

Amendment Number: _____



PETITION FOR A TEXT AMENDMENT

Petitions shall be submitted for review to the Department of Planning and Development located at 1121 N. Lake Park Blvd., Carolina Beach, NC 28428. Only complete petitions will be processed.

PETITIONER

Petitioner's Full Name: Silver Dollar/Angie Southerland Phone #: (919) 522-3477
Luis Perez (910)538-6434

Street Address: 3 Cape Fear Blvd.

City: Carolina Beach State: North Carolina Zip: 28428

Email: silverdollarcb@gmail.com

REQUESTED TEXT AMENDMENT

Town Code Section(s) Requested to be Amended:
Ordinance 23-1217 Chapter 34 Article III

Please provide a general proposal for the amendment to the Town Code Section(s) stated above which you believe will result in improved regulations for all the residents of the Town of Carolina Beach
See attached

This petition will be scheduled for the next possible meetings with the following boards: (1) Technical Review Committee, (2) Planning and Zoning Commission and (3) Town Council. The petitioner or a representative should be present at all meetings to answer any questions. Contact the Department of Planning and Development for a schedule of meeting times and submittal deadlines. All meetings are held at the Municipal Administration Building, 1121 N. Lake Park Boulevard, Carolina Beach, NC 28428. Petitioners will be informed of any changes in date, time, or location of meetings.

I understand that the fee for review is nonrefundable.

Fee: to be submitted with application in accordance with the Town's annually adopted Rates and Fee Schedule

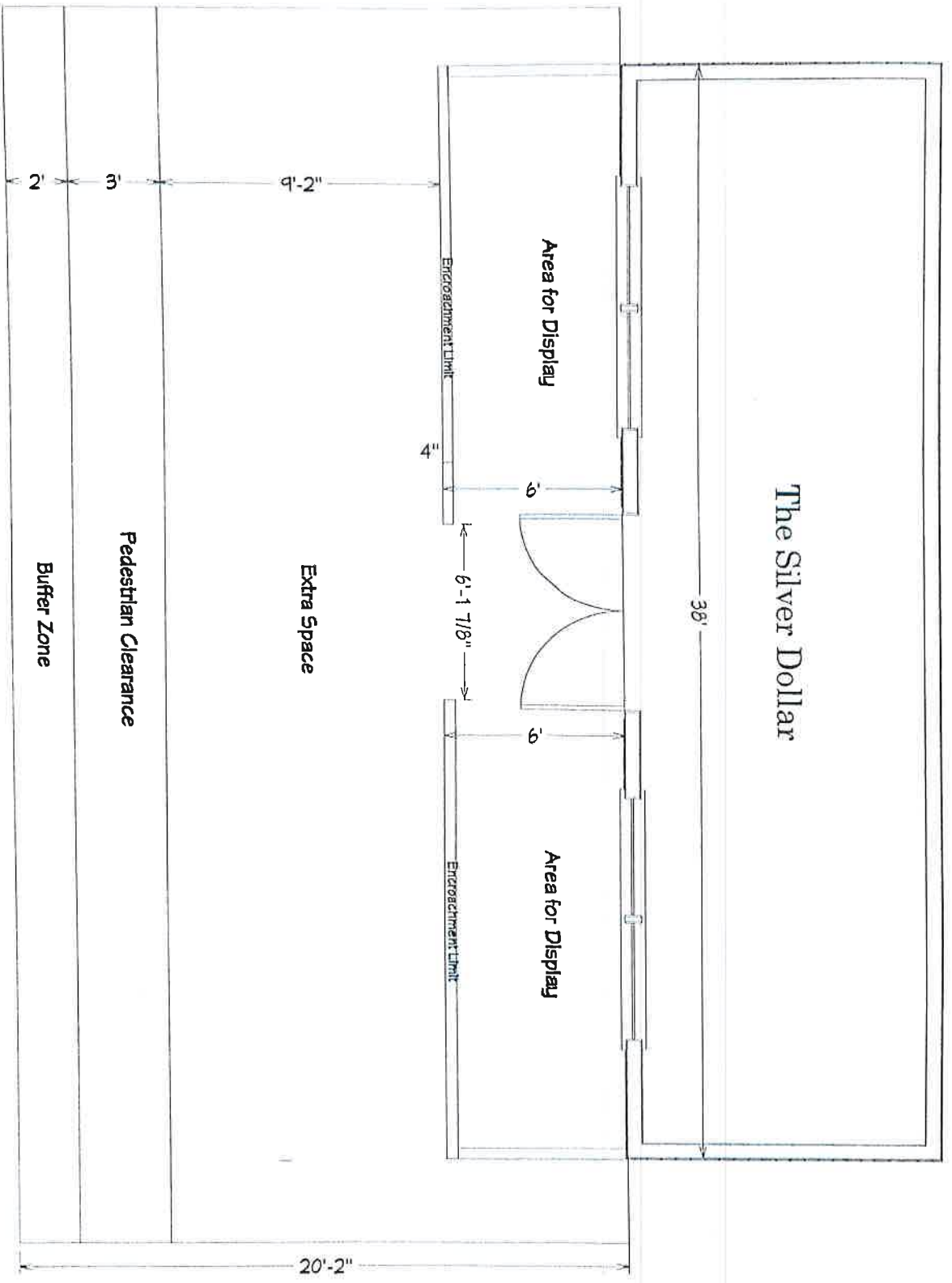
Signature of Petitioner: Angie R Southerland Date: 2-6-2024

Petition-Text Amendment to Chapter 34 Article III

Reason: Equality of permit limits to include among **all** businesses by allowing granting extended encroachment lengths, while balancing the various “**competing interests**” of the town right of ways, pedestrian walkways, safety, aesthetics and other buildings or businesses across the area being considered for the Cafe permit. These encroachment lengths would be unfixed in order to balance all interests.

Implementing: Allow nonfixed extension length approvals (instead of the current hardline set widths $1/4^{\text{th}}$ of the clear space, or 5ft, or 6ft, or in the alterative allow the extensions granted to businesses.

Currently businesses facing the boardwalk and sand dunes, with smaller amounts of open space for pedestrians, are allowed 6ft, unlike those that are on the side extensions like Naughty Dog, Silver Dollar, and soon Island Beverage for example. Even though the side extensions have double the open space. This would allow exceptions and/or changes to the perceived current limit of 5 feet into the right of way out to 6ft+ into the right of way. Other factors such as the lack of Café's or structures across from the Café and additional open space should be considered too, thus always ensuring adequate clear space for public use. Competing businesses across the right of way would always have the right to submit an application for a Café Permit, which could in turn change the allowable encroachment(s) for other businesses across the ROW.



The Silver Dollar

36'

Area for Display

Area for Display

Enroachment Limit

Enroachment Limit

4"

9'

6'-1 7/8"

9'

Extra Space

9'-2"

Pedestrian Clearance

3'

Buffer Zone

2'

Dit Area

20'-2"