



**TOWN OF CALABASH**  
**PLANNING AND ZONING BOARD**  
**REGULAR MEETING**  
**Monday, August 5, 2013**  
**7:00 PM**-Sanborn Hall

**AGENDA**

**CALL TO ORDER/PLEDGE TO FLAG/ROLL CALL:**

**APPROVAL/ADJUSTMENT OF AGENDA:**

**APPROVAL OF MINUTES:**

1. May 6, 2013-Regular Meeting

**PUBLIC COMMENTS:**

**OLD BUSINESS: None**

**NEW BUSINESS:**

- 1. Discussion/Research/Action Item:** To examine rezoning Tax ID# 241JG009 located at 9060 Beach Drive in the Calabash ETJ (Clariday Woods Subdivision) from MFH-II to Highway Commercial (HC) and/or to examine the commercial zoned lots along Beach Drive between Clariday Road and Wilson Ave consider rezoning of any non-conforming

HC zoned lots to Central Business (CB) including Tax ID# 241JG009 (currently zoned MFH-II). The Calabash Land Use Plan designates the future land use of this area for commercial. The Planning & Zoning Board may make a recommendation regarding the proposed rezoning(s) to the Board of Commissioners or they may elect to table the matter for further consideration. (Introduced by staff)

- 2. Discussion/Research Item:** Discussion with staff regarding the possibility of establishing guidelines and standards for mobile homes or other used dwellings that are relocated to Calabash from other jurisdictions.

**BOARD COMMENTS:**

**ADJOURN:**

**TOWN OF CALABASH  
PLANNING & ZONING BOARD  
REGULAR MEETING  
Monday, August 5, 2013—7:00 PM**

**MINUTES**

The Calabash Planning & Zoning Board (PZB) held a Regular Monthly Meeting on Monday, August 5, 2013 7:00 PM in Sanborn Hall, located at Town Hall, 882 Persimmon Road, Calabash, NC.

**MEMBERS PRESENT:** Vice Chairman John Thomas, ETJ member Clare Leary, Commissioner Emily DiStasio, and Mark Pero; a quorum was present.

**MEMBERS ABSENT:** Madam Chairman Sonia Climer and Charlie Daniels.

**STAFF PRESENT:** Town Administrator Chuck Nance, Building Inspector Stanley Dills and Town Clerk Kelley Southward.

**GUESTS:** Commissioner Daria Buccilli

**CALL TO ORDER/PLEDGE/ROLL CALL:** VC Thomas called the meeting to order at 7:00 PM and led everyone in the Pledge of Allegiance to the Flag. Roll call was taken; attendance is reflected above.

**APPROVAL/ADJUSTMENT OF AGENDA:** Commissioner DiStasio moved to approve the agenda, as written, seconded by Mr. Pero and unanimously carried.

**APPROVAL OF MINUTES:** Commissioner DiStasio moved to approve the minutes of May 6, 2013, as presented, seconded by Mrs. Leary and unanimously carried.

**PUBLIC COMMENTS:** none forthcoming.

**OLD BUSINESS:** none

**NEW BUSINESS:**

- 3. Discussion/Research/Action Item: To examine rezoning Tax ID# 241JG009 located at 9060 Beach Drive in the Calabash ETJ (Clariday Woods Subdivision) from MFH-II to Highway Commercial (HC) and/or to examine the commercial zoned lots along Beach Drive between Clariday Road and Wilson Ave consider rezoning of any non-conforming HC zoned lots to Central Business (CB) including Tax ID# 241JG009 (currently zoned MFH-II). The Calabash Land Use Plan designates the future land use of this area for commercial. The Planning & Zoning Board may make a recommendation regarding the proposed rezoning(s) to the Board of Commissioners or they may elect to table the matter for further consideration. (Introduced by staff)**

Staff noted that Tax ID# 241JG009 is currently zoned MFH-II and is wedged in the middle of 6 lots that are all zoned HC (from ACE Hardware westward along Beach Drive; first 7 lots-map attached). Recently, an old mobile home was removed from the MFH-II lot and it is currently vacant land. It is a long-range goal and policy included in the Land Use Plan (LUP) that this corridor of Beach Drive should eventually be all commercially zoned. Of the 6 adjacent lots currently zoned HC, 5 are non-conforming because they do not meet the minimum lot width of 75 feet; ACE Hardware is the only lot that complies. Central Business (CB) has no minimum lot width and the classification is for smaller, independent businesses. The HC district is established for businesses that may require larger buildings with more property; like ACE Hardware. The 5 non-conforming HC lots are all small lots.

*Upon review and discussion Commissioner DiStasio moved to recommend to the Board of Commissioners that the six lots identified as Tax Parcel ID#s 241JG006, 241JG007, 241JG008, 241JG009, 241JG010 and 241JG011 all be rezoned to Central Business, seconded by Mrs. Leary and unanimously carried for the following reasons:*

- (1) The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories; as shown by review of the current zoning map.*
- (2) 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; see established policies of the LUP and UDO and 5 of the 6 lots already being HC can basically do anything permitted in the CB; the MFH-II lot is located in the middle of the commercial lots and would be more conducive to the area as commercial.*
- 3) There is convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. See Art. 10 of*

*UDO CB uses are very similar and/or less intensive than HC; MFH-II is not conducive to a major thoroughfare into “downtown” Calabash.*

*(4) There is convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change: based upon what is existing and zoning classifications of adjacent properties.*

*(5) The proposed change is in accord with any Town plans and sound planning principles that are established in the current 2007 CAMA Land Use Plan and the UDO.*

Mr. Pero asked if taxes would be substantially effected by the rezoning of HC to CB (it was understood that the property value would increase on the MFH-II lot, which would cause taxes to increase). Ms. Southward said she did not believe the property values differ much between the HC and CB classifications but she would check with the Brunswick County Tax Assessor’s Office prior to any Public Hearing that may take place.

**4. Discussion/Research Item: Discussion with staff regarding the possibility of establishing guidelines and standards for mobile homes or other used dwellings that are relocated to Calabash from other jurisdictions.**

Since the adoption of the UDO in 2010 more used, older mobile homes have been relocated to Calabash. In the previous zoning code mobile homes relocated to Calabash could not be older than 7 years. It was during the drafting process of the UDO that it was discovered that there is a state law that does not allow towns to restrict age limits other than mobile homes built prior to 1976 (building regulations began to apply). Likewise there have been multiple stick-built homes (normally old beach homes that have been taken off of pilings) moved into Calabash.

The State building code for these situations doesn’t require much more than the dwellings to have a floor, roof, 4 walls, one working bathroom, and a heating source. The Calabash UDO requires that mobile homes have a masonry underpinning but not much else. Some of the mobile homes that have been moved into town are 30 years old and not in the best condition. Roofs have been in need of re-shingling, windows have had cracked or broken glass, siding has been moldy/dirty. It was discussed with staff and the PZB about the possibility of including minor standards, like a checklist form that could be included in the UDO that must be met before a Certificate of Occupancy could be issued to these used dwellings that are relocated to Town. The need for balance was discussed. The Town does not want to regulate appearances to the point of color, material etc. but we also don’t want “new to Town” dwellings to bring down the overall appearance of any neighborhood.

Ultimately, the PZB said that they wanted to think about the things discussed. Further, members said that they would try to view different areas of the Town and county for examples of dwellings they would not want to see relocated to Town in their current condition and come prepared to the September meeting with a list of minor, general standards a used dwelling should have. It is important to mention how the discussion stressed the importance of balance; the PZB does not want to make any recommendations

for amendments that would be burdensome to new property owners but also they understand the need to protect existing property owners to a reasonable degree.

(SEAL)

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Sonia Climer, Chairperson

Attest:

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Kelley Southward, Town Clerk