

Pender County Planning and Community Development

Planning Division

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MINUTES Pender County Board of Adjustment Meeting November 15, 2017 9:00 a.m. Pender County Public Meeting Room 805 S. Walker Street, Burgaw, North Carolina

Call to Order: Chairperson Ferrante called the meeting to order at 9:00 a.m.

Invocation: Administered by Chairperson Ferrante

Roll Call: Chairperson Ferrante
Pender County Board of Adjustment Members:
Ferrante: Rhodes: Godridge: Pullen:

Alternates:
Peters: Rivenbark:

- 1. Adoption of the Agenda:** Motion to adopt the agenda was made by Board member Godridge; seconded by Board member Pullen. The vote was unanimous. The motion carried.
- 2. Adoption of the Minutes: (September 20, 2017)** Motion to adopt the September 20, 2017 minutes was made by Board member Godridge; seconded by Vice-Chairperson Rhodes. The vote was unanimous. The motion carried.

Chairperson Ferrante welcomed all, explained the type of meeting being held, the process of the meeting, the process of voting, and swore in the witnesses.

- 3. Public Comment:** None

Public Hearing Opened

- 4. Variance:**
Caliber Blue Steel LLC, applicant and owner, requested a variance for relief from the Pender County Unified Development Ordinance standards outlined in Section 8.2.6, Buffer Descriptions and Options, specifically the request is to seek a reduction of twelve (12) feet in buffer width along the intersection of US HWY 17 and Dan Owen Drive, eleven (11) feet along Dan Owen Drive, and an average of approximately three and a half (3.5) feet along the interior entrance drive. The subject property is located at the southeast corner of the intersection of Dan Owen Drive (private) and US HWY 17 in Hampstead, NC in the Topsail Township. There is one (1) tract associated with this request totaling ± 1.28 acres and may be further identified by Pender County PIN: 3282-86-7651-0000. Director Breuer presented

and gave background information for agenda item four (4). Board questioned if the HWY 17 Median project be considered in deciding to approve or deny the Variance request, Director Breuer stated that until the right of way is acquired the Board should base a decision on how the property currently exists. Vice-Chairperson Rhodes stated that based on her experience as a Planning Director for Ohio Department of Transportation, the Median project should be considered in deciding. Director Breuer explained the process in which staff reviews and approves plans.

Danny York, applicant, explained the reason for the Variance request was due to the Department of Transportation contacting them to purchase a portion of the property for a right of way, their original plan met all the ordinance requirements. Mr. York also stated that the property would be elevated, but not to street grade.

Vice-Chairperson Rhodes stated her safety concerns regarding the plan only having a three (3) foot buffer between the property and US HWY 17. Mr. York explained that the three (3) foot buffer shown on the plan would only be along the side of Dan Owen Drive. Vice-Chairperson Rhodes stated that the slope of the property is a safety concern as well, and would like to see a barrier. Mr. York stated that they could include a barrier of some sort, but was not sure what the Department of Transportation would allow in the right away. Director Breuer suggested installing a barrier outside of the right away. Vice-Chairperson Rhodes suggested delaying a decision until the next month's meeting to allow the applicant time to work with the engineer to come up with options for safety and buffers. Mr. York was in favor of tabling the request so they could have time to address the safety concerns and to obtain clarity on when the median project will happen. Director Breuer recommended that the applicant also provide a landscape plan.

Chairman Ferrante stated that he would be in favor of tabling the request since there was only four (4) Board members present and the applicant would have time to address the concerns stated.

Board member Pullen made the motion to approve the request to table the Variance request until the December 20, 2017 meeting; seconded by Vice-Chairperson Rhodes. The vote was unanimous. The motion carried.

** Public Hearing Closed**

5. Discussion Items:

a. Planning Staff: Director Breuer reminded the Board that elections of officers will take place at the next meeting.

b. BOA Members:

6. Next Meeting: December 20, 2017

7. Adjournment: 10:08 am

The entire recording of the Board of Adjustment Meeting and the signed Board Order including the Findings of Facts are on file with the permanent records in the Planning Department office.