

CAROLINA BEACH

Planning and Zoning Meeting

Thursday, September 14, 2023 – 6:00 PM

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



AGENDA

CALL TO ORDER

APPROVAL OF MINUTES

1. June 8th, 2023 – P&Z Minutes

STAFF REPORT ON RECENT COUNCIL MEETINGS

STAFF REPORT ON RECENT DEVELOPMENTS

PUBLIC DISCUSSION

DISCUSSION ITEMS

2. **Conditional Zoning** to consider a Bar at 801 Saint Joseph Street in the Highway Business District (HB).
Applicant: Putter Pub, LLC

NON-AGENDA ITEMS

ADJOURNMENT



AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Senior Planner

DEPARTMENT: Planning &
Development

MEETING: Planning & Zoning Commission – September 14th, 2023

SUBJECT: June 8th, 2023 – P&Z Minutes

Action:

Approve the June 8th, 2023 Minutes

CAROLINA BEACH

Planning and Zoning Commission Meeting

Thursday, June 8, 2023 - 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
Commissioner Bill Carew
Commissioner Lynn Conto

ALSO PRESENT

Planning Director Jeremy Hardison
Senior Planner Gloria Abbotts

APPROVAL OF MINUTES

ACTION: Motion to approve the minutes

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

STAFF REPORT ON RECENT DEVELOPMENTS

Ms. Abbotts reported the following statistics for the past two months:

Permitting

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

Code Enforcement

- 47 complaints received
- 37 resolved

Demos

- 302 North Carolina Avenue
- 520 Cape Fear Boulevard
- 213 Cape Fear Boulevard (pool)

New Businesses

- Breeza (retail) – 15 Carolina Beach Avenue North

Town Council and Other Updates

- Boardwalk bathrooms – approved by Board of Adjustment May 2
- Outdoor gross floor area text amendment – approved by Council May 9
- New Hanover County Advisory Council Contractors’ Meeting – May 11
- The Proximity has applied for building permits
- Social on 2nd has applied for all building permits
- Upcoming: parking text amendment (Neapolitan) and Town tree maintenance text amendment for Tree City USA designation

Chairman Rouse said he heard positive feedback about the Contractors’ Meeting. He encouraged staff to consider offering this again in a few months.

PUBLIC DISCUSSION

ACTION: Motion to open public discussion

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

No one requested to speak.

ACTION: Motion to close public discussion

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

PUBLIC HEARINGS

1. Map amendment to rezone 601 Augusta Ave from Conservation (C) to Residential (R-1) zoning district
Applicant: Parris Stratton

Mr. Hardison said the Commission voted on this item 18 months ago, but it was pulled by the applicant prior to going before Council. He said the property has since transferred hands, so now there is a different applicant.

The owner of 601 Augusta Avenue is requesting a rezoning of the 20,661-square-foot property from Conservation (C) to the Residential (R-1) zoning district. The property was voluntarily annexed in December 2022. This tract of land is the only private property zoned C. All other C property is owned by the State or Federal government. In 2000, there was a Town-wide rezoning that designated all areas outside the Town limit line as C, which is a zoning designation that allows for single-family residential development in an environmentally compatible setting that is appropriately designed and located.

The property is currently vacant. The adjacent zoning district to the north and east is R-1. The property to the north adjacent to Carolina Sands is R-1B.

Currently with C zoning, one unit can be developed on the property. If the property is rezoned to R-1 or R-1B, it would have to meet the minimum lot size of 5,000 square feet and minimum lot width of 50 feet. These lots could be developed single-family only in R-1B and either single-family or two-family dwellings in R-1.

Staff recommends this parcel to be rezoned and believes this would be consistent with the 2020 Land Use Plan.

Commissioner Carew asked if the previous property owner was ever given any notice of a change to the zoning. Mr. Hardison said in 2000 there was a half-page ad in the paper, which satisfied the statutory requirement for rezoning. He said in 2008 when the map was brought back to Council to make an official zoning map, there was another ad in the paper. Mr. Hardison said there was no notice specific to the property owner.

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

Attorney Ned Barnes of 814 Carolina Beach Avenue North, speaking on behalf of the applicant, said that area is all single-family homes, and the C designation is basically spot zoning. He said the family of the longtime previous owner was under the assumption this was R-1. Mr. Barnes said no due process was given in classifying the property as C, so the applicant is seeking to correct an error that occurred years ago. He said the proposed rezoning is within the context of the Land Use Plan, offers compatibility with the surrounding area, and would benefit the Town by providing more full-time housing.

Attorney Grady Richardson of 1908 Eastwood Road Suite 224 in Wilmington said he represents the following neighbors immediately surrounding the property: Jac Nethercutt, Sherry Bibb, Sandie and Richard Cecelski, Brent Baranoski, Karen Willems, and Leni Knowles.

Commissioner Boswell asked that Mr. Richardson not be subject to the three-minute time limit for the public because Mr. Barnes did not have a time limit. Mr. Hardison said because Mr. Barnes represents the applicant he is not subject to a time limit, but Mr. Richardson is representing the public and therefore it's the Commission's policy to allow up to three minutes. Chairman Rouse asked to give Mr. Richardson an additional three minutes. Mr. Richardson said he would like leniency and does not agree that there should be a time limit with a public hearing vs. general public comment.

Mr. Richardson said all the single-family homes in the area are consistent with R-1B or C zoning. He said all his clients have lived in their homes for a long time and bought their properties in reliance of the property in question being officially zoned as C. Mr. Richardson said changing the zoning to R-1 would allow the applicant to build up to eight homes on the property as duplexes or townhomes, and he said that is inconsistent with the surrounding area. Mr. Richardson cited concerns about stormwater, flooding, traffic congestion, and parking. He asked the Commission to keep the property as C or rezone it to R-1B.

Sandie Cecelski of 941 Carolina Sands Drive said she has lived in her home for 26 years, and rezoning the adjacent property to R-1 does not align with the Town's Land Use Plan and would dramatically affect her quality of life due to issues such as extra cars and stormwater runoff from increased impervious surface. She said she has over 250 signatures of people who are concerned about the request and is pleading with the Commission to deny the rezoning request. Ms. Cecelski said she is OK with one house being built on the property and thinks it will still be profitable for the owner.

Richard Cecelski of 941 and 943 Carolina Sands Drive said rezoning the adjacent property would devalue his own property. He said he bought there because of the C zoning of that parcel, which is consistent with a family neighborhood and more appropriate for permanent residents. Mr. Cecelski said the area does not need more cars from short-term rentals and that C zoning is important for stormwater management. He said rezoning would set a bad precedent for future projects and send a message that buying property in the Town is a risky investment. Mr. Cecelski asked the Commission to try to sustain the quality of life here.

Leni Knowles of 602 Augusta Avenue, which is across from the property, said the developer removed and destroyed almost every tree on the lot. She said her mother and others bought their homes over 20 years ago based on the wooded C area and relied upon Town zoning, which is the same zoning the applicant was aware of when buying the property. Ms. Knowles questioned why one man's dollars are more important than the entire community and said developing the property would diminish the property value of all the neighboring homes and likely cause flooding due to an increase in impervious surface. She said community voices should matter and urged the Commission to keep the land as C and stop overdevelopment.

Glen Mitchell of 605 South Third Street said he was concerned about a meeting of members of the Carolina Sands community on April 30, the majority of whom were opposed to the rezoning request. He said Commissioner Ethan Crouch, who is a Carolina Sands homeowner, was in attendance and

shared advice with residents about what they should and should not say at the Planning and Zoning meeting regarding the property. Mr. Mitchell said Commissioner Crouch has rights regarding his personal property but also has a responsibility to represent the Town in a fair and reasonable way. He said it is a conflict of interest that Commissioner Crouch already made up his mind about the issue and shared personal advice with the community, so Mr. Mitchell asked that Commissioner Crouch recuse himself from this matter and consider stepping down from his position.

William Baranoski of 945 Carolina Sands Drive, which directly adjoins the property, said he thought neighbors were protected from this lot being developed because of the C zoning designation. He said if the current request is granted, there could be eight units on the property, which is not in line with the surrounding properties because the majority of them are not zoned R-1. Mr. Baranoski said he and his neighbors don't deserve to have the highest possible density housing shoehorned into a long-established neighborhood. He said they have made life decisions based on the current C zoning designation, so he is requesting that rezoning to R-1 be denied.

Monica Wilson of 919 Salt Water Lane in Carolina Sands said the Town supports rezoning to correct the error that appeared on the digitized zoning map in 2001. She said she has found no documentation that supports the previous change to C zoning, so zoning for the property should be returned to R-1 to remove inconsistencies. Ms. Wilson said the owners of the property should have the same rights as their neighbors.

Danielle Kurtz of 918 Riptide Lane said if there was an error, it should've been addressed with the previous longtime owner. She said the current owner was aware of the current C zoning when purchasing the property. Ms. Kurtz said upzoning this property would set a precedent for future upzoning, so she asked the Commission to keep the zoning as C.

JoDan Garza of 513 Atlanta Avenue said the zoning error for this property never came up during development of the current Land Use Plan. He said the zoning designation of the property should protect harmony in the community.

Brad Jones of 207 Annie Drive said he worked with the previous longtime owner to liquidate the property and was told the C zoning designation was a clerical error. He said his clients were never notified of this change, and the previous owner would never have gone along with the property being downzoned. Mr. Jones said he does not know of any local instances in which building something brand new devalues a property next to it.

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 Conto asked if Carolina Sands was always zoned R-1B. Mr. Hardison said when it was originally developed it was zoned for single-family and two-family homes but was changed after petitioning by residents in the early 1990s. Commissioner Conto asked if there is stormwater mitigation in Carolina Sands and the surrounding area. Mr. Hardison said yes, stormwater feeds into the lake behind those areas. Commissioner Conto said she is a big believer in property rights and that Mr. Barnes' comments that his clients should have the same rights and privileges as their neighbors resonated with her.

Commissioner Crouch said the current owner purchased the property knowing the C zoning designation, which gives him the right to build a single-family home in conformity with the surrounding neighbors. He said 55% of the directly adjacent parcels are not zoned R-1, and he contended there are 20 clauses in the Land Use Plan that show this request is not in conformity with the plan. Commissioner Crouch said while it's up for debate how this land ended up as C, it has been this way for more than 15 years and people have made life decisions based on this. He also said the parcel has recently been sold as C twice and the last application for rezoning was recommended for denial, so the current owner is aware of the history.

Commissioner Boswell said she has done research that has caused her to question whether an error was made earlier in taking the property out of C and into R-1 instead of vice versa. She said a map from 1980 shows it was zoned as C then, so she suggested the error may have been when it was zoned R-1 and putting it as C was correcting that error. Commissioner Boswell said no one is trying to take away the owner's right to build one home on the property, but it was not purchased with the right to build multiple-family homes. She said the previous longtime owner bought the property from Herbert Bluethenthal, a conservationist with a wildflower preserve at the University of North Carolina Wilmington named after him, so she believes there was an intention to preserve the land there. Commissioner Boswell said she hasn't heard anything tonight that will change her "no" vote from last time, so she is recommending that it be left as C. She said the owner can still profit from building one home on the land, but she won't vote to take what one citizen wants over the quality of life of the adjacent property owners.

Commissioner Carew said when taking into account what has happened over the years with other parcels in this area, the C designation appears to be spot zoning that was in error. Mr. Hardison said the parcels around this property were annexed by petition in 1980, but 601 Augusta Avenue never requested annexation.

Commissioner Piper asked how current owner Parris Stratton relates to previous owner Center City Development LLC because the property changed hands in 2022 for \$0. Mr. Stratton said he and Center City Development have worked together on several projects, and some are in the company's name and some are his name. Mr. Stratton said at the meeting for the previous rezoning request, there was a lot of misinformation and things got mixed up with the simultaneous annexation request. He said the intent was to bring back the map error to get it corrected. Commissioner Piper asked Mr. Stratton if he

understood the land was zoned C when he purchased it. Mr. Stratton said he understood it was zoned incorrectly. Commissioner Piper said he wishes the heirs of the previous longtime owner would've sought to correct the C designation prior to selling it. He said the two owners since then knew going in what the rules were for C zoning.

Vice Chairman Hogan said he owns multiple properties and would never know if the zoning was changed without any notification. He said as a property owner advocate, he thinks the Town is saying there was an error and it needs to be fixed.

Chairman Rouse said there have been various zoning map mistakes in the past that had to be corrected. He asked if there are any other C parcels within the Town that are privately owned. Mr. Hardison said 601 Augusta Avenue is the only one. Chairman Rouse said the facts are that the property was zoned R-1 in 2000, and in 2008 it got changed to C at no one's request, so he is going to vote to approve the applicant's rezoning request.

Commissioner Crouch said the medium-density residential charter area in the Land Use Plan for this area allows for possible consideration of some duplexes, but it is not supposed to be the norm. He said the history in front of everyone today cannot justify that four duplexes on this property will be in conformity with the existing housing in the area.

Chairman Rouse said it would be nice if there was a way for the owner and surrounding residents to get together to work things out.

Vice Chairman Hogan asked why the applicant is seeking R-1 and not R-1B. Mr. Stratton said everything else on Augusta Avenue is R-1 and the future Land Use Plan shows his property as R-1.

Chairman Rouse said other Commissioners are looking at surrounding housing, but he is looking at surrounding zoning. Commissioner Crouch said that's the point of character areas.

Vice Chairman Hogan asked if stipulations can be put on the approval. Mr. Hardison said this cannot be done for a rezoning.

Commissioner Piper asked if the Commission can request that the property be rezoned to R-1B instead of R-1. Mr. Hardison said the Commission can make that recommendation to Council. Mr. Barnes said the applicant can live with R-1B and only asked for R-1 to be consistent with neighboring zoning.

Vice Chairman Hogan asked what can be built there as R-1B. Mr. Hardison said there could be four lots.

Commissioner Crouch said the application being for R-1 but the applicant willing to accept R-1B is procedurally foreign to him. Commissioner Boswell asked if the Commission needs to stick to either approving or denying R-1. Mr. Hardison said the Commission can make the recommendation for R-1B instead of R-1.

ACTION: Motion that whereas in accordance with the provisions of the North Carolina General Statutes, the Commission does hereby find and determine that the adoption of the rezoning of 601 Augusta Avenue from Conservation to R-1B is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans

Motion made by Vice Chairman Hogan

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

Voting Nay: Commissioner Boswell, Commissioner Crouch

Motion passed 5-2

2. Text Amendment to amend Chapter 40, Sec. 40-72 Table of permissible uses, Sec. 40-261 Development standards for particular uses, and Sec. 40-548 Definitions to amend standards for Event Venues/Bars
Applicant: Town of Carolina Beach

Council directed staff to re-examine the ordinance requirements for event venues that were approved in February, specifically the Alcoholic Beverage Control (ABC) standards that were set forth in the development standards. Originally, the language required event venues to comply with the standards of the ABC Limited Special Occasion Permit. This caused a discrepancy with the applicant's business plan because the Limited Special Occasion Permit does not allow owners of the establishment to apply for the permit to perform on-premise sales. The Limited Special Occasion Permit is valid only for outside parties two weeks prior to the event.

The ABC Commission defines the Limited Special Occasion Permit as follows: a Limited Special Occasion Permit authorizes the permittee to bring fortified wine and spirituous liquor onto the premises of a business, with the permission of the owner of that property, and to serve those alcoholic beverages to the permittee's guests at a reception, wedding, party, or other special occasion being held there. The permit may be issued to any individual other than the owner or possessor of the premises. An applicant for a Limited Special Occasion Permit shall have the written permission of the owner or possessor of the property on which the special occasion is to be held.

In order for the owners of the event venue to sell alcohol on the premises, they must be permitted as a mixed-beverage bar by the ABC Commission.

PROPOSAL

The text amendment consists of reorganizing the use under eating and drinking establishments, renaming the use as Event Venue/Bar, and creating standards that all points of sale shall be indoors or in an outdoor area located a minimum of 20 feet from any property line. Outdoor areas that are proposed must be shown on the site plan for approval via Conditional Zoning (CZ). Any changes to the outdoor areas shall be considered a major modification of the CZ approval. Additionally, the 200-foot separation requirement may be waived by Council for Event Venue/Bar uses adjacent to T-1 and MX zoning districts. Moving the use underneath the category of eating and drinking establishments creates

clarity that event venues must comply with all ABC and/or Alcohol Law Enforcement (ALE) requirements as well as other provisions in Town ordinances such as noise ordinance, fire code, etc.

Ms. Abbotts presented the details. She said the text amendment is in general conformity with the 2020 Land Use Plan by promoting a healthy year-round economy, providing a family-friendly community, and promoting redevelopment. Staff recommends approval of the text amendment as proposed.

Chairman Rouse asked for clarification on the intent of the text amendment. Ms. Abbotts said it is seeking to change the ABC permit, not the use. She said an event will have to take place for the venue to sell alcohol.

Several Commissioners asked about the criteria for something to be considered an event, citing concerns that the text amendment would allow an event venue to essentially operate as a bar. Ms. Abbotts said the event venue definition adopted earlier this year will not be changing, but the word “bar” must be added for ABC permitting reasons. She said this is similar to what event venues in surrounding areas have done.

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

David Hamlet of 1414 Snapper Lane Unit 2, who is part of Kindred Carolina Beach LLC, said all the event venues in Wilmington have a bar ABC permit. He said this gives the venue the right to serve mixed beverages at an event but does not make it a bar. Mr. Hamlet said he and his partners don’t want to be part of the food business; they just want to provide an event venue that allows alcohol sales that the owners can control. He said as the rules stand now, the owners of the venue would have no control over alcohol sales during events.

Michael Urti of 513 Monroe Avenue, who is also part of Kindred Carolina Beach LLC, said there is no other classification for them to apply for an ABC permit other than as a bar permit because they don’t serve food and don’t want to operate as a restaurant. He said this would affect the permit only and not the land use of the property because they have no intention of operating as a bar.

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 Boswell asked if the ABC permit follows the holder or the address. Ms. Abbotts said a new owner would have to reapply for an ABC permit.

Vice Chairman Hogan asked what would prevent the event venue from changing to a bar. Ms. Abbotts said the 200-foot buffer from MX zoning would prevent this. Mr. Hardison said if the property was approved as an event venue, the owners would have to come back to be approved as anything else.

Commissioner Carew said the real question is what happens when the property is sold. He said he is concerned about unintended consequences that may arise with the next owner potentially bending the rules in a way that would create a use that is objectionable to the neighborhood. Ms. Abbotts said a new owner would have to get another ABC permit and come through the Town. She said if an event venue was operating as a bar, there is an enforcement process and the Town would investigate if there were complaints.

Vice Chairman Hogan said he thinks the event venue definition is generic. Commissioner Crouch said he thinks the question isn't so much about the definition of an Event Venue/Bar but more about what actually constitutes an event. Mr. Hardison said there is not a definition for an event itself, just an event venue.

Commissioner Carew said it seems like the Town is creating a definition that will work for this particular instance but will be left with the definition in the future should there be another event venue.

Commissioner Crouch said changing the table of permissible uses scares him a little because of the potential for unintended consequences, but he said the ABC permitting process gives him some peace of mind because that regulatory tool will still be in place no matter what.

Commissioner Piper said he would like to see a definition for an event. Commissioner Crouch said maybe that could be done through the Unified Development Ordinance (UDO).

Vice Chairman Hogan said he doesn't want to open the door to others bending the rules for what is being approved tonight. Mr. Hardison said conditions can be put on the Commission's recommendation.

Commissioner Carew said it seems they are building a template in a hurry and suggested tabling the matter to put some more thought into it. Mr. Hardison said the Commission can have a special meeting or workshop if they want to delay the decision but not wait until the next regular meeting.

Commissioner Conto said the possibility of unintended consequences is nagging at her.

Commissioner Carew said he worries about loopholes that could be found in the future if these rules weren't created thoughtfully.

Commissioner Boswell asked if staff has done any research on how other municipalities define events. Ms. Abbotts said they have not looked into the term “event” but just the definition for an event venue.

Vice Chairman Hogan asked if they can just address indoor events with this recommendation to keep things moving forward. Mr. Hardison said yes.

Mr. Urti said he is worried that doing this would eliminate the ability of the venue to have events with an outdoor component. Vice Chairman Hogan suggested having a cutoff time for the outdoor portion of events so the owners can keep moving forward with their plan while the Commission finds some harmony for the neighborhood.

Chairman Rouse suggested eliminating the part of the proposed text amendment that says the alcohol point of sale may be in an outdoor area located a minimum of 20 feet from any property line. He said once the project establishes a courtyard, the owners will have to come back with a site plan anyway so this shouldn't delay their progress.

Commissioner Piper said he likes the idea of starting with the indoors and then further refining this.

Mr. Urti said he is concerned that removing the outdoor component will mean he has to come back for another text amendment.

Mr. Hamlet said they are not reinventing the wheel because there are dozens of other event venues that do this and it's working for them.

Vice Chairman Hogan asked if the owners would be OK with a time limit for outdoors and no live music outside. Mr. Urti asked why this is necessary because he feels the noise ordinance would take care of any potential issues. He said the possibility of loopholes always exists, and hyper-analyzing will only hamper their efforts to create something different and not put themselves in one box. Mr. Urti said there are many establishments in the Town that are in disguise as a restaurant but really operate as a bar.

Commissioner Carew said they are not questioning the owners because their integrity is established in the community. He said he is concerned about what is being created in terms of a template that could be misused when the owners sell their property.

Commissioner Boswell suggested a time limit of 10:00 PM for any outdoor portions of events. Chairman Rouse said he thinks 9:00 PM would be reasonable. Several Commissioners agreed. Commissioner Boswell said this would eliminate the possibility of events operating as a bar with outdoor live music.

Commissioner Piper said he still thinks the Town needs a definition for “event” in the future. Mr. Urti suggested that an event could be defined as something that is planned and with a specific duration. Mr. Crouch said this needs to be defined in the Town ordinance.

Chairman Rouse said the Commission can make a decision tonight that allows the project to continue moving forward with most of the possible issues eliminated until the Town comes up with how to define an event. He said he thinks this is a reasonable compromise.

ACTION: Motion that whereas in accordance with the provisions of the North Carolina General Statutes, the Commission does hereby find and determine that the adoption of the following ordinance amendment to amend Chapter 40, Sec. 40-72 Table of permissible uses, Sec. 40-261 Development standards for particular uses, and Sec. 40-548 Definitions to amend standards for Event Venue/Bar is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans with the additional conditions to Sec. 40-261 that the outdoor point of sale, consumption, and entertainment will all end at 9:00 PM

Motion made by Vice Chairman Hogan, seconded by Commissioner Boswell

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

Motion passed unanimously

3. Conditional Zoning to consider an Event Venue/Bar at 205 Charlotte Avenue in the Central Business District
Applicant: Kindred Carolina Beach LLC

Applicant Kindred Carolina Beach LLC is proposing an Event Venue/Bar at 205 Charlotte Avenue as a use in the Central Business District (CBD). Event Venues/Bars are allowed through the approval of CZ in the CBD. CZ allows a particular use to be established only in accordance with specific standards and conditions pertaining to each individual development project. All applications shall include a site plan and any development standards to be approved concurrently with the rezoning application.

The applicant is proposing to renovate the former Deck House restaurant located at 205 Charlotte Avenue for the use of an Event Venue/Bar. The parking requirement for event venues is 1 per 110 square feet of indoor gross floor area. No parking shall be required for outdoor gross floor area if the establishment is located within 500 feet of public parking spaces. A 50% reduction in the parking requirement shall apply to outdoor gross floor area if the establishment is not within 500 feet of public parking spaces. The total indoor gross floor area of the building is 6,990 square feet. The total number of required spaces for the project is 64. There are 148 total spaces within 500 feet. No outdoor space is proposed currently. If any outdoor space for alcohol point of sale is proposed, it shall be considered a major modification of the CZ approval.

The applicant is requesting a waiver of the landscaping requirement. Landscaping requirements may be waived at the discretion of the Commission and/or Council on projects requiring CZ. There is an existing 6-foot fence between the building and the neighboring properties in the MX district.

Event venues must comply with all ABC and/or ALE standards. The use will be permitted through the ABC as a mixed-beverage bar. On-premise alcohol sales are limited to the duration of the event.

Proposed conditions are as follows:

1. The proposed use shall be limited to an indoor Event Venue/Bar.
2. The use and development of the subject property shall comply with all regulations and requirements of any other Federal, State, or local law, ordinance, or regulations.
3. Approval of this CZ rezoning does not constitute technical approval of the site plan.
4. A Type B landscape buffer shall be provided and delineated along the perimeter of the property except in areas waived by the Commission and Council.

Ms. Abbotts presented the details and showed photos of the site and surrounding uses. She said the CZ request is in general conformity with the 2020 Land Use Plan by promoting a healthy year-round economy, providing a family-friendly community, and promoting redevelopment. Staff recommends approval of the project with the proposed conditions.

As part of the CZ process, there was a required public meeting on December 5 with 27 people in attendance. Concerns were voiced about hours of operation, noise and fencing. The outdoor area presented at the public meeting is no longer part of the project.

Commissioner Piper asked what the plan is for 209 Charlotte Avenue. Ms. Abbotts said it's not part of this project and is currently being used as a parking lot. Mr. Hardison said that parcel is not associated with this approval.

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

No one 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

Chairman Rouse asked if there are typically any landscaping requirements on either side of the property on a similar request. Ms. Abbotts said because this is the CBD there is not, just on the portion adjacent to residential.

ACTION: Motion that whereas in accordance with the provisions of the North Carolina General Statutes, the Commission does hereby find and determine that the adoption of the Conditional Zoning District to allow for an Event Venue/Bar at 205 Charlotte Avenue is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans and the potential impacts on the surrounding area are mitigated by the approved conditions with the approval of a landscaper waiver and approval of a 200-foot separation from a residential district

Motion made by Vice Chairman Hogan, seconded by Commissioner Boswell

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

Motion passed unanimously

NON-AGENDA ITEMS

Vice Chairman Hogan said he received an email about Senate Bill 667, which involves regulation of short-term rentals. He said he is interested in doing this, but he thinks it's premature until they can see exactly what the State is going to do and what municipalities can and can't regulate.

Commissioner Crouch said it's easy for the State legislature to propose a bill and roll it around in committee for years.

Chairman Rouse said they need to wait for legislation to make sure things are clearly defined.

Commissioner Carew suggested looking at things that are neighborhood-friendly to help get short-term rentals to conform to what long-term residents are doing and be good neighbors. He said there are measures the Town can take now that have nothing to do with short-term rental nomenclature.

Vice Chairman Hogan said parking, trash, and noise are the main complaints he hears.

Mr. Hardison said the Town already has the ability to regulate some of the impacts of short-term rentals.

Commissioner Carew said the Town needs a solid plan for enforcement.

Commissioner Boswell asked staff to start looking at some things that can be done.

Commissioner Piper suggested that the Commission consider a height limit of 32 to 35 feet in the R-1 district adjacent to Carolina Sands. He said this should apply only to newly constructed multi-family homes and would prevent the creation of structures that are not in harmony with the neighborhood.

Chairman Rouse asked Commissioners to think about this and bring it up again to see if Council would like them to consider it. Mr. Hardison said the Commission could have an upcoming goals session and present a list to Council at a workshop. He said these would be big-ticket items that are not part of the UDO.

ADJOURNMENT

ACTION: Motion to adjourn

Motion made by Commissioner Crouch, seconded by Commissioner Conto

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

Motion passed unanimously

Chairman Rouse adjourned the meeting at 10:10 PM.

Prior to scheduling a public hearing on the rezoning application, the applicant shall conduct one (1) public input meeting and file a report of the results with the Zoning Administrator. In approving a petition for the reclassification of property to a conditional zoning district, the Planning and Zoning Commission may recommend that the applicant add reasonable and appropriate conditions to the approval of the petition. Any such conditions should relate to the relationship of the proposed use to the impact on the following:

1. Town services
2. Surrounding property
3. Proposed support facilities such as parking areas and driveways
4. Pedestrian and vehicular circulation systems
5. Screening and buffer areas
6. Timing of development
7. Street and right-of-way improvements
8. Infrastructure improvements (i.e. water)
9. Provision of open space
10. Other matters that the participants in the public input meeting, staff, Planning & Zoning Commission, and Town Council find appropriate or the petitioner may propose.

If the applicant does not agree with the Planning & Zoning Commission or staff's recommendations of additional conditions, the Town Council shall have the authority to accept none, any, or all of the conditions forwarded from the review process.

No permit shall be issued for any development activity within a conditional zoning district except in accordance with the approved petition and applicable site plan, subdivision plat, and/or permit for the district.

Proposal:

The applicant is leasing an 860 sq. ft. commercial building on a 10,256 sq. ft. lot at 801 Saint Joseph Street. The building was most recently a t shirt printing shop and locksmith business. The building was built in 1983 and has historically operated as a veterinarian office. The property is surrounded by commercial uses. Across the street there is a multifamily condo building in the Marina Business District. The applicant is proposing to renovate the existing building for the use of a bar with an accessory putt-putt outdoor area. Modifications to the building also include the construction of ADA bathrooms, bar, storage, and office area. The purpose of the Highway Business District is to accommodate businesses oriented toward the motoring public and which require a high volume of traffic. In many cases, business in the HB district serves the entire community and beyond. For the most part, they are located on major thoroughfares so that they can be conveniently reached by automobile and to avoid sending heavy automobile traffic through smaller streets or residential areas.

Consumption of alcohol on site constitutes a change of use and therefore a change in the parking requirement. The parking requirement for bars is 1 per 110 square feet of indoor gross floor area. The total indoor gross floor area of the building is 860 square feet. The total number of required

spaces for the project is 8. No outdoor gross floor area proposed currently. There is no proposed service area outside. The parking area will remain gravel and will be designed to meet one way traffic for 90-degree parking.

The applicant is requesting a waiver to the landscaping requirement around the new accessory putt-putt area. Landscaping requirements may be waived at the discretion of the Planning and Zoning Commission and/or Town Council on projects requiring conditional zoning. The applicant meets the 200' separation requirement from schools, churches, and residential districts. The proposal includes removing the existing dumpster and utilizing rollouts to handle trash. There is a proposed 8' multi-use path that will adjacent to the property along the Saint Joseph St right-of way.

Conditional Zoning Process

As part of the application process a community meeting is required. The applicant held the required meeting on May 23rd, 2023. The applicant has provided summary comments from the meeting. Based off the comments from the meeting the applicant can place conditions on the project to help mitigate the impacts and concerns from neighboring properties.

Proposed Conditions

1. The proposed use shall be limited to an indoor bar with an accessory putt-putt outdoor area.
2. The use and development of the subject property shall comply with all regulations and requirements of any other federal, state or local law, ordinance or regulations.
3. A Type A landscape buffer shall be provided and delineated along the perimeter of the property except in areas waived by Planning and Zoning and Town Council.
4. The 20' drive aisle shall be designated and marked as one-way with signage.
5. Outdoor lighting shall be installed as to not disturb neighboring properties.
6. Shall provide drainage plan prior to building permit issuance and meet stormwater ordinance.
7. The building is in the AE 11 flood zone. Renovations to the building exceeding 49 percent of the value of the building shall meet FEMA requirements.

Land Use Plan

The project is in general conformity with the 2020 Land Use Plan by promoting a healthy year-round economy and promoting redevelopment. The project is in conformity with the Mixed Use Commercial Future Land Use Map Character Area. This is a higher density area with a mix of uses, within the district and individual buildings.

ACTION REQUESTED:

Consider recommending approval or denial of a conditional zoning to approve a bar located at 801 Saint Joseph Street.

Staff recommends approval of the project with the proposed conditions.

MOTION:

Approval – whereas in accordance with the provisions of the NCGS, the Commission does hereby find and determine that the adoption of the Conditional Use District to allow for a bar located at 801 Saint Joseph Street is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans.

Denial – based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents and the potential impacts on the surrounding areas.

1121 N. Lake Park Blvd.
Carolina Beach, NC 28428
permits@carolinabeach.org
Phone (910) 458-2999



Permit # C723-02

TOWN OF CAROLINA BEACH Conditional Zoning Application

The Conditional Zoning process for the Town of Carolina Beach may be found in the ordinance (Sec. 40-527).

Prior to the application submission, the applicant must conduct a Public Input Meeting. The following are the public meeting requirements:

- ① The applicant must mail notice of said meeting to all property owners within 500 feet of the perimeter of the project bounds no less than 10 days prior to the meeting.
- ① The notice must include time, date, location, and project description.
- The applicant must maintain and submit to with their application a:
 - ① A copy of the letter announcing the meeting
 - ① A list of property owners contacted
 - ① An attendance roster from the meeting
 - ① A summary of the issues discussed
 - ① The results and any changes related to the proposal based on meeting discussions

Each application submitted to staff must be legible, contain the public scoping meeting required information, and provide all other required materials to be accepted as a completed application. Supplemental application materials may include, but not be limited to, site plans, building designs, engineered drawings, stormwater designs, landscaping plans, project narratives, Federal and/or State permits/permissions, and Traffic Impact Analyses. **It is strongly suggested that the applicant set up a meeting with Planning Staff prior to the submission deadline, to ensure the application is complete.**

The Planning Department, Technical Review Committee, Planning and Zoning Commission and/or Town Council reserve the right to require additional information if needed to assure that the use in its proposed location will meet be developed in accordance with the Code of Ordinances of the Town of Carolina Beach.

Application fees. The owner or owners, or their duly authorized agent, of the property included in the application for Conditional Zoning shall submit a complete application and supplemental information to the Planning Department. A fee in accordance with the Town's adopted schedule of fees, payable to the Town of Carolina Beach, must accompany each application. For the purposes of determining the fee, the Zoning Administrator shall categorize each such Conditional Zoning Permit Application as either "major" or "minor", depending upon the complexity of review. Generally, Planned Residential (over 3 units), Mixed Uses, Business Developments, and similarly complex projects shall be categorized as "major", while projects such as bed and breakfast inns, small day care services, etc. shall be categorized as "minor".

Major Conditional Zoning Permit	=	\$ 800.00
Minor Conditional Zoning Permit	=	\$ 350.00

This permit will be scheduled for the next possible Technical Review Committee, provided the public scoping meeting has taken place and the application is otherwise complete.

Please complete all sections of the application.

A. Property Information

Address(es): 801 ST. JOSEPH ST.

PIN(s): _____

Project Name PUTTER PUB

Size of lot(s): 10254 SQFT

B. Application for Conditional Zoning

Application is hereby made for a Conditional Use Permit for use of the property described above as a (please provide a brief description of the use):

Mini golf course with bar

C. Applicant Contact Information

Putter Pub, LLC

Company/corporate Name (if applicable):

RYAN & LAURA O'ROURKE

Applicant's Name

312 PENINSULA DR

Mailing Address

CAROLINA BEACH NC 28428

City, State, and Zip Code

919-210-7568

Telephone

THE DIVE 458@GMAIL.COM

Email

D. Owner Contact Information (if different)

PAUL ATKINSON

Owner's Name

514 GOLDSBORO

Mailing Address

CAROLINA BEACH NC 28428

City, State, and Zip Code

919-427-0167

Telephone

debbie@marshallslooks.com

Email



Check the box beside each item verifying that the item has been submitted with this application

I. Site Plan Criteria

For new construction all boxes in this section shall be marked yes by the applicant to be considered a complete application.

Yes No N/A

- The name, address, and phone number of the professional(s) responsible for preparing the plan if different than the applicant.
- An appropriate scaled plan
- Title block or brief description of project including all proposed uses
- Date
- North arrow
- Property and zoning boundaries
- The square footage of the site
- Lot coverage (buildings, decks, steps)
- Location of all existing and proposed *structures* and the setbacks from property lines of all affected structures to remain on-site
- Design of driveways and parking
- Adjacent right-of-ways labeled with the street name and right of way width
- Location of all existing and/or proposed easements

Additional information or data as determined necessary by town staff and/or other reviewing agencies including but not limited to the following may be required:

Yes No N/A

- Location and design of refuse facilities
 - Approximate locations and sizes of all existing and proposed *utilities*
 - Existing and/or proposed fire hydrants (showing distances)
 - Adjacent properties with owners' information and approximate location of structures
 - Distances between all *buildings*
 - Number of *stories* and height of all *structures*
 - Locations of all entrances and exits to all *structures*
 - Calculate the *gross floor area* with each room labeled (i.e. kitchen, bedroom, bathroom)
 - Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be use
 - Location of flood zones and finished floor elevations
 - CAMA Areas of Environmental Concern (AEC) and CAMA setbacks
 - Delineation of *natural features* and wetlands with existing and proposed topography with a maximum of two-foot contour intervals
 - Proposed landscaping including percentages of *open space*
 - Stormwater management systems
 - Cross-sectional details of all streets, roads, ditches, and *parking lot* improvements
 - Building* construction and occupancy type(s) per the building code
 - Location of fire department connection(s) for standpipes
 - Turning radii, turnarounds, access grades, height of overhead obstructions
 - Dimensions and locations of all *signs*
 - A vicinity map drawn with north indicated
 - Submit the total daily water flow usage and sewer design flow by a design professional
- I have provided two hard-copies and one scaled electronic version of each required drawing
 - I am prepared to pay the application fee today

SUPPLEMENTAL INFORMATION REQUIRED WITH THE APPLICATION

- 1. Detailed project narrative describing the proposed site and request.
- 2. Agent form if the applicant is not the property owner
- 3. Request for site specific vesting plan shall be submitted in accordance with Chapter 40 Article XIII

OWNER'S SIGNATURE: In filing this application for a conditional zoning, I/we as the property owner(s), hereby certify that all of the information presented in this application is accurate to the best of my knowledge, information and belief.

Paul Athi

6/18/2023

Signature

Date

AUTHORITY FOR APPOINTMENT OF PERSON TO ACT ON MY BEHALF

The undersigned owner, Paul Atkinson, does hereby appoint Ryan O'Rourke to act on my behalf for the purpose of petitioning the Town of Carolina Beach for: a) an amendment to the text regulations; b) a change to the zoning map; and/or c) street closing, as applicable to the property described in the attached petition. The owner does hereby covenant and agree with the Town of Carolina Beach that said person has the authority to do the following acts for and on behalf of the owner: (1) To submit a proper petition and the required supplemental materials; (2) To appear at public meetings to give testimony and make commitments on behalf of the owner; and (3) In the case of conditional zoning, to accept conditions or recommendations made for the conditional zoning on the owner's property. (4) To act on the owner's behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of any petition. This appointment agreement shall continue in effect until final disposition of the petition submitted in conjunction with this appointment.

Date: 6/8/23

Appointee's Name, Address & Telephone:

Ryan O'Rourke
212 PENINSULA DR
CAROLINA BEACH NC
28428

Signature of Owner: Paul Atkinson

5/11/2023

To whom it may concern,

The tenants at 801 Saint Joseph Street, Carolina Beach have scheduled an on-site Community Input Meeting for Tuesday May 23rd at 9:30 am.

Tenants will install an 18- hole mini golf course and renovate the building on the property to operate the mini golf course, serve drinks and relax. For any further information or questions please email us at Putterpubcb@gmail.com .

Best regards,

Ryan & Laura O'Rourke

Summary of Issues Discussed at Public Input Meeting for Putter Pub

We had a very good turnout for our Public Input Meeting. Over all it seemed that everyone who attended the meeting was there in support of Putter Pub and for our contribution to the positive development of Carolina Beach. We were asked lots of good questions which we will lay out below.

When will Putter Pub be open? We do not have a set date to open as of now, however the beginning of October is our goal.

What will be your hours of operation? We are still trying to determine that. We do plan to have different hours for on- season and off season. On season hours we anticipate to be 10am to 10pm, and maybe later on weekends. Off season hours, anywhere from noon until 4pm to open and close anywhere from 9-10pm and again possibly later on weekends.

Will you be open seven days a week? Yes, we will be open seven days a week.

Will you have live music? We don't plan to have live music regularly. We may incorporate live music for events, tournaments and holidays.

How will you be lighting the outdoor space? We plan to limb up and thin out the large Live Oak trees on the property and wrap lights around the limbs. We anticipate the limb lights to be enough to light the whole mini golf course. If these lights do not provide enough lighting we will add some floodlights to the corners of the building shining out and down on the course.

Do you have any plans for the exterior of the building? Yes, the middle window on the south side of the building will be enlarged and become a 9 foot wide sliding service window where customers can walk up to and be served from someone inside. We plan to paint the exterior a "beachy" color like you would find on homes in Carolina Beach.

Will you have inside seating? There will be 10-12 bar stools at the bar as well as some chairs and couches to lounge on in another area.

What will your max occupancy be? We have not received our occupancy certificate yet, we won't receive that until all the renovations are complete.

How many parking spaces will you have and will the parking lot be paved? There will 9 parking spaces, one of which will be a handicapped space. We will also have 5 "compact car" or LSV parking spaces along with some bike racks. The parking lot will remain gravel it this time.

Will you allow customers to bring their own alcohol? No, by law we cannot.

Will the owners be on site working? The owners plan to operate the business along with a staff.

Is there going to be any options for food? We will have food trucks and possibly offer a small delivery menu from our other business, The Dive.

Do you plan to put a fence up? Yes, just around the mini golf course it self.

After having the meeting and getting input from those who attended, there is no need for any changes related to the proposal based on meeting discussions.

Property Owner

YACHT ROAD PROPERTY LLC	8108 NEEDLE GRASS
MICHEL MARK DEBRA	630 SAINT JOSEPH
GIROLAMI KELLY A NEWTON RICHARD	266 FAYEMARSH
ASHTON SCOTT W KATHLEEN S	4408 TALCOTT
WINNER DAVID C JR	406 ATLANTA
LUNASEA LLC	515 CLARENDON
WILSON LARRY	630 SAINT JOSEPH
RILP NC2 LP	11995 EL CAMINO REAL
PEARSON BERTRAN J GLORIA	
HARRAL WILLIAM T LILLIA	208 KIRKFIELD
PASSMORE WARREN R HRS	9829 RIVER
MCLAMB HUBERT OWEN ETAL	2634 JUNIPER CHURCH
KTS RENTAL PROPERTIES LLC	8108 NEEDLE GRASS
HANCOCK SHELLEY ETAL	16718 FIVE POINT
BIRD BONNIE L	405 MARINA
TULLY PAUL S ERIKA B	411 CAROLINA BEACH
CAROLINA BEACH TOWN OF	1121 LAKE PARK
ISLAND BREEZE OF CB LLC	1628 SOUND WATCH
LONGS RENTAL INVESTMENTS LLC	107 CAROLINA SANDS
PROXIMITY CB LLC	102 AUTUMN HALL
CBAD LLC	1009 LAKE PARK
BEACHTIME 670 LLC	335 WATSONS MILL
KENNEDY JONATHAN N KELLI A C	600 MASHIE
MERSEREAU GLENN E TRUSTEE	1113 BEXLEY HILLS
ENNESSER JOSEPH J JR TRUSTEE	670 SAINT JOSEPH
STEUER KEITH S MELANIE C	1215 BRIERS CREEK
SCANDURA SUSAN S REV TRUST	103 RUM CAY
WEIMER DAVID A NICHOLE E	105 RUM CAY
GABBY LLC	713 SAINT JOSEPH
PDA VENTURES LLC	10820 CAHILL
HOPLITE PROPERTIES LLC	701 LAKE PARK
CCR PROPERTY LLC	301 IVY
PIERCE JAMES C NATALIE H	7201 LAUREL POINT
WOMBLE MICHAEL H	
FEDERAL POINT YACHT CLUB	910 BASIN
POWELL LARRY A SONJA U	
TAKACS A WARREN AMY E	520 STAFFORDSHIRE
MORLOCK BARRY G CAROLYN C	105 ROUGUE COVE
FEDERAL POINT YACHT CLUB	910 BASIN
ISLAND MARINA ENTERPRISES LLC	511 CLARENDON
PRESSLY JEFF ANN	630 SAINT JOSEPH
SMALL JOHN F MARSHA S	7733 SETON HOUSE
BAKER AARON E LINDSAY E	6104 GRETNA
HYNDS BARRY M LESLEY M TRONIC	6103 MOUNT CARMEL PARKE
HUNTER CHARLES E SANDRA I	5813 WHITE HERON
BRAUN JASON R ERICA M	630 SAINT JOSEPH

HAYES VIRGINIA L ET VIR	650 SAINT JOSEPH
BANNISTER LAND ENTERPRISES LLC	
SEARCY REV LIV TRUST	10 BLACKBERRY
ARAK ROBERT J	25637 BARGANCA
JIRINEC WILLIAM R	650 SAINT JOSEPH
RAGON HUGH B SHERRI S	650 SAINT JOSEPH
CONAWAY JAMES S DEBRA J	650 SAINT JOSEPH
PARKER DAREN J MICHELLE P	767 TIMBERLAKE
MCCOMBS KEITH JULIA	4201 BARKTON
VICINI DONALD C	529 DYNAMIC
HEAL CHRISTOPHER E LAURA E	670 SAINT JOSEPH
MOONEY BILLY R JR	9308 SMART
ENNESSER JOSEPH J JR TRUSTEE ETAL	7500 MCCORMICK
ESCALDI PHILIP V ROSEMARY	8488 PINE BREEZE
JSL CB PROPERTIES LLC	1108 MERCHANT
JSL CB PROPERTIES LLC	1108 MERCHANT
WINNER ENTERPRISES/CAR BCH LLC	
SOUND VIEW UOA INC	1029 LAKE PARK
DUGGAN JOSEPH D	712 SAINT JOSEPH
REAVIS STEVEN G	712 ST JOSEPH
HELIN FRANCIS J DEBRA DEAN	630 SAINT JOSEPH
SHANNON COLIN JANICE	2015 GIOVANNI
COWAN BENJAMIN A ALISA B	630 SAINT JOSEPH
ALBRIGHT KAREN M TRUSTEE	3006 NEW YARMOUTH
STANCIL FREDERICK S DIANE B	67 OLD GROVE
PURITIS MICHAEL D CHRISTINA A	9009 SAINT STEPHENS
PURITIS MICHAEL D CHRISTINA A	9009 SAINT STEPHENS
GABBY LLC	713 SAINT JOSEPH
ROOF RALPH W LIVING TRUST	221 LOCHVIEW
ALAMA SAMI T ETAL	4041 FAIRWAY GROVES
WINNER ENTERPRISES/CAR BCH LLC	
KRAMER THOMAS JOSEPH SUSAN ETAL	9 SUSAN MARIE
SAUNDERS JAMES C CARMELA L	3824 DUXFORD
JONES RICHARD H SR PATRICIA G	712 SAINT JOSEPH
WALKER DAVID K JOANN	67 POST OAK
BIGGS JOANN	677 FLEMING
PIERCE JAMES C III NATALIE H	7201 LAUREL POINT
TOLHURST FREDERICK L SUE A	712 SAINT JOSEPH
HAMM BRENDA MOORE	712 SAINT JOSEPH
MALAN JOHN J MARIAN C	712 SAINT JOSEPH
HOMICKI JOHN JOSEPH FRANCES A	128 AMSTERDAM
QUALITY HOME REPAIR & MAINTENANCE INC	103 WINNER
ST JOSEPH BUSINESS COA	
ST JOSEPH CONDOS LLC	
BDYNASTY LLC	205 GREENVILLE
ALPHA MORTGAGE CORP	1320 AIRLIE

ST JOSEPH CONDOS LLC
INNVEST LLC
BEKER TERRI
MASTERSON ALLEN L LYNN C
PALM INVESTMENT INC
BARBOUR DENNIS WANDA

727 EASTOWNE
7 FOX

917 BASIN
511 CLARENDON

5/26/2023 Public Input Meeting-Attendance Roster for Putter Pub

Sue Tolhurst
Fred Tolhurst
David Walker
Joann walker
David Weimer
Mark Michel
Debbie Michel
Ann Presley
Tim Lassiter
Jeff Hogan
Michelle Alberta
Marian Malan
Beth Terrell
Wescott Butler
Josh Morton
Whit Butler
Rich James
Ricky Brown
Wayne Rouse

Re: Landscape Waiver

Ryan O'Rourke <putterpubcb@gmail.com>

Thu 9/7/2023 1:22 PM

To:Gloria Abbotts <gloria.abbotts@carolinabeach.org>

Be Advised: This email originated from outside of the Town of Carolina Beach, NC

Gloria, could you please waive the landscape requirements for Putter Pub in place of the mini golf holes? Thanks, Ryan O'Rourke

On Thu, Sep 7, 2023 at 12:06 PM Gloria Abbotts <gloria.abbotts@carolinabeach.org> wrote:

Hi Ryan,

Can you please send me a written landscape waiver request for the areas surrounding the putt putt that I can include in the packet for Planning and Zoning by the end of the day. It can just be an email.

Thank you!

Gloria Abbotts

Sr Planner

Town of Carolina Beach

[1121 N. Lake Park Blvd.](#)

[Carolina Beach, NC 28428](#)

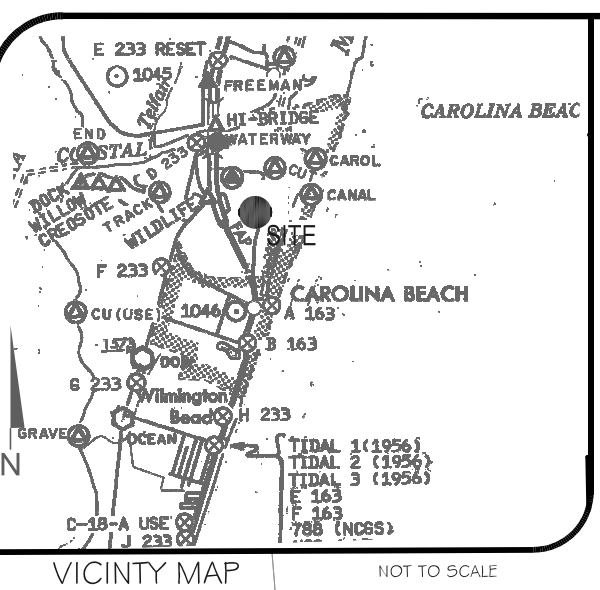
[Office: 910-458-8380](#)

www.carolinabeach.org

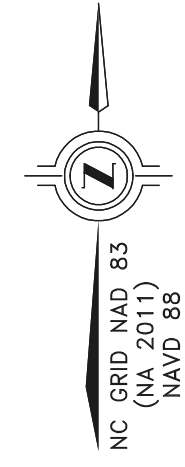


**** TOCB [Online Permitting Portal](#) - For instructions on using Portal, click [here](#)****

**** All Building Permits must be applied for through [NHC COAST](#) ****



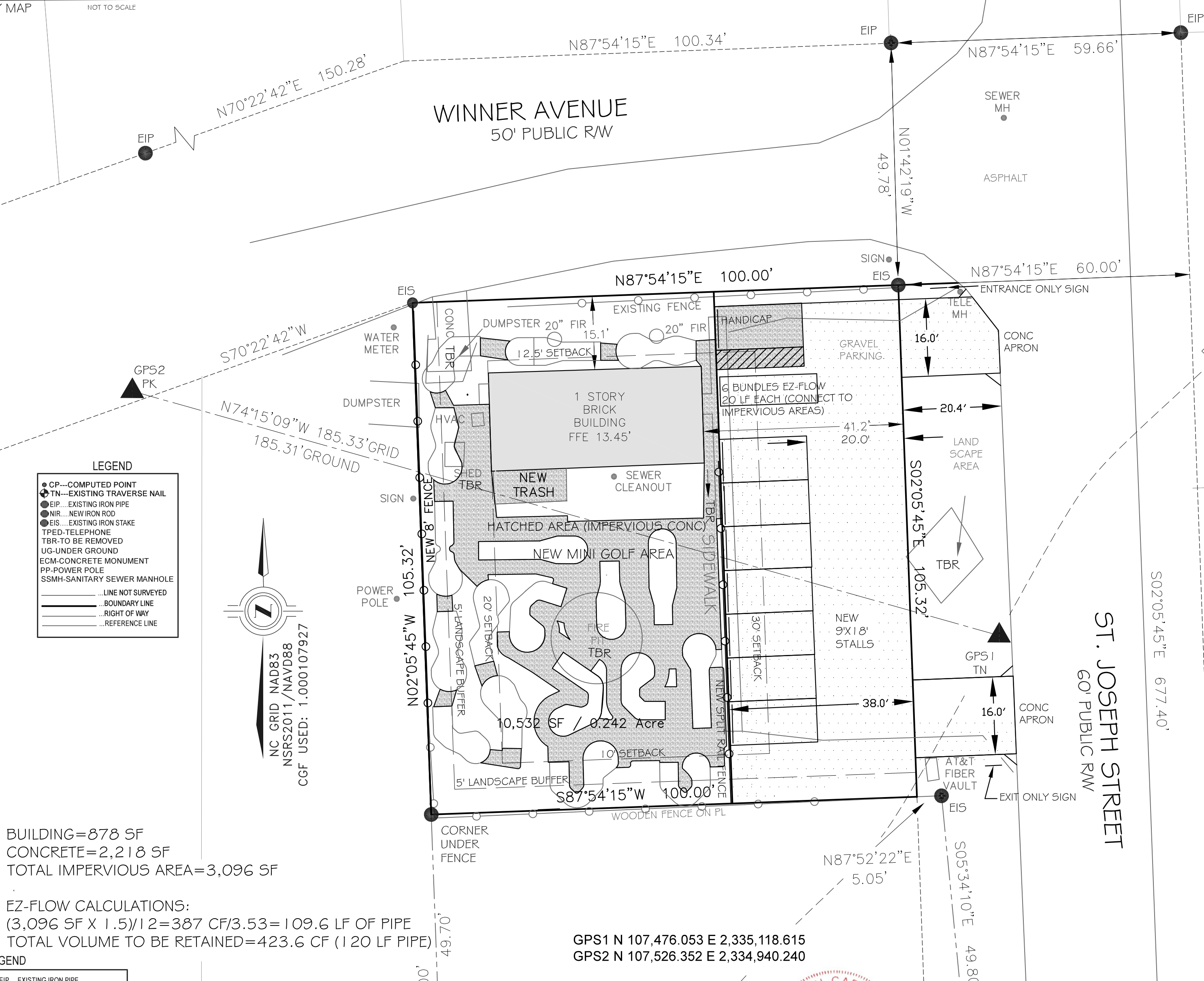
1. The depicted survey is from an actual survey performed JULY 2023.
2. The purpose of this survey is to show visible structures, known easements on the subject parcel and does not conform to the requirements of G.S. 47-30 for recordation.
3. Structure built 1983 per GIS.
4. Setbacks are per HB Zoning - Town of Carolina Beach.
5. Parcel lies within a FEMA Zone '0.2%' & 'AE11' per FEMA Map No. 3720313000K Effective Date: August 28, 2018.
6. All distances are horizontal ground measurements unless otherwise noted.
7. All areas computed by coordinate computation method.
8. Survey basis of bearing per NC VRS Network.
9. Parcel ID No R08818-007-000.
10. This survey was executed without the benefit of a full title report and is subject to any easements, Right-of-Ways or encumbrances a full title report may reveal.
11. Putt Putt Course will encroach into the 5' buffer but will be below 30 inches tall.



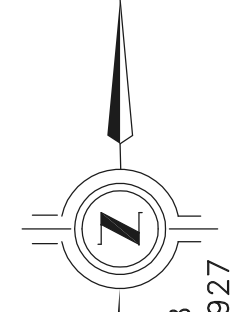
BENJAMIN F FARROW III, PLS
 1009 N. LAKE PARK BLVD, SUITE B1
 CAROLINA BEACH, NC 28428
 910-524-9595
 LICENSE: L-5104

PERMIT PLAN FOR:
LOTS 57, 58, 59, 60
 ML WINNERS PROPERTY SUBDIVISION
 801 ST JOSEPH ST,
 CAROLINA BEACH,
 NEW HANOVER COUNTY, NORTH CAROLINA

DATE 9/1/2023	SCALE 1" = 20'
DRAWN BY B.F.F.	CHECKED BY B.F.F.
REVISIONS	
-DESCRIPTION- PERMIT PLAN SHEET 1 OF 1	



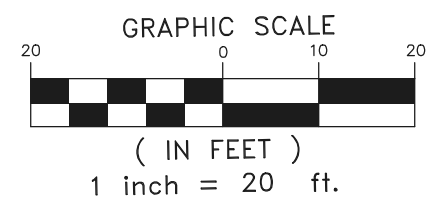
- LEGEND**
- CP—COMPUTED POINT
 - ⊕ TN—EXISTING TRAVELER NAIL
 - ⊙ EIP—EXISTING IRON PIPE
 - NIR—NEW IRON ROD
 - ⊙ EIS—EXISTING IRON STAKE
 - ⊕ TPED—TELEPHONE
 - TBR—TO BE REMOVED
 - UG—UNDER GROUND
 - ECM—CONCRETE MONUMENT
 - PP—POWER POLE
 - SSMH—SANITARY SEWER MANHOLE
 - LINE NOT SURVEYED
 - BOUNDARY LINE
 - RIGHT OF WAY
 - REFERENCE LINE



BUILDING=878 SF
 CONCRETE=2,218 SF
 TOTAL IMPERVIOUS AREA=3,096 SF

EZ-FLOW CALCULATIONS:
 (3,096 SF X 1.5)/12=387 CF/3.53=109.6 LF OF PIPE
 TOTAL VOLUME TO BE RETAINED=423.6 CF (120 LF PIPE)

- LEGEND**
- EIP—EXISTING IRON PIPE
 - EIR—EXISTING IRON REBAR
 - NIR—NEW IRON REBAR
 - DB—DEED BOOK
 - PG—PAGE
 - NF—NOW OR FORMERLY
 - LINE NOT SURVEYED
 - BOUNDARY LINE
 - RIGHT OF WAY
 - SETBACK LINE



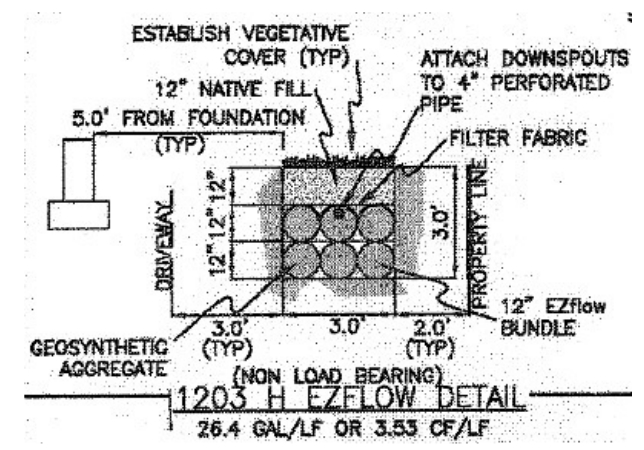
GPS1 N 107,476.053 E 2,335,118.615
 GPS2 N 107,526.352 E 2,334,940.240

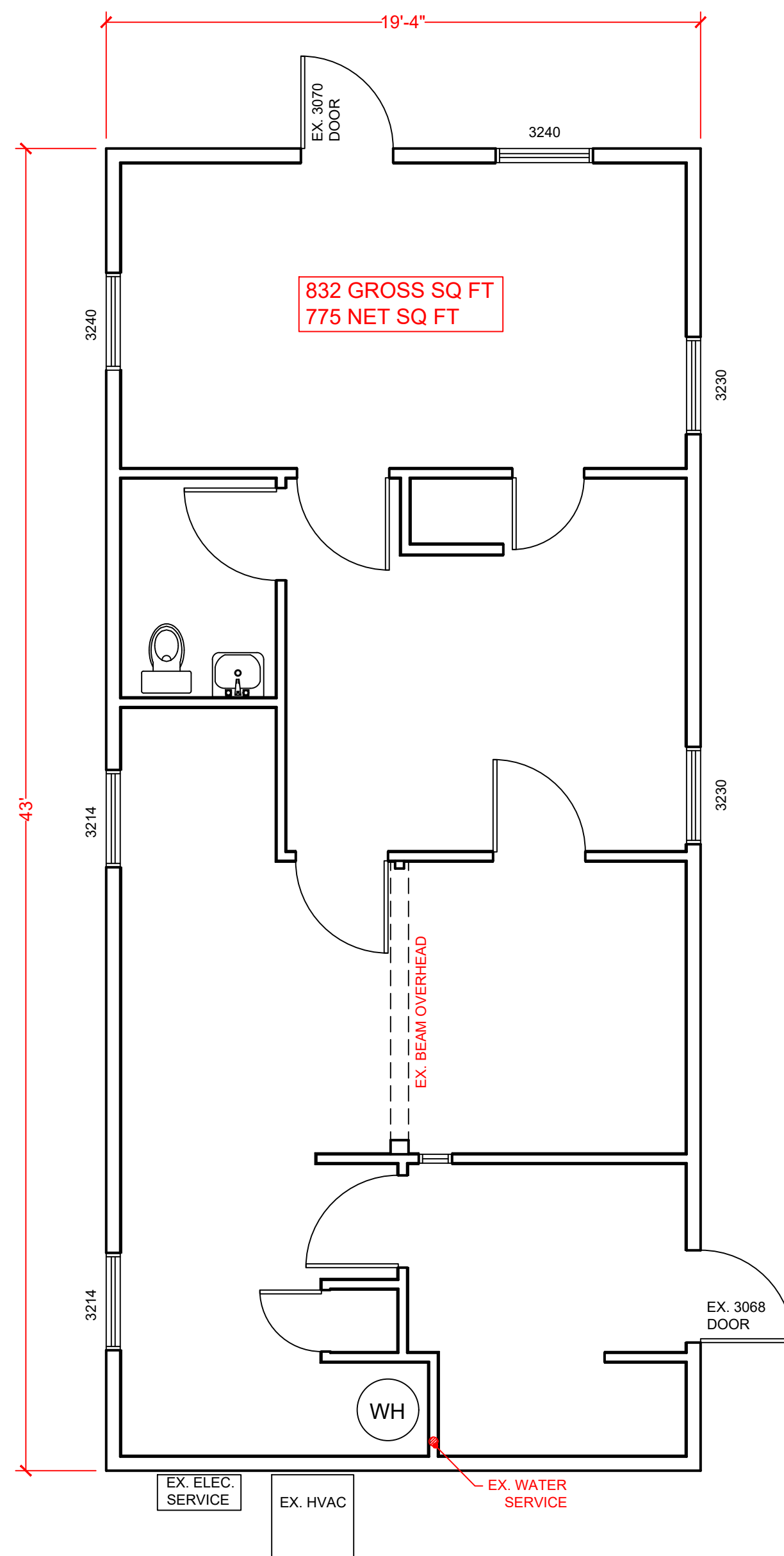


NEW HANOVER COUNTY
 NORTH CAROLINA

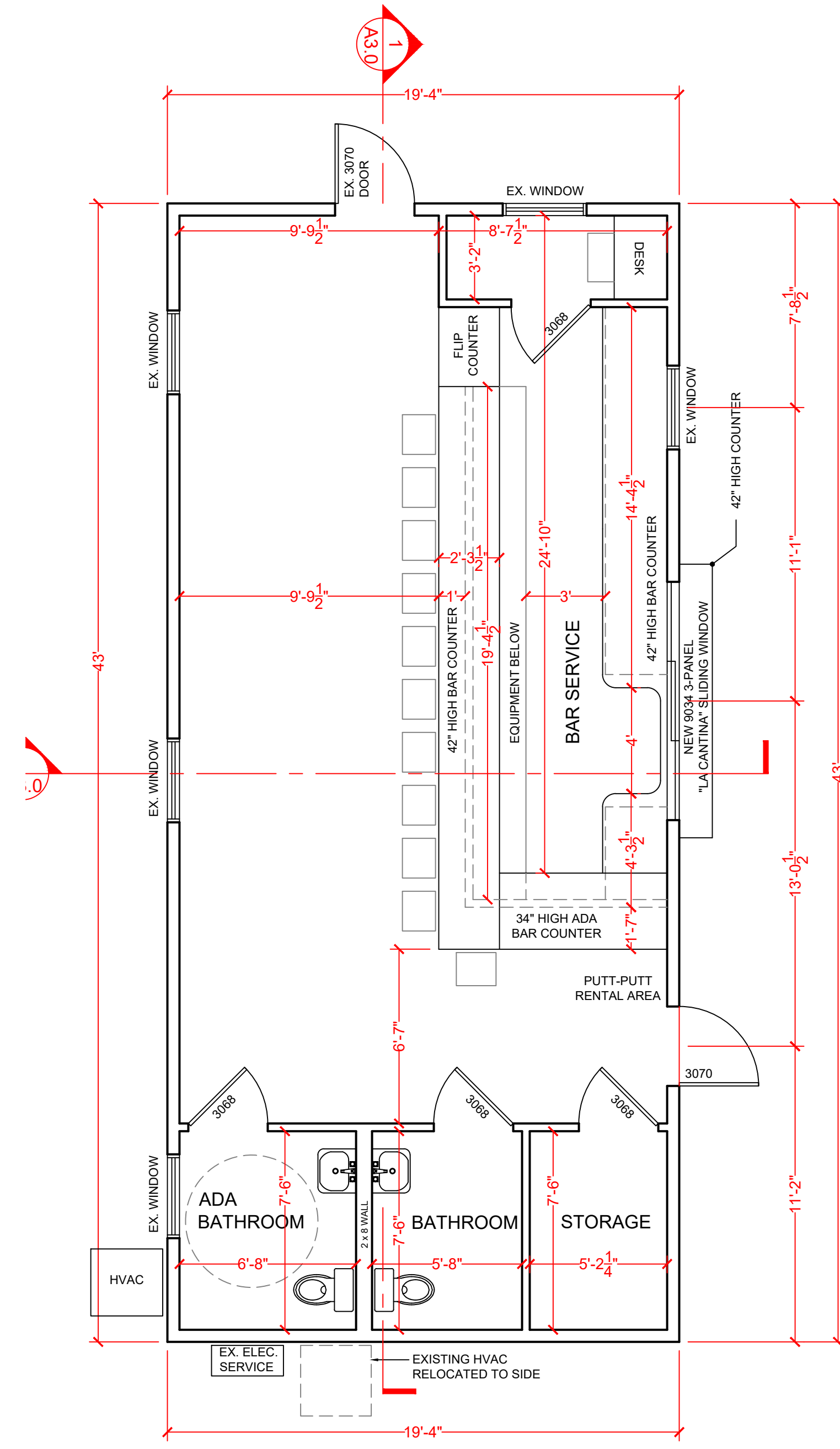
I, BENJAMIN FARROW, CERTIFY THAT THIS PERMIT PLAN WAS FIELD LOCATED AND DRAWN UNDER MY DIRECT SUPERVISION; THE SUBJECT PARCEL IS REFERENCED IN THE NEW HANOVER COUNTY REGISTER OF DEEDS IN DEED BOOK 3428 PAGE 842 & MAP BOOK 3 PAGE 36; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES FROM REFERENCED RECORD INFORMATION AS SHOWN HEREON; THAT THIS SURVEY DOES NOT MEET NCGS 47-30 STANDARDS AND IS NOT FOR RECORDATION, CONVEYANCE OR SALES.

N.C. PROFESSIONAL SURVEYOR L-5104

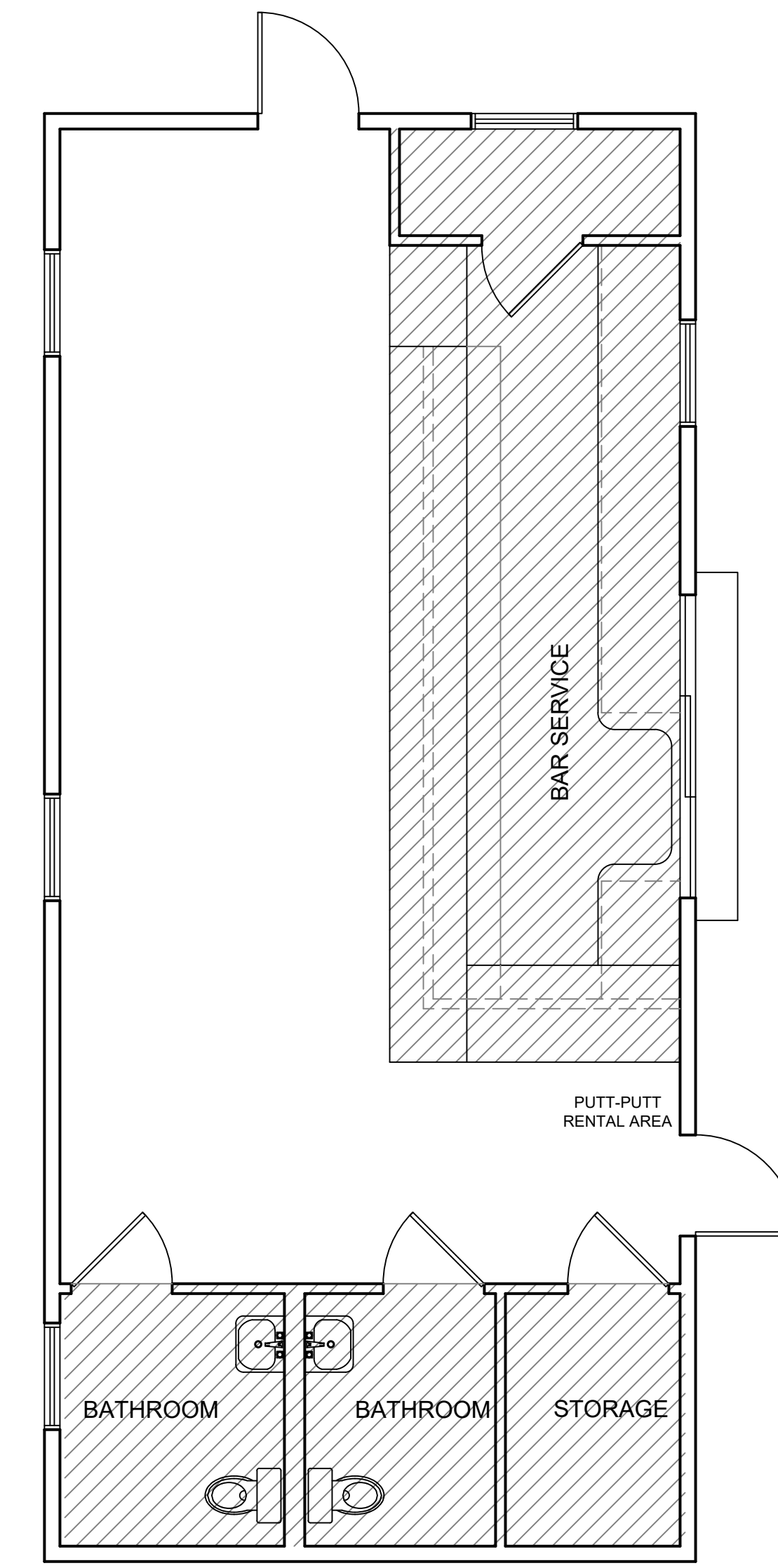




1 EXISTING FLOOR PLAN
A1 SCALE: 1/4" = 1'-0"



2 PROPOSED FLOOR PLAN
A1 SCALE: 1/4" = 1'-0"



3 OCCUPANCY LOAD DIAGRAM
A1 SCALE: 1/4" = 1'-0"

Bar Service:	239 Sq Ft
Bathrooms / Storage:	143 Sq Ft
TOTAL AREA NOT INCLUDED:	382 Sq Ft
TOTAL NET SQ FOOTAGE:	775 Sq Ft
TOTAL AREA NOT INCLUDED:	382 Sq Ft
TOTAL NET AREA FOR OCCUPANCY LOAD:	393 Sq Ft
OCCUPANCY CLASSIFICATION:	Assembly Group A-2
Standing and Chair Seating:	7 Sq Ft per person
TOTAL OCCUPANCY LOAD:	393 Sq Ft / 7 Sq Ft per person
TOTAL OCCUPANCY LOAD:	56 PEOPLE

AARON TRUDO ARCHITECTURE
 505 Wright Street Wilmington, NC 28401 | 919-706-6980

THESE PLANS IN WHOLE OR IN PART AND/OR COPIES IN ANY FORM OF MEDIA ARE COPYRIGHTED. ALL RIGHTS RESERVED BY AARON TRUDO ARCHITECT. THIS DRAWING MAY NOT BE USED OR REPRODUCED IN ANY MANNER WITHOUT THEIR WRITTEN PERMISSION.

THIS DRAWING AS PREPARED BY AARON TRUDO ARCHITECT SHALL BE USED FOR THIS SPECIFIC PROJECT ONLY. THIS DRAWING IS PROPERTY OF AARON TRUDO ARCHITECT AND SHALL BE RETURNED PER THEIR REQUEST.

PUTTER PUB
 801 ST JOSEPH STREET
 CAROLINA BEACH, NC 28428

DRAWN BY ART
ISSUE DATE 00 / 00 / 00
REVISION DATE(S)

A.1
 24 X 36

**AARON TRUDO
ARCHITECTURE**

505 Wright Street Wilmington, NC 28401 | 919-706-6980

THESE PLANS IN WHOLE OR IN PART AND/OR COPIES IN ANY FORM OF MEDIA ARE COPYRIGHTED. ALL RIGHTS RESERVED BY AARON TRUDO ARCHITECT. THIS DRAWING MAY NOT BE USED OR REPRODUCED IN ANY MANNER WITHOUT THEIR WRITTEN PERMISSION.
THIS DRAWING AS PREPARED BY AARON TRUDO ARCHITECT SHALL BE USED FOR THIS SPECIFIC PROJECT ONLY. THIS DRAWING IS PROPERTY OF AARON TRUDO ARCHITECT AND SHALL BE RETURNED PER THEIR REQUEST.

PUTTER PUB
801 ST JOSEPH STREET
CAROLINA BEACH, NC 28428

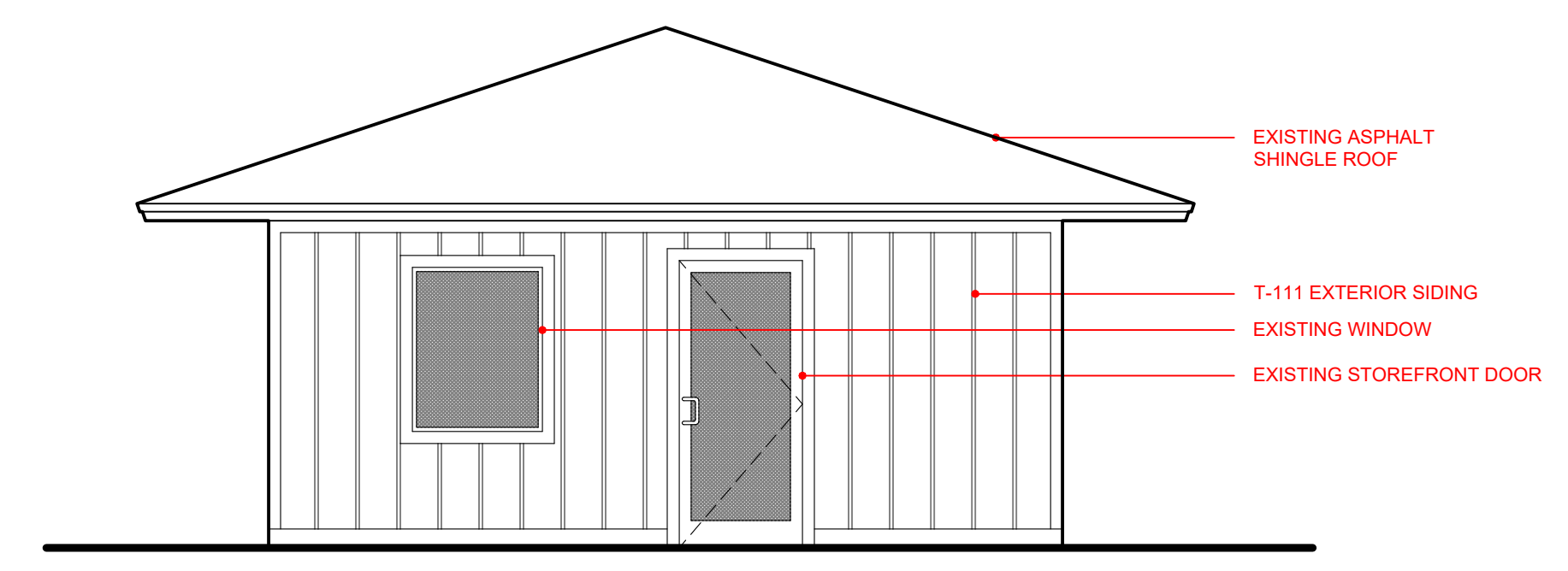
DRAWN BY
ART

ISSUE DATE
00 / 00 / 00

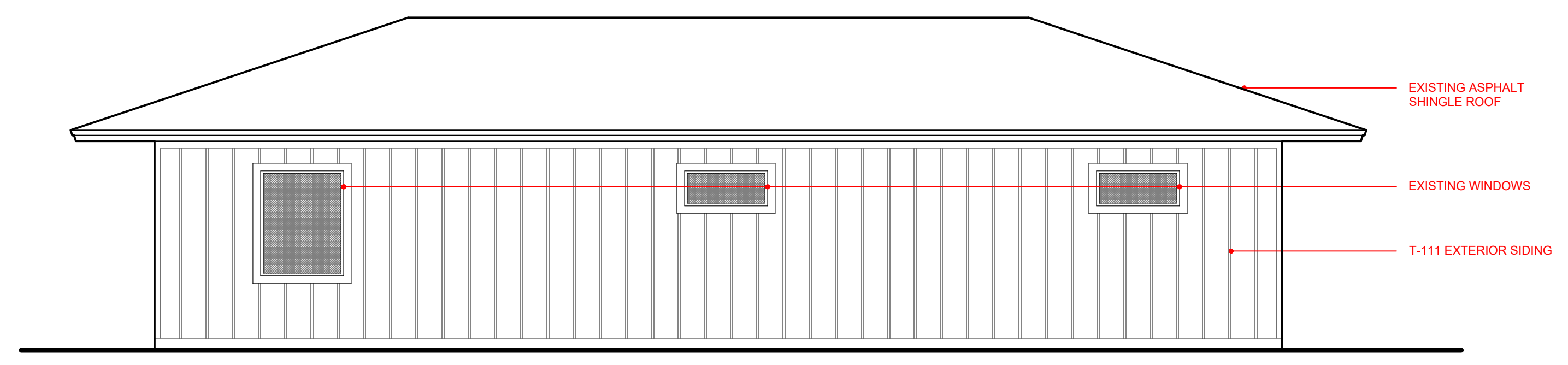
REVISION DATE(S)

A.2

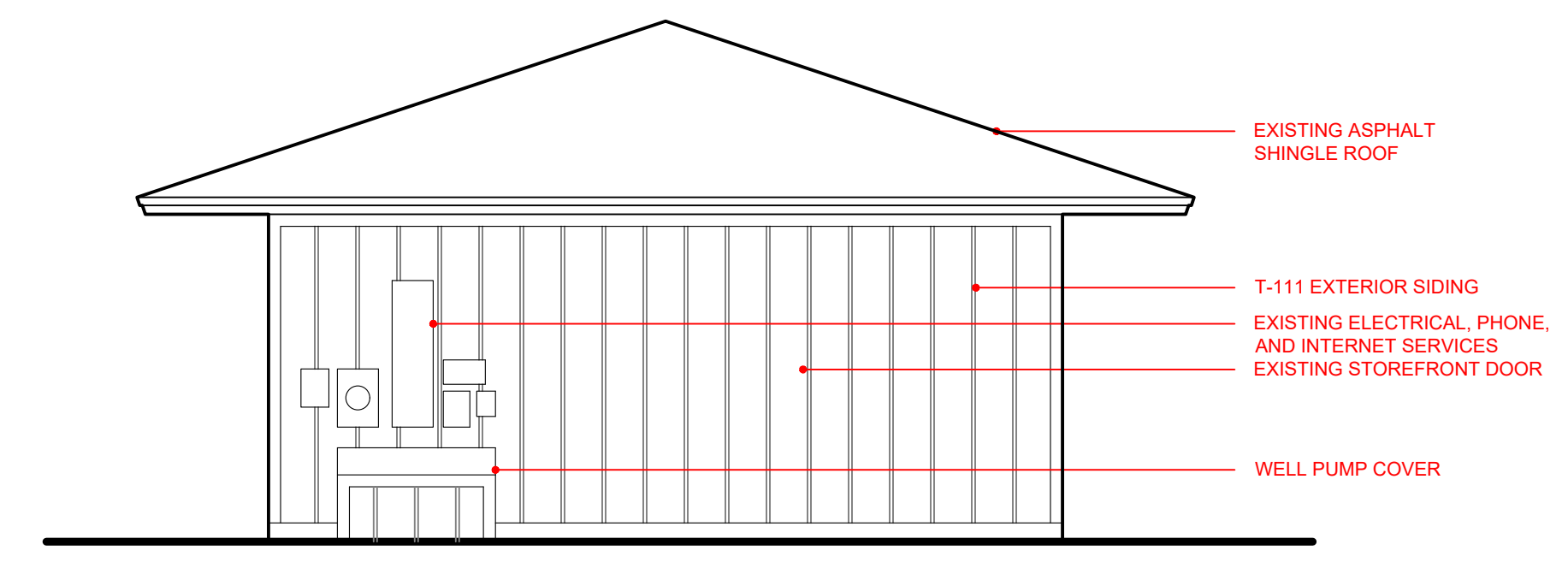
24 X 36



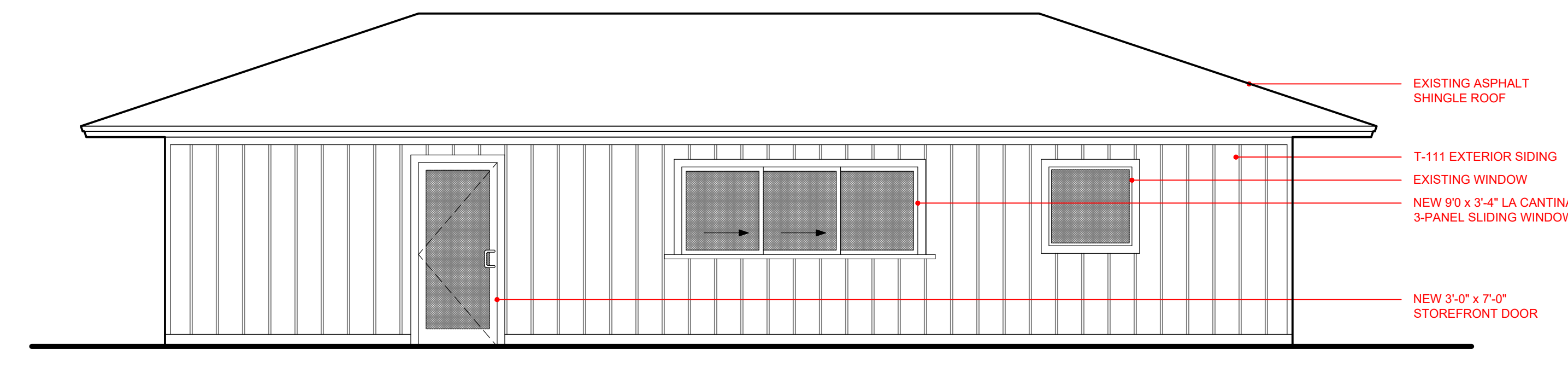
1 FRONT ELEVATION
A2 SCALE: 1/4" = 1'-0"



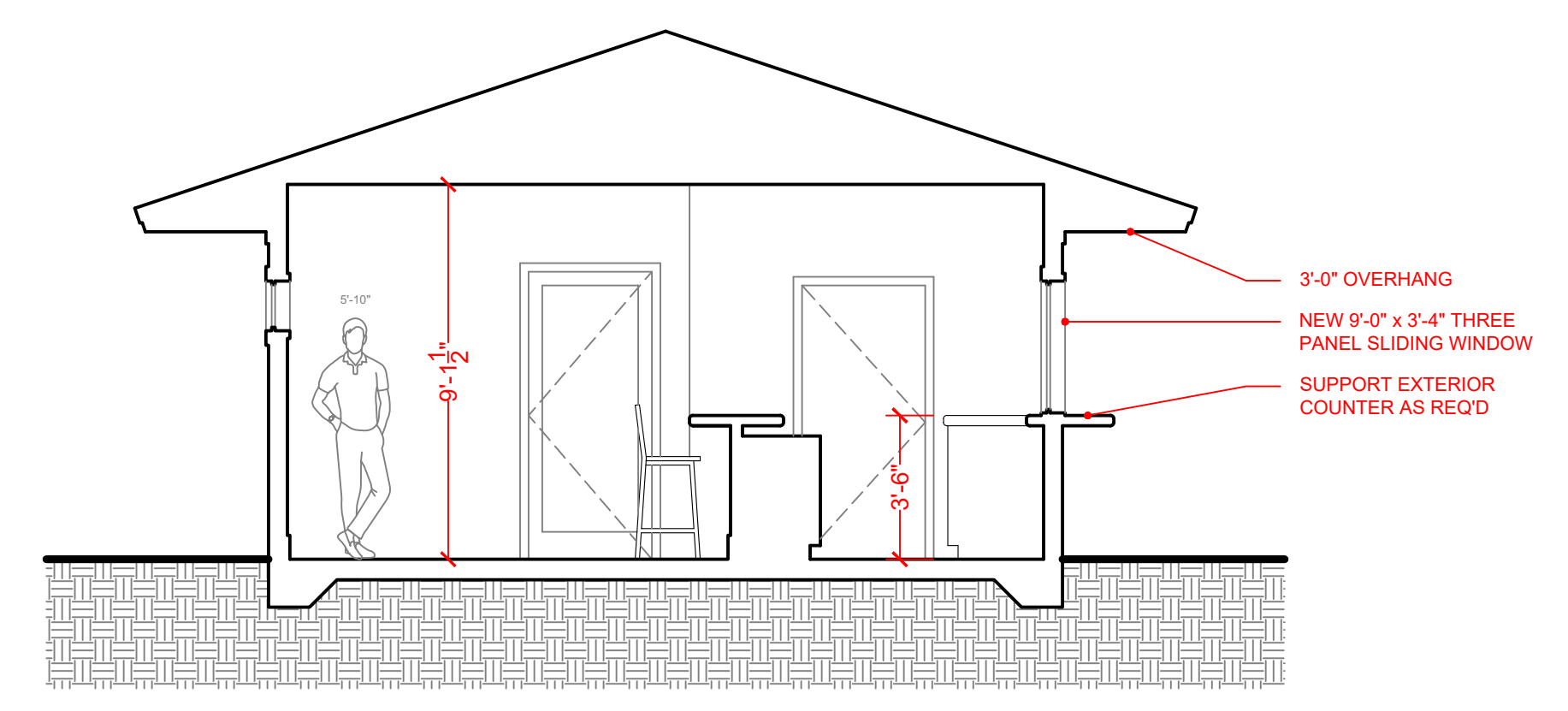
2 RIGHT ELEVATION
A2 SCALE: 1/4" = 1'-0"



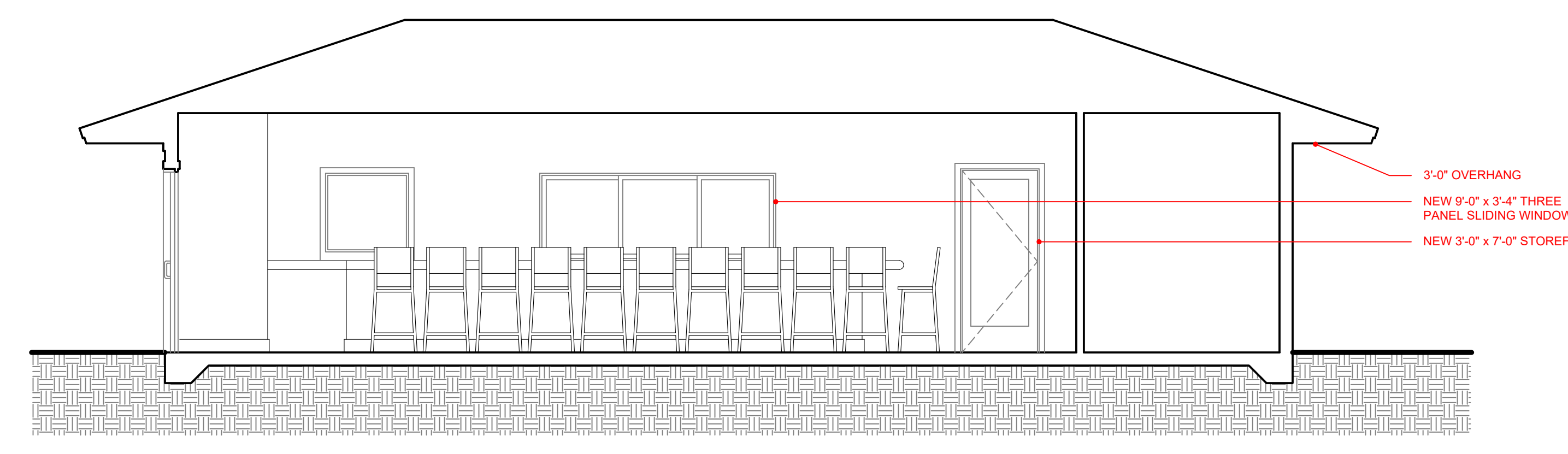
3 REAR ELEVATION
A2 SCALE: 1/4" = 1'-0"



4 LEFT ELEVATION
A2 SCALE: 1/4" = 1'-0"



5 CROSS SECTION
A2 SCALE: 1/4" = 1'-0"



6 LONGITUDINAL SECTION
A2 SCALE: 1/4" = 1'-0"

THESE PLANS IN WHOLE OR IN PART AND/OR COPIES IN ANY FORM OF MEDIA ARE COPYRIGHTED. ALL RIGHTS RESERVED BY AARON TRUDO ARCHITECT. THIS DRAWING MAY NOT BE USED OR REPRODUCED IN ANY MANNER WITHOUT THEIR WRITTEN PERMISSION.
THIS DRAWING AS PREPARED BY AARON TRUDO ARCHITECT SHALL BE USED FOR THIS SPECIFIC PROJECT ONLY. THIS DRAWING IS PROPERTY OF AARON TRUDO ARCHITECT AND SHALL BE RETURNED PER THEIR REQUEST.

PUTTER PUB
801 ST JOSEPH STREET
CAROLINA BEACH, NC 28428

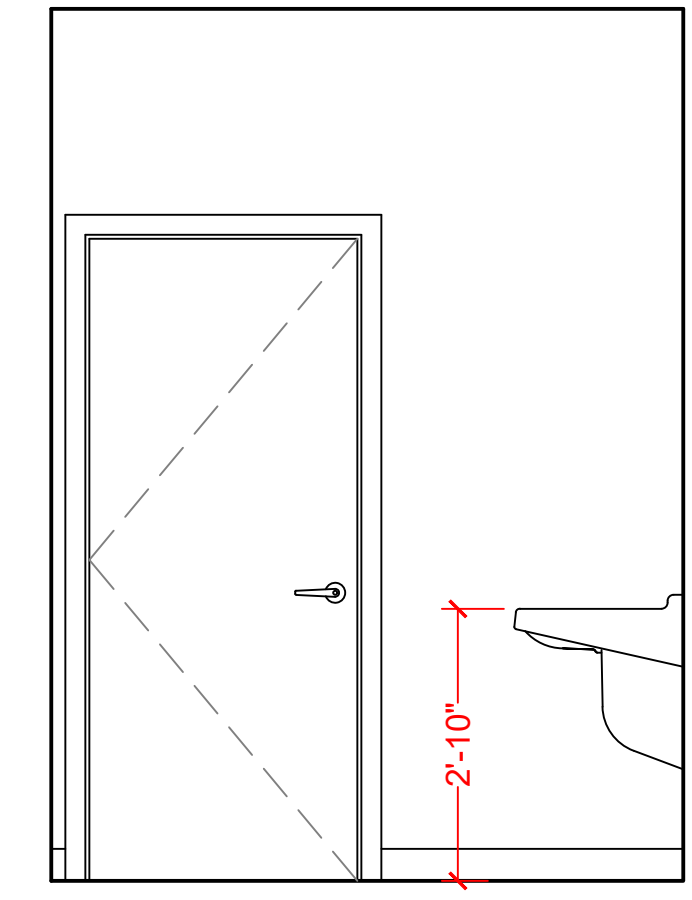
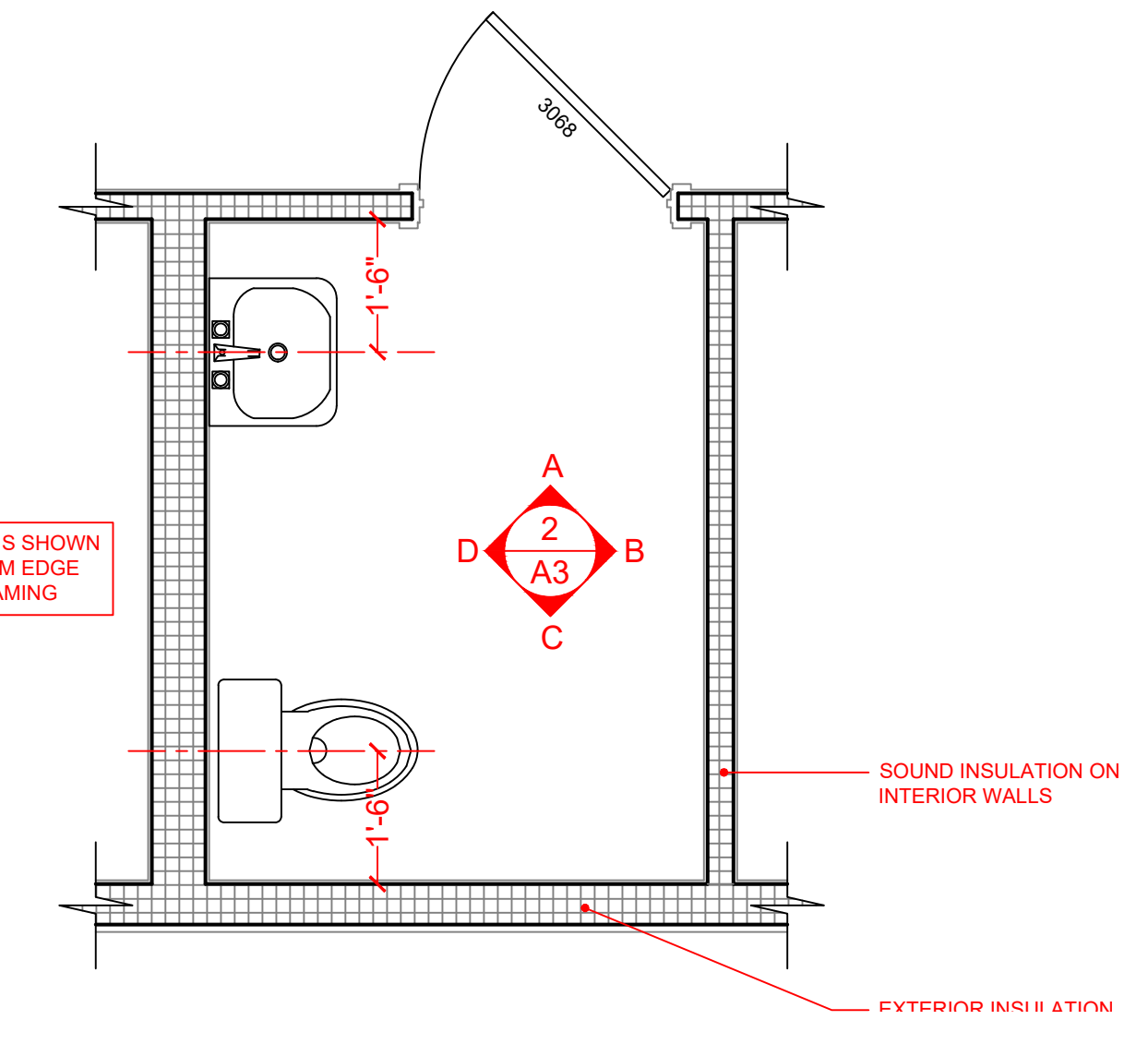
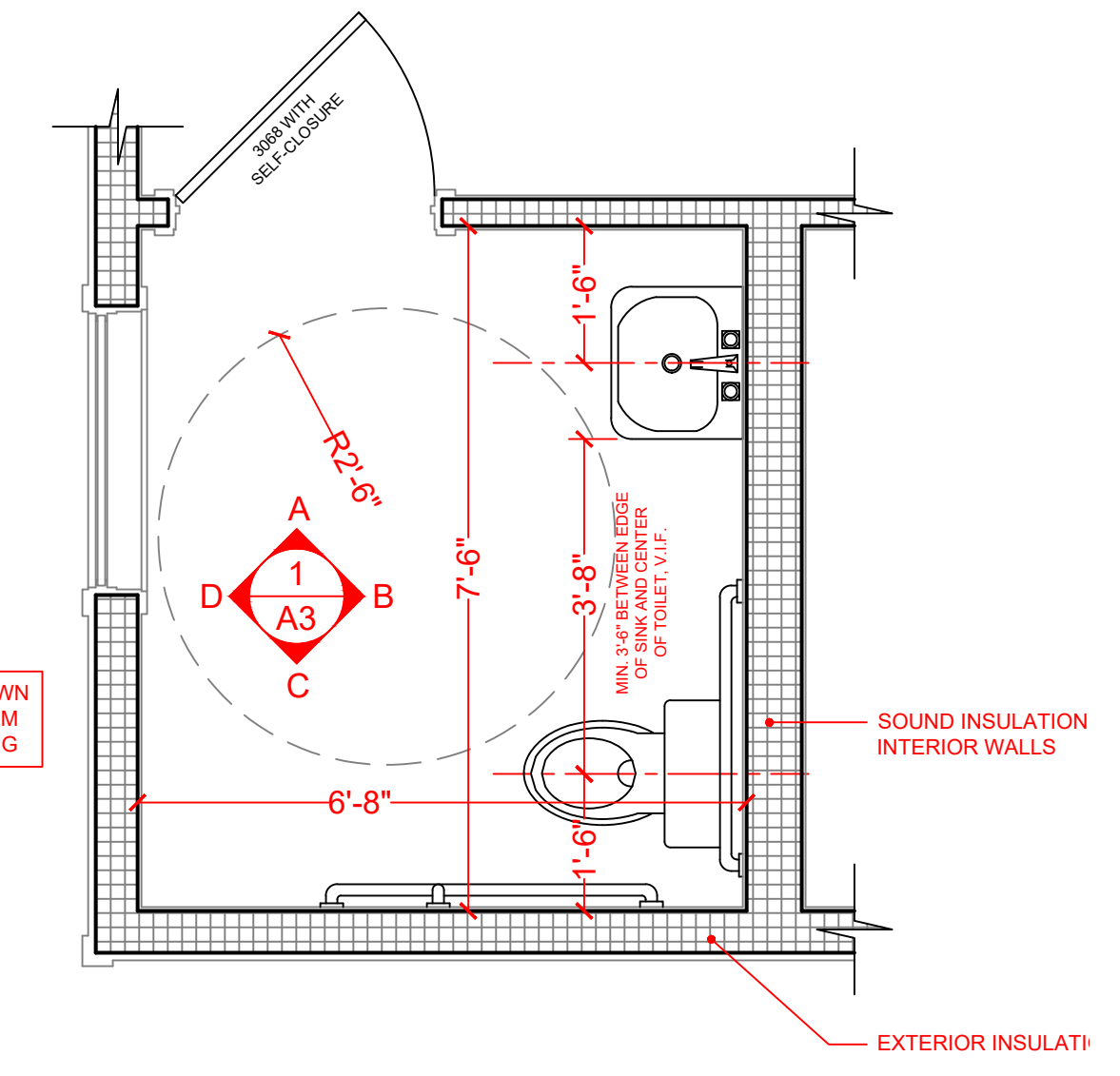
DRAWN BY
ART

ISSUE DATE
00 / 00 / 00

REVISION DATE(S)

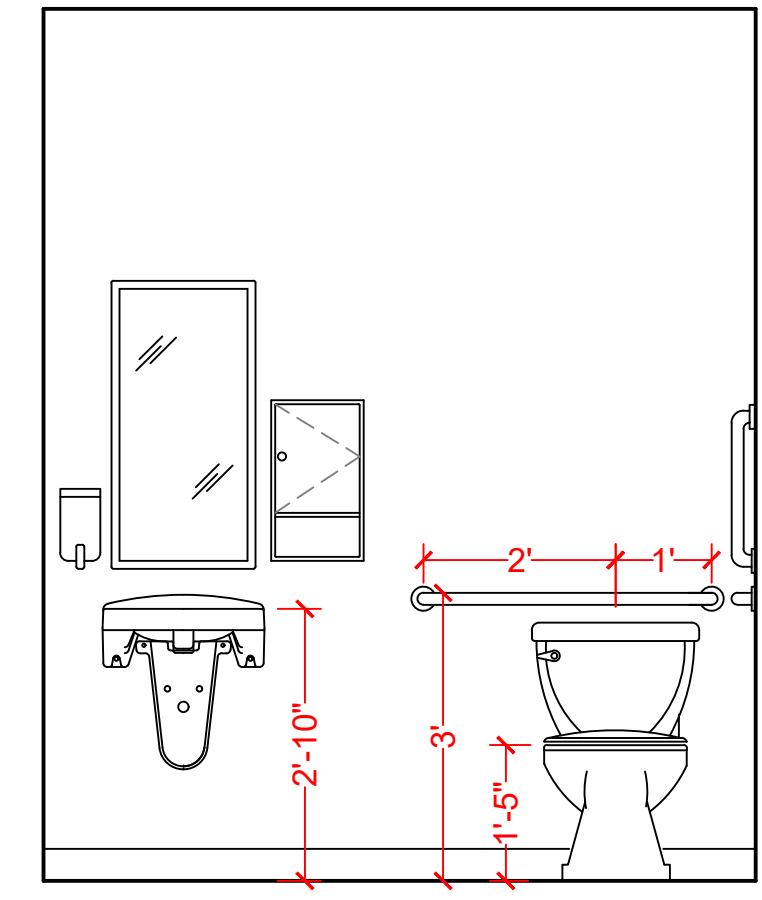
A.3

24 X 36

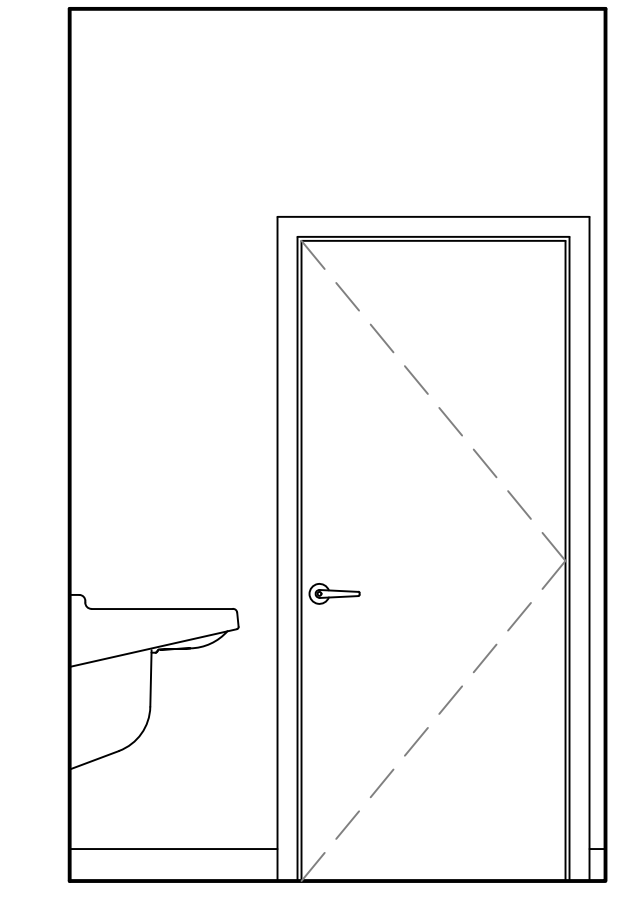


ELEVATION "A"

DIMENSIONS SHOWN IN ELEVATION ARE FROM EDGE OF FINISHED SURFACE

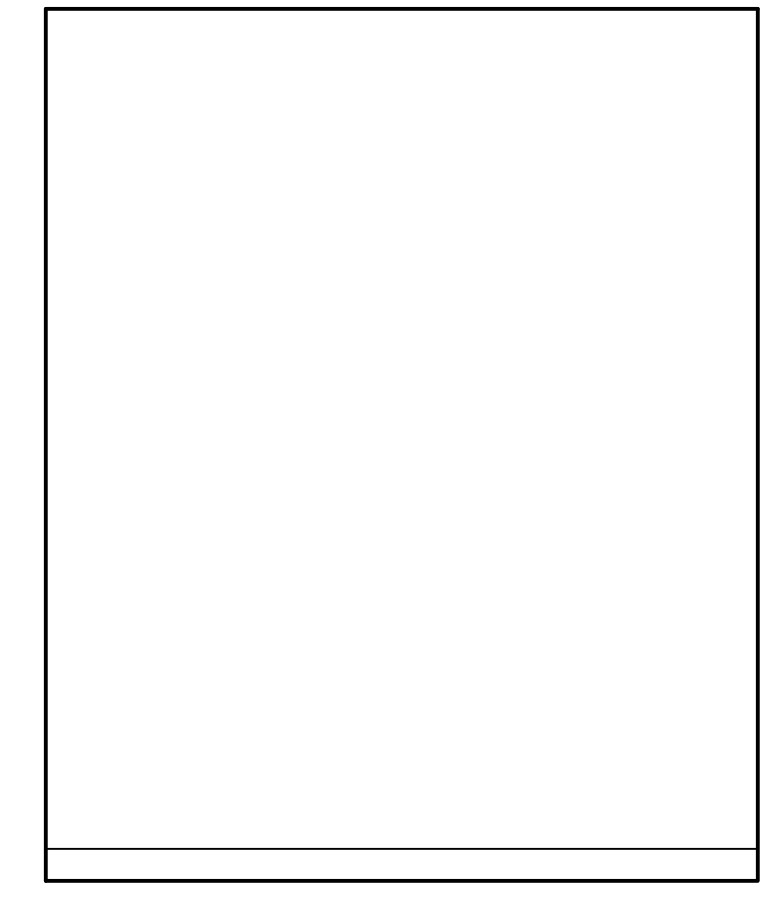


ELEVATION "B"

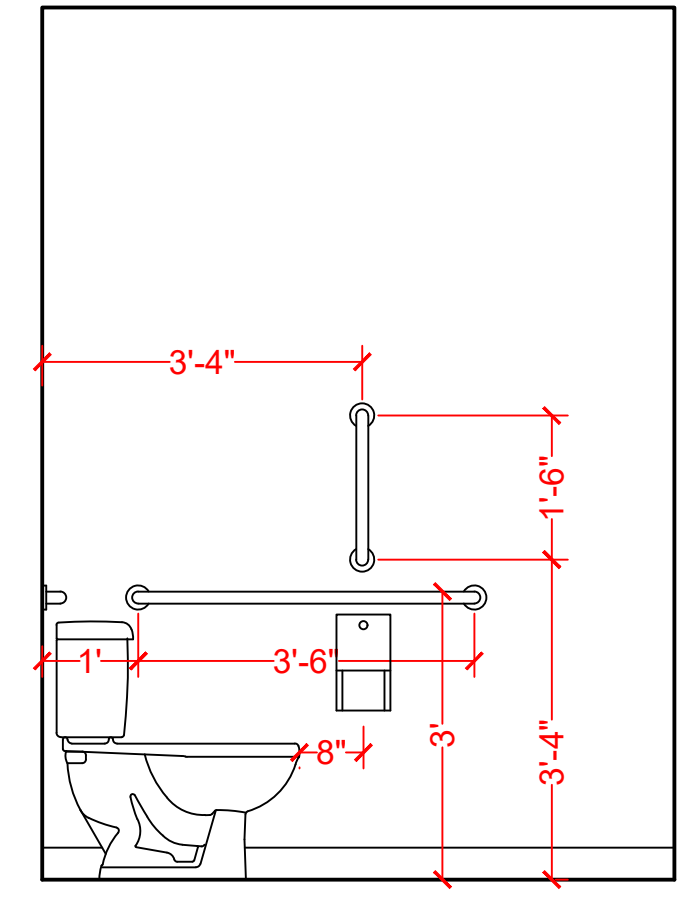


ELEVATION "A"

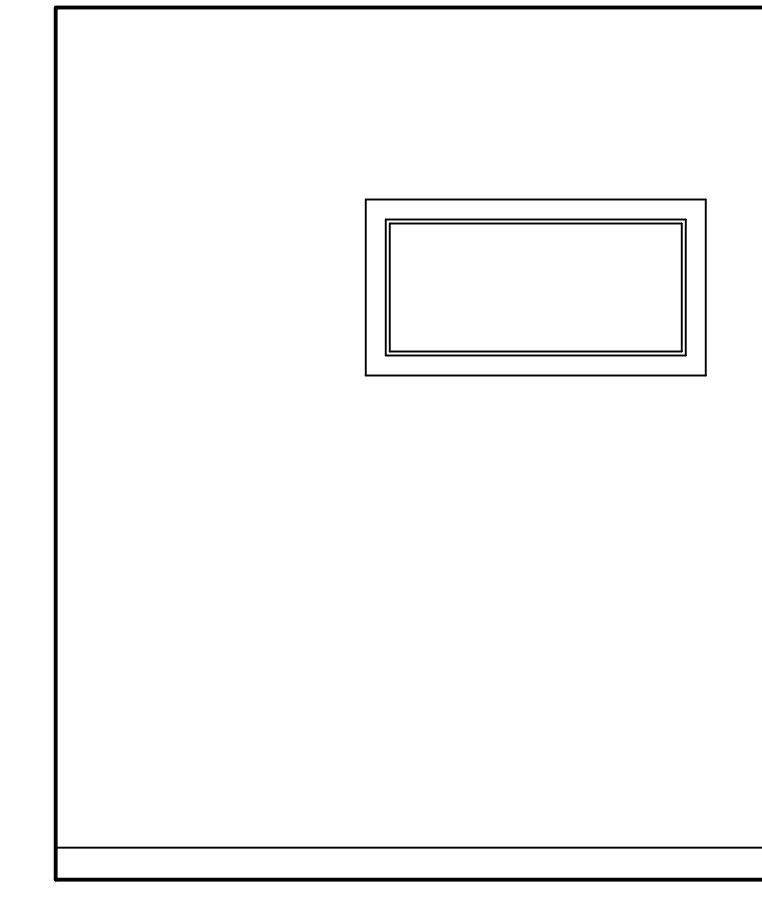
DIMENSIONS SHOWN IN ELEVATION ARE FROM EDGE OF FINISHED SURFACE



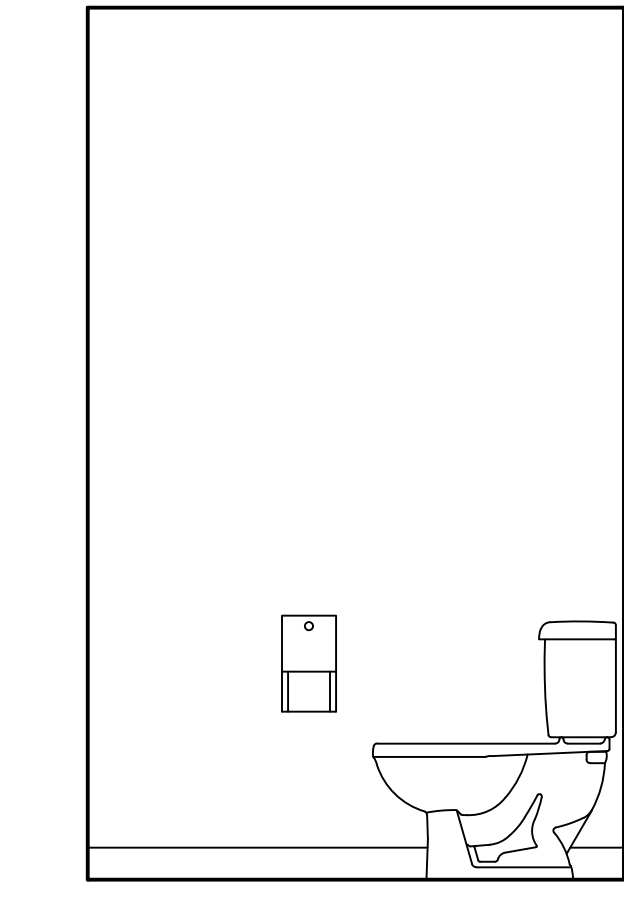
ELEVATION "B"



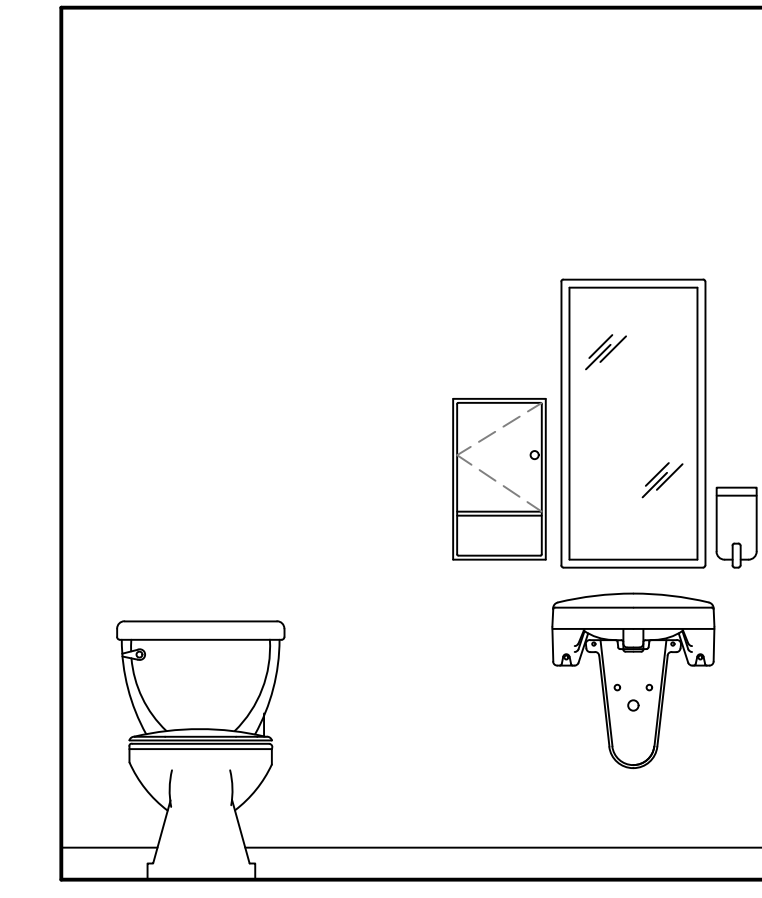
ELEVATION "C"



ELEVATION "D"



ELEVATION "C"



ELEVATION "D"