



Conditional Use Permit:
202 S. Carolina Beach Ave – 8 unit Residential
Planned Unit Development

October 8th, 2020



Location: 202 Carolina Beach Ave S

Applicant: T.O.O. Construction



202 Carolina Beach Ave S

Adjacent Properties



200 CBAS



206 CBAS



208 CBAS

Residential PUDs Permitted in T-1

ARTICLE III. – Zoning District Regulations

Sec. 40-72. – Table of permissible uses.

USES OF LAND	T-1
Planned unit development, residential (See article XII of this chapter)	C

Dimensional Standards for Lots and Principal Structures, Other Districts

Zoning District	Primary Permitted Uses	Min. Lot Size	Min. Lot Width ⁵	Min. Front Yard	Min. Rear Yard	Min. Side Yards (Corner Lot-Min 12.5 ft.) ⁵	Max. Density	Max. Height	Max. Lot Coverage
T-1	Single/ Multi-Family	6,000 sq. ft.	50 ft.	20 ft.	10 ft.	7.5 ft.	29 units/acre	50 ft.	40%

General conditions.

(1) That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved by the issuance of the C.U.P.;

- The density falls within the standard T-1 density requirements and the proposed structures follows the setback requirements

(2) That the use meets all required conditions and specifications;

- The proposed CUP meets all required conditions and specifications

(3) That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and

- The proposed structures/use will conform with the neighboring properties.

(4) 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 town land use plan and policies.

-The desired Future Land Use of the Mixed Use 3 area includes relatively dense residential and commercial lodging use. This district serves as a transition and buffer from more intense and dense uses of the oceanfront multi-family and CBD. Building height will not exceed a 50' high maximum. Density will be high and average around 17 units per acre. Lot coverage will not be allowed to exceed 40%.



Specific standards.

(1) Ingress and egress to property and proposed *structures* thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;

- Ingress and egress will remain via S. Carolina Beach Avenue & Woody Hewett Avenue.
- The design will accommodate sufficient parking for the entire structure.
- A 4' wide sidewalk is requested to be installed along the drive aisle along the S. Carolina Beach

Avenue Right of Way.

(2) Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare, or odor effects of the *conditional use* on adjoining properties and properties generally in the district;

- Parking will be contained on the property

(3) Refuse and service area, with particular reference to the items in (1) and (2) above;

- Trash will be collected via standard residential manner

(4) *Utilities*, with reference to locations, availability, and compatibility;

- Utilities will be provided by Duke and the Town

(5) Screening and buffering with reference to type, dimensions, and character;

- A 10' landscape buffer is required for this type of development

(6) *Signs*, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

- No signage is proposed at this time and any signage will have to meet all standards zoning requirements in the future

(7) Required *yards* and other *open space* and preservation of existing trees and other attractive *natural features* of the land.

- There is no required yard or open space beyond general zoning standards for a residential PUD
- Minimum of 25% of open space (39%)
- Below maximum of 40% lot coverage (36%)

Required	Proposed
Front - 20'*	25.5'/25.4'
Side - 7.5'***	10.8'/10.9'

*Front setback required on each side of double frontage lot

***The requirement for a side setback is actually 10' due to the landscape buffer requirement. This is stricter than the general zoning district requirement

Staff Recommendation

Staff recommends the approval of the proposed CUP with the requirement of a 4' wide sidewalk extension along the S. Carolina Beach Avenue Right of Way.

Motion from Planning & Zoning

- Approve the CUP, that it is in accordance with the draft grant order and that the applicant shall provide a 4' wide sidewalk on the drive aisle along the S. Carolina Beach Avenue Right of Way and that it otherwise meets the 7 specific standards and the 4 general conditions, if developed according to the plan as submitted and approved.
- Deny the CUP as it fails to sufficiently meet 1 or more of the general conditions to include (state conditions not met in the motion)
 - (1) That the use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved by the issuance of the C.U.P.;
 - (2) That the use meets all required conditions and specifications;
 - (3) That the use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and
 - (4) 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 town land use plan and policies.