

CAROLINA BEACH

Planning and Zoning Commission

Thursday, January 9, 2025 - 6:00 PM

Council Chambers, 1121 N. Lake Park Boulevard, Carolina Beach, NC



MINUTES

CALL TO ORDER

Chairman Rouse called the meeting to order at 6:00 PM.

PRESENT

Chairman Wayne Rouse

Vice Chairman Jeff Hogan

Commissioner Melanie Boswell

Commissioner Ethan Crouch

Commissioner Todd Piper (arrived a few minutes late)

Commissioner Bill Carew

Commissioner Lynn Conto

ALSO PRESENT

Community Development Director Jeremy Hardison

Senior Planner Gloria Abbotts

Planner Haley Moccia

APPROVAL OF MINUTES

1. November 14, 2024 – P&Z Minutes

ACTION: Motion to approve the minutes as written

Motion made by Chairman Rouse, seconded by Vice Chairman Hogan

Voting Yea: Chairman Rouse, Vice Chairman Hogan, Commissioner Boswell, Commissioner Crouch, Commissioner Carew, Commissioner Conto

Motion passed 6-0

STAFF REPORT ON RECENT DEVELOPMENTS

Mr. Hardison reported the following:

Permitting

- 58 permits (renovation, repair, grading, additions, fences)
- 6 residential new construction
- 20 certificates of occupancy

Code Enforcement

- 12 complaints received

- 9 resolved complaints
- 4 outstanding violations

Demos

- 1215 Saint Joseph Street
- 1406 Swordfish Lane
- 708 Harper Avenue

New Businesses – Applied

- Boombalatti’s (ice cream) – 1000 North Lake Park Boulevard at Proximity

Upcoming

- Dry Dock Inn pool fence variance
- Oceaneer Motel variance (front yard setback)
- 1215 Saint Joseph Street subdivision
- Glenn Avenue partial alley closure
- 2-unit Planned Unit Development (PUD) at 308 Lewis Drive

Project updates

- **Ocean Boulevard sidewalk:** After stormwater work is complete, overlaying of the sidewalk will start at Ocean Boulevard and work its way up to the Greenway.
- **Saint Joseph Street multi-use path:** Design will be complete this month, and then the project will go out to bid with construction planned to start in the spring.
- **Boardwalk bathroom:** Tomorrow is the pre-construction meeting with the contractor, and work should be underway soon.
- **1810 Canal Drive parking lot/Americans with Disabilities Act (ADA)/beach access:** The Town received a grant to do the work; funds will be released this month, and then the project will go to design and engineering.
- **South Lake Park Boulevard sidewalk:** The Town is trying to coordinate with the N.C. Department of Transportation (DOT) resurfacing project, which is delayed and will likely occur in October. This will give the Town a chance to put in the sidewalk first, likely in the spring. For the Spartanburg Avenue crosswalk, the Town will do concrete work for that intersection with the sidewalk, but the actual crosswalk will not be painted until after resurfacing, and then the high-visibility signal will be installed.
- **Street improvements:** The 2nd Street extension project has received bids, so staff will choose a contractor to hopefully start within a couple of months. The Spot Lane survey is complete, and the project is now in the design phase with a focus on stormwater improvements.
- **Lake pump house:** The bid opening for this project was today, and work will likely start in February.
- **Lake bathrooms:** Because this area is prone to flooding, staff is looking at various designs and options for the best way to mitigate that issue when rebuilding the facility.
- **Bike/Ped Plan:** Staff is working with the steering committee, which is finalizing a proposal to hopefully get to Council for approval in March.

Chairman Rouse asked the record to reflect that Commissioner Piper is now in attendance.

PUBLIC COMMENT

None

PUBLIC HEARING

2. Text amendment to amend Article 3, Section 3.49 Reconstruction, Maintenance, Full or Partial Demolition and Renovation of Nonconforming Situations
Applicant: North Pier Holdings LLC

Chairman Rouse said the last time this applicant came before the Commission he asked to recuse himself from the matter due to any perceived conflicts, but since then the certificate of occupancy has been issued and he has no financial interest in whether this matter is voted up or down. No one objected to Chairman Rouse voting on this tonight.

Applicant North Pier Holdings LLC is applying for a text amendment to modify Article 3, Section 3.49 Reconstruction, Maintenance, Full or Partial Demolition and Renovation of Nonconforming Situations. The applicant is pursuing this text amendment because the proposed modification will assist residents in the repair, renovation, and reconstruction of existing nonconforming uses in a manner that aligns with the Town’s existing Comprehensive Plan.

The applicant’s proposed text amendment allows an exception to the nonconforming situation section of the ordinance. The amendment would allow a nonconforming structure to exceed the allowed zoning district lot coverage by 2% as long as certain conditions are met. These stipulations include:

- i. No additional nonconformities result from the added lot coverage.
- ii. Any additional lot coverage shall be associated with an on-site reduction in impervious area. The reduction shall be two times the size of the lot coverage area added (i.e. 100 square feet added lot coverage requires an additional 200 square feet of pervious area to be added).
- iii. Any pervious materials allowed by Town Code may be utilized for the reduction of impervious areas.
- iv. Additional lot coverage shall only be added to the principal building(s).
- v. Additional lot coverage shall not encroach any further toward a property line than the existing principal building(s).

Staff reorganized the impacted subsection to improve the readability of the ordinance and clarify the text due to the addition of the proposed text amendment.

The text amendment is in general conformity with the Coastal Area Management Act (CAMA) Land Use Plan. The proposed reduction in impervious surface reduces stormwater runoff, a strong focus of the CAMA Land Use Plan. Additionally, the amendment follows the Land Use Plan’s sentiment to encourage the improvement and renovation of existing structures where a teardown/rebuild is not the best possible outcome.

The proposed text amendment has a few benefits and limitations. The amendment is intended to reduce and limit the impact of increased lot coverage on adjacent property owners. The reduction in impervious surface section of the amendment links the increase in lot coverage to a positive reduction in impervious surfaces, which reduces stormwater runoff. Allowing nonconforming structures the ability to increase their lot coverage by 2% adds flexibility for improvements and may reduce functional obsolescence. The text amendment adds specific restrictions that only allow this lot coverage exception to be implemented in very limited circumstances.

Ms. Moccia presented the details.

Vice Chairman Hogan asked if staff recommends approval of the text amendment. Ms. Moccia said because it's in general conformity with the Land Use Plan and promotes stormwater reduction, staff does recommend it.

ACTION: Motion to open the public hearing

Motion made by Chairman Rouse, seconded by Vice Chairman Hogan

Voting Yea: Chairman Rouse, Vice Chairman Hogan, Commissioner Boswell, Commissioner Crouch, Commissioner Piper, Commissioner Carew, Commissioner Conto

Motion passed unanimously

Chairman Rouse asked if the applicant wanted to speak.

Attorney Corrie Lee, representing the applicant, said the text amendment is consistent with the Land Use Plan and is reasonable and in the public interest, giving property owners flexibility when a teardown or rebuild is not the best option. She said what is being presented tonight is a direct result of the Commission in October asking the applicant to work with staff to find language to eliminate unforeseen consequences, and she added that the language was developed by staff.

No one else requested to speak.

ACTION: Motion to close the public hearing

Motion made by Chairman Rouse, seconded by Vice Chairman Hogan

Voting Yea: Chairman Rouse, Vice Chairman Hogan, Commissioner Boswell, Commissioner Crouch, Commissioner Piper, Commissioner Carew, Commissioner Conto

Motion passed unanimously

Commissioner Carew said he is in favor of this and thinks it's a good tradeoff.

Commissioner Piper said he thinks the text amendment is written in such a narrow scope that it will be used by very few property owners outside of this applicant.

Commissioner Conto said she supports the text amendment.

Commissioner Crouch said he has no discussion about the matter.

Commissioner Boswell said she doesn't think anyone else will be using the text amendment and is fine with it.

Chairman Rouse said he doesn't have a problem with the text amendment. He thanked staff for their time and the applicant for their patience and willingness to remodel older buildings.

Vice Chairman Hogan said he thinks it's a great compromise, and he is in favor of anything that can be done to help the applicant finish the project.

ACTION: Motion for approval where the Commission, whereas in accordance with the provisions of the North Carolina General Statutes, does hereby find and determine that the adoption of the following text amendment to Article 3, Section 3.49 Reconstruction, Maintenance, Full or Partial Demolition and Renovation of Nonconforming Situations is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans

Motion made by Chairman Rouse, seconded by Vice Chairman Hogan

Voting Yea: Chairman Rouse, Vice Chairman Hogan, Commissioner Boswell, Commissioner Crouch, Commissioner Piper, Commissioner Carew, Commissioner Conto

Motion passed unanimously

NON-AGENDA ITEMS

None

ADJOURNMENT

Chairman Rouse adjourned the meeting at 6:35 PM.