes No

The person signing below certifies that the information contained on the site plan, in the application and on this form are true and correct & that he has received a copy of the District Requirements.

Kevin Michael Bost
Signature

1/8/04
Date

Printed Name KEVIN MICHAEL BOST

INTRODUCED BY: Johnny Sutton DATE: March 15, 2004 ITEM NO: _____

Special Use Permit- Automobile Repair (Home Based)

SUBJECT: **CASE NO:** 04-03-15-01
PROPERTY RECORD NO: 42629
APPLICANT: Kevin Bost
OWNER: Kevin Bost

ACTION REQUESTED: Approval of Special Use Permit for Home Based Automobile Repair.

HISTORY/BACKGROUND:

Project Location: The project is located approximately 1000 ft. off the east side of Highway 117 across from Biggs Equip. Co. The site is accessed by Strawberry Lane and Tarwolf Trail from Highway 117. (See attached location map).

Project Description: The applicant is requesting a special use permit to open an automobile repair business in an existing 1500 sq. ft. four bay accessory building on the site. The applicant owns the property and maintains his primary residence in a 2070 sq. ft. home on the site. The lot/site upon which the residence and accessory building are located contains 5 acres. The accessory building proposed to be used for the auto/light truck repair has previously been used for personal homeowner use. The hours of operation are proposed be from 8 a.m. to 5 p.m. Monday-Friday with a provision for early and late pick-up of repaired vehicles after these hours. The operation is proposed to employ the applicant only. (See attached applicant project narrative & site plan).

Project History: This property has previously been used only for single family residential purposes. The site is surrounded by substantial residential structures that meet the residential building code, however all these structures, including the applicants are located on sites at least 5 acres in size. The applicant had basically submitted the material required for the Special Use Permit Application for scheduling for hearing for the February 2004, meeting. Planning staff however omitted this item from the Public Notice submissions for that meeting and it was not scheduled for hearing until the March meeting. Planning staff has not had time to thoroughly review this application for recommended conditions to be applied, should the Board determine to approve it at the March 15, 2004 meeting. After an initial review of the proposal planning staff does not find inconsistencies with existing policies adopted by the Board of Commissioners, as long as reasonable conditions are imposed limiting the intensity and size of the operation and if adequate buffers are installed around the immediate project area. This finding is based on the fact that the business is a "home based operate" (owner/operator lives on the site). Staff has discussed the need for these restrictions with Mr. Bost and he has expressed a willingness to work those conditions out with the staff, if the permit can be approved at the March meeting.

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. (See certification attached)

B) Zoning Ordinance Compliance: This property is zoned RT, and Automobile, Truck & Small Machinery Repair is permitted by Special Use Permit in the RT zone.

C) Land Use Plan Compliance: This property is classified as Rural and the proposal is not inconsistent with the 1991 Land Use Plan, when appropriate conditions are placed on the project.

D) 20/20 Growth Management Policies: In the location and conditions under which the project is proposed staff cannot find that it is inconsistent with the 20/20 Growth Management Policies, if required buffering and other conditions are imposed for the immediate project area. (see relevant 20/20 Policies attached).

E) Existing Land Use In Area: Residential land uses on 5 acre lots are located to the immediate west and north of the site and vacant land uses are to the east and south of the site. A commercial business park is located across Hwy 117 from the entrance to the site.

F) Site Access Conditions: The site has access to Hwy 117 by East Strawberry Lane and Tarwolf Trial, which consist of a 50 ft., 30 ft. and 15 ft. access easement as shown on recorded plats (see copy of plat attached).

G) Conditions To Consider In Issuing A Special Use Permit For This Project:

1. Subject to concurrence, by the applicant, at the hearing on March 15, 2004, staff recommends approval of this Special Use Permit, subject to the conditions listed herein and others to be included in the final permit being mutually agreed to by the applicant and planning staff. If agreement cannot be reached the application will be scheduled for rehearing at the April public hearing meeting.
2. The owner and operator of the business must reside on the site (Home Based Business).
3. The business shall not employ more than two full or part time persons including the owner/operator.
4. No more than eight vehicles that are not registered to the owner shall be located on the site at any time and they shall be parked in one of the six designated parking spaces, in the building or on the apron in front of the building.
5. The owner shall maintain no more than four personal vehicles on the property and they shall have current license tags and be operable.
6. No salvage, externally damaged and inoperable or unlicensed vehicles shall be parked on the property.
7. Passenger cars and vans and trucks with no more than 6 wheels shall be the only type vehicles repaired on the site.
8. No vehicle sales will be permitted on the premise.
9. Hours of operation shall be limited to 7 AM to 7 PM Monday thru Saturday and pick up and delivery of vehicles shall be limited to 6 AM to 9 PM Monday thru Saturday.
10. Repair of all vehicles shall take place only inside the building or on the 20 ft. by 50 ft. concrete apron immediately in front of the 1500 sq. ft. building.
11. Other conditions to be added upon mutual agreement of the applicant and planning director.

MANAGER'S RECOMMENDATION:

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED, that on March 15, 2004, the Pender County Board of Commissioners considered a Special Use Permit for a Home Based Automobile Repair Business for Kevin Bost as described herein and Dwight Strickland, Chairman and the Clerk to the Board, are authorized to execute the order implementing this resolution and provide notice to the applicant of the action taken herein.

AMENDMENTS:

MOVED Rivenbark SECONDED Williams

APPROVED X DENIED UNANIMOUS

YEA VOTES: Strickland Williams Holland Meadows Rivenbark

Dwight Strickland 03-15-04
Dwight Strickland, Date
Chairman

Glenda Prudgen 03-15-04
Clerk Date

RECEIVED

MAR 17 2004 2

PENDER PLANNING DEPT.

January 14, 2004

PROJECT NARRATIVE

Location of this project is in the township of Rocky Point, NC. Access to the site is via US Hwy. 117 to connecting easements of East Strawberry Lane and Tarwolf Trail. The legal 911 address of the site is 103 Tarwolf Trail.

The site will be used as my primary residence in the form of an existing 2070 sq. ft. home. The site also has an existing 1500sq.ft; 4-bay shop, located 90 feet from said residence. The shop will be used for the maintenance and repair of cars and light trucks (under 15,000g.v.w.r.). The hours of operation will be from 8am-5pm M-F, with a provision for early drop-off and/or late pick-up. However, no earlier than 7am or later than 7pm, unless special circumstances arise.

Utilities will be provided by an existing, separate, underground supplied 200 amp service from Progress Energy. Proposed, is necessary plumbing to supply the required uni-sex, handicapped accessible restroom, and as a water supply to support the shop's activities. The water will be supplied from Pender County water utilities or an existing well, as recommended by Environmental Health, Building and Inspections, and a licensed plumber. The sewage will be directed to a proposed second septic tank, or to the existing site tank via a lift-type septic transfer pump.

I have been informed by the Business Information License Office of NC, that no license is required for this business, however I will be required to obtain a state sales tax identification number for the sale of parts and supplies. I further understand that there may be other Pender County permits required.

The negative impact on the community would be an increase in traffic on the easements of East Strawberry Lane and Tarwolf Trail. I have discussed this issue with Don Royal Jr. and Fred Teachy, the developers of the subdivision (Woodberry Farms), of their concerns about the impact on the easements. Their requirement was as long I, Kevin M. Bost help with the maintenance of the easements they had no concern with such impact. In addition, any noise generated by normal business activities would be controlled by the required zoning buffers. The positive impact would be a place where customers could come to have vehicles maintained and repaired at a fair price, and in a timely manner.

Thank you,

Kevin M. Bost

**COUNTY OF PENDER
NOTICE OF APPROVAL
SPECIAL USE PERMIT**

THE PENDER COUNTY BOARD OF COMMISSIONERS MET ON MARCH 15, 2004 AND HELD A PUBLIC HEARING TO CONSIDER THE FOLLOWING SPECIAL USE PERMIT APPLICATION:

CASE NO: 04-03-15-01

PROP. REC. NO: 42629

APPLICANT: KEVIN BOST

OWNER: KEVIN BOST

PROPERTY LOCATION: The project is located approximately 1000 ft. off the east side of Highway 117 across from Biggs Equip. Co. The site is accessed by Strawberry Lane and Tarwolf Trail from Highway 117.

PROPOSED USE OF PROPERTY: The applicant is requesting a special use permit to open an automobile repair business in an existing 1500 sq. ft. four bay accessory building on the site. The applicant owns the property and maintains his primary residence in a 2070 sq. ft. home on the site. The lot/site upon which the residence and accessory building are located contains 5 acres. The accessory building proposed to be used for the auto/light truck repair has previously been used for personal homeowner use. The hours of operation are proposed be from 8 a.m. to 5 p.m. Monday-Friday with a provision for early and late pick-up of repaired vehicles after these hours. The operation is proposed to employ the applicant only.

HAVING HEARD AND CONSIDERED ALL THE EVIDENCE AND ARGUMENTS PRESENTED AT THE HEARING, THE BOARD OF COMMISSIONERS FIND THAT THE APPLICATION IS COMPLETE, WITH THE CONDITIONS PROVIDED, WILL COMPLY WITH SECTION 15 OF THE ZONING ORDINANCE AND IS CONSISTENT WITH THE PENDER COUNTY LAND USE PLAN AND 20/20 GROWTH MANAGEMENT PLAN WITH CONDITIONS AS APPROVED IN THIS PERMIT. THIS APPLICATION FOR A SPECIAL USE PERMIT IS HEREBY APPROVED, SUBJECT TO THE PROJECT BEING DEVELOPED IN ACCORD WITH THE CONCEPTUAL PLAN AS APPROVED AND SIGNED BY THE PLANNING DIRECTOR OR DESIGNATED OFFICIAL AND SUBJECT TO COMPLIANCE WITH ALL APPLICABLE PROVISIONS OF THE PENDER COUNTY ZONING ORDINANCE, LAND USE PLAN, 20/20 GROWTH MANAGEMENT PLAN, OTHER FEDERAL, STATE AND COUNTY CODES AND THE FOLLOWING CONDITIONS:

1. Subject to concurrence, by the applicant, at the hearing on March 15, 2004, staff recommends approval of this Special Use Permit, subject to the conditions listed herein and others to be included in the final permit being mutually agreed to by the applicant and planning staff. If agreement cannot be reached the application will be scheduled for rehearing at the April public hearing meeting.
2. The owner and operator of the business must reside on the site (Home Based Business).
3. The business shall not employ more than two full or part time persons including the owner/operator.
4. No more than eight vehicles that are not registered to the owner shall be located on the site at any time and they shall be parked in one of the six designated parking spaces, in the building or on the apron in front of the building.
5. The owner shall maintain no more than four personal vehicles on the property and they shall have current license tags and be operable.
6. No salvage, externally damaged and inoperable or unlicensed vehicles shall be parked on the property.
7. Passenger cars and vans and trucks with no more than 6 wheels shall be the only type vehicles repaired on the site.
8. No vehicle sales will be permitted on the premise.
9. Hours of operation shall be limited to 7 AM to 7 PM Monday thru Saturday and pick up and delivery of vehicles shall be limited to 6 AM to 9 PM Monday thru Saturday.
10. Repair of all vehicles shall take place only inside the building or on the 20 ft. by 50 ft. concrete apron immediately in front of the 1500 sq. ft. building.
11. Other conditions to be added upon mutual agreement of the applicant and planning director.

THIS DECISION FOR ISSUANCE OF THIS SPECIAL USE PERMIT WAS RENDERED BY THE BOARD OF COMMISSIONERS ON THE 15TH DAY OF MARCH, 2004.

THIS _____ DAY OF _____ 2004.

ANDY HEDRICK, CLERK TO THE BOARD

A written copy of this decision was placed on file in the Pender County Planning Dept. and served on the Owner or Applicant noted below by certified mail, return receipt requested on the _____ day of _____.

Print Official's Name

Signature Plan. Dir. Or Designated Official

Date

The Owner/Applicant is hereby given notice of the following:

- 1) "Appeals to the Superior Court may be taken by any person, firm or corporation aggrieved, or affected by any decision of the Board of Commissioners, provided such appeals shall be taken within thirty (30) days after the decision of the Board of Commissioners is filed in the office of the Zoning Administrator (Planning Director), or after a written copy thereof is delivered to the applicant, whichever is later."
- 2) A Zoning Permit must be obtained for the project before clearing, grading or other construction activities are undertaken on the site.
- 3) This permit will be void in six months from the date of issue, unless a zoning permit has been obtained, and the project is under construction, or contracted for by that time.

The undersigned applicant for the Special Use Permit described herein does hereby accept this Permit and the conditions noted herein as binding on them and their successors in interest, and further acknowledge that work on the project will not commence except in accordance with the conditions contained herein.

Kevin Michael Bost
Print Applicant Name

[Signature]
Applicant Signature

5/10/04
Date

Kevin Michael Bost
Print Owner Name

[Signature]
Owner Signature

5/10/04
Date

Print Owner Name

Owner Signature

Date

NOTICE CERTIFICATION

Parcel Location / Description:

Special Use Permit – Kevin Bost, applicant and owner, is requesting a Special Use Permit for an automobile repair business. The property is located off the East side of US Hwy 117, near and off E. Strawberry Lane and accessed by Tarwolf Trail, 0.1 mile south of East Strawberry Lane in Rocky Point. This property is currently zoned RT, Rural Transition.

Barbara D. James, first being duly sworn, does hereby state as follows:

1. I am Secretary for the Pender County Planning Department, and
2. I am familiar with the procedures for notifying property owners of the Public Hearings for Special Use Permit
3. I have mailed a First Class Letter on March 1, 2004 to all property owners adjacent to the property. and to the owner of property itself as their names appear on the Pender County Tax abstracts.

This the 10th day of March, 2004.

Barbara D. James
(Name) & Signatures

Sworn to and subscribed before me
this the 10 day of March, 2004.

Faye Ezzell
Notary Public

My commission expires: 6-19-05

LOCATION MAP
NOT TO SCALE

STATE OF NORTH CAROLINA
COUNTY OF PENDER

REQUIREMENTS OF FINAL PLAT APPROVAL
APPROVED BY THE PENDER COUNTY PLANNING BOARD OFFICER
COUNTY BOARD OF COMMISSIONERS, IF APPLICABLE.

REGISTERED PLANNING DEPARTMENT

STATE OF NORTH CAROLINA
COUNTY OF PENDER

PLANNING DEPARTMENT

DATE: 11-2-01

APPROVED BY THE PENDER COUNTY PLANNING BOARD OFFICER
COUNTY BOARD OF COMMISSIONERS, IF APPLICABLE.

REQUIREMENTS OF RECORDING AND RECORDING

PLANNING DEPARTMENT

DATE: 11-2-01

APPROVED BY THE PENDER COUNTY PLANNING BOARD OFFICER
COUNTY BOARD OF COMMISSIONERS, IF APPLICABLE.

REQUIREMENTS OF RECORDING AND RECORDING

PLANNING DEPARTMENT

DATE: 11-2-01

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REQUIREMENTS OF RECORDING AND RECORDING

PLANNING DEPARTMENT

DATE: 11-2-01

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COUNTY BOARD OF COMMISSIONERS, IF APPLICABLE.

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DATE: 11-2-01

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COUNTY BOARD OF COMMISSIONERS, IF APPLICABLE.

REQUIREMENTS OF RECORDING AND RECORDING

PLANNING DEPARTMENT

DATE: 11-2-01

APPROVED BY THE PENDER COUNTY PLANNING BOARD OFFICER
COUNTY BOARD OF COMMISSIONERS, IF APPLICABLE.

LINE LENGTHS

LINE	LENGTH	BEARING
1	100.00	S 89° 59' 59" W
2	100.00	S 89° 59' 59" W
3	100.00	S 89° 59' 59" W
4	100.00	S 89° 59' 59" W
5	100.00	S 89° 59' 59" W
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99	100.00	S 89° 59' 59" W
100	100.00	S 89° 59' 59" W



REQUIREMENTS OF RECORDING AND RECORDING

PLANNING DEPARTMENT

DATE: 11-2-01

APPROVED BY THE PENDER COUNTY PLANNING BOARD OFFICER
COUNTY BOARD OF COMMISSIONERS, IF APPLICABLE.

REQUIREMENTS OF RECORDING AND RECORDING

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PLANNING DEPARTMENT

DATE: 11-2-01

APPROVED BY THE PENDER COUNTY PLANNING BOARD OFFICER
COUNTY BOARD OF COMMISSIONERS, IF APPLICABLE.

WOODBERRY FARMS
ROCKY POINT TOWNSHIP, PENDER COUNTY, NORTH CAROLINA
DATE: NOVEMBER, 2001

OWNER: BOB AND TERRY
111 W. 11th Street, Suite 100
Rocky Point, NC 28586
910-796-9678

LOT 1
A.C. 38 PACE 120
JAMES DAVIS

LOT 2
A.C. 38 PACE 120
JAMES DAVIS

LOT 3
A.C. 38 PACE 120
JAMES DAVIS

LOT 4
A.C. 38 PACE 120
JAMES DAVIS

LOT 5
A.C. 38 PACE 120
JAMES DAVIS

LOT 6
A.C. 38 PACE 120
JAMES DAVIS

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ROCKY POINT TOWNSHIP, PENDER COUNTY, NORTH CAROLINA
DATE: NOVEMBER, 2001

OWNER: BOB AND TERRY
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LOT 3
A.C. 38 PACE 120
JAMES DAVIS

LOT 4
A.C. 38 PACE 120
JAMES DAVIS

LOT 5
A.C. 38 PACE 120
JAMES DAVIS

LOT 6
A.C. 38 PACE 120
JAMES DAVIS

Kevin Best
Home Based
Auto Repair

28 465 MBS 34 PG 102

STATE OF NORTH CAROLINA
COUNTY OF PENDER

I, James Davis Prop., REVIEW OFFICER OF PENDER COUNTY, CERTIFY THAT THE MAP OR PLAN TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING
DATE 11-09-01
James Davis Prop.
REVIEW OFFICER

JAMES DAVIS PROP.
PART OF TRACT "C"
DEED BOOK 1337 PAGE 288

SPECIAL FLOOD HAZARD AREA ZONE "A"
(UNDETERMINED) F.L.R.M. MAP 370344-0350-G
DATED JUNE 5, 1988. (LINE SHOWN FROM F.L.R.M. MAP)

CERTIFICATE OF ACCURACY AND MAPPING
I, MICHAEL J. LAWRENCE, CERTIFY THAT THIS PLAN WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND. THE DIMENSIONS AND ANGLES ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND AS NOTED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:250000; THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED; THAT THIS PLAN WAS PREPARED BY MICHAEL J. LAWRENCE AND SEAL THIS 11 DAY OF NOV. A.D. 2001.

Michael J. Lawrence
MICHAEL J. LAWRENCE P.L.S. 1-3830

I CERTIFY THAT THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN AN AREA OF PENDER COUNTY, WHICH HAS AN ORDINANCE THAT REGULATES THE LEVELS OF LAND.

CERTIFICATE OF REGISTRATION BY REGISTER OF DEEDS
NORTH CAROLINA, PENDER COUNTY
FILED FOR REGISTRATION THIS 2 DAY OF NOV
2001; AT 11:05 AM (LOCAL TIME), AND DULY RECORDED IN
MAP BOOK 344 PAGE 102A SL 405
BY: Angela Motley

JOYCE M. SWICER000

Attachment "A"

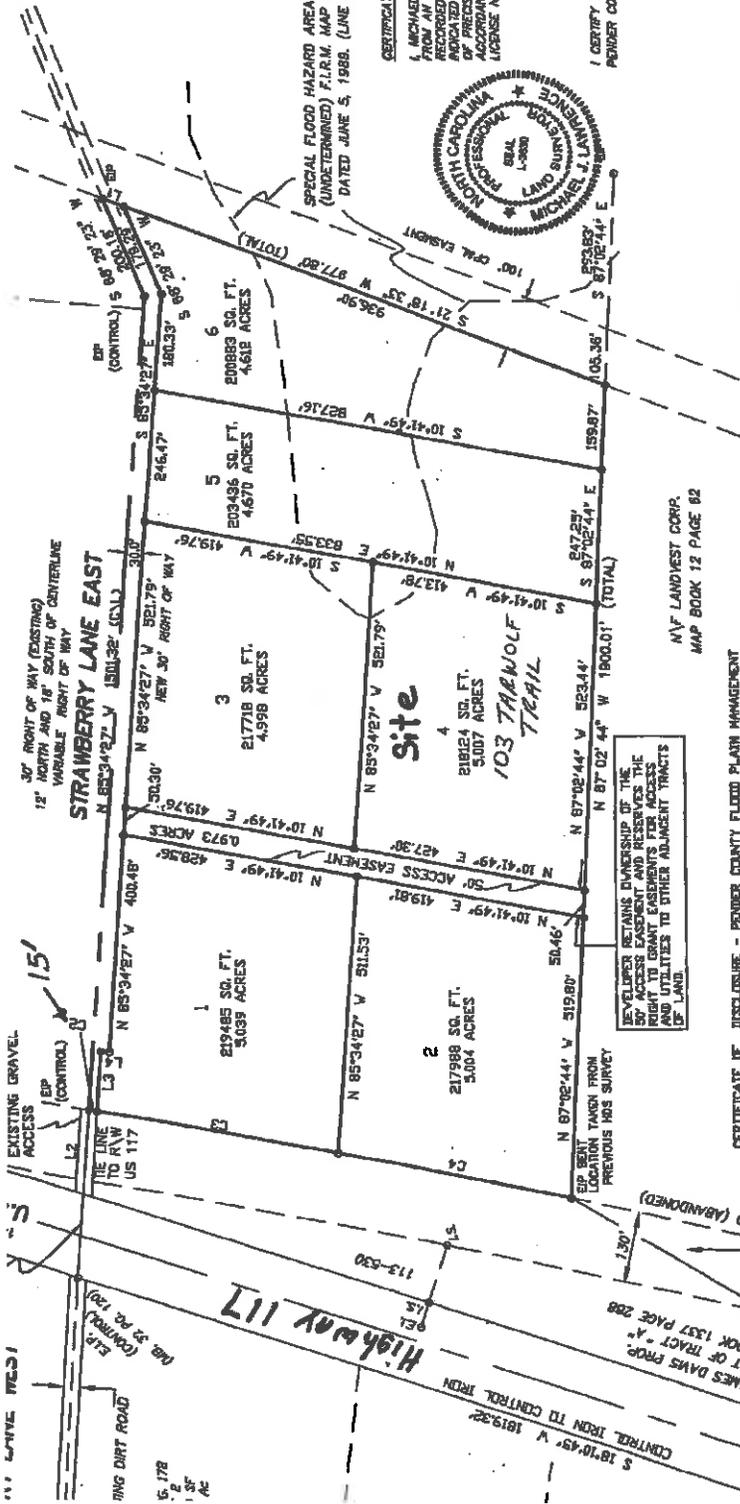


1" = 200'

HANOVER DESIGN SERVICES, P.A.
LAND SURVEYORS, ENGINEERS, LAND PLANNERS



810 WALNUT STREET
WILMINGTON, N.C. 28401
PHONE: (910) 343-0002
REGISTRATION NO. 01-000000000



CERTIFICATE OF DISCLOSURE FOR PRIVATE DEVELOPMENTS
I, JOYCE M. SWICER, REGISTERED SURVEYOR FOR THE STATE OF NORTH CAROLINA, HEREBY ACKNOWLEDGE THAT WITHIN THE STATE FOR THE PURPOSES OF THIS PLAN, THERE ARE NO UNRECORDED EASEMENTS, RIGHTS, OR INTERESTS IN THE LAND, UNLESS SHOWN OTHERWISE ON THIS PLAN. I HAVE ACKNOWLEDGED THAT PRIOR TO CONTRACTING WITH A PROSPECTIVE BUYER, I SHALL GIVE THE BUYER A WRITTEN STATEMENT WHICH DISCLOSES THE EXISTENCE AND LOCATION OF SUCH PRIVATE AREAS AND SPECIFIES THE MAINTENANCE RESPONSIBILITIES FOR SUCH AREAS. I SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF SUCH AREAS UNTIL THE BUYER ACCEPTS THE STANDARD SPECIFICATIONS FOR SUCH AREAS AS SET FORTH IN THE STATE HIGHWAY SYSTEM FOR MAINTENANCE.

James Davis Prop.
James Davis Prop.
SIGNATURES

11-6-01
11-6-01
DATE

NOTES:
- SURVEYED JULY THRU OCTOBER OF 2001.
- ALL DISTANCES ARE HORIZONTAL.
- FOR REFERENCE SEE MAP 344 PAGE 73, AND ADDING
- DEEDS AND/OR MAPS AS SHOWN, EVIDENCE AND RECORD INFORMATION AS SHOWN.
- MONS SET AT ALL CORNERS, UNLESS OTHERWISE NOTED.
- UNTIL F.E.M.A. HAS COMPLETED L.O.M.A. REVIEW, NO PERMANENT DWELLINGS TO BE BUILT IN THE SPECIAL FLOOD HAZARD AREA ZONE "A" (UNDETERMINED) ACCORDING TO F.L.R.M. MAP 370344-0350-G DATED JUNE 5, 1988.
- WOODBERRY FARMS IS ZONED "RA" WITH THE FOLLOWING SETBACKS:
- MINIMUM LOT SIZE 20,000 SF
- MINIMUM FRONT YARD 40'
- MINIMUM SIDE YARD 20'
- MINIMUM REAR YARD 30'
- WOODBERRY FARMS TOTAL ACREAGE 32.30 AC. (8 LOTS + ACCESS EASEMENT)
- 15' DRAINAGE AND UTILITY EASEMENT ALONG ALL PROPERTY LINES.

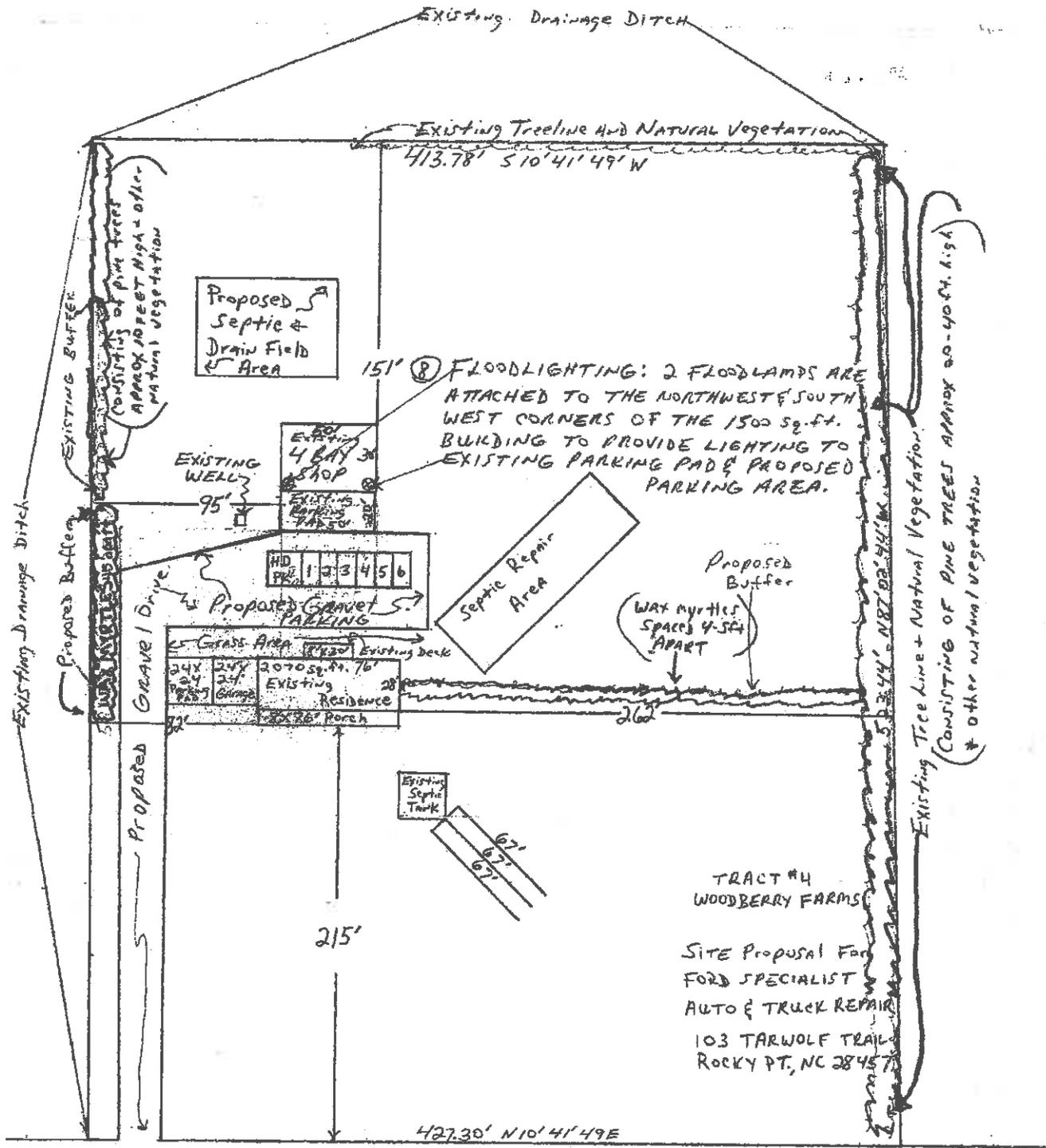
CERTIFICATE OF OWNERSHIP, DEDICATION, AND JURISDICTION
I, JOYCE M. SWICER, REGISTERED SURVEYOR FOR THE STATE OF NORTH CAROLINA, HEREBY CERTIFY THAT I AM ONE OF THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I CO-OWN HEREBY AMEND THIS PLAN OF SUBDIVISION WITH MY CO-OWNERS TO ESTABLISH THE MINIMUM BUILDING LINES, AND DEDICATE TO ALL STREETS, ALLEYS, VALEYS, PARKS, CONSERVATION AND RECREATION AREAS TO PUBLIC OR PRIVATE USE AS NOTED, AND DEDICATE TO ALL STREETS, ALLEYS, VALEYS, PARKS, CONSERVATION AND RECREATION AREAS TO PUBLIC OR PRIVATE USE AS NOTED, WHETHER I AM ONE OF THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON OR NOT, AND I HEREBY CERTIFY THAT THE LAND AS SHOWN HEREON IS LOCATED WITHIN THE SUBDIVISION JURISDICTION OF PENDER COUNTY.

James Davis Prop.
James Davis Prop.
SIGNATURE

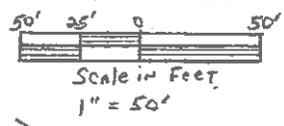
11-6-01
11-6-01
DATE

11-6-01
11-6-01
DATE

LEGEND:
- EXISTING IRON PIPE
- EXISTING CONCRETE MONUMENT



TARWOLF TRAIL



- ① See Attachment "A" for Easement Access to Site from Nearest Publicly Maintained Road (US Hwy 117).
- ② Signs - NO FREESTANDING SIGNAGE TO BE ON SITE. BUSINESS NAME SIGN MAY BE PLACED ON BUILDING NEAR SIDE ENTRANCE - NOT TO EXCEED 2'X3' PER ZONING ORDINANCE.

DATE PREPARED:
JANUARY 14, 2004

- ③ PARKING: 7 REQUIRED SPACES
 - 5 Spaces for 1500 sq. ft. shop for Auto service
 - 1 Space for employee, 1 HANDICAPPED SPACE
 - ② 20x30, 6 spaces ① 10x20.

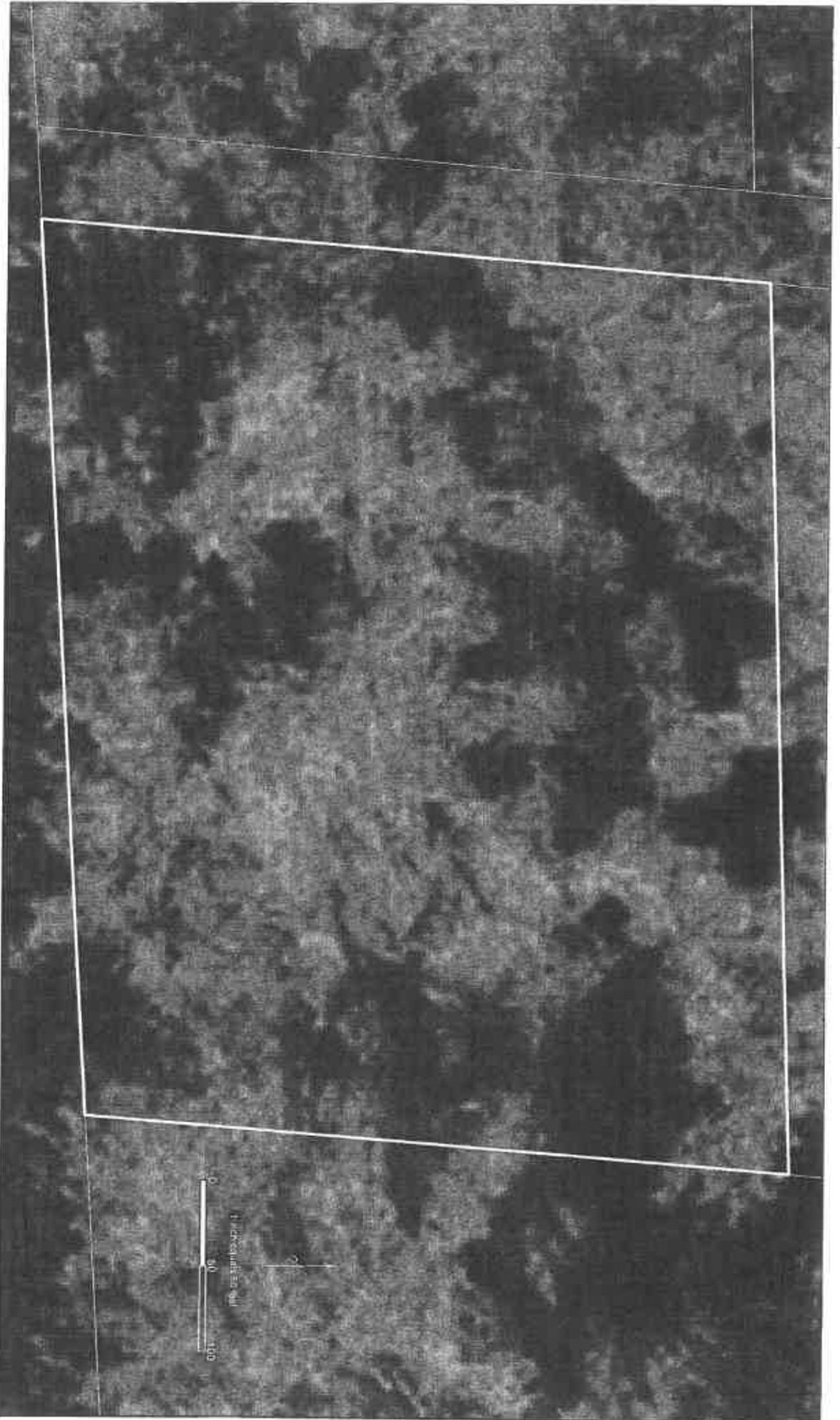
PREPARED BY:
KEVIN M. BOST
(OWNER F.S.A.T.R.)

TRACT #4
WOODBERRY FARMS

SITE PROPOSAL FOR
FOR SPECIALIST
AUTO & TRUCK REPAIR
103 TARWOLF TRAIL
ROCKY PT., NC 28457

50' ACCESS EASEMENT
(Gravel, Privately Maintained)

**Kevin Bost
Special Use Permit**



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:
Jennifer Johnson et al

Owner:
Jennifer Johnson et al

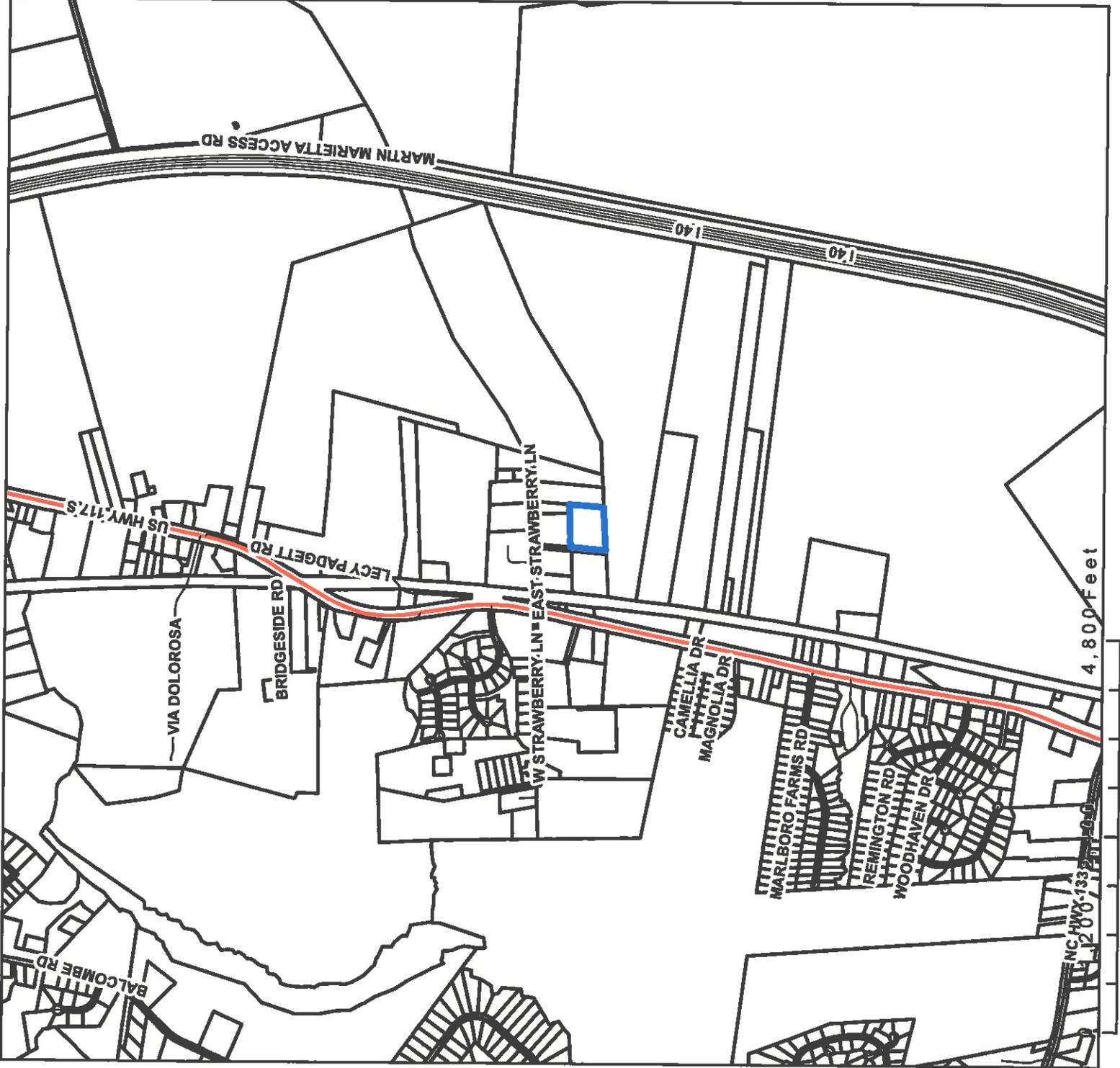
Special Use Permit:
#228-2016

Legend

 Subject Property



Vicinity





Applicant:
Jennifer Johnson et al

Owner:
Jennifer Johnson et al

Special Use Permit:
#228-2016

Legend

Zoning Districts

- 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





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Jennifer Johnson et al

Special Use Permit:
#228-2016

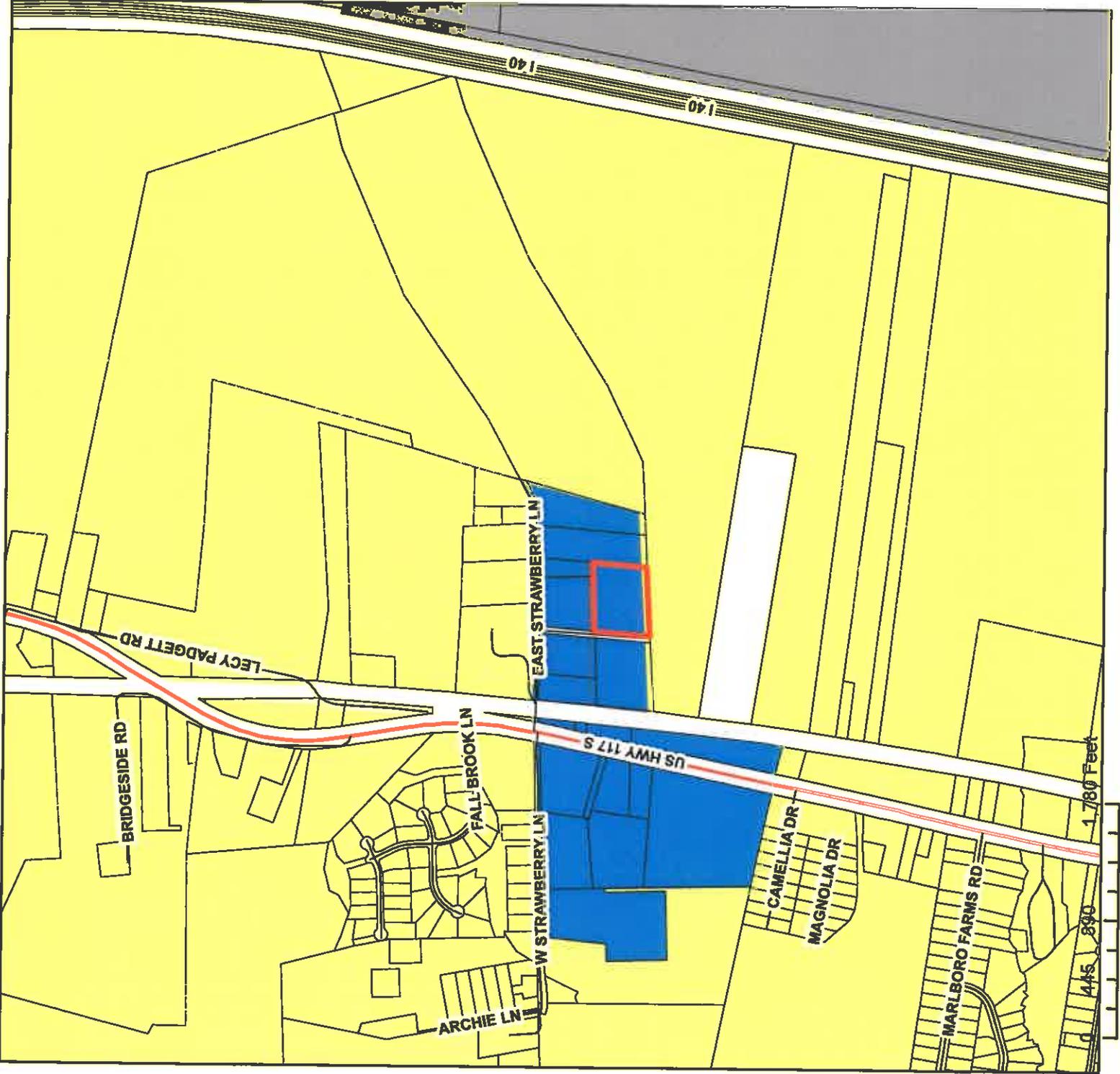
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Future Land Use

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



Future Land Use





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Special Use Permit:
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Legend



Subject Property



2012 Aerial

