

# NEW HANOVER COUNTY

DEPARTMENT OF PLANNING & LAND USE  
 230 Government Center Drive, Suite 110  
 Wilmington, North Carolina  
 Telephone (910) 798-7165  
 FAX (910) 798-7053  
 planningdevelopment.nhcgov.com



## SPECIAL USE PERMIT Application

Applicant/Agent Information	Property Owner(s) <i>If different than Applicant/Agent</i>	
<b>Name</b> Craig Johnson	<b>Owner Name</b> Linda T. McCall	
<b>Company</b> Herrington Classic Homes, LLC, as contract Purchaser	<b>Owner Name 2</b>	
<b>Address</b> P.O. Box 538	<b>Address</b> 6724 Carolina Beach Road	
<b>City, State, Zip</b> Wrightsville Beach, NC 28480	<b>City, State, Zip</b> Wilmington, NC 28412	
<b>Phone</b> 910-399-5688	<b>Phone</b>	
<b>Email</b> craig@herringtonclassichomes.com	<b>Email</b>	
<b>Subject Property Information</b>		
<b>Address/Location</b> 6724 Carolina Beach Road		
<b>Parcel Identification Number(s)</b> R08200-001-032-000		
<b>Total Parcel(s) Acreage</b> 5.784		
<b>Existing Zoning and Use(s)</b> R-15		
<b>Future Land Use Classification</b> R-15 (High Density)		
<b>Application Tracking Information (Staff Only)</b>		
<b>Case Number</b> S18-02	<b>Date/Time received:</b> 5/9/2018	<b>Received by:</b> BS



## CRITERIA REQUIRED FOR APPROVAL OF A SPECIAL USE PERMIT

For each of the four required conclusions listed below, include or attach a statement that explains how any existing conditions, proposed development features, or other relevant facts would allow the Board of County Commissioners to reach the required conclusion, and attach any additional documents or materials that provide supporting factual evidence. The considerations listed under each required conclusion are simply those suggested to help the applicant understand what may be considered in determining whether a required conclusion can be met. You should address any additional considerations potentially raised by the proposed use or development.

1. The use will not materially endanger the public health or safety if located where proposed and approved.

Considerations:

- Traffic conditions in the vicinity, including the effect of additional traffic on streets and street intersections, and sight lines at street intersections with curb cuts
- Provision of services and utilities, including sewer, water, electrical, garbage collections, fire protection
- Soil erosion and sedimentation
- Protection of public, community, or private water supplies, including possible adverse effects on surface waters or groundwater
- Anticipated air discharges, including possible adverse effects on air quality

-This project is adjacent to Carolina Beach Road, a public right of way maintained by the North

Carolina Department of Transportation ("NCDOT") and would be accessed directly to Carolina Beach

Road in accordance with a NCDOT driveway permit providing the same.

-Water and Sewer will be provided from the Cape Fear Public Utility Authority ("CFPUA") system.

-Permitting by all applicable State and County agencies will be required at the onset of construction.

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2. The use meets all required conditions and specifications of the Zoning Ordinance.

-The project will direct access to Carolina Beach Road an existing major arterial roadway.

-Public water and sewer service will be provided.

-Stormwater management for both quality and quantity control is proposed and impervious coverage does not exceed the maximum of amount of 40%.

- The 2016 Comprehensive Plan land classification is Community Mixed Use which provides for range of single family residential projects.

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## CRITERIA REQUIRED FOR APPROVAL OF A SPECIAL USE PERMIT

(continued)

3. The use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity.

Considerations:

- The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved (i.e. buffers, hours of operation, etc)
- Whether the proposed development is so necessary to the public health, safety, and general welfare of the community or County as a whole as to justify it regardless of its impact on the value of adjoining property

The project is proposed along a corridor where a variety of single family already exists. The property is adjacent to (i) Carolina Beach Road on the east, (ii) an office building and related facilities to the south and west and (iii) a place of worship to the north. The single family project will include open and recreation space and use updated materials to add to the quality to the project and assure no adverse impact to property value of adjacent owners.

4. The location and character of the use if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the New Hanover County Comprehensive Land Use Plan.

Considerations:

- The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved (i.e. buffers, hours of operation, etc)
- Consistency with the Comprehensive Plan's goals, objectives for the various planning areas, its definitions of the various land use classifications and activity centers, and its locational standards

The location of the project adheres to the Comprehensive Land Use Plan as follows:

- The policies for growth and development encourage a range of housing types, including workforce housing, to be available to every citizen and this project is consistent with that policy.
- The plan includes sidewalks and pedestrian trails which increase physical activity and promote healthy, active lifestyles.
- The location of the project represents a mix of uses as it is located between an office to the south and place of worship to the north.
- The location of the project adheres to policies for optimum efficiency in land utilization and revitalization of commercial corridors.

## APPLICATION REQUIREMENTS

Staff will use the following checklist to determine the completeness of your application. Please verify all of the listed items are included and confirm by initialing under "Applicant Initial". If an item is not applicable, mark as "N/A". Staff will confirm if an application is complete within five business days of submittal. Applications must be complete in order to process for further review.

Required Information		Applicant Initial or N/A	Staff Initial or N/A
1	Complete Special Use Permit application.		BS
2	Application fee – (\$500; \$250 if application pertains to a residential use (i.e. mobile home, duplex, family child care home).		BS
3	Traffic Impact Analysis (for uses that generate more than 100 peak hour trips).	N/A	N/A
4	<p><u>Site Plan including the following elements:</u></p> <ul style="list-style-type: none"> <li>• Tract boundaries and total area, location of adjoining parcels and roads.</li> <li>• Proposed use of land, structures and other improvements. For residential uses, this shall include number, height and type of units and area to be occupied by each structure and/or subdivided boundaries. For non-residential structures, this shall include approximate square footage and height of each structure, an outline of the area it will occupy and the specific purpose for which it will be used.</li> <li>• Development schedule including proposed phasing.</li> <li>• Traffic and Parking Plan to include a statement of impact concerning local traffic near the tract, proposed right-of-way dedication, plans for access to and from the tract, location, width and right-of-way for internal streets and location, arrangement and access provision for parking areas.</li> <li>• All existing and proposed easements, reservations, required setbacks, rights-of-way, buffering and signage.</li> <li>• The one hundred (100) year floodplain line, if applicable.</li> <li>• Location and sizing of trees required to be protected under Section 62 of the Zoning Ordinance.</li> <li>• The approximate location of US Army Corps of Engineers Clean Water Act Section 404 and Rivers and Harbors Act Section 10 Wetlands, and wetlands under jurisdiction of the NC Department of Environmental Quality.</li> <li>• Any additional conditions and requirements, which represent greater restrictions on development and use of the tract than the corresponding General Use District regulations or other limitations on land which may be regulated by Federal or State law or Local Ordinance.</li> <li>• Any other information that will facilitate review of the proposed change (Ref. Article VII, as applicable).</li> </ul>		BS
5	1 hard copy of ALL documents AND 8 hard copies of the site plan. Additional hard copies may be required by staff depending on the size of the document/site plan.		BS
6	1 PDF digital copy of ALL documents AND plans.		BS

## ACKNOWLEDGEMENT AND SIGNATURES

By my signature below, I understand and accept all of the conditions, limitations and obligations of the Special Use Permit for which I am applying. I understand that the existing official zoning map is presumed to be correct. I understand that I have the burden of proving that the proposal meets the four required conclusions. I certify that this application is complete and that all information presented in this application is accurate to the best of my knowledge, information, and belief.

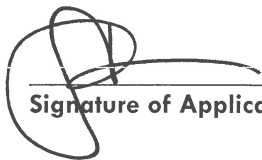
### Authority for Appointment of Agent Form

If applicable, I also appoint the applicant/agent as listed on this application to represent me and make decisions on my behalf regarding this application during the review process. The applicant/agent is hereby authorized on my behalf to:

1. Submit an application including all required supplemental information and materials;
2. Appear at public hearings to give representation and commitments; and
3. Act on my behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of this application.

\_\_\_\_\_  
Signature of Property Owner(s)

\_\_\_\_\_  
Print Name(s)



\_\_\_\_\_  
Signature of Applicant/Agent

*Craig Johnson - Manager*  
\_\_\_\_\_  
Print Name

NOTE: Form must be signed by the owner(s) of record. If there are multiple property owners a signature is required for each owner of record.

**\*The land owner or their attorney must be present for the application at the public hearings.**

If an applicant requests delay of consideration from the Planning Board or Board of County Commissioners before notice has been sent to the newspaper (approximately 2-3 weeks before the hearing), the item will be calendared for the next meeting and no fee will be required. If delay is requested after notice has been sent to the newspaper, the Board will act on the request at the scheduled meeting and are under no obligation to grant the continuance. If the continuance is granted, a fee in accordance with the adopted fee schedule as published on the New Hanover County Planning website will be required.

### For Staff Only

Application Received:	Completeness Determination Required By (date):	Determination Performed on (date):	Planning Board Meeting:
5/9/2018	5/16/2018	5/16/2018	6/7/2018



**NEW HANOVER COUNTY  
PLANNING & LAND USE  
AUTHORITY FOR  
APPOINTMENT OF AGENT**

230 Government Center Drive  
Suite 110  
Wilmington, NC 28403  
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910-798-7053 fax  
[www.nhcgov.com](http://www.nhcgov.com)

**Please note that for quasi-judicial proceedings, either the land owner or an attorney must be present for the case at the public hearing.**

The undersigned owner does hereby appoint an authorized the agent described herein as their exclusive agent for the purpose of petitioning New Hanover County for a variance, special use permit, rezoning request, and/or an appeal of Staff decisions applicable to the property described in the attached petition. The Agent is hereby authorized to, on behalf of the property owner:

1. Submit a proper petition and the required supplemental information and materials
2. Appeal at public meetings to give representation and commitments on behalf of the property owner
3. Act on the property owner's behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of any petition applicable to the New Hanover County Zoning Ordinance.

Agent Information	Property Owner(s)	Subject Property
<b>Name</b> Craig Johnson	<b>Owner Name</b> Linda T. McCall	<b>Address</b> 6724 Carolina Beach Rd
<b>Company</b> Herrington Classic Homes, LLC	<b>Owner Name 2</b>	<b>City, State, Zip</b> Wilmington, NC 28412
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<b>Phone</b> 910-399-5688	<b>Phone</b>	
<b>Email</b> craig@herringtonclassichomes.com	<b>Email</b> lindamccall@bellsouth.net	
<b>Application Tracking Information (Staff Only)</b>		
<b>Case Number Reference:</b>	<b>Date/Time received:</b>	<b>Received by:</b>

This document was willfully executed on the 3<sup>rd</sup> day of May, 2018.

*linda mccall*  
dotloop verified  
05/04/18 8:58AM EDT  
XGUY-9IUG-7VC1-0MKK

Owner 1 Signature

Owner 2 Signature