

**TOWN OF HOLDEN BEACH  
PLANNING & ZONING BOARD REGULAR MEETING  
MARCH 26, 2019 – 2:00 P.M.**

The Planning & Zoning Board of the Town of Holden Beach met for their Regular Meeting on Tuesday, March 26, 2019 at 2:00 p.m. in the Town Hall Public Assembly. Present were Chairperson Vicki Myers; Vice Chairman Mark Fleischhauer; Regular Members Greg Shue and Bob Hunter; Alternate Member Woody Tyner and Peter Pallas, Planning Director Tim Evans and CZO Rhonda Wooten.

**ROLL CALL**

Tracey Thomas was an excused Regular Member.

Alternate Member Woody Tyner was seated as a voting member.

**PUBLIC COMMENTS ON AGENDA ITEMS**

Elaine Jordan, general counsel for coastal companies, said she works at 131 Ocean Boulevard West and lives at 124 Sand Dollar Drive. Speaking on Commercial Zoning, she asked how many lots or properties are we even talking about that are zoned commercial and where they are? How many are improved and not improved? They will be affected in different ways. The changes are significant when you're talking about doubling setbacks. You will be effecting the buildability of unimproved property. How will storms effect these changes? Where are there any problems on the island? Commercial is very important and there are very few. When property owners are paying high tax rates living in residential, you would want commercial to bear some of the burden. Not trying to change the nature of the beach, but encourage limited development in commercial areas. Commercial is very important to the real estate community. These proposed changes could hurt development and existing commercial properties. #1 I am asking why would there be any changes at all. #2 define the problem if there is a problem. #3 Move forward with much restraint.

**APPROVAL OF MINUTES**

*Alternate Member Tyner made a motion to approve the minutes of January 15, 2019 with changes; seconded by Regular Member Hunter; and approved by unanimous vote.*

*Regular Member Fleischhauer made a motion to approve the February 12, 2019 minutes with changes; seconded by Alternate Member Tyner; and approved by unanimous vote.*

**DISCUSSION AND POSSIBLE ACTION OF PARKING CITIZENS ADVISORY COMMITTEE REPORT**

Chairperson Myers summarized the report. She sent it to Member Pallas and Member Thomas and they agreed with the report. Vice Chairman Fleischhauer stated that he wanted to address

the right-of-way parking before this report goes further. The committee had wanted to do away with right-of-way parking but many of the full time property owners realize that we park in the rights-of-way on a regular basis, particularly in the summer time. The committee elected to put the issue off. Property owners can barricade the front of their homes with some type of barrier if they want to protect that area if they so choose. He feels that if this is put through this way and we have paid parking in the designated public areas it's going to shift the burden on right-of-way parking. Free parking is always the most popular spot. The committee he was a part of decided not to have paid parking in these areas.

Member Pallas stated that Oak Island has 1,100 parking places; we may have only 100. He feels paid parking is a dream. How can we afford to buy property to put in paid parking and only charge \$2.00 an hour to park? How is that a good business decision?

Chairperson Myers stated that the town needs to send out for a RFP and get a proposal. Member Tyner stated that he is not for paid parking, but we could send out for a proposal for paid parking just to see how it comes back to get some facts. Planning Director Evans asked if someone is having a party are you going to make them pay to park. If everyone is parked up and down the rights-of-way, and paying to park there and we have a water or sewer leak, what happens? I don't know what the liability is for parking in the right-of-way when it's paid parking, but you will never know without having a RFP. Vice Chairman Fleischhauer stated that he wants to clarify that this memo does not state that we are recommending paid parking. Member Hunter stated that the only way to get this put to bed is to get a RFP.

Director Evans stated that the following should be changed under title Jordan Blvd:  
*In last sentence remove this project and replace with a similar project.*

*Member Shue made a motion to approve; seconded by Alternate Member Tyner and approved by unanimous vote.*

## **DISCUSSION AND POSSIBLE ACTION ON COMMERCIAL ZONING ORDINANCES.**

Chairperson Myers provided maps of where she thought commercial properties were located.

Planning Director Evans stated that he had spoke with the commissioners after getting feedback. The proposed would force closure of road at the end of Ferry Road which we're not going to do. It's pretty clear that if the ordinance would have went through before public input, then it would have not been good. Planning Director Evans still feels that the side setbacks should be more than five feet. We have a changing ocean front, if a storm was to come through and the vegetation line was to move then the proposed ordinance would preclude them from rebuilding. I'm concerned after looking at the proposed change that we would be making so many existing properties non-conforming. The main purpose for the ordinance was to create buffers. Some problems with a restaurant being constructed between two houses could be solved with behavior ordinances, like the noise ordinance. Whatever we bring back as a proposed ordinance should be publicized first. Let's say someone decided to buy a parking deck and build 35 foot high right next

to a residential home. Planning Director Evans stated that he wanted to play around with it some before he brings it back to the Board. There is a proposal in our office that we have a preliminary review for where the pier is located. They are proposing 13 units with approximately little 4,000 square feet each and one pool.

Vice Chairman Fleischhauer stated that we have had commercial property sitting here and no new commercial construction since I moved here, only seen homes being constructed in commercial district.

## COMMENTS

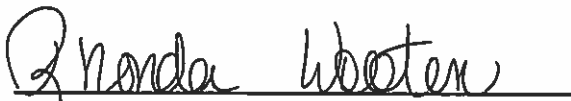
Chairperson Myers stated that the next Planning & Zoning meeting was scheduled for April 9<sup>th</sup> at 2:00 p.m., and there may not be any need to have this meeting. The next Land Use Plan meeting is scheduled for April 23<sup>rd</sup> 2:00 p.m.

Elaine Jordan stated that someone said that if there was a hardship you can go to the Board of Adjustments. This is a Quasi – judicial meeting and that is not something that a property owner should be considering as a solution. She also stated that we can't get restaurants here because there isn't enough rooftop area for one. Homes are being constructed within commercial districts just to be able to generate revenue. Don't legislate away commercial areas, let people decide themselves if they choose to live beside of a commercial business.

Vice Chairperson Fleischhauer stated that he hates to see something happen to our Commercial Area on Jordan Boulevard. He likes the Pier being used by the public. He feels the owner of the Pier has been very generous through the years. If you do want to construct a residential structure within a commercial zone area you should go through a higher board for approval.

## ADJOURN

Member Tyner made made to adjourn; seconded by Member Hunter; and approved by unanimous vote.

  
Rhonda Wooten