

Pender County Zoning Ordinance Text Amendment
Section 8.9, Services – Office Only, Single Unit, Business, Government Services and Professional Activities

SUBJECT: Zoning Ordinance Text Amendment

ACTION REQUESTED: Consider a Text Amendment to the Zoning Ordinance to allow Office Only, Single Unit, Business, Government Services & Professional Activities as a Permitted Use in the R-20, Residential District, requiring a Special Use Permit.

HISTORY/BACKGROUND:

Description of Request: The request consists of amending the current Pender County Zoning Ordinance Table of Permitted Uses, Section 8.9, to allow Office Only, Single Unit, Business, Government Services & Professional Activities as a Permitted Use with a Special Use Permit in the R-20, Residential District (*see attached applicant's application & description of request*).

History/Background Relating to Proposed Amendment: The Zoning Ordinance currently does not permit Single Unit, Business, Government Services & Professional Activities as a use by-right or by Special Use Permit in the R-20, Residential District.

EVALUATION:

A) Public Notifications: Public Notice of the request for text change has been advertised in the Pender Post and Topsail Voice.

B) Planning Staff Recommendation to Planning Board: After further review, the planning staff would like to possibly add this use under special provisions (Section 15.5, Pender County Zoning Ordinance). Staff is presenting this to the Planning Board for possible input on conditions set for this request: Office Only, Single Unit, Business, Government Services and Professional Activities permitted by Special Use in an R-20 Residential District as defined by the Pender County Zoning Ordinance as a district in which the principal use of land is for moderate density single-family residential purposes. The regulations of this district are to permit development compatible with moderate density standards while providing limited growth. It is designed to accommodate residential opportunities for those who desire a moderate density lifestyle and are willing to assume the cost of providing many of their own services and amenities while maximizing the protection of resources and the conservation of open space.

In order to protect the residential uses in this district, specific provisions concerning this use may be needed. Examples are opaque fencing between uses, limiting hours of operation, and lighting and site safety regulations.

PLANNING BOARD RECOMMENDATION: The Pender County Planning Board is requested to hold a public hearing for a text amendment.

AMENDMENTS:

Planning Board

Motion: _____ **Seconded** _____

Approved: _____ **Denied:** _____ **Unanimous** _____

Walton ___ Reynolds ___ Garrett ___ Gonzales ___ Marshburn ___ Millette ___ Smith ___

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED, that on October 15, 2007, the Pender County Board of Commissioners (approved, denied, modified) a text amendment to the Pender County Zoning Ordinance (section 8.9 table of permitted used), as described herein and F.D. Rivenbark, Chairman to the Board, is authorized to execute the order implementing this resolution and provide notice to the applicant of the action taken herein.

AMENDMENTS:

MOVED _____ **SECONDED** _____

APPROVED _____ **DENIED** _____ **UNANIMOUS** _____

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

F.D. Rivenbark,
Chairman 10-15-2007
Date

ATTEST 10-15-2007
DATE

SECT. 8 TABLE OF PERMITTED USES

PERMITTED USES	PD	R-20C	R-20	R-15	R-10	B-1	B-2	B-3	I-1	I-2	A	RT	RA	FA	WS
TRADE CONT.															
Pawn Shops							P								
Restaurants	P					P	P	P	P	P		S	S	S	
Shopping Centers(see def. & ZI 13 & 14)	P					S	S	S				S	S		
Wholesaling(see ZI 28)	P						S		P	P		S			
SERVICES															
Appliance Repair	P					P	P	P				S	S		
Automobile, Truck & Small Machinery Repair	P					S	P	S	P	P		S	S		
Automobile Rentals	P						P	P		P		S			
Auto Teller Machines (See Sect. 14.9)	P					P	P	P				P	P		
Bank, Credit Agencies, Savings & Loan	P					P	P	P				P	S		
Barber & Beauty	P					P	P	P				P	P		
Boat Repair	P					S	P	S	P	P		S	S		
Car Wash							S								
Office Only, Single Unit, Business, Government Services & Professional Activities	P					P	P	P	P			P	P		
Office Complex, Business, Government Service & Professional Activities	P					S	P	S	P			S			
Printing, Copy Shops, Retail	P					P	P	P	P			S	S	S	
Camping, Travel Trailer Parks(See ZI 3 & TT Park Regs)	SP			S			S					S	S	S	
Catering	P						P	P	P	P	P	S	S		
Cemeteries (all types)							S	S	S	S	S	S	S		
Crematories (all types)							S	S	S	S	S	S	S		
Day Care Facility, Child, (6 or more children) (see ZI 3 & 7)	P	S	S	S	S	S	S	S	S	S	S	S	S		
Drive-In Theater							S								
Dry Cleaning/Laundry Plant/Laundromat	P					P	P	P	P	P		S			
Electrical Repair Shop	P					P	P	S	P	P		S			
Equipment Rental & Leasing	P					S	P	S	P	P		S			
Fire, Rescue and Medical Transport	P					P	P	P	P	P		P	P		



Pender County Planning Department

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Burgaw, North Carolina 28425

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Fax (910) 259-1295
Email: planning1@pender-county.com

PLANNING BOARD APPLICATION FOR ZONING TEXT AMENDMENT

Date <u>5-24-07</u>	Application Fee <u>\$200.00</u>	Receipt No. <u>072223</u>
Application No. <u> </u>	Postage Fee <u> </u>	Receipt No. <u>072223</u>

I. TEXT AMENDMENT INFORMATION

Text to be Amended or Reviewed (please refer to necessary section of Pender County Zoning Ordinance):

SECT 9.9 TABLE PERMITTED USES

Proposed Amendment:

OFFICE ONLY, SINGLE UNIT, BUSINESS, GOVERNMENT SERVICES & PROFESSIONAL ACTIVITIES PERMITTED IN ZONE R20 WITH A SPECIAL USE PERMIT

Reason for Amendment:

ALLOW SINGLE OFFICE ACTIVITIES IN R20 ZONING WITH A SPECIAL USE PERMIT

II. APPLICANT INFORMATION:

Applicant <u>DON O'NEIL</u>	Address <u>786 HWY 210 W</u>
Phone <u>352-6820</u> Fax <u> </u>	<u>HAMPSTEAD, NC</u>
Email <u>DOONEIL1@CHARTER.NET</u>	<u>28443</u>

III. SIGNATURE OF APPLICANT:

Don O'Neil

RECEIVED

SEP 10 2007

PENDER PLANNING DEPT. 22

To: Pender County Planning Department
From: Don & Sandra O'Neil
Date: August 28, 2007
Reference: Planning Board Application for Zoning Text Amendment

We are writing to urge you to approve the attached application to construct a Real Estate Office on our property.

The current zoning allows for a number of uses, some of which requires an office, but the permitted use does not address our current situation.

The adding: "Office Only, Single Unit, Business, Government Service & Professional Activities" to the R20 permitted by Special Use Permit would clarify the current zoning.

We thank you and ask you to approve this amendment. We believe this change will not adversely affect the neighborhood.

Sincerely,

Donal O'Neil
Sandra O'Neil