

# CAROLINA BEACH

Planning and Zoning Meeting

Thursday, November 14, 2024 – 6:00 PM

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



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## AGENDA

### CALL TO ORDER

### CONFLICT OF INTEREST

*Members of Planning & Zoning shall not vote on recommendations, permits, approvals, or other issues where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member or a member has a close familial, business, or other associational relationship. No member shall be excused from voting except upon those matters as noted, above, or upon those others involving the consideration of his own financial interest or official conduct. (160D-109)*

### APPROVAL OF MINUTES

1. October 10th, 2024 – P&Z Minutes

### STAFF REPORT ON RECENT COUNCIL MEETINGS

### STAFF REPORT ON RECENT DEVELOPMENTS

### PUBLIC COMMENT

### PUBLIC HEARING

2. **Conditional Zoning** to consider a K-5 school at 105 Dow Rd. at Seaside Chapel.

Applicant: Seaside Chapel

### NON-AGENDA ITEMS

### ADJOURNMENT



## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Gloria Abbotts, Senior Planner

**DEPARTMENT:** Community  
Development

**MEETING:** Planning & Zoning Commission – November 14<sup>th</sup>

**SUBJECT:** October 10<sup>th</sup>, 2024 – P&Z Minutes

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**Action:**

Approve the October 10<sup>th</sup>, 2024 Minutes

# CAROLINA BEACH

Planning and Zoning Commission

Thursday, October 10, 2024 - 6:00 PM

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



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## 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 Bill Carew

Commissioner Lynn Conto

### ABSENT

Commissioner Todd Piper

### ALSO PRESENT

Community Development Director Jeremy Hardison

Senior Planner Gloria Abbotts

Planner Haley Moccia

### APPROVAL OF MINUTES

1. September 12, 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:

#### Project updates

- Boardwalk bathroom: This project went to bid and has been awarded; construction is expected to start in January.

- Ocean Boulevard sidewalk/resurfacing: Sidewalk construction will start in November; next week the N.C. Department of Transportation (DOT) is going to resurface the road, which should be done quickly.
- Lake pump house: The housing structure will be elevated, and construction will start in November; 3 pumps will be housed in this facility.
- Stormwater open house: This will be held October 23 from 4:00 to 6:00 PM.

#### Storm damage assessments

- 195 residential
- 36 commercial

#### Homes being raised

- 3 homes are underway now through the Federal Emergency Management Agency (FEMA) elevation grant. Also, preparation is happening now for FEMA's FY 2024 Flood Mitigation Assistance Program cycle. Quite a few applications are in, and letters were sent out previously to flood-prone buildings.

#### New businesses

- Island Burgers – 254 North Lake Park Boulevard (relocation)
- Carolina Beach Motel – 209, 211, and 213 Raleigh Avenue

#### BeBot beach sweeper

- This will be running after November 15.

### **PUBLIC COMMENT**

None

### **PUBLIC HEARINGS**

2. Text Amendment to Amend Article 7, Section 7.3 Definitions  
Applicant: North Pier Holdings LLC

Applicant North Pier Holdings LLC is applying for a text amendment to add a definition for Building Footprint in Article 7, Section 7.3 Definitions of the Unified Development Ordinance (UDO). The applicant is pursuing this text amendment to add clarity for the residents of the Town on what is considered part of a building footprint.

The applicant's proposed definition is: Building footprint means where the enclosed area of a building comes out of the ground. It is the literal footprint of the exterior walls of the enclosed area of the building as they touch the earth. This does not include porches, terraces, overhangs, awnings, driveways, or parking lots.

Historically, Town staff has interpreted building footprint to be the building's exterior walls, elevated decks, covered decks, staircases, chimneys, cantilevers, roof overhangs, attached garages, attached storage areas, and elevators.

The text amendment proposed by the applicant would put more limitations on the renovations of non-conforming structures. The spirit and intent of this section is to allow a homeowner or business owner the ability to make their structure “whole” to be able to rebuild or repair what they currently have.

The Land Use Plan does not mention building footprint explicitly, but it does state the following: “It is the explicit desire of the community that the Future Land Use Map (FLUM) not prevent the possibility of constructing a single-family home or rebuilding a structure, and the FLUM should not be construed to do such.”

Town staff does not recommend approval of the text amendment because of the ramifications to the non-conforming sections, which would prevent a structure’s ability to be rebuilt or renovated to the existing dimensions of the building. Additionally, the text amendment would be inconsistent when compared to how other communities have defined building footprint.

Chairman Rouse said he has a conflict and needs to recuse himself from this item. He said he has some business interests with the applicant, including several condo units that are under contract.

Attorney Corrie Lee, representing the applicant, said the application is for generally applicable text for the Town, and any decision would be advisory and not binding on Council, so she asked Chairman Rouse that he not recuse himself.

Chairman Rouse said he would rely on the opinion of other Commissioners.

Commissioner Carew asked if the outcome of this item influences whether Chairman Rouse is paid. Chairman Rouse said he thinks he will get paid regardless in November whenever the properties are allowed to close. Commissioner Carew asked if the decision influences whether they close. Chairman Rouse said he doesn’t think so, but he wants to be transparent.

Vice Chairman Hogan said he doesn’t want Chairman Rouse to recuse himself, but sometimes even just a Commissioner knowing an applicant can lead the public to perceive a conflict.

Commissioner Boswell said she thinks a business interest and financial gain are two different things, and the vote will not determine how much Chairman Rouse gets paid if the units are already under contract. She said if he and his immediate family are not part of the applicant’s entity, then she doesn’t have a problem with Chairman Rouse voting. She asked Mr. Hardison for his opinion.

Mr. Hardison said this is an application for a general text amendment that would affect all properties in the Town, and he asked Chairman Rouse if he would have a financial benefit or impact from the decision. Chairman Rouse said he doesn’t think so, but the fact remains that he does have some property under contract with the applicant and he wants to be upfront. Mr. Hardison said the Commission should decide.

Commissioner Crouch said he would defer to Chairman Rouse’s personal good judgment. He said it’s important to him to maintain goodwill and credibility with the public.

Commissioner Conto said in a small town it's hard not to be involved in business with applicants. She said Chairman Rouse has demonstrated integrity and neutrality, so she doesn't think he should recuse himself but it's up to him.

**ACTION:** Motion that Chairman Rouse be recused from this hearing  
 Motion made by Chairman Rouse, seconded by Commissioner Crouch  
 Voting Yea: Chairman Rouse, Vice Chairman Hogan, Commissioner Boswell, Commissioner Crouch, Commissioner Carew, Commissioner Conto  
*Motion passed 6-0*

Ms. Moccia presented the details. She reviewed the background and proposed definition and said the UDO currently has no definition for building footprint.

Commissioner Carew said there are municipalities with similar definitions to the Town's implied definition. He said the Town has had a history of interpreting the footprint as all items that would cover the ground as you look down.

Mr. Hardison said the in the absence of a specific definition, it has been staff's interpretation that the footprint would include decks, terraces, and verandas so a property owner can rebuild what they have.

**ACTION:** Motion to open the public hearing  
 Motion made by Vice Chairman Hogan, seconded by Commissioner Boswell  
 Voting Yea: Vice Chairman Hogan, Commissioner Boswell, Commissioner Crouch, Commissioner Carew, Commissioner Conto  
*Motion passed 5-0*

Ms. Lee of 330 Military Cutoff Road Suite A-2 in Wilmington said the text amendment proposes amending the previous code as well as the new UDO. She said this is important because with the adoption of North Carolina General Statutes Chapter 160D, any property owner who vested under the old code is subject to the old code. Ms. Lee said they looked to professionals to help define building footprint, and they have a letter from a professional architect who has defined it almost identically to what the applicant is submitting. She said they agree that a property owner should be able to rebuild and be made whole, but the intent of this modification would allow a structure to add a porch or awning if it didn't have one previously. Ms. Lee said habitable space is what they are concerned with for the purposes of defining a non-conforming use, and this definition is to explicitly say if you add a porch or awning to a house, you are not expanding the non-conformity. She said there are safeguards in place, such as compliance with setbacks and not increasing lot coverage, and they believe the proposal is consistent, reasonable, and in the public interest. Ms. Lee said stormwater management would not be a concern because the surface underneath any items not included in the footprint would have to be pervious.

Commissioner Carew said a covered porch with gutters that run water out to the driveway would mean there is an additional area that is an impervious surface connected to another impervious surface. Ms. Lee said they would not consider a slatted deck part of the built-upon area.

Vice Chairman Hogan said once you put a cover on a deck or porch, water is not running through and going underneath.

Commissioner Carew asked how the text amendment would improve the community. Ms. Lee said it ensures that property owners know exactly what's expected of them when trying to come into compliance, gives everybody a fair shake, and allows people to use their property to the fullest extent.

Commissioner Carew asked if staff is concerned that stairs are not covered by this proposed text amendment. Mr. Hardison said the proposed definition is a lot more restrictive than what the current code or interpretation will allow.

Commissioner Conto asked what is driving this request and what won't work without it. Ms. Lee said the applicant wants to ensure there can be adequate porches and decks on the buildings for full enjoyment of the property. Commissioner Conto said she thinks the project is beautiful and an improvement.

**ACTION:** Motion to close the public hearing

Motion made by Vice Chairman Hogan, seconded by Commissioner Boswell

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

*Motion passed 5-0*

Commissioner Conto asked for Mr. Hardison's advice. Mr. Hardison said staff has no objection to defining building footprint, but there are difficulties with administering the definition that is presented tonight. He said he does not agree with how it would be applied in the field if someone's home was damaged through no fault of their own and they needed to make it whole. Mr. Hardison said the 4 walls of a structure could be rebuilt, but questions remain about steps, decks, and porches, and he thinks the proposal needs more clarity.

Commissioner Boswell said she has issues with the proposed text amendment because the Commission spent weeks on non-conforming and conforming structures as part of the UDO process before approval in August. She said it didn't come up that this needed a specific definition, and no coastal communities define building footprint. She said there are smaller lots here, and we need things to be part of the footprint.

Commissioner Crouch said he is not in favor of the proposed text amendment because it will impact the entire building code, and he's always very concerned about taking broad strokes. He said he's hesitant to do this without a very strong recommendation from staff.

Commissioner Conto said she is concerned about unintended consequences, and there is a reason why none of the surrounding municipalities have a specific building footprint definition.

Commissioner Carew said he likes the project and thinks it looks wonderful, but he gets a bad gut feeling about modifying the code to accommodate a specific circumstance. He said he doesn't see enough upside about the proposal to validate it.

Vice Chairman Hogan said the project is amazing, and he thanked the applicant for taking a dilapidated building and making it look beautiful. He said while a definition may be a good idea in the future, there are ambiguities with this one and it's not suitable for staff, so he can't get on board with it.

**ACTION:** Motion for denial; 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 for Building Footprint in Section 7.3 Definitions is inconsistent with the goals and objectives of the adopted Land Use Plan and other long-range plans

Motion made by Commissioner Boswell, seconded by Vice Chairman Hogan

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

*Motion passed 5-0*

Vice Chairman Hogan said this vote is not an indication that the Commission does not like the project.

#### **NON-AGENDA ITEMS**

None

#### **ADJOURNMENT**

**ACTION:** Motion to adjourn

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*

Chairman Rouse adjourned the meeting at 6:53 PM.





## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Haley Moccia, Planner                      **DEPARTMENT:** Planning & Development

**MEETING:** Planning and Zoning Commission – November 14<sup>th</sup>, 2024

**SUBJECT:**            **Conditional Zoning** to consider a K-5 school at 105 Dow Rd. at Seaside Chapel.  
Applicant: Seaside Chapel

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### BACKGROUND:

The applicant, Seaside Chapel, is proposing a K-5 school at their property 105 Dow Rd. This property is located in the R-3 Residential Zoning District. Schools are allowed through the approval of conditional zoning in the R-3 Zoning District. The proposal includes renovating their existing two-story Family Life Center building into a school which allows grades K – 5. Kindergarten and 1<sup>st</sup> grades will be on the ground floor and 3<sup>rd</sup> – 5<sup>th</sup> grades on the second floor. The building includes a gym and a kitchen.

The Conditional Zoning District allows a particular use to be established only in accordance with specific standards and conditions pertaining to each individual development project. Some land uses are of such nature or scale that they have significant impacts on both the immediate surrounding area and on the entire community which cannot be predetermined and controlled by general district standards. There are also circumstances in which a general district designation allowing such a use by right would not be appropriate for a particular property even though the use itself could, the review process provides for the accommodation of such uses by a reclassification of property into a conditional zoning district, subject to specific conditions which ensure compatibility of the use and enjoyment of neighboring properties.

All applications shall include a site plan and any development standards to be approved concurrently with the rezoning application. Development standards may include such things as parking, landscaping, design guidelines, and buffers. When evaluating an application for the creation of a conditional zoning district, the Commission shall consider the following:

1. The application's consistency to the general policies and objectives of the Town's CAMA Land Use Plan, any other officially adopted plan that is applicable, and the Zoning Ordinance.
2. The potential impacts and/or benefits on the surrounding area, adjoining properties.
3. The report of the results from the public input meeting.

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 property at 105 Dow Rd is a 2.52-acre lot surrounded by 4 roads: S Dow Rd., Charlotte Ave., 8<sup>th</sup> St. S, and Hamlet Ave. The lot is located in the R-3 Zoning District, which mainly consists of single-family houses. The lot has 4 existing structures: 1-story chapel (built 1975), single family residence (built 1977), 1-story worship sanctuary (built 1999), and 2 story family life center (built 2005). The 2-story family life center expansion to the chapel was approved through a Conditional Use Permit (CUP) in 2005. In 2020, Seaside Chapel was approved, through a Conditional Use Permit, to use the family life center to operate a daycare and add a playground.

The conditional zoning proposal consists of the renovation of the 2-story life center into a K – 5 school with the original 9 classrooms being combined into a total of 5. The fellowship hall will be converted to a gym. The existing elevator, stairs, bathrooms, and kitchen will remain. No expansions to the building are proposed. When the family life center was approved, a total of 86 parking spaces were required. Changes in the Town ordinance have reduced the parking requirements for churches. A total of 58 parking spaces are required for the proposed school (1 per classroom + 5 for visitors = 11 spaces), church (1 per square 300 feet of indoor gross floor area = 44 spaces), and single-family house (2 per dwelling unit + 0.5 per bedroom over 2 = 3 spaces). Seaside chapel proposes installing a total of 72 spaces.

The Wilmington Metropolitan Planning Organization (WMPO) was asked and subsequently determined a traffic study was not warranted for the proposed school. To mitigate school pickup traffic, the parking lot was designed to queue cars through the parking lot. The 8<sup>th</sup> St. entrance to the parking lot will be blocked during school drop off and pickup to funnel traffic into and out of the parking lot through the Hamlet Ave. entrance. The parking lot will consist of pervious gravel that meets state requirements.

### **CONDITIONAL ZONING PROCESS**

As part of the application process a community meeting is required. The applicant held the required meeting on January 21<sup>st</sup>, 2024. The applicant has provided summary comments from the meeting.

### **STAFF PROPOSED CONDITIONS**

1. Restoration of the previously required landscape buffer surrounding the 8<sup>th</sup> street fenced in playground as described in the 2020 Conditional Grant Order for 105 Dow Rd.
2. At least 8% of the gross paved area of a parking facility shall be landscaped and located in the interior. For purposes of this section, interior shall mean the area within the parking facility curb or pavement and extensions that create a common geometric shape such as a square, rectangle, or triangle.
3. Refuse collection agency to be used must be included on final site plans. The refuse collection site must be enclosed on three (3) sides by a minimum six (6) foot opaque fence.
4. Pervious gravel drive aisles will meet NCDEQ Pervious Pavement design criteria.
5. Any proposed signage will have to meet all standards zoning requirements in the future.
6. Fire recommends a Knox box to be installed on building.

### **LAND USE PLAN**

The project is in general conformity with the 2020 Land Use Plan by promoting family-friendly character and by meeting the Low-Density Residential area description. The parcel is located in the low-density residential district which consists of primarily large-lot, single family detached residential neighborhoods. Existing, by-right, entitled, higher intensity uses will continue to be supported in LDR areas.

### **ACTION REQUESTED:**

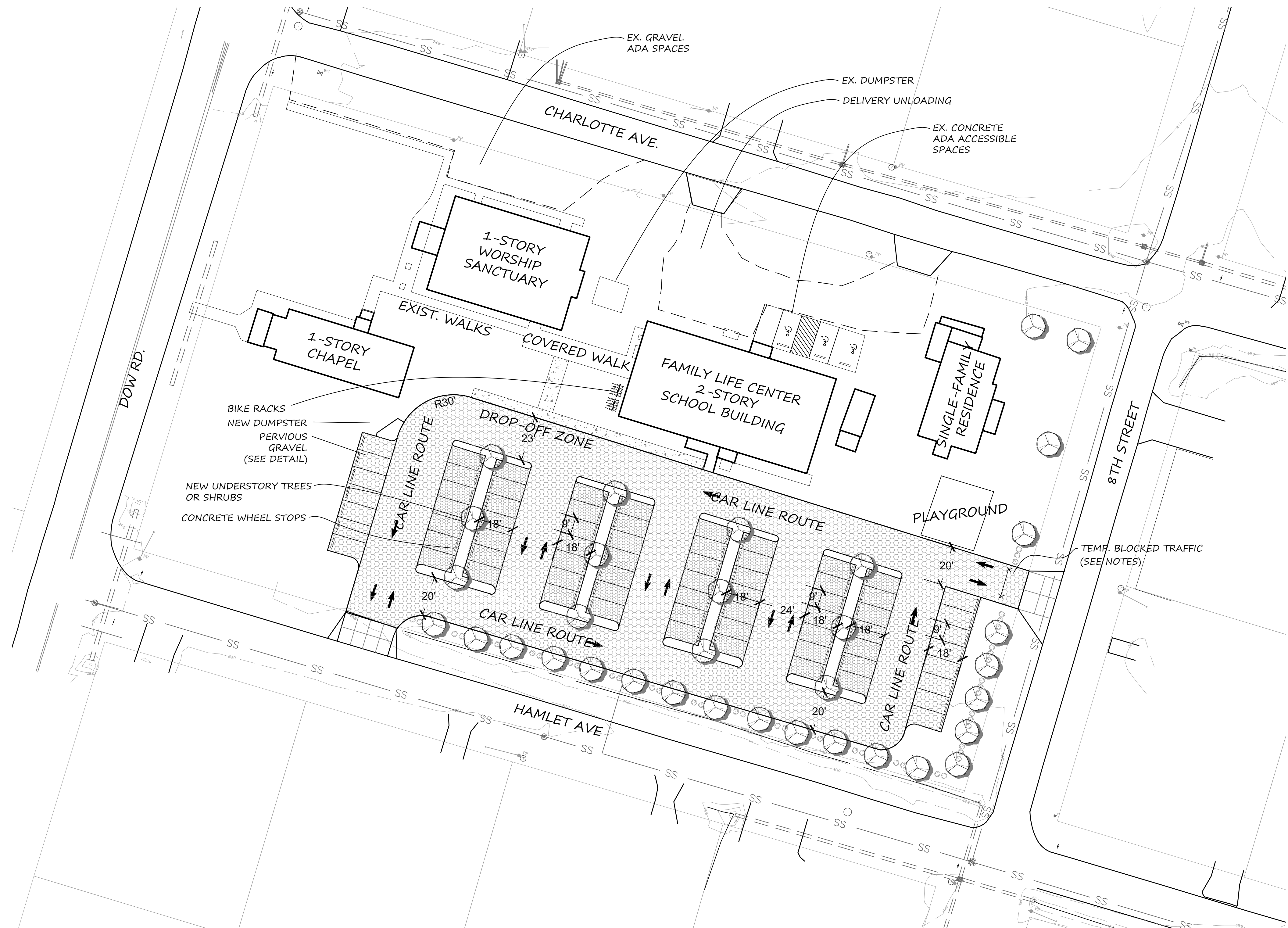
Consider recommending approval or denial of a conditional zoning to approve a school located at 105 S Dow Rd.

Staff recommend 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 school located at 105 Dow Road is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans.

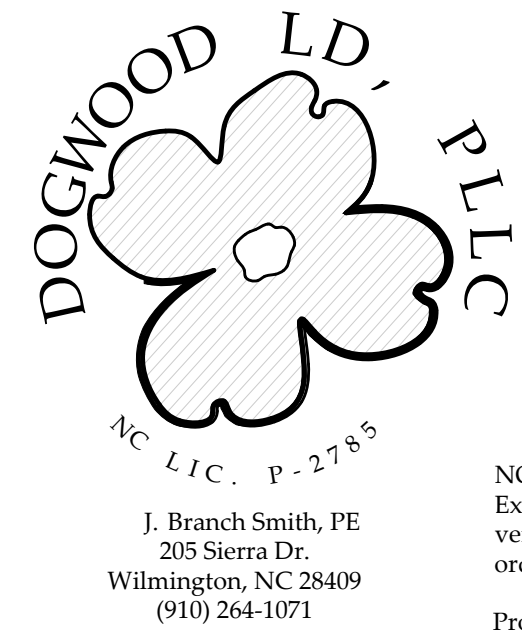
Denial – based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents and the potential impacts on the surrounding areas.



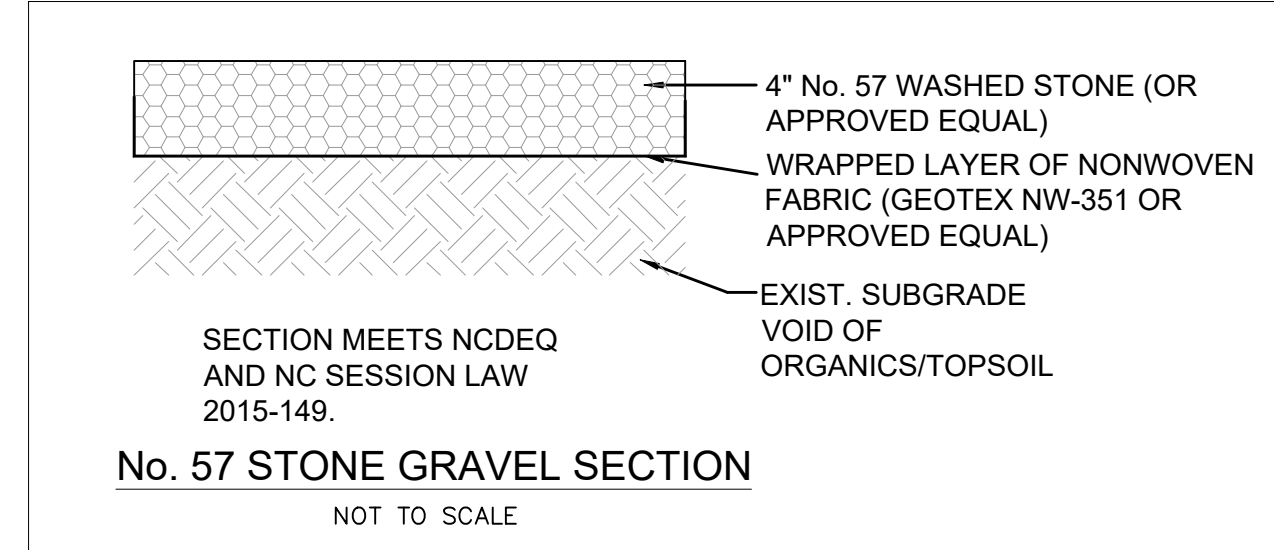
**PROPERTY INFORMATION:**  
 OWNER: SEASIDE CHAPEL INDEPENDENT CHURCH  
 ADDRESS: 105 SOUTH DOW ROAD  
 CAROLINA BEACH, NC 28428  
 PARCEL ID: R09005-012-001-000  
 ZONING: R-3 RESIDENTIAL [RELIGIOUS]  
 AREA: 2.52 AC  
**PARKING DATA:**  
 REQUIRED: 1 SPACE: 300 sf WORSHIP SPACE  
 13,126 sf / 300 = 44 SPACES  
 SCHOOL: 1 SPACES: GRADE + 5 VISITOR SPACES  
 1 x 5 GRADES = 6+5 = 11 SPACES  
 PARSONAGE: 1: BEDROOM = 3 SPACES  
 PROVIDED: 72 GRAVEL PARKING SPACES

**NCDOT MSTA SCHOOL TRAFFIC CALCULATOR:**  
 90 Students in Grades K-5  
**PRIVATE SCHOOL REQUIRED:**  
 1. AVG. QUEUE LENGTH = 310-FT  
 2. MAX. QUEUE LENGTH = 405-FT  
**SEASIDE SCHOOL PROVIDED:**  
 1. QUEUE LENGTH = 630-LF  
 SINGLE-LANE  
 2. 630 LF / 23' CAR =  
 20 TOTAL VEHICLES QUEUE  
 3. 8TH ST. BLOCKED OFF TEMPORARILY BY  
 SCHOOL STAFF DURING  
 DROP-OFF AND PICK-UP

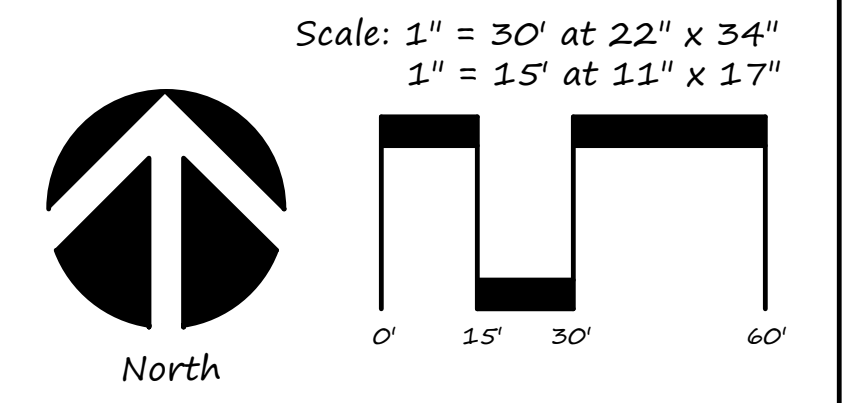
**IMPERVIOUS CALCULATOR:**  
 EXISTING BUILDINGS TOTAL: 13,126 SF  
 INCLUDES:  
 SANCTUARY 3725 SF  
 FAMILY LIFE CENTER 7500 SF  
 STORAGE BUILDING-ADMIN. 1901 SF  
 EX. CONCRETE SIDEWALKS: 4,900 SF  
 PROPOSED PERVIOUS  
 GRAVEL PARKING LOT 35,900sf  
 PROPOSED CONCR. SIDEWALKS: 850 sf



NOTE: This site plan is a graphic representation for due diligence purposes. Existing land features and property boundary lines shall be surveyed and verified. Plan layout is subject to municipal changes to land codes and ordinances.  
 Proverbs 16:3 Commit your works to the Lord and your plans will succeed.

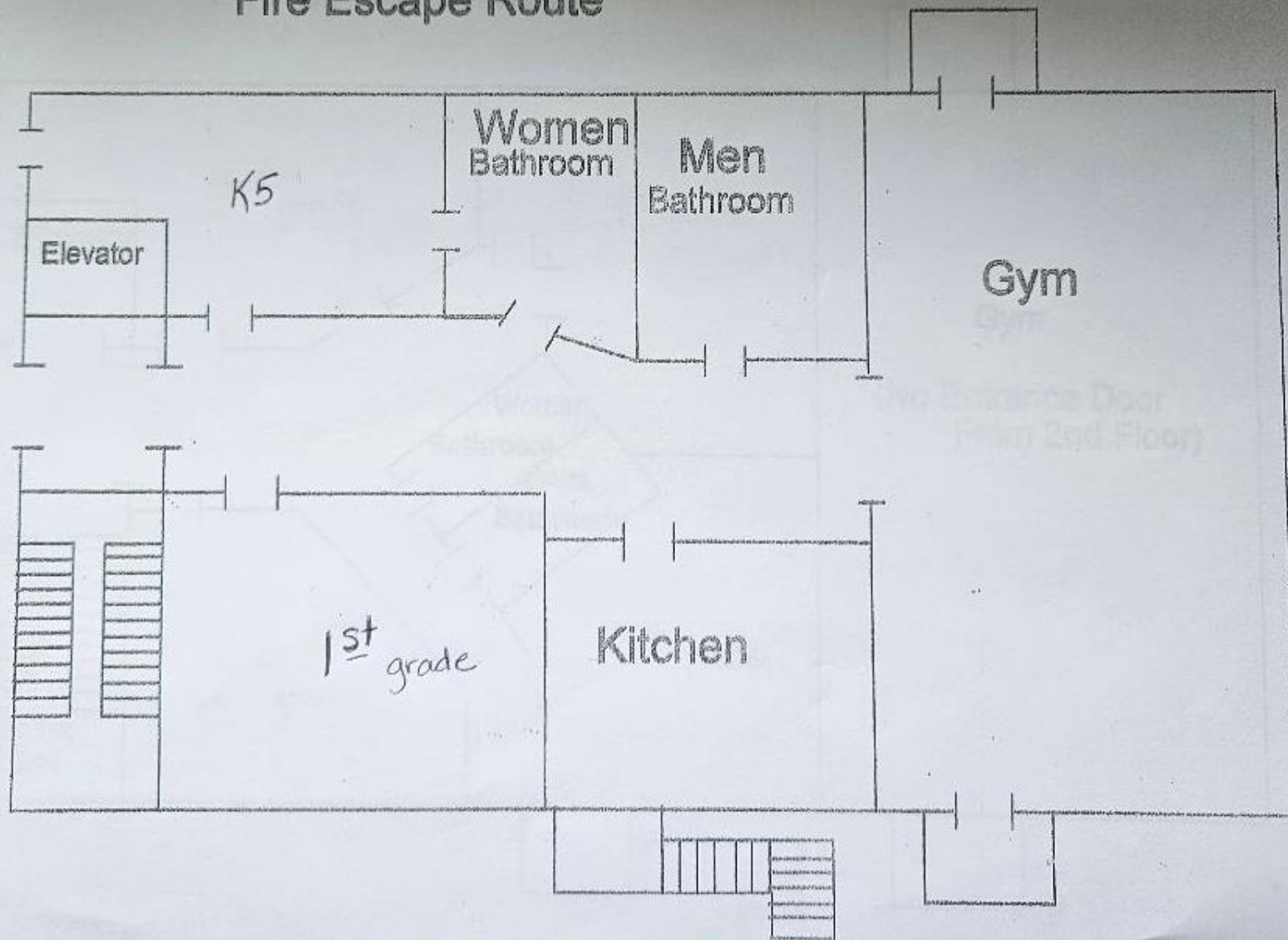


SEASIDE CHRISTIAN ACADEMY  
 AND SEASIDE CHAPEL SITE PLAN  
 SCHOOL GRADES K-5  
 Carolina Beach, NC

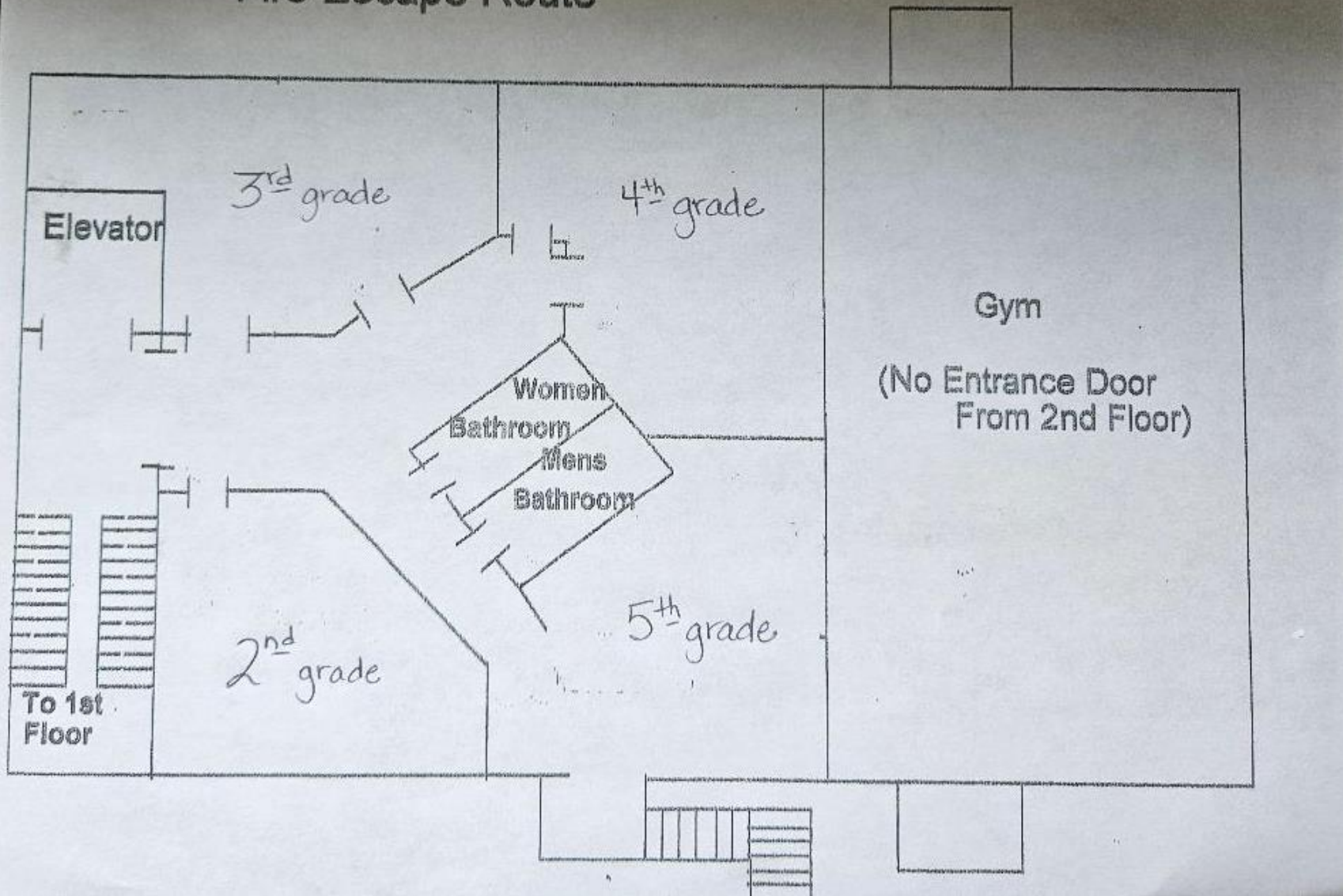




# Seaside Chapel's First Floor Fire Escape Route



# Seaside Chapel's Second Floor Fire Escape Route



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



Permit # \_\_\_\_\_

## 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:

- 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.
- The notice must include time, date, location, and project description.
- The applicant must maintain and submit to with their application a:
  - o A copy of the letter announcing the meeting
  - o A list of property owners contacted
  - o An attendance roster from the meeting
  - o A summary of the issues discussed
  - o 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 7 units), Mixed Uses, Business Developments, and similarly complex projects shall be categorized as “major”, while projects such as Planned Residential (5-6 units), bed and breakfast inns, small day care services, etc. shall be categorized as “minor”.

<b>Major Conditional Zoning Permit</b>	<b>=</b>	<b>\$ 1,000.00</b>
<b>Minor Conditional Zoning Permit</b>	<b>=</b>	<b>\$ 500.00</b>

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.





## 2024 Submission Deadlines & Meeting Dates

Technical Review Committee		Planning & Zoning Commission		Town Council	
Submission	Meeting	Submission	Meeting	Submission	Meeting
Jan 2	Jan 16	Feb 1	Feb 15	Feb 27	Mar 12
Feb 6	Feb 20	Feb 29	Mar 14	Mar 26	Apr 9
Mar 4	Mar 18	Mar 28	Apr 11	Apr 30	May 14
Apr 1	Apr 15	Apr 25	May 9	May 28	June 11
May 6	May 20	May 30	June 13	June 25	July 9
June 3	June 17	June 27	Jul 11	July 30	Aug 13
July 1	July 15	July 25	Aug 8	Aug 27	Sept 10
Aug 5	Aug 19	Aug 29	Sept 12	Sept 24	Oct 8
Aug 30	Sept 16	Sept 26	Oct 10	Oct 29	Nov 12
Sept 30	Oct 14	Oct 31	Nov 14	Nov 26	Dec 10
Nov 4	Nov 18	Nov 27	Dec 12	Jan 2025	Jan 2025
Dec 2	Dec 16	Jan 2025	Jan 2025	Feb 2025	Feb 2025
Jan 2025	Jan 2025	Feb 2025	Feb 2025	March 2025	March 2025
Board		# Copies Full Size		# Copies Electronic	
TRC		2		1	
P&Z		2		1	
Town Council		2		1	

**PURPOSE**

Conditional zoning allows flexibility with regard to the zoning regulations. Subject to high standards of planning and design, certain uses may be allowed in certain districts or on properties provided they can be developed to minimize any adverse effects they might have on surrounding properties. Conditional Zoning allows for public and governing board input to help any proposed project meet its goals while also contributing to the positive development of Carolina Beach.

Please complete all sections of the application.

**A. Property Information**

Address(es): 105 Dow Rd Carolina Beach NC 28428

PIN(s): \_\_\_\_\_

Project Name Seaside Christian Academy

Size of lot(s): 2.52 Acres

**B. Application for Conditional Zoning**

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

Christian School K-12th, Plan would be in 2 phases. UPDATED ON SEPARATE PAGE

Phase 1 - use the current building (K-5th only)

Phase 2 - build a second two story building (K-12th)

**C. Applicant Contact Information**

Seaside Chapel

Company/corporate Name (if applicable):

Dana Vess

Applicant's Name

100 S 8th St

Mailing Address

Carolina Beach NC 28428

City, State, and Zip Code

828.429.8407

Telephone

danavess1@yahoo.com

Email

**D. Owner Contact Information (if different)**

Seaside Chapel

Owner's Name

PO Box 451

Mailing Address

Carolina Beach NC 28428

City, State, and Zip Code

828.429.8407

Telephone

danavess1@yahoo.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

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**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.

**Dana Vess**

Digitally signed by Dana Vess  
Date: 2024.02.01 10:34:48 -05'00'

2/1/24 / /

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**Signature**

**Date**

**AUTHORITY FOR APPOINTMENT OF PERSON TO ACT ON MY BEHALF**

The undersigned owner, Seaside Chapel, does hereby appoint Dana Vess 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: 2/1/24

Appointee’s Name, Address & Telephone:

Dana Vess  
100 S 8th St  
Carolina Beach NC 28428  
828.429.8407

Signature of Owner: Brenda Kingsley Digitally signed by Brenda Kingsley  
Date: 2024.02.01 10:40:07 -05'00'

Application Addendum: 6/25/24

**Summary of Request:**

At this time, Seaside Chapel is requesting rezoning for Seaside Christian Academy as Phase I only. This will utilize the existing building as it stands. The additions would be a dumpster, traffic pattern for pickup/drop off and signage. Any additions recommended by TRC will be addressed.

**Dumpster:**

We considered the concerns of the community when we selected the location for the dumpster to affect less homes with the noise when being emptied.

**Traffic:**

We also considered traffic concerns from the community and the town officials. With Phase I we would house at max capacity 90 students. The traffic flow will enter via right turn only from Hamlet Rd at the far West end of the property. We will run 2 lanes for cars around the perimeter of the property, merging just before the student drop off/pickup location. (see diagram). We will have staff that will assist with car line during both morning and afternoon during peak times.

As we have discussed, we do expect walkers, bike riders, golf carts and students who stay for our after-school camps and employee children as well as multiple child families. All these factors will reduce the number of cars in the car line.

**Signage:**

We have discussed possible options for new signage to represent the school but have not decided on a design. We will present this at a later date if possible.

1/6/24

Item 2.



Seaside Chapel  
105 Dow Rd. • Carolina Beach, NC • 28428

Good afternoon,

Seaside Chapel would like to formally invite you to join our community meeting to discuss the desire of opening a Christian School, Seaside Christian Academy. We will be hosting this community meeting as an informative meeting and insuring a questions and answer time. We would be honored if you would join us.

The meeting will be held Sunday, Jan 21<sup>st</sup> at 4pm in the Sanctuary of Seaside Chapel, located at 105 Dow Rd. Carolina Beach, NC. Snacks and Beverages will be served from 3:30pm-4:00pm in our two-story Family Life Center, to allow time for a meet and greet with other attending neighbors. We will move to the sanctuary at 4pm to discuss our vision for Seaside Christian Academy and the impact it will have in our community.

This meeting is being held in accordance with the Town of Carolina Beach's Conditional Zoning application process. Our vision for Seaside Christian Academy is to initially open using our current facility and to offer classes K-5<sup>th</sup>, with the possibility in the future, to build a secondary building to increase grade levels up to 12<sup>th</sup> grade. The presentation will include the future plans of the secondary building should it be needed. This would be a new two-story structure on our property with a similar design as our current family life center.

We hope that you will join us for our community meeting.

Thank you,  
Seaside Chapel

Pastor Jerry Vess  
828.429.4224  
Jerryv1976@yahoo.com

Dana Vess  
828.429.8407  
Danavess1@yahoo.com

## Rezoning Community Meeting for Seaside Christian Academy

Conducted on 1/21/24 at 4pm in the Sanctuary of Seaside Chapel 105 Dow Rd Carolina Beach NC

Hosted a Meet and Greet between neighbors with snacks from 3:30pm-4pm, began registration

Presenters: Jerry Vess and Dana Vess

- Opening/Welcome
- Personal Introductions of Presenters
- Verified everyone had registered prior to presenting
- Went over general process of Carolina Beach Rezoning procedure. Typically, a 4 month process
  - Community Meeting
  - Technical Review Committee
  - Planning and Zoning Committee
  - Town Council
- Explained this school is to provide a needed ministry for the community and surrounding areas
- Discuss the plan for Seaside Christian Academy would be in 2 phases.
  - Phase 1 – using our current facilities, opening the school with K-5<sup>th</sup> grades with a cap of 15 students.
  - Phase 2 – build an additional building and extend grades through 12<sup>th</sup>, having K-12<sup>th</sup> in one Building.
- Discussed Phase 1, if possible, we would open Seaside Christian Academy in Fall of 2024 and Phase 2 would be as needed in the future as demand calls. It could be a 2 yr, 5yr, 10 yr or possibly have no need for Phase 2. We would be open to however the Lord leads. It was recommended by Town of Carolina Beach to present the future possibility during the rezoning process.
- Opened the Floor for Q&A of anything discussed so far

Q: Mark Vincent – The 15 students you mentioned, would that be per classroom or per grade?

A: Jerry Vess – Both, we will have 15 students per classroom and current plan for K-5<sup>th</sup> would be one class per grade so 15 students per grade as well.

Q: Amanda Hassle – Is at least 5 yrs. for projection of when 6<sup>th</sup> grade will be starting?

A: Jerry Vess – 5 yrs. would be a realistic projection

A: Dana Vess – It could possibly be sooner or longer time frame depending on the Lord. 5 yrs. is simply a projection based on starting the school with staff and students to the 15 per class/grade, having the demand and need for more and then the funding to start the building of a school, which will take time as well.

Q: Amanda Hassle – Will this be open to just this district or can public over the bridge join?

A: Jerry Vess – Anyone, but our target demographic is on the island. We have a wonderful Elementary School, Carolina Beach Elem, is a great school however its bursting at the seams and there building more housing on the island, over near Publix, across from Food Lion, and construction all over the island, so there is and will be a demand for schools. Again, our



demographic would be our community, here on the island and we are geared more to those wanting Christian based and small classrooms.

Began Slide Show –Jerry Vess, Presenter

1. Slide One - This slide is view from Charlotte Street, looking at the entrance, it will be where the parsonage is right now
2. Slide Two - View corner of Charlotte/ 8<sup>th</sup> St. Discussed relocation of playground
3. Slide Three - View from 8<sup>th</sup> St. The doors on this side would be exit only doors, emergency doors, we would place shrub for curb appeal.
4. Slide Four – View from Hamlet, will have to relocate the playground to between the buildings, which you will have a better view in a later slide.
5. Slide Five – Another view from Hamlet, this shows the breezeway. It will connect to our current FLC building and will extend all the way down to connect to the breezeway between our sanctuary and FLC
6. Sixth Slide – this slide show the traffic flow pattern and our parking area. This slide is what we call “the field” (gestures to the yard, demonstrating its location) the backside of the current two story building we were in earlier. Tentatively we plan to have parents enter from the southbound side of 8<sup>th</sup>, turning right into the parking lot and picking children up at the far end of the FLC, under the breezeway we have now, near our side door to the sanctuary. We of course will work with the town in making the decision of the best way, we may have the option to go through the parking lot, so we can have more cars on our property at one time. We feel this will not be a long process. We will have staff to help directing traffic entering and exiting the property. We would not allow for anyone to turn left into the property (from the Northbound side of 8<sup>th</sup>) that way at no time will 8<sup>th</sup> street be blocked.
7. Seventh Slide – Ariel view over the whole school. We plan to have parking remain grass for now

- Opened the Floor for Q&A

Q: Michael Hendy – So you are saying when parents drop off, they come in from 8<sup>th</sup> Street and exit out Dow?

A: Dana Vess – So the plan, if approved by town, as they will give us in-sight I am sure, would-be parents pull onto the property and we would use the parking area to help with additional space, we would use both lanes making it a one way for the estimated 20 minutes it will take to dismiss our kids. So, parent pull in from 8<sup>th</sup> St and form two lanes, in one direction, going in a “U” shape in the parking area. Two lanes would continue until we got closer to the pickup spot where they would merge into one single lane before they get to pickup (illustrated the explanation using slide six) again we would use staff to assist in guiding traffic as well as cones for the merging.

A: Jerry Vess – we will work not to affect flow of traffic on 8<sup>th</sup> as much as possible, again we will work closely with the Town of Carolina Beach throughout the planning process.

Q: Mike Hendy – I am sure their will retention ponds needed too. I am concern about how the traffic. Maybe coming in and out off Dow Rd. As I am sure you are aware, people run the stop sign at the corner of Charlotte and 8<sup>th</sup> all the time. That is a safety concern too.

A: Jerry Vess – that may be a possibility, we will discuss with the town. I am sure they can give guidance on this.

A: Dana Vess – This is why we have the community meeting. We want to hear your concerns so we can look at our vision and address them the best we can. Unfortunately, tonight we don't have all the answers. We have proposed plans. These plans can be adjusted if needed based on both your concerns and requirements of the town. We want this to be a positive addition to the community. Again, this plan is tentative, the kinks will be worked out with the Technical Review Board.

Q: Micheal Hendy- I love the idea and support the school I am just concerned about the traffic

A: Dana Vess – Thank you for your support and we will get it all worked out.

Q: Holly Martin – Its okay. I don't feel like it will be an issue, its only about 20 min each time (arrival and dismissal). I live off Atlanta and my driveway gets blocked; you just know it will be about 20 min. Its not a big deal at all.

A: Dana Vess – Just for reference Carolina Beach Elementary has just under 500 students, we are talking about a max of 90 students right now. So roughly only about 20% of what Carolina Beach Elementary has and they dismiss in 20 minutes. Keep in mind too, we have a lot of bike riders and golf cart parents here too. Of our current afterschool program 1/3 of them ride their bikes or use golf carts when its nice.

Q: Amanda Hassle – If traffic is a problem, you can do staggered time for grades to help with the flow.

A: Dana Vess – we will take that into consideration

Q: Mark Vincent – (addressing Jerry Vess), Can you use your pointer and go over the traffic flow again

A: Jerry Vess – (demonstrates using pointer), Plan is to come down 8<sup>th</sup>, turn right into the parking lot, use two lanes, merge into one lane, pickup here (points to middle of current breezeway) and exit out onto Hamlet.

A: Dana Vess - We would not allow for people to turn left off 8<sup>th</sup> St. so that traffic is not stopped on 8<sup>th</sup> St northbound.

A: Jerry Vess – we will try to keep traffic as much on the property as we can

- Asked if there were any additional questions? No one asked any additional questions.

Continued with the Slideshow Presentation - Jerry Vess, Presenter

8. Eighth Slide – Ariel view of parking lot and buildings. Notice the roof of the new building, the large white rectangle int this picture. It is a flat roof; it will be where the HVAC systems will be. However, if you look back at slide the previous slides you don't see a flat roof, (scans back through slides 1-7)
9. Ninth Slide – Ariel view again, same design just a different view of it
10. Tenth Slide – This is the floor plan of the new building. The Phase 2 building. It will be a two-story building, classrooms on both floors. The auditorium will be two story ceiling. It has elevator and will be built per code. Once built we would move all grades to the new building. It would accommodate K-12<sup>th</sup> grades. (Dana Vess – There are larger prints of this slide on the stage you are welcome to view after the meeting)
11. Eleventh Slide – Technical view of the square footage

- This is, again, all based on demand and finances. This will be a big step of faith for Seaside. That is why we projected a future date of 2-5 yrs. We have to see the need in the community.
- Opened Floor to Q&A

Q: Holly Martin – do you have an estimate of price and budget?

A: Dana Vess – based on 15 student classrooms, we are looking at about \$850-\$900 a month. We as a school will be looking at grants and corporate funding as well as fundraisers and scholarships. We want it to be as economically affordable as possible. Keeping smaller classrooms presents a challenge however it is part of our vision.

Q: Holly Martin – how does that compare to others, say Myrtle Grove.

A: Dana Vess – I don't know everything about all the Christian Schools in the area, but we are comparable in price to Myrtle Grove, a little less at our current estimate. I am not basing our tuition on what anyone else is charging. Sure, I want to be comparable, but we are looking at this as a ministry, we are not looking at it as a profitable business, so our numbers are coming from what we estimate our expenses are going to be divided by the number of students. Of course, there is a little wiggle room for unexpected expenses as well as if we don't have 15 in a particular classroom 100% of the year.

Q: Holly Martin – I am excited about this

A: Jerry Vess – We hope to grow quickly, we ask that you all help us continue to pray through all this. Our original intent is to start K-5<sup>th</sup>.

Q: Amanda Hassle: - Personally, if I had to do it again, I would do K-5<sup>th</sup> in public then do a private school

A: No answer given, was more of a mere statement

Q: Amanda Hassle - What will the name of the school be?

A: Jerry Vess – Seaside Christian Academy, Home of the Warriors

Q: Jim Norwood – Are you going to do another presentation for community?

A: Jerry Vess – We can, we are only required to present at this one

A: Dana Vess – We can keep everyone informed of progress. I can start a FB page for the school following our first meeting with the Technical Review Committee. Also, if there are a lot of changes from this tentative plan, we will be more than happy to host another informative meeting.

Q: Jim Norwood – My family is involved in education, my daughter teaches at Carolina Beach Elementary, and yes, it is a great school. My children and my grandchildren attend a private Christian school. My question, do you have a business plan?

A: Jerry Vess – We have developed a board with specific expertise, we have been meeting and working on the details. We have a budget developed; we are still tweaking it a bit but the bones are there. We know our overall expenses and how we will cover the cost for the day-to-day function of the school, staff, and additional expense.

Q: Jim Norwood – DO you have funding other than the church

A: Jerry Vess – We will apply for qualifying grants but prefer not to receive government funding that limits what we can teach.

A: Dana Vess – to add to Jerry, when we extend to 6<sup>th</sup>-12<sup>th</sup> grade and build the building that is when we will really start needing funding. Phase 1 will use out existing building for K-5<sup>th</sup>. We have to make a few adjustments to make it work for us, the church has the funds for that along with people who have pledge or will be donating to the start-up. We have almost finished paying off the FLC building and then the church will be debt free. Before its time to move to Phase 2 we will be debt free. The church will use the property as collateral for the loan for the new building along with donors, corporate partners, grants, and fundraising. We will be building partnerships from day one.

Q: Jim Norwood – Phase 1 is K-6<sup>th</sup>

A: Jerry Vess – Phase 1 is K-5<sup>th</sup>

Q: Jim Norwood – what is the occupancy for that building (referring to FLC)?

A: Jerry Vess – I am unsure at this time, sorry. I can get the information for you though.

Q: Jim Norwood – If you get Town’s approval, will it start in Aug? My first concern is with Phase 1, the traffic.

A: Jerry Vess – We will ask the town for guidance

A: Dana Vess – Although we put a great deal of thought into this project, nothing is set in stone. As we said earlier, if there are a lot of changes to this plan, we will be happy to host another informative meeting.

Q: Jim Norwood – Next concern is Phase 2, with high school and keeping things calm

A: Jerry Vess – We will expect that parents be highly involved in school participation. From my experience when parents are involved and partnered with the school you tend to have less issues. Also, we will be a private school. Attending will be a privilege. You can be removed from enrollment.

Q: Hope Combs – I am in the beginning stages of a music school. We would love to be in partnership with the school.

A: Dana Vess – Thank you, we can meet and discuss that further.

Q: Amanda Hassle – I wish you the best of luck

A: No response given

Q: Mark Vincent – After the school is established have you thought about sports teams? That may be an issue with noise.

A: Jerry Vess – that would be further down the road, however, games would not be held on the campus. We wouldn’t have the facility for any games.

Q: Keith McEntire – Planning and Zoning are all open to public, feel free to attend.

- We will keep you all informed during the process. My contact information is available. You should have both mine and Dana’s emails and phones number in the letter sent but if you need it, please get it before you leave. Thank you for attending. Have a great evening.
- Meeting closed at 5:13pm