



9/30/82

TOWN OF WRIGHTSVILLE BEACH

TOWN HALL 400 WAYNICK BOULEVARD • P. O. BOX 626
WRIGHTSVILLE BEACH, N. C. 28480

CONDITIONAL USE PERMIT

THE DOAK PROPERTY

This conditional use permit is granted based on the following conditions:

1. An application must be made for and obtained for a CAMA permit prior to issuance of a building permit and will have to comply with all safety to life requirements for the construction type proposed.
2. The entrance from Waynick be marked as a private entrance and the design of the street be made so that it does not resemble a public accessway. In addition, the design of this street should be in such a manner to satisfy town officials as to its safety and especially so that it will not resemble a public accessway.
3. The variance of the one foot encroachment is granted provided that a minimum of a one hour rated wall is placed on the full sides of the buildings.
4. Any use of the shore zone property will conform to all applicable codes of the Town at such time it is developed.
5. The beach access walkway be designated for private use only.
6. The property will be allowed to develop into 8 units on a nonconforming lot under the provision of the "Damage or Destruction" of Section 21-9 (G) of the Town's Zoning Ordinance.
7. The developer will be responsible for all expenses connected with moving the fire hydrant, installing new water and sewer taps and dumpster pad.
8. The developer work with the Department of Public Works to assist in resolving the drainage problems of the area. Upon such agreement, the developer will provide means for payment of all necessary materials with work to be provided by the Department of Public Works.
9. All conditions shall be met prior to the actual operation of the proposed use and the conditions required for approval shall be maintained for the life of the use irregardless of the ownership of the property or the use. Any deviation from the intent of the conditions or the proper maintenance of these conditions shall render the conditional use permit nul and void.

The applicant's signature indicates that he has read the conditions stated above and agrees to them. The applicant further understands and agrees that these conditions are covenants that run with the real property and are binding on any and all purchasers and their heirs and assigns. Any violation of the stated conditions renders this permit nul and void. To be valid, this form must be signed by the applicant and returned to the Town Clerk within thirty (30) days of the date of approval indicated below.

This permit shall expire six (6) months from the date of approval, and if a building permit, if required, is not obtained or an extension is not granted. The building permit shall expire six (6) months from the date of issuance if construction on the project has not commenced.

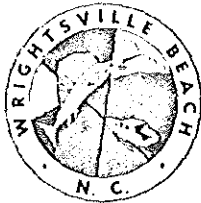
Date of Approval

H. H. Perry, Jr. Town Clerk

Date Accepted

Applicant

BY: _____
Name



TOWN OF WRIGHTSVILLE BEACH

TOWN HALL 400 WAYNICK BOULEVARD • P. O. BOX 626
WRIGHTSVILLE BEACH, N. C. 28480

September 30, 1982

Mr. Harry Watkins
P. O. Box 169
Wrightsville Beach, NC 28480

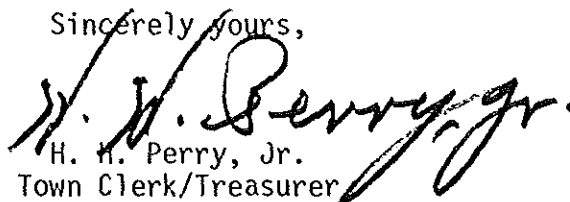
Dear Harry:

Attached please find the Conditional Use Permit for the Doak Property.

Please note that although the date of approval by the Board was August 12, 1982, delay in preparation of this permit made it the date of September 30, 1982 before the permit was forwarded to you. Therefore, the effective date would be September 30, 1982 rather than the August 12th date.

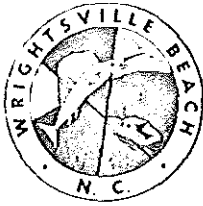
Should additional information be needed please so advise.

Sincerely yours,



H. H. Perry, Jr.
Town Clerk/Treasurer

Enclosure



TOWN OF WRIGHTSVILLE BEACH

TOWN HALL 400 WAYNICK BOULEVARD • P. O. BOX 626
WRIGHTSVILLE BEACH, N. C. 28480

CONDITIONAL USE PERMIT

THE DOAK PROPERTY

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- ✓4. Any use of the shore zone property will conform to all applicable codes of the Town at such time it is developed. *Pier*
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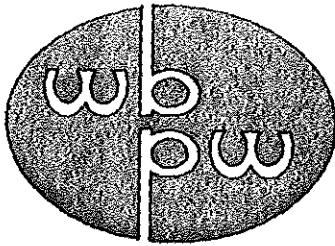
This permit shall expire six (6) months from the date of approval, and if a building permit, if required, is not obtained or an extension is not granted. The building permit shall expire six (6) months from the date of issuance if construction on the project has not commenced.

8/12/82
Date of Approval

10/19/82
Date Accepted

H. H. Perry, Jr.
H. H. Perry, Jr. Town Clerk

The Doak Family
Applicant
BY: Fred R. [Signature]
Name



Town of Wrightsville Beach

DEPARTMENT OF PUBLIC WORKS

200 Parmele Boulevard

Wrightsville Beach, N.C. 28480

(919) 256-4148

September 15, 1982

Memorandum to: H. H. Perry, Jr.

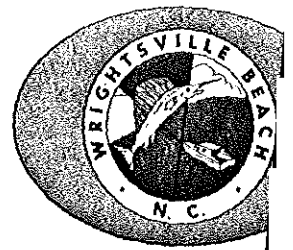
From: John T. Nesbitt

Subject: Doak Conditional Use Permit

Attached are the conditions we suggested for this permit application. There was some concern expressed regarding a means to prevent through traffic from Waynick to South Lumina which should be a condition. I gave Miss Askew a copy of this memo at the Board Meeting. Together with this and the Minutes you should be able to determine what should be on the permit. Let me know if we can help.

I think you will find the same is true of Crystal Pier - I also gave Miss Askew a copy of our recommendations on this. The only additional condition attached to this was to have the disturbed area revegetated as soon as possible after installation of pilings.

Attachments



Carolina-Temple Apartments

"From the Ocean to the Sound"

TELEPHONE (919) 256-2773
OFF SEASON (919) 799-0917

WRIGHTSVILLE BEACH, N. C.
ZIP CODE 28480

August 12, 1982

Wrightsville Beach Board of Aldermen,

This letter is written in response to the proposed conditional use of the Doak property which lies adjacent to ours, and the subject of a public hearing to be held on August 12, 1982. While we have no objections to the number of units or general site plan as presented by Mr. Harry Watkins at the planning board meeting of July 20, 1982, there is one aspect of the Doak plan that we feel is unacceptable. This is the planned driveway that will extend from Waynick Boulevard to South Lumina Avenue, so as to provide automobile access across the sound front property to the ocean front portion of the Doak project. We do not feel that this driveway should be allowed to connect with South Lumina insomuch as it would create the following hazards:

1. Due to the position of the Carolina-Temple Apartment building to the north of the proposed driveway, vehicles using the driveway would be blind to traffic approaching on South Lumina, as well as obstructed from view by approaching traffic.
2. It would create a dangerous blind access to traffic flow on South Lumina for children riding bicycles and pedestrians.
3. It could be used by vehicles not associated with the Doak project, thereby creating traffic flow through residential property.

In addition, we would like to restate the following concerns which were presented at the planning board meeting and urge that these be formally addressed by the Board members:

1. Adequate drainage of paved parking lot areas will be provided in such a manner that adjacent property will not be jeopardized by runoff
2. Lighting of parking lot areas will not create undue problems to neighboring buildings.
3. Any pier construction on the sound front will not encroach within 15 feet of our property line.

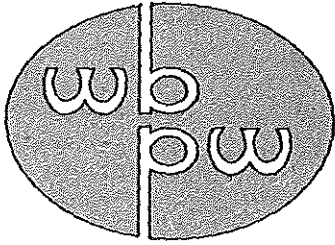


Mrs. Edward L. Wright

Margherita S. Wright

Stephen L. Wright

Stephen L. Wright



Town of Wrightsville Beach

DEPARTMENT OF PUBLIC WORKS

200 Parmele Boulevard

Wrightsville Beach, N.C. 28480

(919) 256-4148

August 11, 1982

Memorandum to: Mayor and Board of Aldermen

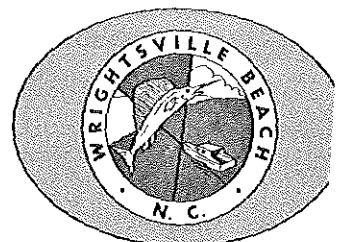
From: John T. Nesbitt

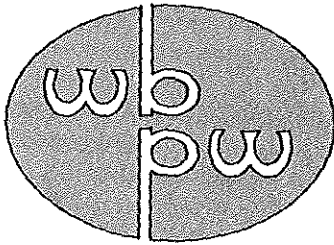
Subject: Doak Apartments - Conditional Use Application

Our memo of July 20, 1982 expressed our examination and recommendations on this project. We would like to make one further recommendation and that is a 5 foot wide concrete public access walkway be provided on the south side of the oceanfront section of the proposed development. It should be noted that the Planning Board did not recommend a public access and whatever easement, etc. that is given the Board should retain the right to close the access if it becomes a problem for the area. It would appear this would be beneficial for the neighborhood but not for the general public since no parking is readily available.

cc: Mr. Harry Watkins
Mr. Perry Safrin

*Approved - No Public Access
Change Driveway Make More Private*





Town of Wrightsville Beach

DEPARTMENT OF PUBLIC WORKS

200 Parmele Boulevard

Wrightsville Beach, N.C. 28480

(919) 256-4148

July 20, 1982

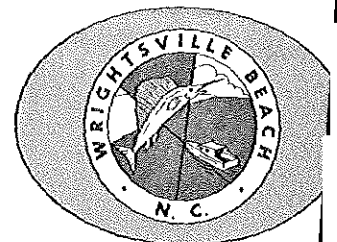
Memorandum to: Planning Board
Mayor and Board of Aldermen

From: John T. Nesbitt

Subject: Doak Conditional Use Application

We have reviewed this application, site plan, Mr. Watkins' letter, and his computations and offer the following comments.

1. Mr. Watkins' letter (paragraph 3) is accurate on both units and sewer capacity.
2. Paragraph 6 of his letter regarding setbacks is also correct.
3. The proposed use of this lot(s) violates Section 21-23(2) which states "Minimum required width and depth of any lot for conditional uses shall be one hundred feet". This was adopted February 12, 1981 and would allow only a duplex to be put back on this lot where there were previously 14 apartments with less than 7.5 feet (ft) setbacks. There is one other building across the street that is a single family dwelling. The proposal is to demolish the single family dwelling and build 4 units on the oceanfront lot east of S. Lumina and 4 units on the lot west of S. Lumina. This would create a total of 8 units where 15 had existed. Section 21-9(G) "Damage or destruction" (copy attached) was adopted October 9, 1980 after considerable discussion and a heavily attended public hearing. The gist of the public hearing, and I believe the intent of this amendment, was to allow some consideration for nonconforming buildings or uses that were damaged by causes beyond the control of the owner. It would appear that this project qualifies under this section of the ordinance and the Board's are within their rights to allow this project on a nonconforming lot.
4. If the lot were 100 ft wide a 15 ft setback would be required. If you were to place a duplex on the lot a 7.5 ft setback would apply. The project is proposing a 16 ft setback at the ground level on the sides and a 16 ft setback on 65% of the exterior walls of the sides with a 14 ft setback on 35% of the side walls. The 20 ft front yard and 15 ft rear yard is in compliance. It would appear that the request for the one ft



Planning Board
Mayor and Board of Aldermen
Page 2
July 20, 1982

encroachment is reasonable provided a minimum of a one hour rated wall is placed on at least the 35% which encroaches to within 14 ft of the property line. The only other alternative would be to hold to the 15 ft all the way around. We are of the opinion that the one hour rating on the 35% would give as good fire protection as the additional foot of setback and if the developer would agree to one hour rate the walls down both sides it would be better protection than the 15 ft.

5. The applicant will have to apply for and receive a CAMA permit prior to issuance of a building permit and will, of course, have to comply with all safety to life requirements for the construction type proposed.

6. There are 20 parking spaces provided, 16 are required.

Finally, the developer will be responsible for all expenses connected with moving the fire hydrant, installing new water and sewer taps, dumpster pad, etc.

If we can provide you with further information please let me know.

Attachment

File Copy - 10.7
Rec. 7-9-82

HARRY WATKINS, A.I.A., ARCHITECT

P.O. BOX 169 WRIGHTSVILLE BEACH, N.C. 28480

919 256 4459

July 9, 1982

Mr. John Nesbitt
Department of Land Use and Building
Post Office Box 626
Wrightsville Beach, North Carolina 28480

RE: The Doak

Dear Mr. Nesbitt:

Along with copies of this letter, I have attached 17 copies of a conditional use application and the required drawings for distribution to the parties involved in the review process.

For everyone's information, there are some comments below to supplement the conditional use application.

The proposed project consists of 8 units, one 4 unit building east of Lumina Avenue and one 4 unit building west of Lumina. The total site area is 25,000 square feet which, at 15 units per acre, will accommodate 8.6 units. The building destroyed by fire plus the house we will demolish provide exactly the 3200 gallons of sewer capacity for the 8 proposed units. This is by your calculation of 14 resort apartments at 200 gallon/day plus one house at 400 gallon/day. Our proposed parking exceeds Town requirements by 4 spaces.

We are replacing a building that was non-conforming with structures that conform. The only exceptions to this relate to property dimensions. We are trying to conform to the intent of the ordinances with regard to this as well, but we have to request some consideration from the review boards. Under Section 21-9 (G) Damage or Destruction of our ordinances, they establish conditions for development in the event of damage exceeding 60% of value. We request their favorable consideration of two inhibiting conditions.

Our first problem is the fairly recent requirement for a minimum 100' frontage for a project of this type. Our property is only 80' wide, but both parcels are over 12,000 square feet in area, which is equivalent to property with over 100'x120' dimensions. We also have a total of 195' of street frontage.

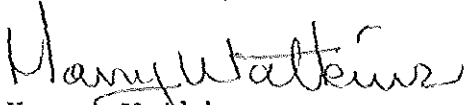
We have conformed throughout to the 20' front yard and 15' rear yard requirements. However, the 80' property width caused minor side yard problems which we have attempted to deal with in a way acceptable to

Town. The current side yard requirement is 15'. At ground level our buildings are set back 16' on each side. Above, 65% of the exterior walls are also set back 16'. The living and dining rooms are very cramped at these dimensions, so we have proposed cantilevering them 2' on each side leaving a 14' setback over 35% of the building end walls. The average side yard setback exceeds 15' and we hope the Town will agree that this is a fair compromise under the circumstances. Incidentally, this cantilever will provide some relief to an otherwise flat end elevation and will result in a more attractive building appearance.

I assume that this project will be reviewed by the Planning Board on July 20th, and that on July 22nd the Board of Aldermen will set a date for a public hearing. The public hearing will probably be held at the Board's regular meeting on August 12th. I have advised my client that the Board may make their decision on August 12th or delay it until their August 26th meeting.

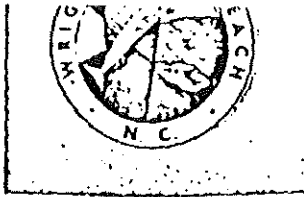
Please feel free to call me if you have any questions. Thank you.

Very truly yours,


Harry Watkins

HW:vw

Attachments



TOWN OF WRIGHTSVILLE BEACH

TOWN HALL 400 WAYNICK BOULEVARD • P. O. BOX 626
WRIGHTSVILLE BEACH, N. C. 28480

APPLICATION

CONDITIONAL USE PERMIT

- General description and lot dimensions including street frontage, street address, and proposed use:
Property runs from Ocean to Banks Channel with 80' frontage each side of Lumina. Depth is 100' east of Lumina and 200' west of Lumina with width reducing to 35' for first 100' of depth from Waynick
- Zoning district of site: R-2 (15 units/acre x 5.75 acre = 8.6 units)
Are any variances requested? see below. If so state request:
No variances requested, but some consideration under Damage or Destruction clause - see letter
- Water requirements: What is the estimated maximum water demand in gallons per day? 3200. Provide the calculations for this: 8 units x 400 gal./unit/day = 3200 gal/day (each building will have one 2" water tap)
What is the water main size available at the site? 6"
- Sewer requirements: What is the estimated maximum sewage flow? 3200 gal/day (each of the two buildings will have one 4" sewer tap). Provide the calculations for this:
8 units x 400 gal./unit/day = 3200 gal/day - See letter regarding sewer capacity from destruction & demoliti'
- Solid waste requirements: What is the estimated solid waste load in cubic yards per day? .40 cu. yd./day
Provide the calculations for this: .05 cu. yd./day/unit x 8 units = .40 cu. yd./day x 7 days = .2.10 cu. yd./week (We have located one 2 yard container to be picked up twice a week for a capacity of 4 cu. yd./week.)

6. Parking: How many on-site parking spaces will be provided for this project?

20 (2 per unit plus 4 additional guest spaces.)

What provisions will be made for ingress and egress? A private entrance

drive from Waynick to Lumina with entry to both buildings from Lumina

Will the project require any changes in the public street pattern or traffic control devices? None

7. Fire protection: What is the construction classification? Wood frame

Describe the fire protection provisions provided in the project: Code

requires 1 hour fire separation between units. We

will provide 2 hour double stud party walls and 1 hour

8. Police protection:

floor and ceiling construction - smoke detectors will be installed and there is a fire hydrant on site.

Will this project require any police protection not normal to Wrightsville Beach? None

9. Project timing: What is the proposed starting date? October, 1982

What is the estimated completion date? May, 1983

10. Describe fully all plans to minimize adverse environmental impacts to the site:

The site itself (west of ocean front building line)

has no sensitive characteristics. However this

part of Lumina Avenue has no storm drainage.

Public Works has proposed that we provide a

storm drainage easement from Lumina to Waynick.

We will provide the materials for basins & piping

on our Lumina frontage and to Waynick Avenue

with Public Works installing the system. This should help alleviate drainage problems

11. Describe all proposed signs (size, construction, and location): One
sandblasted wood project sign (6' wide x 4' high) at
Waynick entrance.

12. Describe all buffering and landscaping: See site plan - all
shrubs to be 3 gal. min. size, ground cover plants
to be 1 gal. and specimen trees to be B&B.
Extensive landscaping is an important part of
development plans!

* * * * *

Seventeen (17) copies of the site plan and this application shall be submitted ten (10) days prior to the regular Planning Board meeting date along with a \$25.00 filing fee.

The Doak Family (Perry Safran, family member
Owner in charge)

Harry Watkins, Architect
Representative

July 9, 1982
Date