

**TOWN OF CALABASH  
PLANNING AND ZONING BOARD  
REGULAR MEETING  
Monday, June 2, 2014-7:00 PM-Sanborn Hall**

**MINUTES**

**CALL TO ORDER:** Vice Chairman John Thomas called the meeting to order at 7:00 PM

**PLEDGE TO FLAG:** The Pledge of Allegiance to the Flag was recited.

**ROLL CALL:** The following members were present: Vice Chairman John Thomas, Commissioner Emily DiStasio, Mr. Charlie Daniels, Mr. Michael Herring, Mr. Mark Pero, Town Administrator Chuck Nance, Town Clerk Kelley Southward, and Building Inspector Stanley Dills.

The following members were absent: Madam Chairperson Sonia Climer and Mrs. Clare Leary.

There was one guest in the audience.

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

**APPROVAL OF MINUTES:**

1. *May 5, 2014-Regular Meeting: Commissioner DiStasio moved to table the minutes of May 5, 2014; seconded by Mr. Herring and unanimously carried.*

**PUBLIC COMMENTS:** none forthcoming.

**OLD BUSINESS:**

1. **Discussion/Action: Make a recommendation to the Board of Commissioners regarding proposed amendments to the UDO Article 11, Section 11.1, Note 6. Other Modifications; regarding setbacks for residential detached carports in the MFH-II zoning district. The PZB made a recommendation to the Board of Commissioners on this matter in April. On May 13, 2014 the Board of Commissioners held a Public Hearing on the proposed amendment to which there was one speaker in opposition. The Board of Commissioners has directed this matter back to the PZB for revision.**

Staff relayed that the Board of Commissioners has directed this amendment recommended by the PZB in April back to the PZB for adjustment. The amendment recommended by the PZB in April essentially takes a variance power (or a part thereof under specific circumstances) away from the Board of Adjustment and gives that power to Town staff. The Board of Commissioners (BOC) would like to see all variance authority remain with the Board of Adjustment. However, the BOC understands that without making an amendment for these specific circumstances in the MFH-II zoning district that the Board of Adjustment would have to deny a variance (currently). So, the BOC is requesting the PZB draft an amendment to the UDO with regulations that could allow the Board of Adjustment to grant variances on front setbacks for carports in the MFH-II zoning district because these non-conforming lots of record are a hardship for property owners that are not the fault of the property owners. Rather, the zoning district which has been established for these subdivisions that predate zoning regulations in Calabash created the hardship.

Staff provided a recommendation to the PZB that a new Section to Article 9 be included in the UDO, which was as follows:

“Section 9-12 Variance consideration by the Board of Adjustment to allow carports in the front setback of the MFH-II Zoning District subject to, but not limited to, the following requirements:

1. Carport shall be used for storage of transportation/motorized vehicles only and related accessories. Related accessories that are not on axels/wheels shall not be stored in carport and shall not be visible from the street. All non-vehicular storage shall be stored in accordance with other sections of this ordinance or the Town of Calabash Code of Ordinances.
2. Carport (footprint) must be located a minimum of 20’ from the surface or curb of the serving road –or- a minimum of 5’-0” from front property line, whichever is more stringent, to allow potential parking of guest vehicle in front of carport. Carport may not be located in a manner which the carport obstructs vehicular site lines from adjoining roads or intersections.
3. Maximum width of carport shall not exceed 22’ (footprint). Maximum overhang shall not exceed 2’-0”.
4. Maximum opening height on sides of carport shall not exceed 8’-0”. Maximum roof ridge height shall not exceed 13’-8”.
5. No walls, overhead doors, windows, screening, or doors of any kind may be applied to carport. No storage closets, shelving units, etc. may be constructed in carport.
6. In addition to the above requirements, the carport must meet all provisions of the current NC Residential Code.
7. Other exceptions unique to the site may be considered by the Board of Adjustment on a case by case basis.”

Additionally, staff noted that references to this new Section would have to be inserted to Articles 3 and 5 of the UDO. Finally, Section 10-2, Note 2, second paragraph should be amended as follows: “No accessory building or use shall, except for attached garages or primarily ornamental structures (e.g. gazebos and the like) in all permitted Zoning Districts or carports in the MFH-II Zoning Districts (refer to Section 9-12), be erected in front (street side) of the primary building or within five feet of any rear or side property line or other existing structure.”

*Upon discussing the Board of Commissioners’ direction to the PZB and reviewing the proposal from staff, Mr. Herring submitted a motion that the PZB recommend to the Board of Commissioners that Section 9-12 be added to the UDO, as presented above; that Article 10, Section 2, Note 2 be amended as presented; and that references to the new Article 9-12 be included in Articles 3 and 5 of the UDO. The motion was seconded by Mr. Daniels and carried by way of a unanimous vote.*

**NEW BUSINESS:** none

**BOARD COMMENTS:** none forthcoming

**ADJOURN:** *Commissioner DiStasio moved to adjourn, seconded by Mr. Pero and carried unanimously at 7:15 PM.*

(SEAL)

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Sonia Climer, Madam Chairperson

Attest: \_\_\_\_\_  
Kelley Southward, Town Clerk