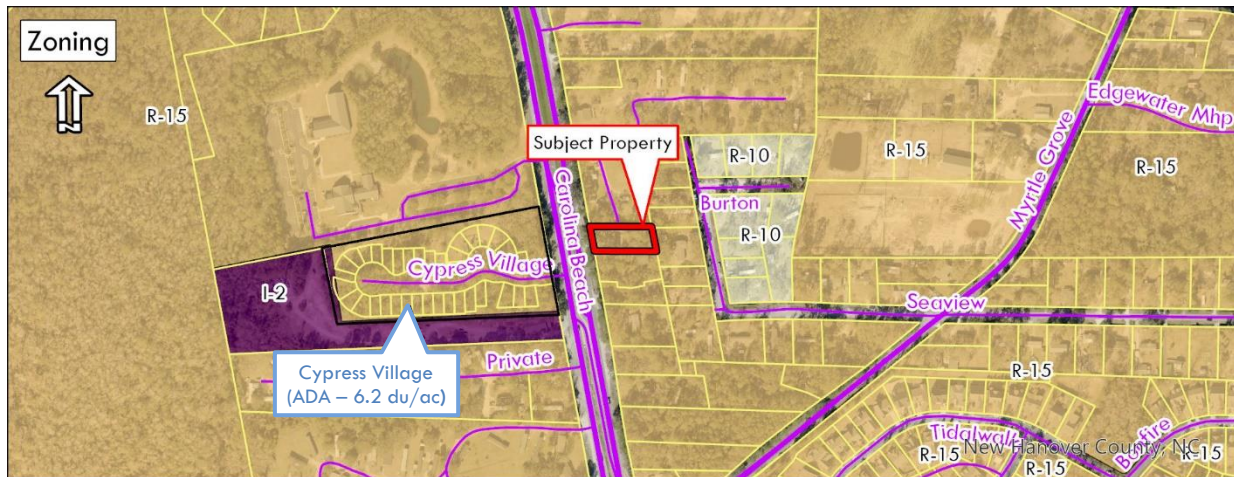


# STAFF REPORT FOR **S21-01** SPECIAL USE PERMIT APPLICATION

APPLICATION SUMMARY	
<b>Case Number:</b> S21-01	
<b>Request:</b> Special Use Permit for a Bed and Breakfast Inn	
<b>Applicant:</b> Cindee Wolf – Design Solutions	<b>Property Owner(s):</b> Patricia Hayes and Richard T. Hayes, V
<b>Location:</b> 6727 Carolina Beach Road	<b>Acreage:</b> 0.43
<b>PID(s):</b> R08200-002-034-000	<b>Comp Plan Place Type:</b> Community Mixed Use
<b>Existing Land Use:</b> Single-Family Residential	<b>Proposed Land Use:</b> Bed and Breakfast Inn
<b>Current Zoning:</b> R-15	



*(ADA = Additional Dwelling Allowance SUP for greater density than permitted by-right in base zoning district – formerly titled High Density SUP)*

SURROUNDING AREA		
	LAND USE	ZONING
<b>North</b>	Single-Family Residential (Oak Hill Mobile Home Park)	R-15
<b>East</b>	Single-Family Residential	R-15
<b>South</b>	Single-Family Residential	R-15
<b>West</b>	Carolina Beach Road Right-of-Way	R-15



## ZONING HISTORY

**April 7, 1971**

The site was initially zoned R-15 (Area 4)

## COMMUNITY SERVICES

<b>Water/Sewer</b>	The existing structure is currently served by CFPWA water and private septic.
<b>Fire Protection</b>	New Hanover County Fire Services, New Hanover County Southern Fire District, New Hanover County Station Federal Point
<b>Schools</b>	Anderson Elementary, Murray Middle, and Ashley High schools (However, this proposal will not impact the school system.)
<b>Recreation</b>	Veterans Park, Monterey Heights, Myrtle Grove Athletic Complex

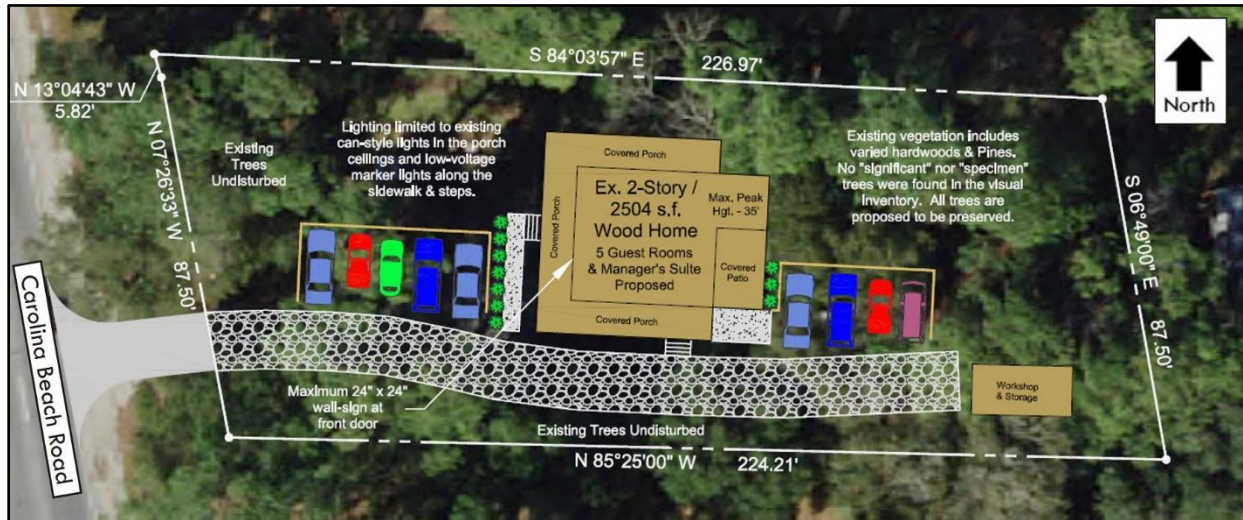
## CONSERVATION, HISTORIC, & ARCHAEOLOGICAL RESOURCES

<b>Conservation</b>	No known conservation resources
<b>Historic</b>	No known historic resources
<b>Archaeological</b>	No known archaeological resources

## APPLICANT'S PROPOSED CONCEPTUAL PLAN

- The applicant is seeking to obtain a Special Use Permit to operate a Bed and Breakfast Inn within an existing single-family dwelling located at 6727 Carolina Beach Road.
- The approximately 2,500 square foot dwelling is located near the center of the 0.43-acre site, is two-story, and approximately 35 feet in height at its highest point.
- The applicant is proposing to renovate the existing house to include 5 guestrooms and a manager's suite. According to the property owner, the proposed check-in time is around 3:00 pm and check-out time is around 10:00 am.

### Proposed Conceptual Plan



- Aside from the proposed interior and exterior renovations, the existing driveway is proposed to be stabilized with gravel in accordance with New Hanover County Fire Services and NCDOT standards. According to NCDOT, the driveway will require a commercial driveway permit with a minimum width of 20 feet.
- The required 9 parking spaces will be delineated with landscape timber borders.
- According to the applicant, all the existing vegetation on the site consists of various pines and hardwoods; however, no trees are proposed to be removed as part of this request.

## ZONING CONSIDERATIONS

- The Unified Development Ordinance (UDO) contains specific standards for Bed and Breakfast Inns. When located in the R-15 district, the proposed use is limited to one wall sign with a maximum area of 4 square feet, and all installed lighting must consist of typical residential light fixtures, such as can-style lights and low-voltage lights lining the sidewalk and steps. Because there are no specific standards regarding accessory uses, any additional limitations must be included as a condition.
- The applicant is currently coordinating with New Hanover County Environmental Health to determine the requirements to upgrade the existing septic system to accommodate the proposed use. Before the commencement of any Bed and Breakfast operation, a soil evaluation is required to determine the size and design of the septic system.
- The proposed site plan complies with the technical standards for the use in the UDO.

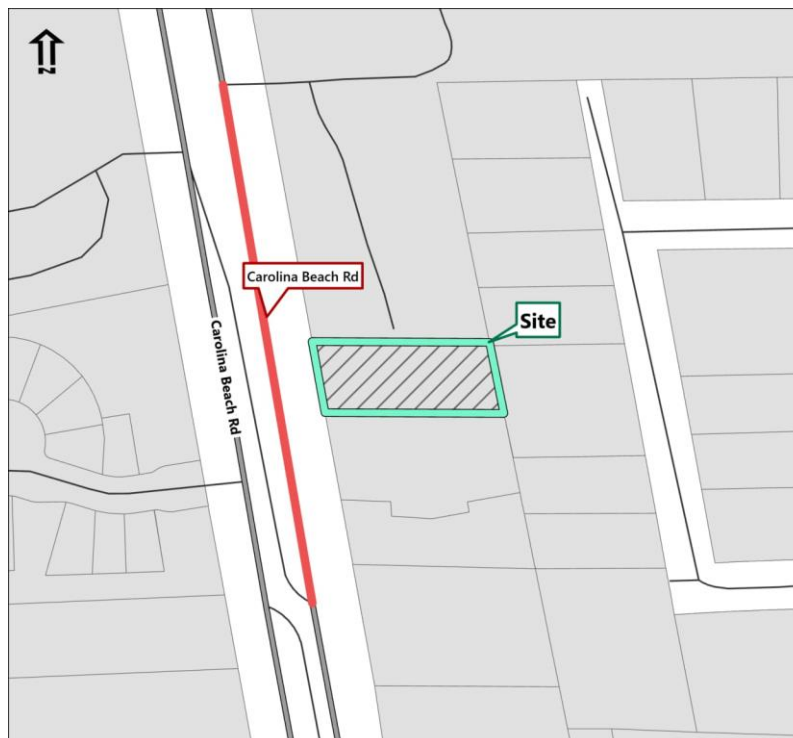


## AREA SUBDIVISIONS UNDER DEVELOPMENT



## TRANSPORTATION

- The site is accessed by Carolina Beach Road, an NCDOT-maintained Principal Arterial road based on the WMPO Functional Classification Map. The site is approximately one quarter mile north of the Carolina Beach Road/Myrtle Grove Road intersection. According to NCDOT, a driveway permit will be required for the proposed use.







**Nearby NC STIP Projects:**

*There are no major NCDOT projects planned within the proximity of the subject property that are anticipated to affect this request.*

**Nearby Traffic Impact Analyses:**

*There are no pending or approved Traffic Impact Analyses within the proximity of the subject property that are anticipated to affect this request.*

**ENVIRONMENTAL**

- The subject property is not within a Special Flood Hazard Area (SFHA) and does not contain any Natural Heritage Areas.
- The vast majority of the property is within the Lord Creek (C;Sw) watershed. Less than 1% of the site drains to the Intracoastal Waterway (SA;HWQ).
- Per the Classification of Soils in New Hanover County for Septic Tank Suitability, soils on the property consist of Class I (suitable/slight limitations) and Class III (severe limitations). However, the subject property is already served by a private septic system and the system is subject to review by New Hanover County Environmental Health prior to commencement of any operation.

**OTHER CONSIDERATIONS****Context and Compatibility**

- An existing single-family dwelling is currently located and occupied on the site.
- It is estimated there will be a minimal increase in traffic if the existing dwelling is allowed to be used as a Bed and Breakfast Inn.
- The use of the property as a Bed and Breakfast Inn will have no impact on the school system.

**Existing Dwelling Located on the Property:**



Examples of Proposed Use:



*Angie's Bed and Breakfast  
(1704 Market Street)*



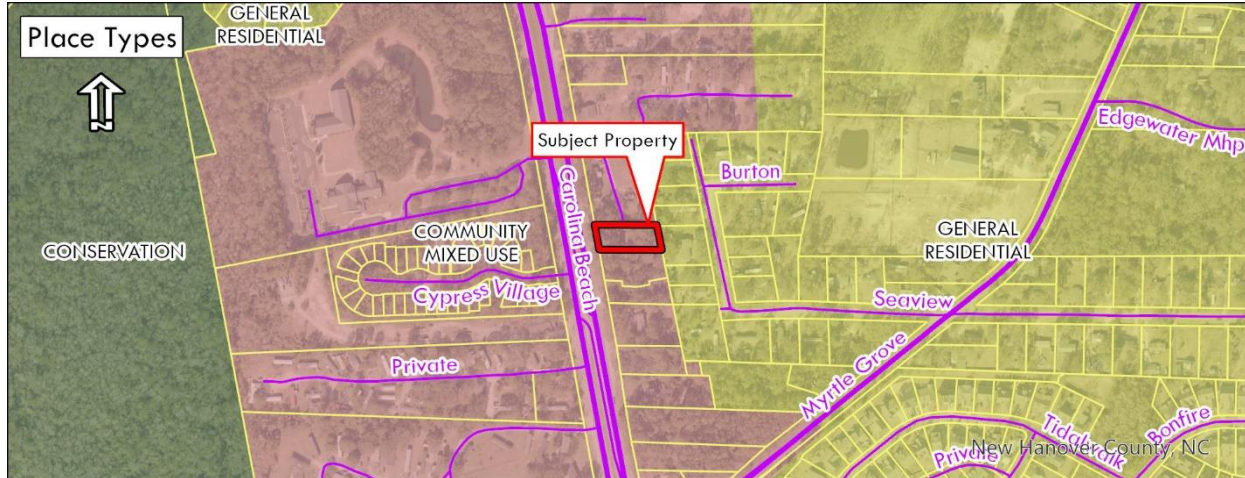
*Hoge-Wood House  
(407 S 3<sup>rd</sup> Street)*

*Taylor House Inn (14 N 7<sup>th</sup> Street)*



## 2016 COMPREHENSIVE LAND USE PLAN

The New Hanover County Future Land Use Map provides a general representation of the vision for New Hanover County's future land use, as designated by place types describing the character and function of the different types of development that make up the community. These place types are intended to identify general areas for particular development patterns and should not be interpreted as being parcel specific.



<b>Future Land Use Map Place Type</b>	Community Mixed Use
<b>Place Type Description</b>	Focuses on small-scale, compact, mixed use development patterns that serve all modes of travel and act as an attractor for county residents and visitors. Types of appropriate uses include office, retail, mixed use, recreational, commercial, institutional, and multi-family and single-family residential.
<b>Analysis</b>	<p>The subject property fronts Carolina Beach Road between Monkey Junction and Myrtle Grove Road. The site is located in an area designated as Community Mixed Use because of its location along a major roadway and the opportunity for a community-level commercial service node at the Carolina Beach Road/Myrtle Grove Road intersection.</p> <p>Because the proposed Bed and Breakfast Inn will renovate and reuse the existing residential home, the use and associated impacts are similar in nature to how the site is currently utilized and will help serve as an attractor for visitors of the county.</p> <p>While not specifically addressed by the Comprehensive Plan, the proposed Bed and Breakfast Inn is in line with the mix of residential and commercial uses recommended for Community Mixed Use areas.</p>

## STAFF PRELIMINARY CONCLUSIONS AND FINDINGS OF FACT:

Staff has conducted an analysis of the proposed use and the information provided as part of the application package and has created preliminary findings of fact for each of the conclusions required to be reached to approve the special use permit request. These preliminary findings of fact and conclusions are based solely on the information provided to date, prior to any information or testimony in support or opposition to the request that may be presented at the upcoming public hearing at the Board meeting.



**Conclusion 1: The Board must find that the use will not materially endanger the public health or safety where proposed and developed according to the plan as submitted and approved.**

- A. Water is currently provided by CFPWA and wastewater is treated by a private septic system. Prior to the commencement of any Bed and Breakfast operation, the property owner must obtain all necessary New Hanover County Environmental Health permits, including but not limited to, a septic improvement permit and an operational permit for a lodging facility.
- B. The site will be accessed by Carolina Beach Road, an NCDOT-maintained Principal Arterial road based on the WMPO Functional Classification Map. The existing driveway will be reviewed by NCDOT during the driveway permitting process.
- C. The existing dwelling will be renovated and reviewed through the permitting process to ensure compliance with all applicable building codes.
- D. It is estimated there will be a minimal increase in traffic if the existing dwelling is allowed to be used as a Bed and Breakfast Inn.
- E. The subject property is located in the New Hanover County Southern Fire Service District.
- F. The site is not located within the Special Flood Hazard Area.

**Conclusion 2: The Board must find that the use meets all required conditions and specifications of the Unified Development Ordinance.**

- A. The site is zoned R-15, Residential District.
- B. Bed and Breakfast Inns are an allowed use by Special Use Permit in the R-15 zoning district.
- C. Section 4.3.4.E.1 of the Unified Development Ordinance (UDO) sets forth specific use standards for Bed and Breakfast Inns. Compliance with the applicable standards is shown on the conceptual plan.

**Conclusion 3: The Board must find that the use will not substantially injure the value of adjoining or abutting property or that the use is a public necessity.**

- A. The surrounding area contains commercial and institutional uses and single-family dwellings.
- B. The proposed use will be similar in nature to the existing dwelling already located on the property.
- C. To date, no evidence has been provided to show that the proposed development will substantially injure the value of adjoining or abutting property.
- D. The proposed condition will help mitigate potential impacts of any accessory use in terms of parking, amplified music and lighting, and hours of operation for any outdoor event.

**Conclusion 4: The Board must find that 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 Comprehensive Land Use Plan for New Hanover County.**

- A. The property is located in the Community Mixed Use place type as classified in the 2016 Comprehensive Plan.
- B. The proposed Bed and Breakfast Inn is in line with the mix of residential and commercial uses recommended for Community Mixed Use areas.

### **Suggested Conditions**

1. Any accessory private events shall be limited to the Bed and Breakfast's clients and no more than fifteen additional guests, shall not include parking that cannot be accommodated in the designated guest parking spaces, shall not include amplified music or additional lighting, and shall take place during daylight hours unless completely indoors.

### **PLANNING BOARD ACTION**

The Planning Board considered this application at their February 4, 2021 meeting. At the meeting, no one from the public spoke in favor of, or in opposition to, the proposal. The Planning Board recommended approval of the application (6-1).

In response to concerns raised by a Board member at the Planning Board meeting regarding the potential use of the site for accessory special events and the impact of such events on neighboring properties, the applicant has provided a condition to address these concerns and has requested that the condition be added to the request.

### **EXAMPLE MOTIONS**

#### **Example Motion for Approval:**

Motion to approve, as the Board finds that this application for a Special Use Permit meets the four required conclusions based on the findings of fact included in the Staff Report.

[**OPTIONAL**] Note any additional findings of fact related to the four required conclusions

[**OPTIONAL**] Note any conditions be added to the development:

*[List Conditions]*

#### **Suggested Condition:**

1. Any accessory private events shall be limited to the Bed and Breakfast's clients and no more than fifteen additional guests, shall not include parking that cannot be accommodated in the designated guest parking spaces, shall not include amplified music or additional lighting, and shall take place during daylight hours unless completely indoors.

#### **Example Motion for Denial:**

Motion to deny, as the Board **cannot** find that this proposal:

1. Will not materially endanger the public health or safety;
2. Meets all required conditions and specifications of the Unified Development Ordinance;
3. Will not substantially injure the value of adjoining or abutting property;
4. Will be in harmony with the area in which it is to be located and in general conformity with the Comprehensive Land Use Plan for New Hanover County.

*[State the finding(s) that the application does not meet and include reasons why it is not being met]*