



# Conditional Use Permit

## TOWN OF CAROLINA BEACH, N.C.

Permit Number: \_\_\_\_\_

Each application must be printed or typewritten and have all information answered. **It is required that the applicant set up a meeting with Planning Staff prior to the submission deadline to ensure the application is complete.** The Town of Carolina Beach requires a **licensed attorney** to appear in a representative capacity to advocate the legal position of another firm, or corporate entity that is the applicant/owner of record.

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

**Major and minor projects: application fees.** The owner or owners, or their duly authorized agent, of the property included in the application for a conditional use permit shall submit a complete application and supplemental information to the Zoning Administrator. 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 Use Permit Application as either "major" or "minor", depending upon the complexity of review. Generally, Planned Residential (over 3 units), Mixed Uses, Business Developments, and similarly complex projects shall be categorized as "major", while projects such as bed and breakfast inns, small day care services, etc. shall be categorized as "minor".

- Major Conditional Use Permit = \$ 800.00
  - Minor Conditional Use Permit = \$ 350.00
- \*\*Fees are nonrefundable after item has been sent for advertisement\*\*

This permit will be scheduled for the next possible Technical Review Committee.

2020 Submission Deadlines & Meeting Dates					
Technical Review Committee		Planning & Zoning Commission		Town Council	
Submission	Meeting	Submission	Meeting	Submission	Meeting
Jan 6	Jan 21	Jan 30	Feb 13	Feb 25	Mar 10
Feb 4	Feb 18	Feb 27	Mar 12	Mar 31	Apr 14
Mar 2	Mar 16	Mar 26	Apr 9	April 28	May 12
Apr 6	Apr 20	Apr 30	May 14	May 26	June 9
May 4	May 18	May 28	June 11	June 30	July 14
June 1	June 15	June 25	July 9	July 28	Aug 11
July 6	July 20	July 30	Aug 13	Aug 25	Sept 8
Aug 3	Aug 17	Aug 27	Sept 10	Sept 29	Oct 13
Sept 7	Sept 21	Sept 24	Oct 8	Oct 27	Nov 10
Oct 5	Oct 19	Oct 29	Nov 12	Nov 24	Dec 8
Nov 2	Nov 16	Nov 28	Dec 10	Dec 29	Jan 12, 2021
Dec 7	Dec 21	Dec 30	Jan 14, 2021	FEB '21	FEB '21
Jan 4, 2021	Jan 19, 2021	JAN/FEB 2021	FEB '21	MARCH '21	MARCH '21

Board	# Copies Fall Size	# Copies Electronic	Recipients
TRC	9	1	1 Manager, 3 Planning, 1 Fire, 1 Police, 2 Operations, 1 Admin
P&Z	9	1	7 P&Z, 1 Manager, 2 Planning, 1 Secretary, 1 Island Gazette
Town Council	9	1	5 Town Council, 1 Manager, 1 Planning, 1 Clerk, 1 Island Gazette

**PURPOSE**

Conditional use permits add flexibility to the zoning regulations. Subject to high standards of planning and design, certain property uses may be allowed in certain districts where these uses would not otherwise be acceptable. By means of controls exercised through the conditional use permit procedures, property uses which would otherwise be undesirable in certain districts can be developed to minimize any adverse effects they might have on surrounding properties.

Please complete all sections of the application.

**A. Property Information**

Address(es): 216 SPARTANBURG AVE, CAROLINA BEACH, NC 28428  
PIN(s): \_\_\_\_\_  
Project Name SPARTANBURG TOWNHOMES  
Size of lot(s): 100' x 140' 14000 SF

**B. Application for Conditional Use Permit**

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

2 DUPLEX TOWNHOMES + 1 SINGLE FAMILY HOME.

**C. Applicant Contact Information**

LAUREL COMPANIES, LLC  
Company/corporate Name (if applicable):  
Tim Barker  
Applicant's Name  
101 SEAVIEW RD  
Mailing Address  
WILMINGTON, NC 28409  
City, State, and Zip Code  
910-398-8867  
Telephone  
Tim@laurelcompanies.com  
Email

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

Jessica Pirone, Nest Realty c/o Monster Mountain LLC (William Gilligan)  
Owner's Name  
990 Inspiration Dr  
Mailing Address  
Wilmington, NC 28405  
City, State, and Zip Code  
+1 (910) 518-6378  
Telephone  
fullcircle@nestrealty.com  
Email



*General conditions.* Council, when granting a conditional use permit, shall find that all four of the following factors found in Chapter 40 Article XI exist. In the spaces provided below, indicate the facts and arguments that prove you meet the following conditions:

1. Indicate how the proposed CUP will not adversely affect health or safety if located where proposed and developed according to the plan submitted:

The Property is located  
where similar duplex AND single family homes  
are constructed.

2. Indicate if the proposed Conditional Use Permit meets all required conditions and specifications or if any waivers are requested:

NO WAIVERS ARE BEING REQUESTED.

3. Indicate how the proposed Conditional Use Permit will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity:

Similar homes are adjoining the  
property.

4. Indicate that the location and use of the proposed Conditional Use Permit, if developed according to the plan as submitted, will be in harmony with the area in which it is to be located and in general conformity with the Town of Carolina Beach's Land Use Plan and policies.:

Our proposed project  
will match the homes surrounding the  
property.

*Specific standards.* No conditional use shall be granted by Town Council unless the following provisions and arrangements where applicable, have been made to the satisfaction of the council.

1. Indicate how the Ingress and egress to the property and proposed structures in reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe:

This property is located on the corner  
of SPARTANBURG AVE AND S. 3RD ST w/ plenty of access.

2. Indicate how the off-street parking and loading areas met, and how the economic, noise, glare, or odor of the propose use will affect the adjoining properties.

We have allowed for parking under each unit  
NO UNSUAL NOISE, GLARE OR ODOES

3. Indicate how the refuse and service area, will be handled.

CITY WATER/SEWER/TRASH SERVICES

4. Indicate how adequate and proper utilities, with reference to locations, availability, and compatibility are to be provided or how the item listed are not applicable to the proposed CUP.

CITY SERVICES ARE AVAILABLE WITH PROPER  
POWER, WATER & SEWER.

5. Indicate how screening and buffering with reference to type, dimensions, and character will be provided or why it is not provided for;

SEE ATTACHED LANDSCAPING PLAN

6. Indicate how signs, if any, and the proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

N/A

7. Indicate the required yards and other open space and preservation of existing trees and other attractive natural features of the land.

SEE ATTACHED SITE PLAN  
w/ LANDSCAPING



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                                 |  |
|-------------------------------------|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | The name, address, and phone number of the professional(s) responsible for preparing the plan if different than the applicant.     |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Engineers scale 1 inch = 40 ft or larger   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | Title block or brief description of project including all proposed uses  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | Date   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | North arrow  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | Property and zoning boundaries   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | The square footage of the site   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | Lot coverage (buildings, decks, steps)   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | Location of all existing and proposed structures and the setbacks from property lines of all affected structures to remain on-site |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | Design of driveways and parking  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | Adjacent right-of-ways labeled with the street name and right of way width   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | 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                                 |   |
|-------------------------------------|-------------------------------------|-------------------------------------|---|
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Location and design of refuse facilities  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Approximate locations and sizes of all existing and proposed utilities  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Existing and/or proposed fire hydrants (showing distances)  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | Adjacent properties with owners' information and approximate location of structures   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | Distances between all buildings   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | Number of stories and height of all structures  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | Locations of all entrances and exits to all structures  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | Calculate the gross floor area with each room labeled (i.e. kitchen, bedroom, bathroom)   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be use       |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Location of flood zones and finished floor elevations   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | CAMA Areas of Environmental Concern (AEC) and CAMA setbacks   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Delineation of natural features and wetlands with existing and proposed topography with a maximum of two foot contour intervals |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | Proposed landscaping including percentages of open space  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Stormwater management systems   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Cross-sectional details of all streets, roads, ditches, and parking lot improvements  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | Building construction and occupancy type(s) per the building code   |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Location of fire department connection(s) for standpipes  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Turning radii, turnarounds, access grades, height of overhead obstructions  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Dimensions and locations of all signs   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | A vicinity map drawn with north indicated   |

I have provided a scaled electronic version of each required drawing

**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 development plan shall be submitted in accordance with Chapter 40 Article

**OWNER'S SIGNATURE:** In filing this application for a conditional use permit 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. I hereby designate Laurel Companies LLC To act on my behalf regarding this application, to receive and respond to administrative comments, to resubmit plans on my behalf and to speak for me in any public meeting regarding this application.

*William E Gilligan*

dotloop verified  
10/05/20 2:12 PM EDT  
AL27-MUEX-9HWJ-R8TH

Signature

\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
Date

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

The undersigned owner, William Gilligan - Monster Mountain LLC, does hereby appoint Laurel Companies LLC - Tim Barker 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; c) approval of a special use permit; d) approval of a special use district; and/or, e) 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 a special use permit, to accept conditions or recommendations made for the issuance of the special use permit 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: 10-5-2020

Appointee's Name, Address & Telephone:

Tim Barker  
101 Seaview Rd  
Wilmington, NC 28409  
910-632-3765

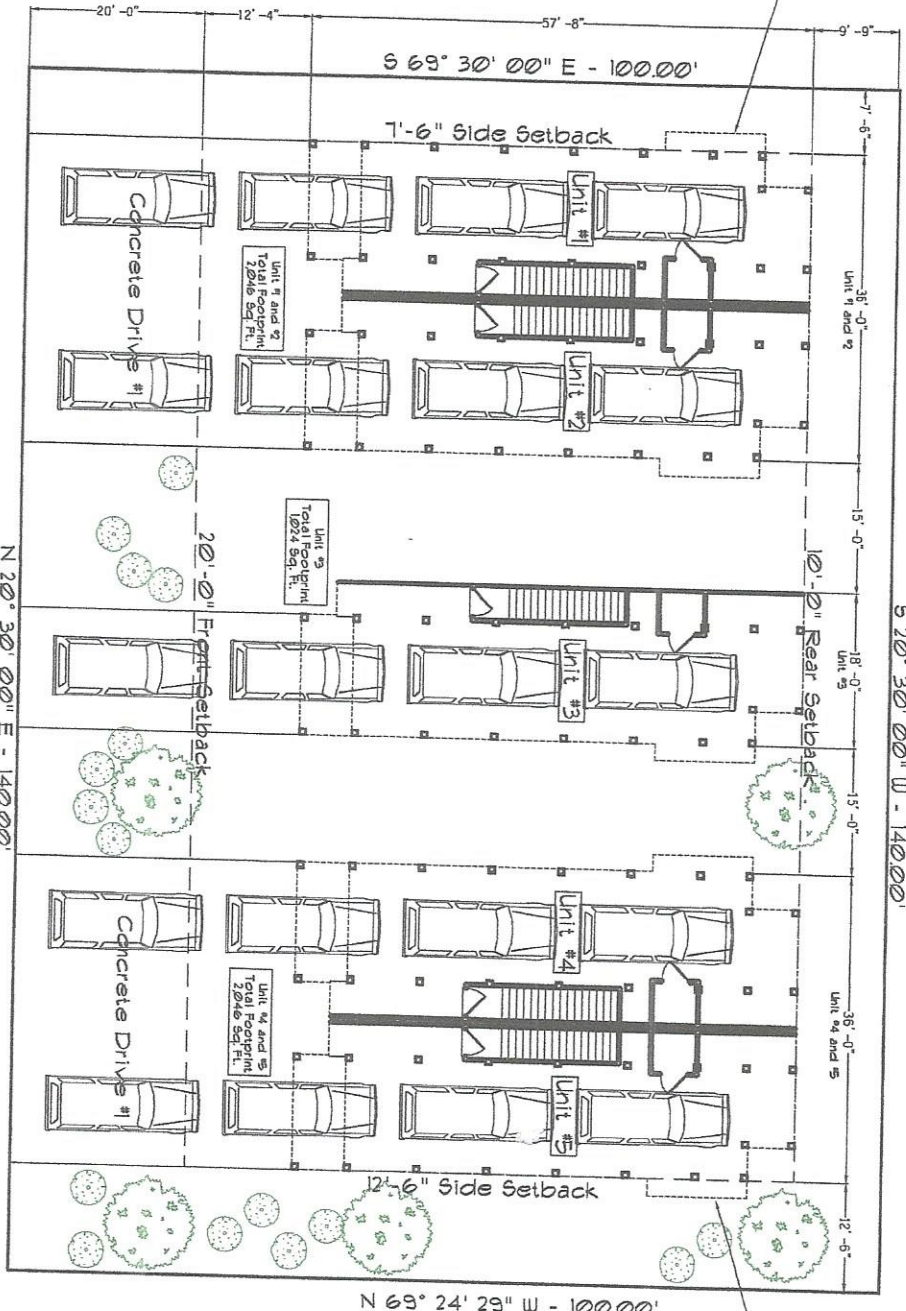
Signature of Owner:

William E Gilligan

dotloop verified  
10/05/20 2:12 PM EDT  
WGSF-BJXT-GZIF-5ITQ



2'-0" Cantilever That Is No More Than 25% Of The Wall Per Town Of Carolina Beach



2'-0" Cantilever That Is No More Than 25% Of The Wall Per Town Of Carolina Beach

Lot Total - 14,000 Sq. Ft.  
 5 Units Total Coverage - 5,116 Sq. Ft.  
 14,000  
 5,116 = 0.365  
 Structures Lot Coverage - 37%  
 (63% Open)

10-5-2020