

# CAROLINA BEACH

Planning and Zoning Meeting

Thursday, March 12, 2026 - 6:00 PM

Council Chambers, 1121 N. Lake Park Boulevard, Carolina Beach, NC



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## MINUTES

### CALL TO ORDER

Chairman Hogan called the meeting to order at 6:00 PM.

### PRESENT

Chairman Jeff Hogan

Vice Chairman Bill Carew

Commissioner Melanie Boswell

Commissioner Ethan Crouch

Commissioner Lynn Conto

Commissioner Brad Jones

### ABSENT

Commissioner Todd Piper

### ALSO PRESENT

Community Development Director Jeremy Hardison

Senior Planner Gloria Abbotts

Planner Haley Anderson

### APPROVAL OF MINUTES

1. January 8, 2026 Minutes

**ACTION:** Motion to approve the minutes

Motion made by Commissioner Conto, seconded by Vice Chairman Carew

Voting Yea: Chairman Hogan, Vice Chairman Carew, Commissioner Boswell, Commissioner Crouch, Commissioner Conto, Commissioner Jones

*Motion passed 6-0*

### STAFF REPORT ON RECENT DEVELOPMENTS

Ms. Abbotts reported the following:

#### Permitting

- 100 permits (renovation, repair, grading, additions, fences, etc.)
  - 10 vending
  - 3 Freeman Park
  - 3 Beach Services

- 15 residential new construction
- 10 certificates of occupancy

#### Demos (all single-family homes)

- 5 Oystershell Lane
- 504 Greenville Avenue
- 1119 Bowfin Lane
- 416 Spartanburg Avenue
- 405 Spartanburg Avenue

#### New businesses

- Embody, 1000 North Lake Park Boulevard, Suite 175 (Proximity)
- Emerge Ortho, 1000 North Lake Park Boulevard, Suite 171 (Proximity)
- Benny Pazerelli's, 11 Boardwalk, Suite 130
- Peach Cobbler Factory, 1010 South Lake Park Boulevard

#### Updates and upcoming

- Council March 10: adopted the Southeastern North Carolina Regional Hazard Mitigation Plan
- Planning and Zoning Commission April 9: Conditional Zoning (CZ) for Atlantic Towers pickleball court

Chairman Hogan asked about the Freeman Park vendors. Ms. Abbotts clarified that there are vendors that may access the area with four-wheel-drive vehicles, such as Island Tackle selling bait.

#### **PUBLIC COMMENT**

None

#### **PUBLIC HEARINGS**

2. Text Amendment to Amend Article 3, Sec. 3.4 Table of Uses and 3.9 Nonresidential Use Standards of the UDO to Allow Retail as an Accessory Use for Hotels and Motels in the MF District  
Applicant: Max Sussman

Applicant Max Sussman is pursuing this text amendment to allow alcohol sales as an accessory use for hotels and motels within the MF zoning district. He initially presented in January and was asked to make some changes to his request and return.

Ms. Anderson presented the details. She said based on the previous meeting, the allowance for bars was removed, so no on-premise alcohol is current being proposed, just retail. Because of this, she noted that the language referring to hotels and motels with more than 15 units was no longer necessary, so that has been removed.

Ms. Anderson explained that this would still be contained within the footprint of the hotel in communal areas and that the requirement of no more than 25% of the gross floor area is still being proposed.

She provided historical context, noting that before 2000, hotels/motels and complementary uses were permitted in this district when it was designated as RA-5A. The 2000 ordinance update removed commercial uses and reduced density from 35 to 17 units per acre. This change made the three existing hotels in the district (Sea Ranch, The Oceaneer, and Golden Sands) non-conforming.

Staff supports the proposal, noting the changes since the last meeting and stating it is in conformity with the Coastal Area Management Act (CAMA) Land Use Plan, which designates the area for medium-density residential and low-intensity commercial.

Vice Chairman Carew asked about the location of vending, particularly whether it could happen in outbuildings. Ms. Anderson explained that expansion would require CZ review and approval.

Commissioner Conto expressed concern about having retail in pool or recreation areas. She said a lobby or a room adjacent to the lobby would be fine and that otherwise there would not be monitoring of sales.

Ms. Anderson said Alcohol Law Enforcement (ALE) regulations would require staff to check IDs, making monitored areas necessary. She said the recommendation could specifically reference not allowing pool or recreation areas.

Commissioner Conto said it might be a good idea to spell it out that it needs to be a manned area connected to the lobby of the hotel or adjacent to it.

Ms. Anderson said she's not sure if the ordinance can state that because it's for ALE and Police to regulate, but she can check on the feasibility of it before the proposal goes to Council. She added that she doesn't think ALE regulations would allow a vending machine that sells alcohol.

Vice Chairman Carew suggested designating that the alcohol be limited to interior common areas, which would rule out pools and eliminate a pool-party atmosphere.

**ACTION:** Motion to open the public hearing

Motion made by Chairman Hogan

Voting Yea: Chairman Hogan, Vice Chairman Carew, Commissioner Boswell, Commissioner Crouch, Commissioner Conto, Commissioner Jones

*Motion passed 6-0*

Mr. Sussman of 608 South Lake Park Boulevard said he agrees with limiting alcohol to the lobby area, adding that this reduces the opportunity for unintended consequences, but he requested flexibility regarding staffing requirements because they might want to have unmanned areas during certain times. Mr. Sussman explained that ALE currently doesn't allow alcohol vending machines and proposed that alcohol be in a separate area locked away from other retail.

Vice Chairman Carew asked for clarification. Mr. Sussman said alcohol would be locked separately, while other retail could be accessible through keycard access for hotel guests, potentially through

vending machines in the future, especially for the off-season. Vice Chairman Carew said that satisfies his concern.

**ACTION:** Motion to close the public hearing

Motion made by Chairman Hogan, seconded by Vice Chairman Carew

Voting Yea: Chairman Hogan, Vice Chairman Carew, Commissioner Boswell, Commissioner Crouch, Commissioner Conto, Commissioner Jones

*Motion passed 6-0*

Commissioner Conto said she is in favor of the proposal with the changes since the last meeting. She recommended changing the wording to ensure alcohol sales would be in a lobby or adjacent inside area and state alcohol sales would require meeting ALE requirements.

Commissioner Jones agreed and thanked Mr. Sussman for addressing issues that came up at the last meeting. He said if the wording can be changed as Commissioner Conto described, he is supportive of the proposal.

Commissioner Crouch agreed, stating he was supportive and appreciated the applicant's work.

Commissioner Boswell supported the changes but questioned including ALE requirements in the language, as she feels it's a given because it is the law. She suggested rewording to specify "hotel lobby or the dining area" and removing pool areas to avoid future issues with indoor pools.

Vice Chairman Carew agreed, stating he thinks they've covered concerns with alcohol.

Chairman Hogan said he would like to see the language about ALE standards included. Commissioner Boswell said she is fine with that but reiterated that she thought it was a given.

**ACTION:** Motion for approval; the Commission, whereas in accordance with the provisions of the NCGS, does hereby find and determine that the adoption of the following text amendment for Article 3, Section 3.4 Table of Uses, and 3.9 Nonresidential Use Standards is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans with the provision that retail for alcohol is permitted as an accessory use only within the footprint of the hotel or motel approximate to the lobby or communal area

Motion made by Vice Chairman Carew, seconded by Commissioner Conto

Voting Yea: Chairman Hogan, Vice Chairman Carew, Commissioner Boswell, Commissioner Crouch, Commissioner Conto, Commissioner Jones

*Motion passed 6-0*

3. Text Amendment to Unified Development Articles 2 and 3 for Ordinance Clarification and Consistency with State Statutes  
Applicant: Town of Carolina Beach

The goal of this text amendment is to clarify sections of the Unified Development Ordinance (UDO) after staff has been administering the new ordinance changes for a year since adoption and to comply

with recent changes to State statutes. The following changes have been made to the proposed ordinance:

1. State law prohibits local governments from having waiting periods, so the section of the ordinance stating that applicants must wait 12 months to resubmit denied or withdrawn applications for zoning map amendments, text amendments, and other development applications has been removed.
2. Applicants with an existing Special Use Permit who wish to seek major changes may request the project be considered through the CZ process.
3. The section regarding complaints about violations has been updated to be consistent with the general statutes for public record law, which does not allow for confidentiality.
4. Planned Unit Developments (PUDs) located on a single lot are not required to establish a permanent access easement. However, a 12-foot drive aisle must be maintained for any structures proposed behind existing or proposed construction to guarantee access to the adjacent street.
5. The dimensional standards table and impervious surface sections have been updated to clarify that T-1 and I-1 have a maximum impervious surface coverage of 80%.
6. The fill section has been updated to clarify that fill may not exceed 4 feet above the crown of the highest adjoining street if an adjacent lot's elevation exceeds 1 foot above the crown of the adjoining street.
7. The signage section has been updated to comply with Session Law 2025-94 to clarify that official government flags are not a sign requiring a permit.
8. The fence ordinance section has been updated to comply with Section 160D-702, which does not allow local governments to regulate "building design elements." In 2009, the ordinance was amended to state that fences shall be constructed so that the finished (sheathed) side is oriented toward adjoining lots/the right-of-way. This has been removed, as it regulates the appearance and design of fences.
9. The non-conforming section has been updated to clarify that if a lot is over the allowed impervious surface percentage, the impervious surface area can be replaced up to that percentage within a period of 180 days of removal of the impervious surface.

Ms. Abbotts presented the details. She said the proposed ordinance is in conformity with the CAMA Land Use Plan, specifically goal 4, which aims to continue to reduce the overall non-conformities in the Town but also respect existing uses and entitlements, and the rebuilding of structures.

Commissioner Boswell asked about the fence requirement change. Ms. Abbotts explained it had been seen as an issue for a long time with neighbors and cited practical difficulties when properties are built out with existing fences on property lines.

Vice Chairman Carew asked about differences between Special Use Permits and CZ. Ms. Abbotts explained that both have a majority of the same use standards that would apply when they were approved but added that CZ provided more flexibility.

Commissioner Crouch asked about impervious coverage changes and said they seem dramatic. Ms. Abbotts clarified that staff was trying to make it more clear to the applicant that they can have 80%.

Vice Chairman Carew asked about PUD addressing. Ms. Abbotts explained that townhouse plats would typically handle access rights through limited common area designations rather than requiring separate easement recordings.

**ACTION:** Motion to open the public hearing

Motion made by Chairman Hogan, seconded by Commissioner Crouch

Voting Yea: Chairman Hogan, Vice Chairman Carew, Commissioner Boswell, Commissioner Crouch, Commissioner Conto, Commissioner Jones

*Motion passed 6-0*

Linda Sharkey of 403 South 4th Street Unit 1 addressed the fence sheath requirement, describing her personal experience. She said her fence was damaged during a storm two years ago and needed to be repaired, but there were complications when the neighbor did not agree because of how it sat on the property line, so another fence had to be installed. Ms. Sharkey said on the existing fence, the sheath faced her property, but in order for her to comply with the current requirements, she would have to put the sheath facing the neighbor's property, which would be facing a fence. She said it's not really physically possible to install that if you're already standing on your property line and the other person won't allow you access and emphasized that this could be an issue with governmental properties as well, where access might not be available for proper installation.

**ACTION:** Motion to close the public hearing

Motion made by Chairman Hogan, seconded by Vice Chairman Carew

Voting Yea: Chairman Hogan, Vice Chairman Carew, Commissioner Boswell, Commissioner Crouch, Commissioner Conto, Commissioner Jones

*Motion passed 6-0*

Commissioner Conto said she is in support of the proposed changes.

Commissioner Crouch said if these are driven by State statutes, there's not much they can say about it.

Commissioner Jones agreed with the presentation and appreciated the insight from the public comment.

Commissioner Boswell agreed with the State-driven nature of the changes.

Vice Chairman Carew concurred that the changes are following State-driven legislation.

Chairman Hogan agreed.

**ACTION:** Motion for approval; the Commission, whereas in accordance with the provisions of the NCGS, does hereby find and determine that the adoption of the following text amendment to Articles 2 and 3 for ordinance clarification and consistency with State statutes is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans

Motion made by Vice Chairman Carew, seconded by Commissioner Boswell

Voting Yea: Chairman Hogan, Vice Chairman Carew, Commissioner Boswell, Commissioner Crouch,

Commissioner Conto, Commissioner Jones  
*Motion passed 6-0*

**NON-AGENDA ITEMS**

None

**ADJOURNMENT**

Chairman Hogan adjourned the meeting at 6:45 PM.