

REQUEST FOR BOARD ACTION / CONTRACT CONTROL FORM

Tracking Number: 24

Date of Request: January 7, 2008

Date Request Received:

Board Meeting Date Requested: January 22, 2008

Board Meeting Date Assigned:

Short Title: Haden Stanziale, Applicant, And Keith Avant, Owner, Are Requesting A 25 Acre Tract To Be Rezoned From R-20C, Residential Conventional Housing District To PD, Planned Development District.

Request Status:

- Request is proceeding to Board of Commissioners
- More information is needed – see attached
- Request on hold – no further information needed
- Other:

Background: The property is located along the corner of Country Club Drive and Mallard Bay Road, Hampstead, NC.

Specific Action Requested: The Board of Commissioners is requested to hold a public hearing for a rezoning

(Administrative Use Only)

CONTRACT TYPE

Requested by: Planning Staff
Department: Planning Department
Title: Planning
Contact Phone: 910.259.1202
Contact Fax: 910.259.3735

- Renewal
- For Service(s)
- Intergovernmental – County as Grantee
 - Federal Grantor
 - State Grantor
 - Grantor
- County as Grantor
 - County Funds
 - Other Funds:
- Revision
- For Equipment

PURCHASING Budgeted Item: Yes No
Date Rec'd: Reviewed and Approved
 Comments on Reverse

Date Sent:

Signed:

ATTORNEY Reviewed and Approved
Date Rec'd: Legal Problem(s)
 Comments on Reverse

Date Sent:

Signed:

FINANCE Sufficient Funds Available
Date Rec'd Not Available
 Budget Amendment Necessary
 Budgeted Amendment is Attached
 Comments on Reverse

Date Sent:

Signed:

CLERK Signature(s) Required:
 Board Chairman/County Manager
 Other:

Date Rec'd Approved by Board: Yes No
At meeting on

INTRODUCED BY: Planning Staff **DATE:** January 22, 2008 **ITEM NO:** _____

TITLE: Zoning Map Amendment, Haden Stanziale

SUBJECT: PROPERTY PARCEL ID NO: 4203-97-6548-0000, 4203-97-3970-0000, 4203-98-1361-0000.

APPLICANT: Haden Stanziale

OWNERS: Keith Avant

ACTION REQUESTED: Applicant is requesting three tracts, totaling 25 acres, be rezoned from R-20C, Residential Conventional Housing District, to PD, Planned Development District.

HISTORY/BACKGROUND:

Location of Property: The property is located along the corner of Country Club Drive and Mallard Bay Road, approximately 1 mile southeast of US Highway 17 in Hampstead, NC. (See attached vicinity map).

Description of Proposal: The proposal consists of rezoning three contiguous tracts of land totaling 25 acres from R-20C, Residential Conventional Housing District, to PD, Planned Development District. The 25 acres are located at the north east intersection of Country Club Drive and Mallard Bay Road. This rezoning will allow development flexibility in building setbacks and lot size. The surrounding property is zoned PD, Planned Development, with a small portion to the south zoned R-20 C, Residential Conventional Housing District, leading into Summerset and Crane Point Subdivisions. (See attached zoning map).

EVALUATION:

- A) Public Notifications:** Public Notice of the proposal for map change has been advertised in the Pender Post and Topsail Voice and adjacent property owners have been given written notice of the request.
- B) Existing Zoning in Area:** The surrounding property is zoned almost entirely PD, with a small portion to the south zoned R-20 C (See attached zoning map).
- C) Existing Land Use in Area:** The northwestern tract included in the rezoning proposal currently has a nursing home in operation. Northeast, East, South and West are all single-family residents.
- D) 2005 Land Use Plan Compliance:** The 2005 Land Use Plan classifies this property as Urban Growth Area. This rezoning request is consistent with the 2005 Land Use Plan (See attached CAMA Land Use Map).
- E) Zoning Ordinance Compliance:** Section 5.3 of the Zoning Ordinance provides for standards that shall be followed by the Planning Board before a favorable recommendation of approval for rezoning can be made. The proposed rezoning is not consistent with Section 5.3 A of the Zoning Ordinance, which reads "The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories." The proposed rezoning is a portion of a tract zoned R-20C and is surrounded entirely by property, including previously recorded lots, zoned R-20C. (See Section 5.3 attached).

F) Summary & Staff Recommendation: The proposal consists of rezoning 25 acres of land, from R-20C, Residential Conventional Housing District, to PD, Planned Development District. The request is consistent with the 2005 CAMA Land Use Plan. The Planning Board was presented with a petition recommending denial of this rezoning request.

G) Pender County Planning Board Recommendation: The Pender County Planning Board, at its December 4, 2007 meeting, recommended denial by a unanimous vote of this rezoning request.

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED, that on January 22, 2008 the Pender County Board of Commissioners (approved, modified, denied) a request for 25 acres of land, to be rezoned from R-20C Residential, to PD, Planned Development District, for Haden Stanziale as described herein and by the attached maps, incorporated and made part of this ordinance by reference. **Be it further ordained** that James David Williams Jr., Chairman to the Board, is authorized to execute the order implementing this resolution and provide notice to the applicant of the action taken herein.

AMENDMENTS:

MOVED _____ **SECONDED** _____

APPROVED _____ **DENIED** _____ **UNANIMOUS** _____

YEA VOTES: Williams _____ Tate _____ Blanchard _____ Brown _____ Rivenbark _____

James David Williams Jr., 1-22-08
Chairman **Date**

ATTEST 1-22-08
DATE

Haden Stanziale
3807 Wrightsville Ave.
Suite 24
Wilmington, NC 28403

Pender County Planning and Community Development
Division of Planning
805 South Walker Street
Burgaw, NC 28425
Phone - 910.259.1403
Fax - 910.259.1295

January 10, 2008

Dear Pender County Planning Department-

On Behalf of the Milestone Village design team. We would like to request that our project rezoning hearing be rescheduled until the February 2008 Board of Commissioners meeting. Please let us know if there are any problems with this request.

-Haden Stanziale
-Daniel Lucas
910.791.8383



Pender County Planning Department

805 South Walker Street
Burgaw, North Carolina 28425

Phone (910) 259-1202
Fax (910) 259-1295

Email: planning1@pender-county.com

PLANNING BOARD APPLICATION FOR ZONING MAP AMENDMENT

Date <u>November 2, 2007</u>	Application Fee <u>\$460.00</u>	Receipt No. <u>077076</u>
Application No. _____	Postage Fee <u>PAID</u>	Receipt No. _____

I. PROPERTY INFORMATION:

Record #: 47084,41941,38017 Current Zoning District: R-20C
 4203-97-6548-0000,
 Tax Map #: 4203-97-3970-0000, 4203-98-1361-0000 Requested Zoning District: PD
 Lot #: N/A Acreage to Be Rezoned: 25.00 AC

Total Acreage of Tract: 25.00 ACRES TOTAL
 LOCATED AT THE CORNER OF COUNTRY
 Property Location: CLUB DRIVE AND MALLARD BAY RD.

Reason for Rezoning: TO ALLOW FLEXIBILITY IN BUILDING SETBACKS AND LOT SIZE

II. REQUIRED NAMES:

Applicant <u>HADEN STANZIALE</u>	Owner <u>KEITH AVANT</u>
Address <u>3807 WRIGHTSVILLE AVE. SUITE 24</u> <u>WILMINGTON, NC 28403</u>	Address <u>4656 US HWY 117</u> <u>BURGAW NC, 28425</u>
Phone <u>910.791.8383</u> Fax <u>910.791.9938</u>	Phone <u>910.524.0911</u> Fax <u>N/A</u>
Email <u>dlucas@hadenstanziale.com</u> <u>sburroughs@hadenstanziale.com</u>	Email <u>mreutter@msn.com</u>

Legal Relationship of Applicant to Property Owner: CONSULTANT/LAND PLANNER

III. SIGNATURE OF OWNER & APPLICANT

[Signature] [Signature]

(If owner is different from applicant, both signatures are required)

Pender County Planning Department

805 S. Walker Street

Burgaw, NC 28425

(910)259-1403

(910)259-1295 (fax)

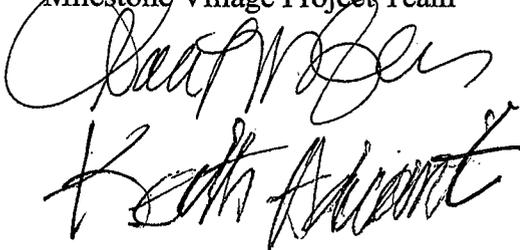
Dear Pender County Planning Board:

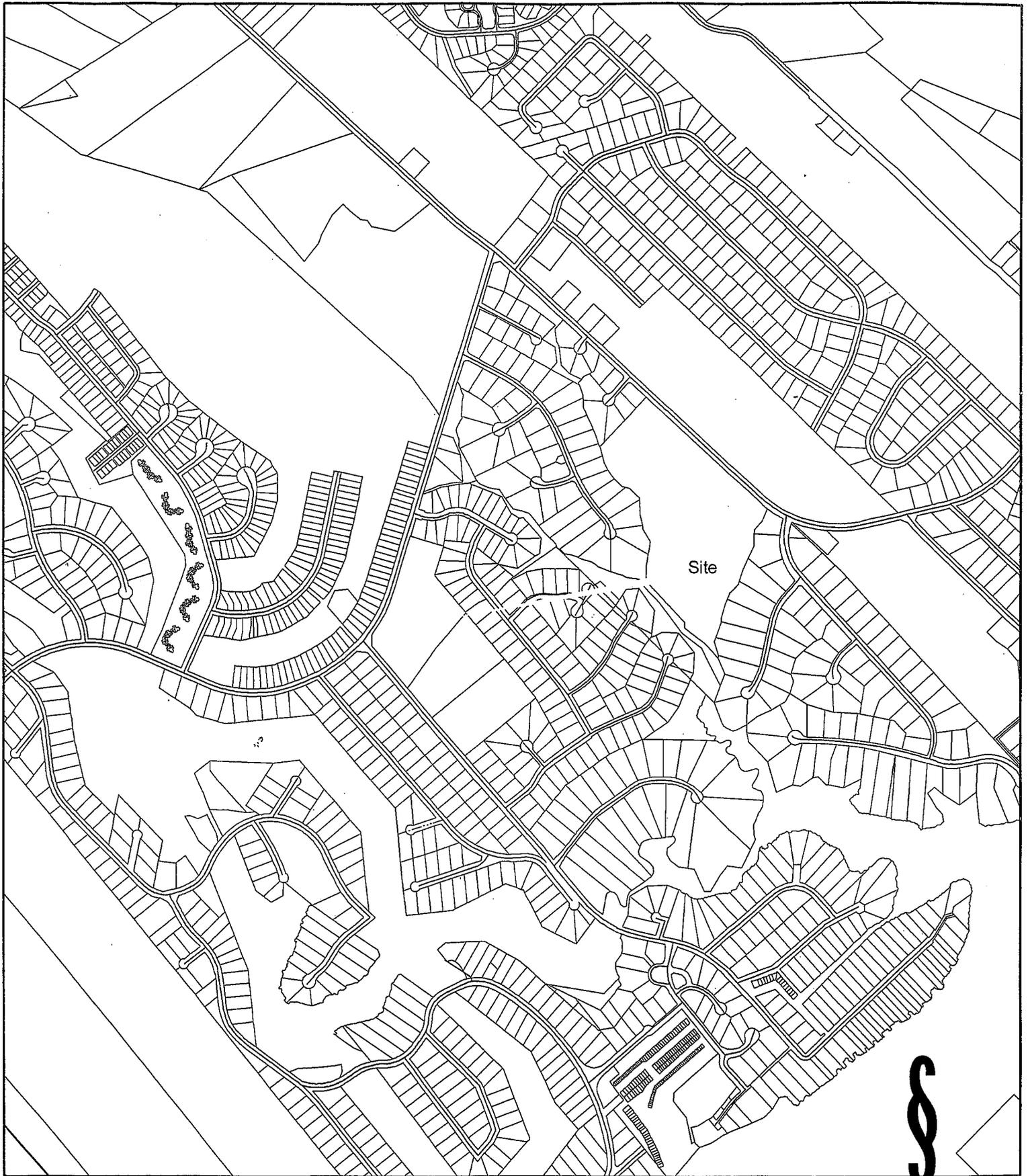
On behalf of Milestone Village Project Team, we would like to request a rezoning of the 25 acre property located at the corner of Country Club Drive and Mallard Bay Rd. from R-20C to PD zoning. The property remains mostly undeveloped except for the existing nursing home located at the western corner. The proposed PD zoning designation will allow greater flexibility in both use and design. Milestone Village project team would like to create an active adult community for residents over 55. Less significant building setbacks and narrower allowable lot width of PD zoning would promote a supportive environment for this design and community lifestyle.

We have examined the adjacent property for zoning compatibility and currently this tract is the only land in this vicinity not zoned PD. The zoning map illustrates the property is surrounded by PD on all sides. If this zoning request is granted, the zoning and possible uses will match that of the surrounding land, creating a large, consistent area of PD zoning. The allowable uses, setbacks, and buffering in the proposed PD zoning are compatible with existing adjacent tract, also currently zoned PD. Proposed PD zoning will allow tract to serve as a transitional piece from the existing nursing home tract to the adjacent residential PD zoning.

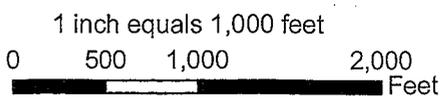
None of the allowable uses under PD zoning will adversely affect the health and safety or character of residents or workers in this area. The team will continue to coordinate with the planning department to create a successful project and ensure proposed features are compatible with the proposed zoning designation.

Sincerely,
Milestone Village Project Team

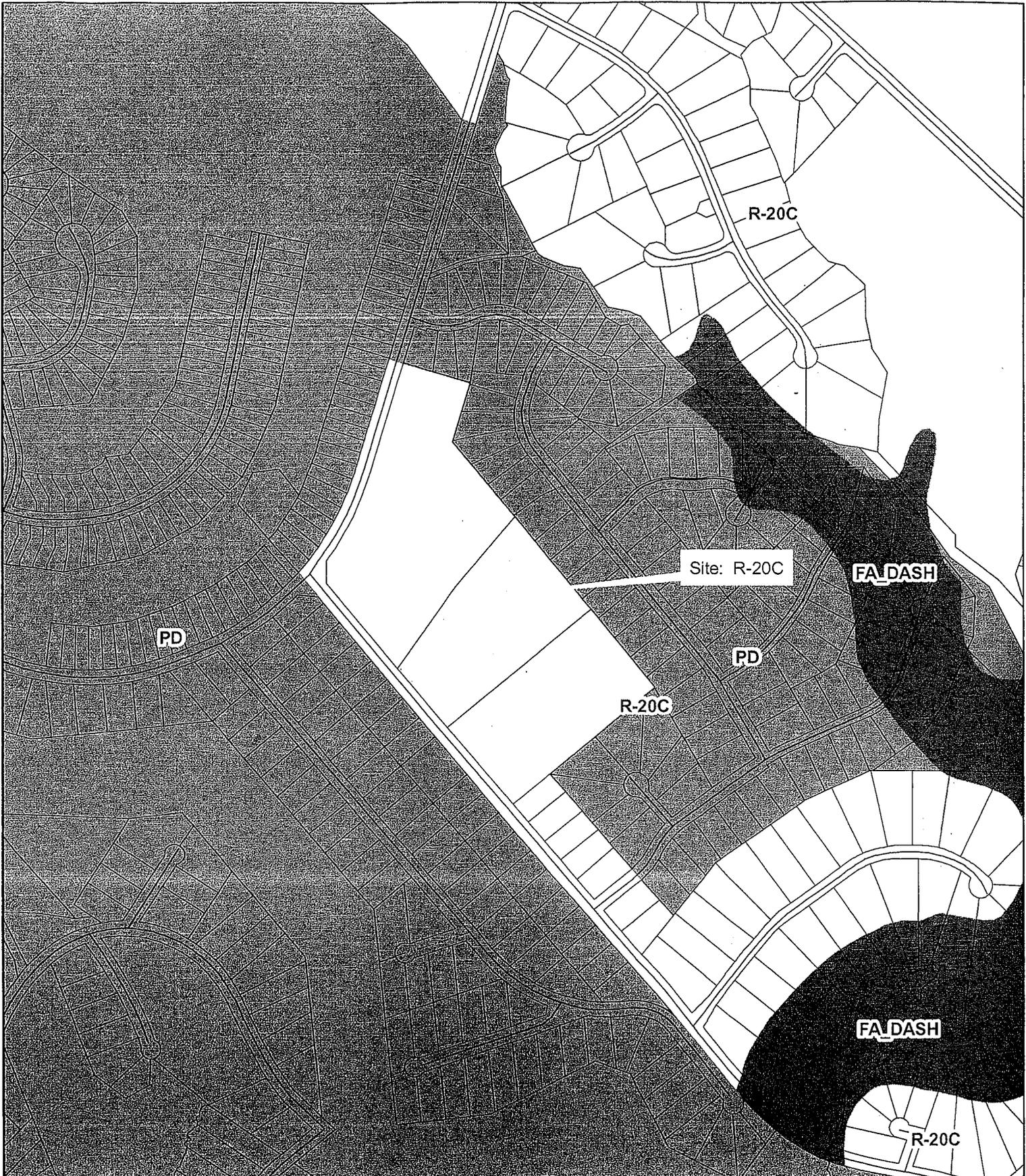
The block contains two handwritten signatures in black ink. The first signature is written in a cursive style and appears to be "Kurt W. Jones". The second signature is also in cursive and appears to be "Keith Adams".



Site



Haden Stanziale
Rezoning R-20C to PD
Vicinity



1 inch equals 500 feet
0 250 500 1,000 Feet

Haden Stanziale Rezoning R-20C to PD Zoning





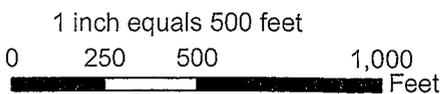
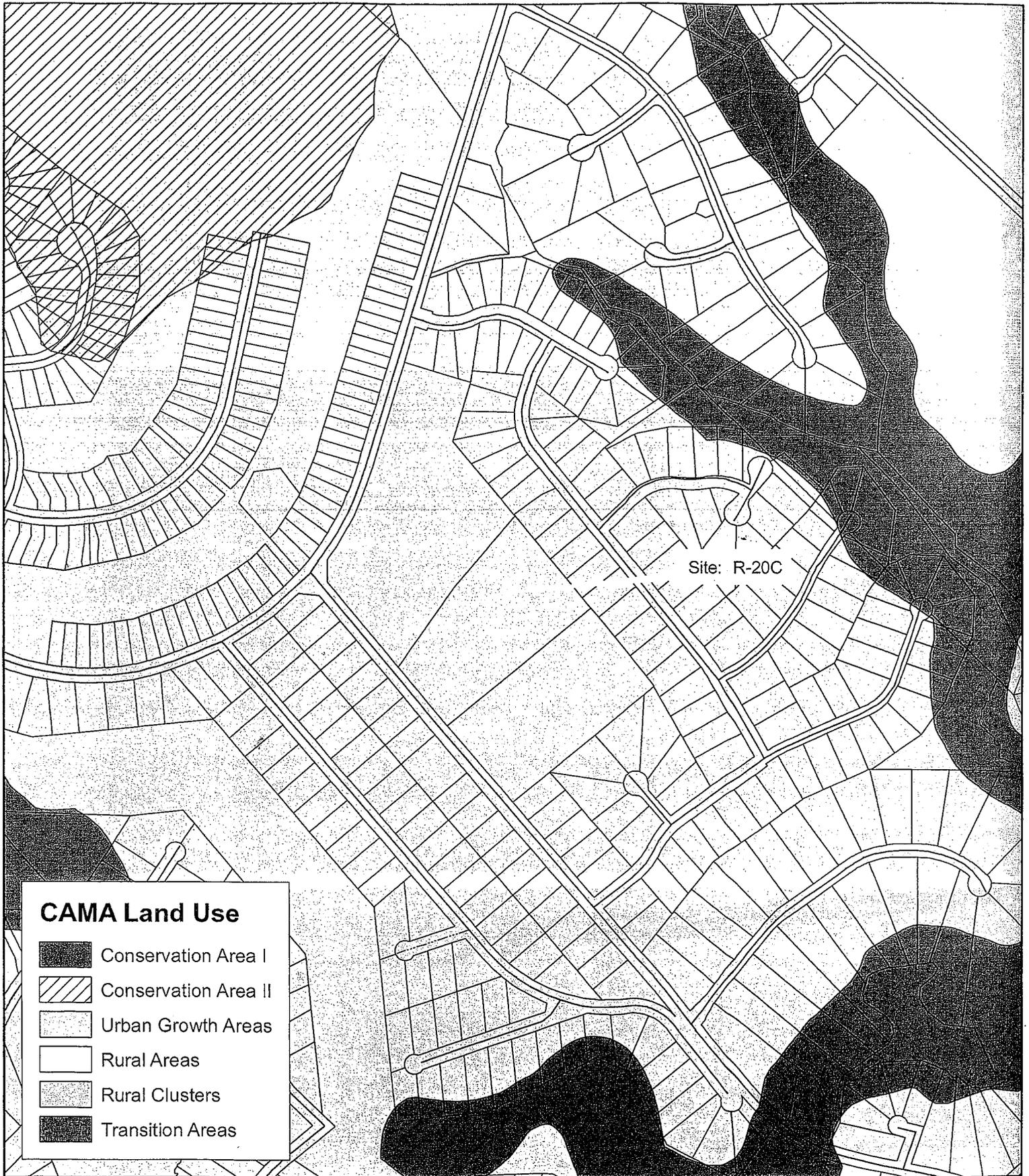
Site: R-20C

1 inch equals 500 feet

0 250 500 1,000 Feet

Haden Stanziale
Rezoning R-20C to PD
Aerial (2003)





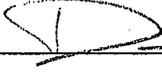
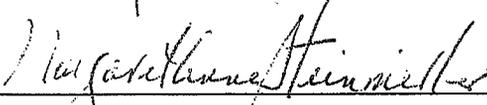
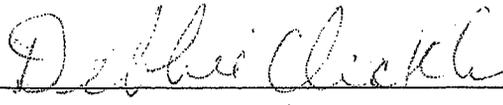
Haden Stanziale
 Rezoning R-20C to PD
 CAMA Land Use



This is a petition to the zoning board of Pender County requesting that Item #3, Zoning map amendment for all three of the properties owned by Keith Avant located at the corner of Country Club Road and Mallard Bay Road in Hampstead NC, not be rezoned to PD.

Name, Print	Name Sign	Address	Date
EDITA PROBST	Edita Probst	106 HICKORY CR HAMPSTEAD, NC 28443	12/1/07
JUEL CEDENO	Juel Cedeno	108 HICKORY CR HAMPSTEAD NC 28443	12/1/07
JEFF SEMAR	Jeff Semar	115 HICKORY CR Hampstead, NC 28443	12/1/07
Kathy Gordon	Kathy Gordon	307 Hickory Lane Hampstead, NC	12/1/07
Andrea Jacquot	Andrea Jacquot	322 Hickory Lane Hampstead NC 28443	
James Jacquot	James Jacquot	322 Hickory Lane Hampstead	
Christina Fennell	Christina Fennell	384 Mallard Bay Rd, Hampstead	12/1/07
Dale Fennell	Dale Fennell	384 Mallard Bay Rd Hampstead	12/1/07
Diana Bluthenthal	Diana Bluthenthal	325 Mallard Bay Rd Hampstead, NC 28403	12/1/07
VINCENT BLUTHENTHAL	Vincent Bluthenthal	325 MALLARD BAY RD HAMPSTEAD, NC 28443	12/1/07
Doreen Loh	Doreen Loh	303 Mallard Bay Rd Hampstead NC 28443	
Myrna FUSCO	Myrna Fusco	283 Mallard Bay Rd Hampstead NC 28443	
Dennis FUSCO	Dennis Fusco	283 Mallard Bay Rd Hampstead NC 28443	
JILL HAINES	Jill Haines	Hampstead 243 Mallard Bay Rd	
PAM GASCOIGNE	Pamela Gascoigne	" " " "	

This is a petition to the zoning board of Pender County requesting that Item #3, Zoning map amendment for all three of the properties owned by Keith Avant located at the corner of Country Club Road and Mallard Bay Road in Hampstead NC, not be rezoned to PD.

Name, Print	Name Sign	Address	Date
Isabella Rastelli	Isabella Rastelli	218 Hickory Lane	12/1/07
Fabio Rastelli	J. Rastelli	218 Hickory Lane	12/1/07
Mad Duff	Mad Duff	219 Hickory Lane	12/1/07
Jennifer Heywood	Jennifer Heywood	221 HICKORY LANE	12/1/07
DANIEL HEYWOOD		221 HICKORY LANE	12/1/07
Betty Ebert	Betty Ebert	222 Hickory Lane	12/1/07
Margaret Steinmiller		226 Hickory Ln.	12/1/07
Henry Steinmiller	Henry Steinmiller	226 Hickory Ln.	12/1/07
Steve Colarco	Steve Colarco	230 Hickory Lane	12/1/07
Debbie Clark		232 Hickory Ln	12-1-07
Pammi Clark		232 Hickory Ln	12-1-07
		232 Hickory Lane	12-1-07
Deanna Bennett	Deanna Bennett	231 Hickory Lane	12/1/07
Harold McClain	Harold McClain	234 Hickory Lane	12/1/07
Pat McClain	Pat McClain	234 Hickory Lane	12/1/07

This is a petition to the zoning board of Pender County requesting that Item #3, Zoning map amendment for all three of the properties owned by Keith Avant located at the corner of Country Club Road and Mallard Bay Road in Hampstead NC, not be rezoned to PD.

Name, Print	Name Sign	Address	Date
Keith Muller	205 Hickory	Hampstead	12/1
Juan D. Burke	204	Hickory Lane	
Debra D. Burke	204	Hickory Lane	
Oscar Cerda	204	Hickory Lane	
Don Jancardi	206	Hickory Lane	
Karl van Leuven	205	Hickory Ln.	12-1-2007
Bert Mann	210	Hickory Ln	12-1/07
Paula Moore	210	Hickory Lane	12-1-07
Long Newborn	211	Hickory Lane	12/1/07
Sherry Newborn	211	Hickory Lane	12/1/07
Sean Day	213	Hickory Lane	12/1/07
Elaine Day	213	Hickory Ln Hampstead	12-1-07
Maryann + Thomas Ball	215	Hickory Lane	12/1/07
FRED + MARGARET MAYER	214	Hickory Lane	
T.C. + Stacey Tatum	216	Hickory Lane	12/1/07

This is a petition to the zoning board of Pender County requesting that Item #3, Zoning map amendment for all three of the properties owned by Keith Avant located at the corner of Country Club Road and Mallard Bay Road in Hampstead NC, not be rezoned to PD.

Name, Print Name Sign Address Date

Bob Douthit Robert W. Douthit 202 MALLARD BAY 12/2/07

Deborah James J 2731 Country Club Dr 12/1/07

Matthew James M James 2731 Country Club Dr 12/1/07

Linger Staley - 2745 Country Club Dr Hampstead, NC 12-1-07

~~Kenney E. Avant~~ - 104 301 section 1 Mallard Bay Rd Hampstead, NC

Dorothy K. Freeman 104 301 section 1 Mallard Bay Rd Hampstead, NC

Mary Griffith Mary F. Griffith 34 Mallard Bay Rd Hampstead, NC

JAMES COBBLE James Cobble 22 MALLARD BAY RD HAMPSTEAD NC

KIMBERLY COBBLE Kimberly M. Cobble 22 MALLARD BAY RD HAMPSTEAD NC

~~Matthew~~ 2731 Country Club

Linda Hansen Linda Hansen 205 HATTERAS CT Hampstead 270-9194

Tiffani St. Leger Tiffani St. Leger 110 Summerset Cndg Hampstead 270-4349

John St. Leger John St. Leger 110 Summerset Cndg Hampstead 270-4349

JONATHAN DAVIS Jonathan Davis 207 HATTERAS CT HAMPSTEAD 270-0107

Pamela Davis Pamela Davis 207 Hatters Ct Hampstead

270-0107

This is a petition to the zoning board of Pender County requesting that Item #3, Zoning map amendment for all three of the properties owned by Keith Avant located at the corner of Country Club Road and Mallard Bay Road in Hampstead NC, not be rezoned to PD.

Name, Print	Name Sign	Address	Date
Lisa Theriault	Yin Theriault	118 Summerset Lodge	12-3-07
Denise Rozewski	Denise Rozewski	305 Tall Ships Ln	12-3-07
Lou Rozewski	Lou Rozewski	" " " "	" " " "
Jeff Letchore	Jeff Letchore	lots 29-30-32	
Tony Migliana	Kathy Migliana	lots 10, 64, 55, 44	
Richard (Rick) Smith	Richard Smith	200 HATTERAS Ct Lot #46	3 Dec 07
John M. Turco	John M. Turco	508 Navigator Dr.	12/3/07
Tommy	Tommy	304 Gull Rd.	12-3-07
Angie Falzarano	Angie Falzarano	300 Tall Ships Lane	12.3.07
Linda Underwood	Linda Underwood	302 Tall Ships Ln	12-3-07
Keith Theriault	Keith Theriault	118 Summerset	12-3-2007
William W. McCreary	William W. McCreary	302 Tall Ships	12/3/2007
Cheryl P. Collins	Cheryl P. Collins	112 Summerset Landing	12/3/2007
John P. Falzarano	John P. Falzarano	300 TALL SHIPS LANE	12/3/2007
Bobby Collins	Bobby Collins	112 Summerset Landing	12/3/07
Bobby Collins	Bobby Collins	301 TALL SHIPS	12/3/07

