



CAROLINA BEACH

PLANNING AND ZONING MEETING

MINUTES • JULY 13, 2017

Council Chambers
Regular Meeting
6:30 PM

**1121 N. LAKE PARK BLVD.
CAROLINA BEACH, NC 28428**

1. CALL MEETING TO ORDER

2. APPOINT CHAIRMAN & VICE CHAIRMAN

The new Commissioners introduced themselves.

Commissioner Grady made a motion to nominate Commissioner Bloemendaal as Chairman. Commissioner Kennedy seconded the motion. All in favor.

As there were no other nominations, Commissioner Bloemendaal was elected Chairman.

Commissioner Grady made a motion to nominate Commissioner Toppin as Vice Chairman.

Chairman Bloemendaal mad a motion to nominate Commissioner Rouse as Vice Chairman.

The Commissioner voted. Commissioner Toppin received four votes, Commissioner Rouse received three votes. Commissioner Toppin is now Vice-Chairwoman.

1. Appointments: The Commission will appoint a Chairman and Vice-Chairman for a one year term.

(Requested by Jeremy Hardison, Planning and Zoning)

3. APPROVAL OF MINUTES

- a. Planning and Zoning - Regular Meeting - Jun 8, 2017 6:30 PM

Commissioner Grady made a motion to approve the minutes of the previous meeting. Commissioner Kennedy seconded the motion. All in favor (7-0).

4. STAFF REPORT ON RECENT COUNCIL MEETING(S)

Mr. Parvin reported on the most recent Town Council Meeting. Town Council approved the CUP's for both the Marina Boatyard on Basin Rd and the Business Planned Unit Development to be located at 1326 N. Lake Park Blvd.

Commissioner Toppin asked the time period allowed for the Marina Boatyard to come into compliance. Mr. Parvin responded 30 days.

5. PUBLIC DISCUSSION

- a. Text Amendment: Consider amending Chapter 40 Article III to allow for Automobile Repair Garages by right in the Neighborhood Business Zoning District Applicant: Town of Carolina Beach

(Requested by Jeremy Hardison, Planning and Zoning)

Commissioner Grady asked Mr. Hardison why the ordinance couldn't also be changed to bring two family dwellings into compliance too, as it is supported by the Land Use Plan. Mr. Hardison explained that it could be a condition of their recommendation.

Commissioner Toppin asked if the owner of the auto repair shop had asked to have their business brought into compliance. Mr. Hardison explained that he had not.

Commissioner Kennedy clarified that the goal of this amendment was to bring the business in conformance. Mr. Hardison responded yes. Commissioner Kennedy stated she supports Commissioner Grady's suggestion to include two family as part of the amendment.

Commissioner LeCompte asked if the amendment in 2006 was an oversight. Mr. Parvin explained that there was a push by the Planning Board to approve as written. Mr. Hardison added that at that time there was no mention of the automobile repair shop business.

Commissioner Toppin asked how the 15 existing single family homes were permitted. Mr. Hardison responded that they were permitted to the current zoning code that was adopted in 2000.

Commissioner Grady asked for clarification on what "grandfathering in" means. Mr. Hardison explained that it meant the use was nonconforming and no expansion could be permitted.

Joel Macon, 614 Monroe Ave. Explained to the Commissioners that the property where Superior is located has been purchased by the owners of Superior. Their business has exceeded the size of the existing shop. Would like to expand their business. The new Owners were unaware their business was a nonconforming use.

Commissioner Toppin stated that she feels a business owner wishing to change the zoning should have to follow the text amendment process and come before the Commission.

Chairman Bloemendaal asked for clarification if the Text Amendment had been brought forward in the correct way. Mr. Parvin explained that Council often directs staff to analyze and proposes changes to the code.

Commissioner Hoffer asked if text amendments should be project based. Mr. Hardison responded that the amendment is for the entire district.

Chairman Bloemendaal made a motion to close the public hearing. It was seconded by Commissioner Kennedy.

Commissioner LeCompte feels this text amendment corrects an oversight by the Town.

Commissioner Toppin is okay with the proposed amendment but uncomfortable with the approach that brought the amendment before the Board. Also noted that uses such as a daycare require a conditional use permit and are not permitted by right.

Commissioner Rouse and Commissioner LeCompte agreed there was an oversight by the Town to make a once conforming business nonconforming.

Commissioner Hoffer feels that just because the Land Use Plan states "Commercial Services" it could refer to many different things, not necessarily an automobile repair shop. Believes there was a reason this area was zoned NB and also does not think an amendment should be passed for one project.

Mr. Parvin offered the option of a condition specifically for NB prohibiting the use within a certain distance from S. Lake Park.

Commissioner Hoffer offered that option so that Superior would be made conforming but also prohibit automobile shops from within 50' of the S. Lake Park corridor.

Chairman Bloemendaal feels the best compromise is for the requirement of a CUP.

Commissioner Hoffer supports that option with the 50' buffer.

Commissioner Kennedy made a motion to approve the amendment to Chapter 40 Article III, Sec 40-172 Table of Permitted Uses to allow for automobile repair shops by conditional use permit in the Neighborhood Business District. Whereas in accordance with the provisions of the NCGS 160A-383, the Commission does hereby find and determine that the adoption of the following ordinance amendment is consistent with the goals and objectives of the adopted Land Use Plan and other long range plans. The motion was seconded by Chairman Bloemendaal. (6-1) Motion carried.

6. DISCUSSION ITEMS

Jeremy Hardison presented a report on current happenings in the Planning and Development Department.

7. NON-AGENDA ITEMS

8. ADJOURNMENT

Commissioner Rouse made a motion to adjourn. The motion was seconded by Commissioner Kennedy. All in favor (7-0).

9. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Mary Grady		Present	
Greg Reynolds		Absent	
Keith Bloemendaal		Present	
Ked Cottrell		Absent	
Johnie Davis		Absent	
Jerry Kennedy		Present	
Nan Toppin		Present	

Kimberlee Ward, Town Clerk

Date Approved