

Jeff Wenzel
Mayor

Pamala Hall
Mayor Pro-Tem

Dexter Sholar
Councilmember

Greg Hines
Councilmember

Rena Bragg
Councilmember

Carolyn Stanley
Councilmember

Town of Holly Ridge

*Post Office Box 145
Holly Ridge, North Carolina 28445*

*Telephone (910) 329-7081
Fax (910) 329-1593*



Heather Reynolds, CMC
Town Manager

Tracy Martin
Deputy Town Clerk

HOLLY RIDGE PLANNING BOARD MEETING AGENDA January 18, 2022 6:00PM

- 1. Call to Order**
- 2. Moment of Silence/Pledge of Allegiance**
- 3. Adoption of Agenda**
- 4. Approval of December 21, 2021 PB Minutes**
- 5. New Business**
 - A. Zoning Map Amendment—Edwin Bahouth—226 E Ocean Road**
Discussion and recommendation for requested zoning map amendment of .73 acres from R-15 to Neighborhood Business
- 6. Board Questions/Comments**
- 7. Adjournment**



Planning & Zoning Department
Staff Report
Zoning Map Amendment
Planning Board Meeting Date:
January 18, 2022

Edwin Bahouth, owner/applicant, is requesting a zoning map amendment for a .73 acre property located at 226 E Ocean Road and identified as parcel #021318 (Map #900-37). The map amendment is to rezone the property from R-15 to Neighborhood Business (NB).

<p>Applicant: Edwin Bahouth</p> <p>Property Owner: Edwin Bahouth 6262 Teal Street, Wilmington</p> <p>Parcel ID#: 021318 (Map #900-37)</p> <p>Current Zone: R-15</p> <p>Proposed Zone: Neighborhood Business (NB)</p> <p>Acreage: .73 total acres</p> <p>Number of Properties: 1</p> <p>*Planning Board Action Required: Yes</p> <p>*Town Council Action Required: Yes</p> <p>Actions:</p> <ol style="list-style-type: none"> 1. Recommend Approval/Denial of the proposed rezoning, as presented in the Staff Report or with changes. 2. Continue to a future date to obtain/consider additional information. The next available meeting date is February 15, 2022. 3. Determine consistency with the Holly Ridge Comprehensive Land Use Plan. 	<p>Current Legal Use: Vacant Single-Family Dwelling</p> <p>Relevant History: Found within the Town’s corporate limits, the existing property is zoned as R-15 which encompasses residential parcels requiring a minimum of 15,000 square feet. The parcel currently has a vacant single-family dwelling located on the property. Found at the corner of N Dyson and E Ocean, the parcel is located in the same block as the new Circle K gas station currently under construction and the recently renovated hair salon located 3 parcels to the West. Also located on E Ocean is a structure currently under renovation to be used as a café. Along N Dyson, Jones Funeral Home is located at the rear of the subject parcel with Penslow Health Clinic and the Holly Ridge Town Hall found in the vicinity as well. Directly adjacent to the subject parcel to the North and East are parcels currently zoned NB, to the West is R-15, and to the South is Commercial and R-15.</p> <p>Summary of Key Issues: The Holly Ridge Comprehensive Land Use Plan, in particular the Future Land Use Map, designates this particular parcel, as well as surrounding parcels, as Mixed-Use causing this request to be consistent with the Town’s plan and would assist in satisfying some of the public input priorities found within the Land Use Plan, namely in attracting a broad variety of businesses.</p> <p>Staff Recommendation: Approval</p>
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OVERVIEW

The applicant is requesting a Zoning Map amendment from R-15 to Neighborhood Business (NB). The purpose of the R-15 district is to stabilize established and planned single-family residential neighborhoods by providing a place for low density stick-built and modular homes uses, and to be protected from undesirable future development and residential developments. Minimum lot area within the R-15 zoning district must be at least 15,000 square feet.

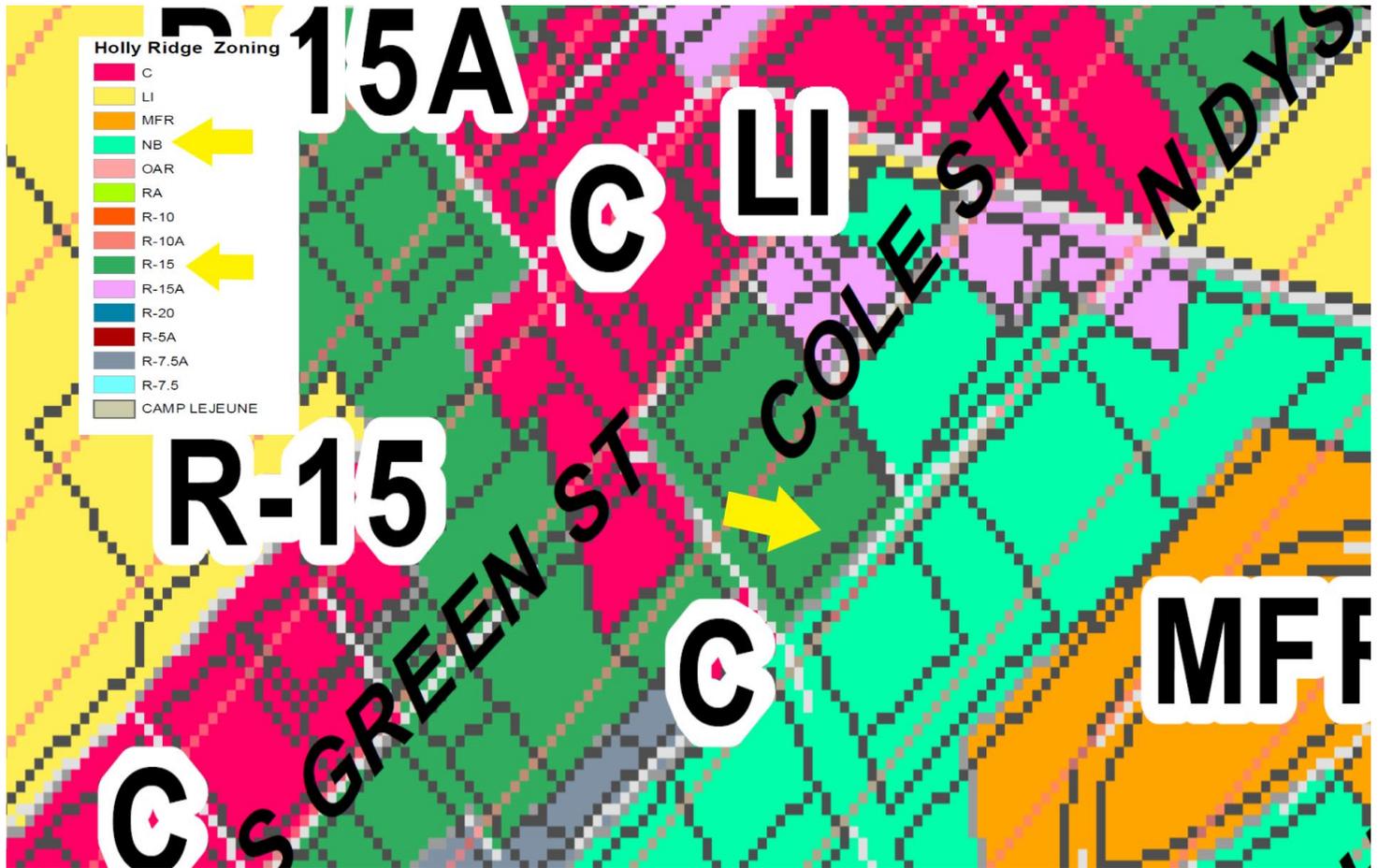
The purpose of the NB District is to accommodate retail, service and related businesses that cater to the immediate community and residential districts. The NB District requires parcels to be a minimum of 4,500 square feet and, in addition to retail, sales, services, and related businesses, does allow for multi-family development.

The surrounding properties consist of both occupied and vacant residential and commercial properties. Adjacent to the subject parcel North along N Dyson is the presently operating Jones Funeral Home. Adjacent to the property on the West and East are occupied single-family dwellings. And located South of the subject parcel, across E Ocean Road, are two (2) single-family dwellings with one only being occupied. Though not adjacent, other non-residential properties are also found in the area. Along E Ocean and West of the subject property are businesses comprised of a convenience store, a gas station currently under construction, a renovated hair salon, and a café currently under renovation. East along E Ocean Road are uses comprised of a church, multi-family dwellings, and a manufacturing operation currently under renovation.



Aerial of Property

The property is currently zoned R-15 with the adjoining properties to the North and East being Neighborhood Business, South being Commercial and R-15, and West being R-15. The surrounding areas consist of both existing residential and commercial uses. Additionally, there is an occupied multi-family use within the area.



Current Zoning of Property

PERMITTED USES

In reviewing a general zoning map amendment, consideration of all permitted uses must take place in approving or denying the request as submitted. The following uses are permitted uses within the Neighborhood Business Zoning District:

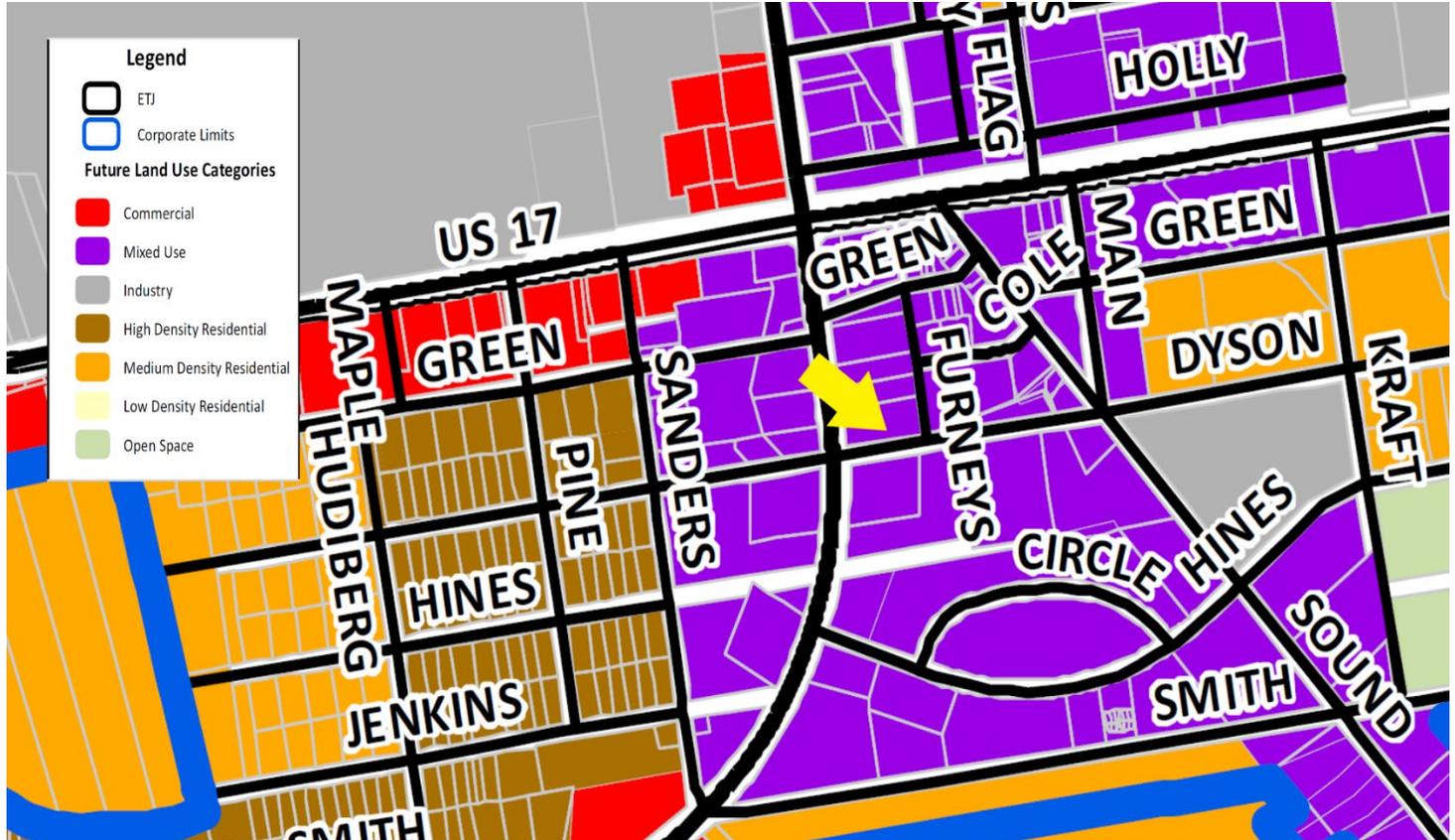
Multi-Family Dwelling (Apartment/Townhouses/Duplexes) (Special Use Permit)	Upper-Story Residential	Children’s home	Bed and Breakfast
Nursing, convalescent, assisted living facility	Rehabilitation Facility	Accessory Apartment (Special Use Permit)	Accessory structures/uses
Temporary construction offices	Hotels/Motels (Special Use)	Greenhouse and/or nurseries (commercial)	Arts and graphics services
Auction house	Auto, truck and motorcycle sales (Special Use)	Auto supplies	Bakery
Banks and finance companies	Blueprints and drafting supplies	Boat repairs, sales, and service	Brick, tile and pottery yard (sales and service)

Camera and photography supplies	Convenience store	Dairy, meat and seafood market	Drinking establishments (bars/lounge/pub) (Special Use Permit)
Equipment rental	Farm supplies	Farm/heavy equipment sales and rental	Flea market (indoor/outdoor)
Floor covering store (sales and installation)	Food store (under 10,000 sq. ft.)	Gas or service station	Heating and refrigeration sales and service
Industrial supplies and equipment sales	Lawn and garden supplies	Lumber and building material sales	Manufactured home/recreational vehicle sales
Manufacturer's showrooms	Monument works/sales (Special Use)	Plumbing and heating supplies	Rental of vehicles
Residential development sales (office on-site)	Restaurant	Roadside stand	Shopping Center
Supermarket (over 10,000 sq. ft.) (Special Use)	Commercial Recreation	Winery	Sales, service, repair and rental, not elsewhere listed
Cabinet shops (Special Use Permit)	Microbrewery or microdistillery	Metal machining, welding and fabrication shop (Special Use)	Woodworking fabrication shop
Animal hospital/veterinarian clinic	Auto detailing	Automatic teller machine	Barber and beauty shops
Building, cleaning and maintenance services	Car wash	Child care center	Coin operated laundry
College/university/technical college (Special Use Permit)	Computer and data processing services	Contractor's office	Detective agency
Dry cleaners (Special Use Permit)	Grading business (Special Use)	Heating and refrigeration repair shop	Kennel and animal shelters
Mobile Vendor	Mental health, in patient (Special Use Permit)	Publishing and printing	Research activities
Tattoo/body piercing	Retail Store	Office and commercial services not elsewhere listed	Aquarium
Church (including fellowship buildings)	Club and/or Lodge	Community centers-public	Fire and Rescue (EMS)
Government facilities	Hospital (human) (Special Use Permit)	Libraries	Liquor Store (ABC Store)
Museums	Parks and Playgrounds	Police Departments	Schools (elementary, middle, high, private)
US Postal Service	Crematorium (Special Use)	Arcade	Baseball hitting ranges
Billiard or pool halls	Boat marina (Special Use Permit)	Bowling alley	Dance schools
Electronic Gaming Operation (Special Use Permit)	Firing Range, indoor (Special Use Permit)	Golf course, public/private (Special Use Permit)	Golf driving range (Special Use Permit)
Greenways	Health club	Livestock petting zoo (Special Use)	Miniature golf

Movie theaters (indoor)	Private recreation clubs (non-adult)	Skating Rink	Ambulance service
Bus garages	Bus terminal (Special Use Permit)	Convenience center (Special Use Permit)	Mini warehouse
Open storage facility (Special Use)	Parking lot (commercial)	Recycling collection center (Special Use Permit)	Warehousing (Special Use Permit)
Wholesale distribution (Special Use Permit)	Public utility facility (substation)	Sewer system (private) (Special Use Permit)	Utility company operation center
Wireless communication tower/substantial modification (Special Use Permit)	Wireless communication facility, small cell/collocation		

FUTURE LAND USE

The future land use designation for this area is Mixed-Use. This future land use category should provide a concentration of commercial, service, institutional, and residential uses that will serve residents of Holly Ridge, seasonal visitors, and other permanent residents of Pender and Onslow Counties. The future land use classification is intended to promote social activity and the cultural value of the Town. The preferred land use mix is primarily commercial/retail and office with multi-family residential uses and vertical and horizontal mixed use development. Standalone multi-family residential development should be buffered from conflicting uses and combability designed within the current neighborhood condition. Appropriate uses within the Mixed-Use designation would be mostly commercial, retail, office, and institutional uses, multi-family and duplex residential uses, and parks, recreation, and open space. All these uses are found within the Neighborhood Business Zoning District.



Future Land Use Map of Area

PLANNING BOARD POLICY CONSIDERATIONS

The Planning Board must consider each of the following guidelines in making their recommendation to the Town Council.

(A) The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.

Surrounding properties found within the area are zoned R-15, NB, and Commercial. The adjoining properties are utilized for both residential and commercial uses. Similar uses within the Neighborhood Business district would place these properties in the same or complementary categories.

(B) There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of an individual or small group.

As part of the purpose of the Neighborhood Business zoning district, the requested rezoning would accommodate retail, service and related businesses that cater to the immediate community and residential districts. The proposed district classification would be in the general public interest as additional commercial options would be available for them.

(C) There is convincing demonstration that all uses permitted under the proposed new district classification are appropriate for the area included in the proposed change.

Being as commercial and residential, including multi-family residential, uses are found in the area, the variety of permitted uses within the NB District would afford options to accommodate the districts purpose as well as permit uses that would be appropriate to those that currently exist.

(D) There is convincing demonstration that the character of the neighborhood will not be materially or adversely affected by any use permitted in the proposed change.

Being the districts and land uses currently existing in the area include residential and commercial, there appears to be no convincing demonstration that the character of the neighborhood would be adversely affected if developed in accord with the listed permitted uses.

(E) The proposed change is in accord with the Holly Ridge Comprehensive Plan, and any other officially adopted plan.

The Holly Ridge Comprehensive Plan designates this area for Mixed-Use development. As such, a concentration of commercial, service, institutional, and residential uses should be provided. The variety of uses within the NB District would be in accord with this designation and is consistent with said Plan.

Actions & Consistency Statements

Action A: Recommend Approval

Motion to recommend approval of the following resolutions: RESOLVED, that the Town of Holly Ridge Planning Board hereby finds the amendment to the Zoning Map is consistent with the Town of Holly Ridge Comprehensive Land Use Plan because the permitted uses within the NB District allow for uses that qualify for Mixed-Use development as designated by the Town's Plan and would prove to be reasonable and in the public interest by providing additional commercial options to both residents and traveling public and forwards this included Consistency Statement to the Holly Ridge Town Council.

Action B: Recommend Denial

Motion to recommend denial of the following resolution: RESOLVED, that the Town of Holly Ridge Planning Board hereby finds the map amendment to the Official Holly Ridge Zoning Map is (i) consistent/inconsistent with the Town's comprehensive plan (Town of Holly Ridge Comprehensive Growth Strategy) stating that _____

And (ii) that it is not reasonable and in the public interest because it will _____

Staff Recommendation

Town Staff recommends **APPROVAL** of this requested zoning map amendment as it is submitted. Per the included application, the request is to rezone .73 total acres of property located at 226 E Ocean Road and identified as Parcels #021318 (Map #900-37) from R-15 to Neighborhood Business.

Both residential and commercial uses exist in the area, as well as directly adjoining, the subject parcel. The permitted uses found within the Neighborhood Business district allow for more commercial uses which would be beneficial for this property as it is located along a major corridor in Holly Ridge. Additionally, Neighborhood Business districts are also located adjacent to and within the surrounding area of the subject property.

The Town of Holly Ridge Comprehensive Land Use designates this area as Mixed-Use which should provide a concentration of commercial, service, institutional, and residential uses. With both such uses found within the area, and adjacent to the subject property, the request to rezone the property to Neighborhood Business appears to be consistent with the Town's plans. Additionally, the prospect of locating commercial uses on property along a major thoroughfare could also be considered reasonable and in the public interest.

A public hearing will be scheduled before Town Council during their next regular meeting scheduled for February 8, 2022 at 6:00pm in order to consider this matter.

Town of Holly Ridge

Post Office Box 145
Holly Ridge, North Carolina 28445
Telephone (910) 329-7081 Fax (910) 329-1593



GENERAL ZONING APPLICATION

Application Number: _____ Date Submitted: December 13, 2021

Application Fee: \$ _____ Receipt Number: _____

Request for: Appeal Variance Conditional Use Rezoning Annexation

Applicant: Edwin Bohault Owner: Edwin Bohault

Address: 6262 Teal St. Wilmington, N.C. 28403

Telephone: _____ Cell Number: (910) 237-2958

Purpose of Permit: rezone from R-15 TO NB.

Property Location: 226 E. Ocean Road

Parcel ID Number: 021318

Lot Size: .73 AC Square Foot: 1400 sq/ft Zoning District: R15

Number of Buildings to Remain: 1 Gross Floor Area to Remain: 1400 sq/ft

Number Proposed Buildings: — Floor Area of Proposed Buildings: —

Total Acreage of Land to be Disturbed 0 Estimated Cost of Project: \$ —

If needed to illustrate appeal or request for variance, attach plot plan. Also, a survey of the site prepared by a registered surveyor licensed to practice in North Carolina may be required.

Edwin Bohault
Signature of Applicant

12-13-2021
Date

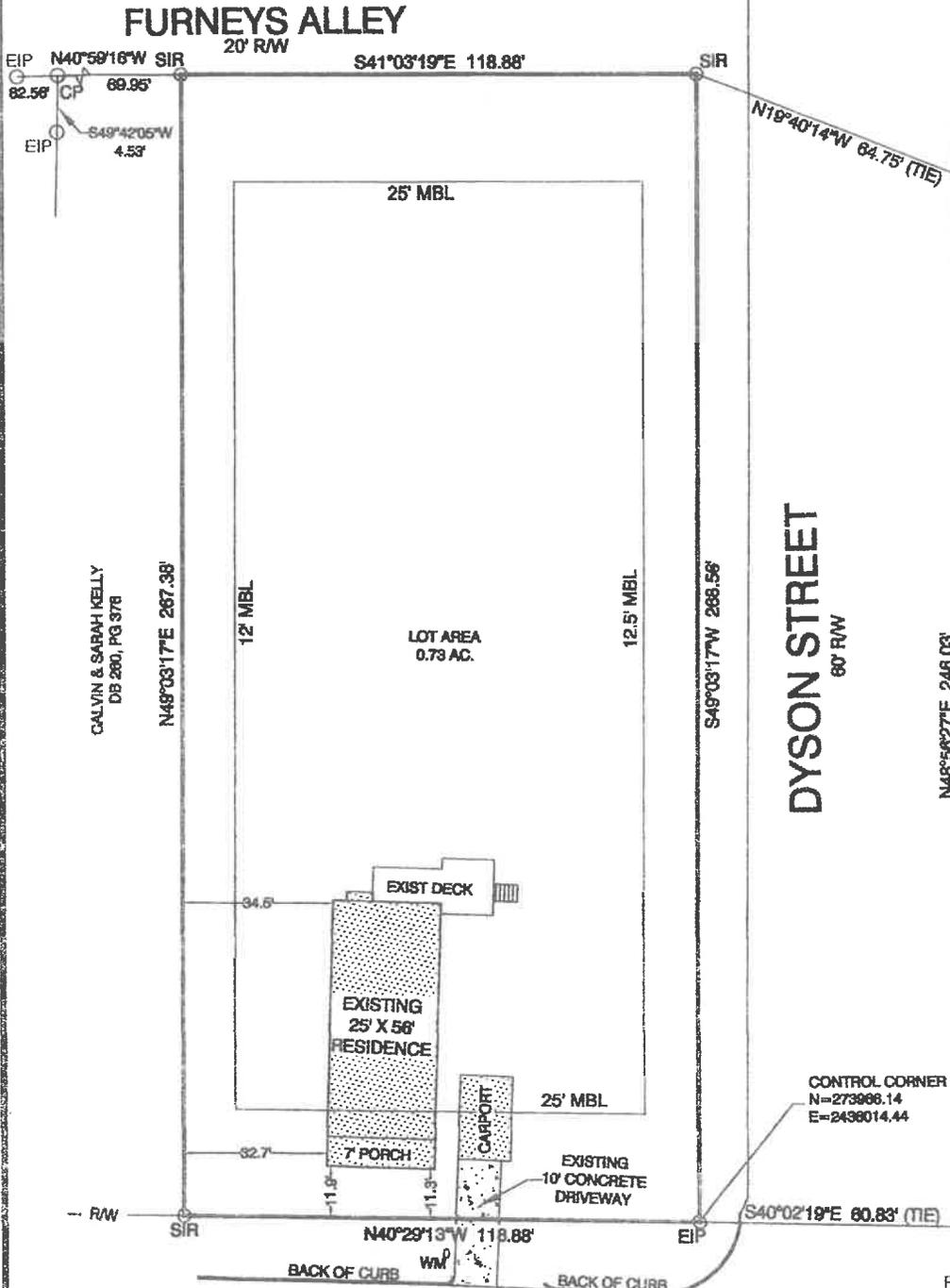
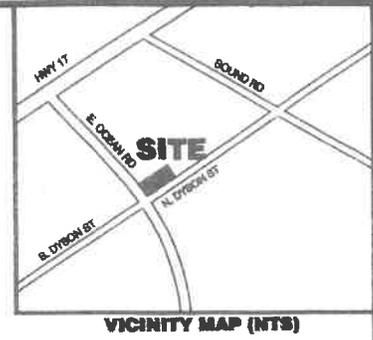
Ed Bohault
Signature of Owner

12-13-2021
Date

A FEE WILL BE REQUIRED AT SUBMISSION OF THIS APPLICATION PER CURRENT ADOPTED FEE SCHEDULE.

NOTES:

1. THIS PROPERTY IS SUBJECT TO RESTRICTIVE COVENANTS, EASEMENTS OF RECORD, ZONING ORDINANCE, AND UNDERGROUND UTILITIES, IF ANY.
2. NO TITLE SEARCH BY SURVEYOR.
3. AREA BY COORDINATE METHOD.
4. THIS SUBJECT PROPERTY IS NOT IN A FLOOD HAZARD AREA (ZONE X), COMMUNITY PANEL #3720-423700-K (EFFECTIVE 6/2/2021)
5. REFERENCES: DB 5481, PG 423; MB 4, PG 8
6. ZONE: R-15- SETBACKS: FRONT - 25', SIDE - 12', REAR - 25'
7. FIELD WORK COMPLETED 6-14-21



- LEGEND -

- SIR - 1/2" Set Iron Rod
- EIP - Existing Iron Pipe
- EIR - Existing Iron Rod
- ECM - Existing Concrete Monument
- EPK - Existing EPK Nail
- CP - Calculated Point
- R/W - Right-of-Way
- MBL - Minimum Building Line
- DB - Deed Book
- MB - Map Book
- PG - Page
- PP - Power Pole

- Property Line Surveyed
 - Property Line Not Surveyed
 - Minimum Building Line

HARRY & DAWNEVA EVANS
DB 1886, PG 181
MB 80, PG 172



PROPERTY DESCRIPTION:
OWNER: DAWNEVA & HARRY EVANS
P.O. BOX 10
HOLLY RIDGE, NC 28445
DB 5481, PG 423
MB 4, PG 8
PIN #423715640191
ORIGINAL AREA: 0.73 AC

NORTH CAROLINA
ONSLOW COUNTY

E. OCEAN RD (NC HWY 50)
(100' R/W)

I, WESTON LYALL, PROFESSIONAL LAND SURVEYOR NUMBER L-4438, CERTIFY THAT THIS SURVEY WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION (DEED BOOK 5481, PAGE 423) AND THE FOLLOWING INFORMATION WAS USED TO CONDUCT THE SURVEY: ALL OF WHICH ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

