

# Pender County Planning and Community Development

## Planning Division

805 S. Walker Street  
PO Box 1519  
Burgaw, NC 28425



Phone: 910-259-1202  
Fax: 910-259-1295  
[www.pendercountync.gov](http://www.pendercountync.gov)

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## Lake Linda Application Information Special Use Permit

**Case Number:** SUP 2024-48

**Application Type:** Special Use Permit

**Applicant:** Michael and Tonia Register

**Owners:** Joel Register and Michael Register

**Location:** Approximately 1000 ft off Old House Road (private) from the intersection of Old House Road and US HWY 17

**Property ID #(s):** 4216-70-7286-0000

**Description & Total Area of Project:** Request for 0.04 ac in the RA, Rural Agriculture zoning district to be permitted to operate the following Retail Trade uses: NAICS 444 Building Material, Garden Equipment & Supplies Dealers, 445 Food and Beverage Stores, 453220 Gift Novelty and Souvenir Stores, and 454 non-store retailers.

**Current Zoning:** RA, Rural Agriculture

**Technical Review Committee Meeting:** N/A

**Board of County Commissioners:** 10/21/2024

### Application Materials

Application Package

Narrative

Site Plan

# **APPLICATION PACKAGE**

# APPLICATION FOR SPECIAL USE PERMIT

## THIS SECTION FOR OFFICE USE

Application No.	<b>SUP</b>	Date	
Application Fee	\$	Invoice Number	
Pre-Application Conference		Hearing Date	

### SECTION 1: APPLICANT INFORMATION

Applicant's Name:	Michael & Tonia Register	Owner's Name:	Joel Register & Michael Register
Applicant's Address:	218 Old House Rd	Owner's Address:	192 Old House Rd & 218 Old House Rd
City, State, & Zip	Hampstead NC 28443	City, State, & Zip	Hampstead NC 28443
Phone Number:	910-279-3892	Phone Number:	910-231-2950 & 910-279-3892
Email Address:	Lakelindasfarm@gmail.com	Email Address:	jeregister@aol.com

**Legal relationship of applicant to landowner:** Michael is one owner, his father JE (Joel) is the other, Tonia is Mike's wife.

### SECTION 2: PROJECT INFORMATION

Property Identification Number (PIN):	4216-70-7286-0000	Total property acreage:	8.4
Zoning Classification:	RA	Acreage to be disturbed:	0.04 ac <sup>±</sup>
Water Provider:	Private well	Wastewater Provider:	Septic Tank
Project Address:	Closest address is 270 Old House Rd. Address needed.	NAICS Code:	444, 445, 453220, 454
Description of Project Location:	On Lake Linda's Farm, just past where the cows & goats are. Next to the building we sell products from our farm.	Township:	Hampstead
Describe activities to be undertaken on project site:	We currently have a farm and sell meats & eggs all raised on our farm. We would like to also offer products from other farms, to have a country store. Similar to what Eagle Island has. We will also incorporate our non-profit Lake Linda's Christmas Lights Thanksgiving through New Years.		
Roads:		Public/Private	

### SECTION 3: SIGNATURES

Applicant's Signature	<i>Michael Register, Tonia Register</i>	Date:	8/23/24
Applicant's Printed Name:	Michael Register, Tonia Register	Date:	8/23/24
Owner's Signature	<i>JE Register, Michael Register</i>	Date:	8/23/24
Owner's Printed Name:	Michael Register, JE Register	Date:	8/23/24

### NOTICE TO APPLICANT

Applicant must also submit the information described on the Special Use Checklist.  
 Applicant or agent authorized in writing must attend the public hearing.  
 Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Board of Commissioners or other authorized person agrees to table or delay the hearing.  
 Applicant may wish to review the required findings for approval of a Special Use Permit found on page 1 of this application  
**Permit will become void after 12 months if a final zoning permit is not obtained, unless specifically requested at the time of public hearing.**



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**Lake Linda's Farm, Inc,  
Michael & Tonia Register**

270 Old House Rd  
Hampstead, NC 28443  
(910)2793892

[LakeLindasFarm@gmail.com](mailto:LakeLindasFarm@gmail.com)

[Facebook.com/lakelindasfarm](https://www.facebook.com/lakelindasfarm)

# Lake Linda's Country Store

August 23, 2024

## OVERVIEW

We are requesting a special use permit to open a Country Store at Lake Linda! Some of you may be familiar with Lake Linda from our Christmas Lights. What many don't know is we also have a farm on the nearly 20 acres of the property behind the lake and the lights, and those parcels are not a part of Surf City. We have a USDA farm number, as well as Bona Fide farm status from Pender County. We do plan to sell items from our farm, but we don't want to stop there. Mike's always had a dream of opening a country store. Everyone loves a good country store, and that is something we don't have on this side of the county. These days, more and more people are moving towards farm to table, and we would like to help them! There will be no nuisance to others, because we have no neighbors. We own the access road, and all land surrounding the farm with the exception of the NC game lands.

## LOCATION & ACCESS

1. The proposed site is located in eastern Pender County off Old House Rd. The parcel identification number is 421670-7286-0000
2. The proposed site can be accessed by turning off of Highway 17 onto Old House Rd. Old House Rd is a private road owned & maintained by our family.

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## PROPOSED ACTIVITIES

A family owned and operated country store offering unique items that you can't buy at chain grocery stores in a rustic atmosphere. In the beginning, the store will be open Thursday-Saturday or Friday-Sunday, and operated by family members, but as it grows so will the operating hours. We also hope to eventually be able to employ others, especially those with special needs as well as older retired people that just want to have something to do and people to talk to.

During the holiday season, we hope to incorporate Lake Linda's Christmas Lights, our 501c3 non profit organization, by expanding the display to the farm property and with special holiday items in the store. If we can raise the money, we'd love to offer hayrides through the lights all the way to the back!

## CONSTRUCTION & UTILITIES

The store itself will be in a new 20' x 30' metal farm building on a concrete slab. The concrete slab will be poured by professionals.

We've contacted Duke Energy & have paid to have power extended to the area where the new store will be. Poles, lines and transformers have been run already. Electrical permits for our farm building, which is next to the planned building, were applied for and passed inspection.

Water will be from a private well. The well was dug in 2023 and passed county inspection. The water is tested yearly for our NCDA meat handler's license. The most recent water test (which passed) was 7/23/24.

No state or federal permits are required for the project.

## WRITTEN FINDINGS FOR SPECIAL USE PERMIT APPROVAL AS DESCRIBED IN THE PENDER COUNTY UNIFIED DEVELOPMENT ORDINANCE SECTION 3.12.3.G.

1. “The use requested is listed among the special uses in the district for which application is made, or is similar in character to those listed in that district”In the table of permitted uses located in section 5.2.3 of the Pender County UDO, it shows miscellaneous store retailers are allowed on property zoned RA with a special use permit. It also says on page 8 of Attachment Two: Updating Standards in the Pender County Unified Development Ordinance, Appendix A: Definitions “COUNTRY GENERAL STORE: A retail business allowed where specified in the rural zoning districts which sells groceries along with a variety of other retail goods.” This describes this entire project so well, it was like it was written for us!
2. “The requested use will not impair the integrity or character of the surrounding or adjoining districts, nor adversely affect the safety, health, morals, or welfare of the community or of the immediate neighbors of the property.”This use will in no way do any of the things listed in #2. A country store in this location will actually be a bridge between Surf City and the rural areas, bringing the two together. We believe locals and tourists alike will enjoy it. The only neighbor that will be affected is ourselves, since the road is our private road and passes in front of our home. The safety, health, morals, and welfare of our community is of utmost importance to us, which is why we open our land to the community every year through the Christmas Season, bringing joy to all, and to try to make a small difference in the world. I’m sure the country store won’t draw nearly the crowds that the Christmas Lights do! This will be a family friendly store offering a variety of produce, jams, specialty items, farm supplies, & more. We will not be selling any alcohol or tobacco products.
3. “The proposed use shall not constitute a nuisance or hazard”As mentioned in the answer to #2 above, if it were to become a nuisance or hazard to anyone, it would be to us first, and we certainly don’t want that for ourselves. We hope for our Country Store to become a place of peace for all. Not just a place to shop, but also a place to enjoy and relax. There’s no current lighting plan, but if there in the future is a need for street or any other lighting, it will be on our private road only, only facing downward as to not be a disturbance.
4. “The requested use will be in conformity with the Pender County Land Use Plan and other official plans, or policies adopted by the Board of Commissioners.”Absolutely it will. We plan on keeping the majority of the existing natural vegetation buffer, there won’t be signs other than a wall sign on the building, and possibly in the beginning temporary disposable directional signs on our personal property where we live (under 24” x 24” in size) just to

help people find it initially. Due to the small footprint of our planned building, (20' x 30' = 600 sq ft) even the parking area will be relatively small.

5. “Adequate utilities, access roads, drainage, sanitation, or other necessary facilities have been or are being provided.” Power lines have already been installed to the proposed site by Duke Energy. A well permit has already been obtained & inspected as well as a septic permits & inspections from Pender County Environmental Health. Trash Services will be provided by Wall Trash, however we will utilize the same dumpster we currently use which is not on this parcel. We have been improving the existing access road by adding gravel.
6. “That adequate measures have been or will be taken to provide ingress and egress so designed to minimize the traffic congestion in the public roads.” There is already a right hand turn lane on Highway 17 to turn onto Old House Rd. There are also several other driveways from Highway 17 that could be used to get to Old House Rd.
7. “That the special use shall, in all other respects, conform to the applicable regulations of the district in which it is located.” Yes it will. This is something we've always wanted to do. The reason we're going through all of this is because we want to go about it the right way. We did think of doing it on the commercial property on Highway 17, which is in Surf City, however we felt the atmosphere and peacefulness that we have on the farm land, away from the hustle and bustle of Highway 17, more suits what we're hoping to accomplish. We'd much rather be off the beaten path so people can experience the peace and truly appreciate the rural aspect of an old country store.
8. “The proposed use shall not adversely affect surrounding uses and shall be placed on a lot of sufficient size to satisfy the space requirements of said use.” This particular parcel is over 8 acres, the three parcels that are Lake Linda's Farm equal over 19 acres, the total property of all adjacent lots owned by our family is around 40 acres. We will only be affecting less than ½ acre for our Country Store. With nothing but woods and farm completely surrounding the store, we can more than satisfy any space and set back requirements of Pender County. The only other property that borders any of the farm is the NC Game Lands. Again, this can help bring rural Pender County and Surf City together.

## IN CONCLUSION

We appreciate all of our County Commissioners as well as everyone within the Planning Department for taking the time to help us through this process and considering our proposal. We assure all of you that our hope is to make a positive impact in our community and county. We

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look forward to working with all of you all as we move through the process and get closer to making our dream come true. And of course we hope you'll all visit with us not only at our new country store, but at Lake Linda's Christmas Lights too!

# **SITE PLAN(S)**



