

# Pender County Planning and Community Development

## Planning Division

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## MINUTES

**Pender County Planning Board**  
**Tuesday, December 6, 2011 7:00 p.m.**  
**Pender County Public Meeting Room**  
**805 South Walker Street, Burgaw, North Carolina**

- 1. Call to Order:** Chairman Boney called the meeting to order at 7:00 pm.
- 2. Roll Call:** Chairman Boney  
Pender County Planning Board Members:  
Boney:  Smith:  Edens:  Garrett:  Marshburn:  Millette:  Williams:
- 3. Adoption of the Agenda:** Board member Williams made the motion to approve the agenda; seconded by Board member Edens. The vote was unanimous.
- 4. Approval of Minutes:** Board member Garrett made the motion to approve the minutes from the November 1, 2011 meeting; seconded by Board member Williams. The vote was unanimous.
- 5. Public Comment:** Chairman Boney opened the floor to public comment; floor was closed due to no public comments.

### **\*\*Discussion\*\***

#### **6. US 17/NC 210 Corridor Study:**

The Pender County Planning Board considered the US 17/NC 210 Corridor Study. The study was produced to identify near-term strategies to address safety and mobility deficiencies on US 17 and NC 210 in the Hampstead area. Ken Vafier, Senior Planner, presented the Board with a follow up of the information they had requested at the November 1, 2011 Board meeting regarding accident types and locations, high crash areas along the corridor, and how a median would impact safety and local businesses. Board members had a brief discussion expressing their opinions. Chairman Boney asked if there were any motions.

Board member Williams made the motion to request that the Pender County Board of Commissioners take into account the US 17/NC 210 Corridor Study and vote in the way that the Hampstead Corridor would be safest; seconded by Board member Millette. The vote carried 3-2 in favor of the motion.

#### **7. US 17 Bypass Variance Procedure:**

Staff presented to the Board the variance procedure for development proposals within the recorded corridor for the Hampstead Bypass (R-3300). Ken Vafier, Senior Planner, gave an overview on the North Carolina General Statute § 136-44.50 Transportation Corridor Official Map Act, Petitions for Variances Procedures. Board member Williams asked if there were any Legislative changes; Ken Vafier, Senior Planner, answered no. Board members asked what would be their role in any requested Variances; Ken Vafier, Senior Planner responded that such request would be forwarded to the Wilmington Metropolitan Planning Organization for review.

**\*\*Public Hearings\*\***

**8. Master Plan Review:**

Garrason Ridge, LLC, applicant, on behalf of Glenda G. Garrason, owner, is requesting approval of a Master Development Plan for 183 single family residential units to be developed on one (1) tract totaling ± 173.81 acres. The proposed project is located on the north side of NC Highway 210 just west of Brickyard Road in Hampstead. The property is currently zoned RP, Residential Performance and may be identified as Pender County PIN 3273-82-6849-0000. Ashley Frank, Planner II, presented and gave background information for Agenda Item 8. Board members had a lengthy discussion in regards to the property being located in the Hampstead Bypass Corridor; Michael Tackett, The Clark Group-Design representative, stated that the property owner was aware of the Corridor map, but the presented Master Plan met all requirements of the Pender County Unified Development Ordinance.

Board member Williams made the motion to approve the presented Master Plan with consideration of the Technical Review Committee comments, Corridor protective procedures and staff's recommendations; seconded by Board member Garrett. The vote carried 4-1 in favor of the motion.

**9. Zoning Map Amendment:**

Admah Lanier, applicant, on behalf of Lanwillo Development Company, owner, is requesting to rezone 4.84 acres from PD, Planned Development District, to GB, General Business District. The property is located at the intersection of US Highway 17 and Headwaters Drive in Hampstead and may be identified as Pender County PIN 3282-85-7814-0000. Ashley Moncado, Planner I, presented background information on Agenda Item 9. Manley Carr, resident, spoke in favor of the requested Zoning Map Amendment and asked the Board to approve the request. Chairman Boney asked if there were any motions.

Board member Millette made the motion to approve the Zoning Map Amendment as presented; seconded by Board member Garrett. The vote was unanimous.

**10. Zoning Map Amendment:**

Emmett Sniff, applicant and owner, is proposing a Zoning Map Amendment for a general use rezoning for portions of three tracts totaling 3.55 acres from RP, Residential Performance District, to GB, General Business District. The properties may be identified by Pender County PINs 4215-45-6765-0000, 4215-45-8713-0000, and a portion of 4215-46-4179-0000. Ken Vafier, Senior Planner, presented and gave background information on Agenda Item 10. Tom Burns, resident, stated to the Board that he was building his dream home on the back side of the said property and was against the rezoning request. He stated that some commercial uses were permitted with a Special Use Permit and any potential owner should have to request for a Special Use Permit so surrounding property owners would have a chance to have their voices heard. Terry Walters, Real Estate Agent, stated that Mr. Sniff, applicant, was trying to sell his property and that there were several potential buyers if the property was rezoned to General Business. Mr. Sniff, applicant, stated to the Board that he had no intentions of selling his property to anyone that might build something that would cause a sore eye for the neighbors. Board members had a brief discussion.

Board member Williams made the motion to approve the Zoning Map Amendment; seconded by Board member Edens. The vote carried 4-1 in favor of the motion.

**11. Discussion Items:**

- a. **Planning Staff:** Staff presented a proposed calendar for 2012 Planning Board meeting dates, after a brief discussion and recommendations from the Board, staff asked if the Board would adopted the calendar. Board member Edens made the motion to adopt the

2012 Planning Board meetings dates as discussed; seconded by Board member Garrett. The vote was unanimous.

- b. Planning Board Members:** Board member Millette stated that he had concerns with what is permitted by right in the General Business districts in the Pender County Unified Development Ordinance and felt that staff and Board members should consider amending the Ordinance. Board members requested that when a Planning Board meeting is not scheduled on its usual day to please send emails to Board members reminding them of no scheduled meeting. Board member Williams discussed his concerns with a builder's vested rights and asked staff to review the matter.

**12. Adjournment:** Meeting adjourned at 10:15 pm.