

The Morehead City Board of Adjustment conducted a meeting on Thursday, December 9, 2021, in the City Hall Building, 1100 Bridges Street, Morehead City, NC, at 5:30 p.m. The following people were present:

BOARD MEMBERS PRESENT: Chuck Sewell, Bill Stompf, Taylor Ricketts, Gina Sanderson, Bobby Schultz, and Sarah West.

BOARD MEMBERS ABESENT: Judson Walton, Brandon Sutton, and J. Hunt Brasfield.

STAFF PRESENT: Planning Director Sandi Watkins, Zoning Enforcement Officer Jeannie Drake, Secretary Annie Bunnell, and City Attorney Derek Taylor.

OTHERS PRESENT: Chase Cullipher.

Chairman Sewell called the meeting to order.

The roll was called and Judson Walton, J. Hunt Brasfield, and Brandon Sutton were absent. Bill Stompf made **MOTION**, seconded by Gina Sanderson, to excuse the called-in absences. The motion carried unanimously.

OATH OF OFFICE: City Clerk Cathy Campbell recited the Oath of Office with Extraterritorial Member Bobby Schultz.

ELECTION OF OFFICERS:

Bill Stompf nominated Chuck Sewell for Chairman, Gina Sanderson seconded the nomination, and the vote was unanimous.

Chuck Sewell nominated Bill Stompf for Vice-Chairman, Bobby Schultz seconded the nomination, and the vote was unanimous.

MINUTES: July 22, 2021

Chairman Sewell called for changes or amendments to the minutes. Bill Stompf made **MOTION**, seconded by Gina Sanderson, to adopt the minutes as submitted. The motion carried unanimously.

BUSINESS:

A) Request submitted by Clyde Bailey for a special-use permit under Articles 4-8 and 11 of the Unified Development Ordinance (UDO) to allow for “Self-Service Storage Facility” to be located at 1017 North 20th Street, zoned CN (Commercial Neighborhood District).

There were no objections from either side to the five members seated. Voting members were: Chuck Sewell, Bill Stompf, Gina Sanderson, Bobby Schultz, and Sarah West.

Those wishing to give testimony were sworn in (Jeannie Drake and Chase Cullipher).

Bill Stompf made **MOTION**, seconded by Bobby Schultz, to open the public hearing. The motion carried unanimously.

Zoning Enforcement Officer Jeannie Drake introduced the case. Clyde Bailey has submitted a request for a special-use permit to allow for a “Self-service storage facility” to be located at 1017 N. 20th Street.

A zoning map of the area was shown. The property is zoned CN (Commercial Neighborhood); surrounding properties are zoned CN to the south, R7 (Single-Family Residential) to the west, CN to the north and across North 20th Street to the east, and R7 across North 20th Street to the southeast. An aerial view of the property was shown followed by photographs of the surrounding properties. Vacant property and the Jim Dandy gas station are located to the north; a self-service storage facility and Oglesby Road are to the northeast; Crystal Coast Heating & Air is across the street to the east; and a self-service storage facility owned by Clyde Bailey is adjacent to the south.

The proposed site plan for the facility was shown. The plan has been reviewed by Public Services, Building, and Fire and has received preliminary site plan approval from each department. A more detailed review will be conducted through the building permit plan review process. Zoning will approve the proposed site plan if the applicant is granted the special-use permit.

Regarding the special-use criteria of Article 4-8.3: The application was submitted indicating the correct section of the ordinance and that section does allow a “self-service storage facility” with a special-use permit. The proposed development does not affect adversely the general plans for the physical development of the Town as embodied in these regulations or in any plan or portion thereof adopted by the Planning Board and/or the Council. The property is located in Neighborhood 7 of the CAMA Land Use Plan and is classified as Low Density Residential. Land Use Plan section 4.2.7 Areas of Local Concern, Policy 3 seems to promote the request: “Morehead City will continue to promote a variety of land uses which complement the residential, commercial, institutional, recreational and industrial needs of the community.” Policy 9 also seems to promote the request: “Neighborhood-oriented commercial development will be encouraged only in areas where such use is compatible with existing surrounding and anticipated residential areas and where the street system is adequate to accommodate commercial vehicular traffic.” The Land Use Plan also acknowledges existing commercial development clustered near the intersection of North 20th Street and Mayberry Loop Road. The request does not appear to conflict with any of the Neighborhood 7 policy statements. The proposed use will not be contrary to the purposes stated in the regulations. The proposal has not been found to be contrary to the purposes outlined in the UDO. Items D, E, F, and H will be addressed by the applicant. The criteria require the proposed use be placed on a lot of sufficient size to satisfy space requirements of the use, standards set forth for the use be met, minimum area, setback and other locational requirements of the district and parking requirements be met. Standards set forth for the use have been met. Setbacks will be met per the submitted site plan. Parking is required at one space per one thousand (1,000) square feet of storage space up to the first five thousand (5,000) square feet plus one additional space per each additional five thousand (5,000) square feet of storage space; the proposed storage building is eight thousand (8,000) square feet, requiring six (6) parking spaces. Six (6) spaces are shown on the site plan. Landscaping requirements will be met per the submitted site plan.

The hearing was advertised, notices were mailed to property owners adjacent to the site, and the site was posted per the statutory requirements. Staff has not received any inquiries concerning the public hearing sign. Ms. Drake requested that her written report be accepted into evidence.

Attorney Taylor asked the Town if any conditions were proposed to be added to an approval. Ms. Drake replied that there were no conditions.

Chase Cullipher, Vice President of The Cullipher Group Engineering and Surveying at 151-A Highway 24 in Morehead City, spoke on behalf of applicant, Bailey Properties, Inc., owned by Clyde Bailey. Mr. Cullipher had prepared a slide depicting the locations of surrounding self-service storage facilities in the area and asked the Board to enter it into evidence for the request. Mr. Cullipher said that the slide shown depicted the area of N. 20th Street around the intersection of Mayberry Loop Road. Mr. Cullipher showed the Board the proposed location for the special-use request, along with the six (6) other existing facilities within a few hundred feet of the site. Immediately adjacent to the property in question is a facility also owned by the applicant, Mr. Clyde Bailey. Not shown on the map is another facility on Mayberry Loop Road. Mr. Cullipher stated that the proposed site would not be climate-controlled storage, but is designed for boat storage with the large garage-style doors, approximately five (5) units, and is not proposed to be leased-out space at this time but is expected to be for personal use.

Mr. Cullipher spoke and addressed the special-use criteria:

D) The proposed use will not affect adversely the health and safety of residents and workers in the Town. Based on the proposed area, the use would not adversely affect the residents and workers in the Town. Mr. Cullipher said that there is not a lot of risk with this type of development.

E) The proposed use will not be detrimental to the use or development of adjacent properties or other neighborhood uses. Mr. Cullipher said that the use would blend in well with existing uses of the neighborhood.

F) The proposed use will not be adversely affected by existing uses. Mr. Cullipher said the use would not be affected by existing uses for the same reason; it is a similar use to what is in the surrounding area.

H) The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use such facility, of the vehicular movement, or noise or fumes or of the type of physical activity. Mr. Cullipher said this use would not be a nuisance or hazard due to the lack of interaction that would occur on the site. The facility would not be visited on a daily basis, but be used to store cars, boats, and things of that nature.

Bill Stompf asked Mr. Cullipher if the project included five (5) units or six (6) units as the submitted site plan indicated. Mr. Cullipher said that he misspoke; the project is to have six (6) units. Mr. Stompf asked if there would be a gated entrance. Mr. Cullipher said it would not and that the project would be very similar to the units Mr. Bailey has to the south.

Mr. Stompf asked Mr. Cullipher to explain the area on the site plan shown in grey. Mr. Cullipher said it was part of the property which may be used by the owner to store a boat trailer and is proposed to be covered in "#57 stone". He said that if one were to drive by the site today, there are empty boat trailers on the site.

Sarah West asked if there would be lighting at the facility. Mr. Cullipher said yes, he was fairly sure there would be. Ms. West said she felt Mr. Horton, owner of a nearby self-service storage facility, had done a good job of angling the lighting at his property so as not to blind nearby property owners and requested that Mr. Bailey's facility do something similar to minimize light pollution onto the surrounding residential properties. Mr. Cullipher said that he would express those concerns to Mr. Bailey but would not expect a significant amount of lighting needed.

Bobby Schultz asked Mr. Cullipher if the proposed development would be about the same as Mr. Bailey's existing adjacent facility. Mr. Cullipher said that they would be nearly identical. Mr. Schultz asked if there had been any concerns voiced by nearby residential property owners about the existing facility and Mr. Cullipher replied no. Mr. Cullipher also said that the proposed facility will have a "Type B" landscaping screen with a fence which the existing facility does not have.

Chairman Sewell asked the Town if regulations allowed the property owner to place items such as boat trailers outside to be stored. Ms. Drake stated that having looked up the uses in the Commercial Neighborhood (CN) District, boat storage is a permitted use. Commercial outdoor storage is not a permitted use. Ms. Drake said that the applicant would need to be careful as to what is stored on the property. Mr. Cullipher said a boat trailer was what had been requested, to which Ms. Drake replied that was permitted. Mr. Cullipher said that he understood Chairman Sewell's concern, but that Mr. Bailey was not a "junky individual" and would not make the property an eyesore. He cited the existing facility to the south as an example. Chairman Sewell asked if a fence would surround the property. Mr. Cullipher said that the property was not proposed to be fenced-in.

Attorney Taylor mentioned that required parking spaces could not be used for the storage of boat trailers, short-term or long-term. Ms. Drake added that parking spaces are generally not required to be marked unless they are an ADA parking space. Attorney Taylor added that the Board does not shoulder the responsibility of enforcement of the ordinance.

With no other questions or comments from the Board, Chairman Sewell asked for a motion to close the public hearing.

Bill Stompf made **MOTION**, seconded by Sarah West, to close the public hearing. The motion carried unanimously.

The Board entered into deliberations on each of the special-use criteria addressed by the applicant. For item (D), the use will not adversely affect the health and safety of residents and workers in the Town, Chairman Sewell said he did not see anything that would negatively affect the Town. Bill Stompf agreed, stating that storage units would have minimal traffic and minimal people visiting the site. Board members all agreed.

For item (E), the use will not be detrimental to the use or development of adjacent properties or other neighborhood uses, Chairman Sewell said that the adjacent properties are either established businesses or are equivalent to what they wish to place on the proposed site. Bill Stompf said that the area seems to be a mecca for self-service storage units, so the addition of another set would not hurt the development. Sarah West said that she agreed, but wanted to make note that there are residential properties located in the area as well. Board members all agreed.

For item (F), the use will not be adversely affected by existing uses, Chairman Sewell stated that the businesses in the surrounding area are mostly the same type of businesses and he did not see any way that the use could be adversely affected by existing uses. Bobby Schultz added that the existing similar facility adjacent to the proposed facility which is also owned by Mr. Bailey had no known complaints or issues from nearby residential property owners, so he agreed that the property would not be adversely affected by existing uses. The Board members agreed.

For item (H), the use will not constitute a nuisance or hazard because of the number of persons who will attend or use such facility, of the vehicular movement, or noise or fumes or of the type of physical activity, Chairman Sewell said that the use will be no different than the existing neighborhood uses and that no one was in attendance to oppose the request which had been posted. He felt that equated to no surrounding property owner feeling as though there would be a nuisance. The Board members agreed.

CONSIDERATION AND DETERMINATION OF CASE HEARD:

All Board Members agreed on the following:

- D) The proposed use will not affect adversely the health and safety of residents and workers in the town;
- E) The proposed use will not be detrimental to the use or development of adjacent properties or other neighborhood uses;
- F) The proposed use will not be affected adversely by the existing uses; and
- H) The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use such facility, of the vehicular movement, or noise or fumes or of the type of physical activity.

Bobby Schultz made **MOTION**, seconded Bill Stompf, to grant the Special-Use Permit. The motion carried unanimously.

UNFINISHED BUSINESS:

The Order from the July 22, 2021 meeting agenda item was presented by Staff. Chairman Sewell called for changes or amendments to the ORDER.

Bill Stompf made **MOTION**, seconded by Gina Sanderson, to approve the Mansfield Special-Use Permit ORDER as submitted. The motion carried unanimously.

NEW BUSINESS:

There was no new business discussed.

ADJOURNMENT:

There being no further requests or comments, the meeting was adjourned at 6:08 p.m.

Annie Bunnell, Secretary