

# REQUEST FOR BOARD ACTION / CONTRACT CONTROL FORM

Tracking Number: 25.

Date of Request: February 7, 2008

Date Request Received:

Board Meeting Date Requested: February 18, 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.

(Administrative Use Only)

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

## CONTRACT TYPE

Requested by: Planning Staff  
Department: Planning Department  
Title: Planning  
Contact Phone: 910.259.1202  
Contact Fax: 910.259.1295

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

## PURCHASING

Date Rec'd:

- Budgeted Item:  Yes  No
- Reviewed and Approved
  - Comments on Reverse

Date Sent:

Signed:

## ATTORNEY

Date Rec'd:

- Reviewed and Approved
- Legal Problem(s)
- Comments on Reverse

Date Sent:

Signed:

## FINANCE

Date Rec'd:

- Sufficient Funds  Available  Not Available
- Budget Amendment Necessary
  - Budgeted Amendment is Attached
  - Comments on Reverse

Date Sent:

Signed:

## CLERK

Date Rec'd:

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

Date Rec'd:

- Approved by Board:  Yes  No  
At meeting on

INTRODUCED BY: Planning Staff    DATE: February 18, 2008    ITEM NO: 25.

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 February 18, 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.,**  
**Chairman** 2-18-08  
Date

\_\_\_\_\_  
ATTEST 2-18-08  
DATE

**Pender County Planning Department**

805 S. Walker Street

Burgaw, NC 28425

(910)259-1403

(910)259-1295 (fax)

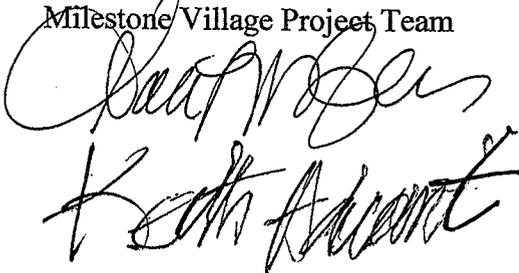
Dear Pender County Planning Board:

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



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
JOEL CEDENO	<i>[Signature]</i>	108 HICKORY CR Hampstead NC 28443	12/1/07
JEFF SOMAR	<i>[Signature]</i>	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 28443	12/1/07
VINCENT BLUTHENTHAL	<i>[Signature]</i>	325 MALLARD BAY RD HAMPSTEAD, NC 28443	12/1/07
Donna Lashier	<i>[Signature]</i>	303 Mallard Bay Rd Hampstead NC 28443	
Myrna FUSCO	<i>[Signature]</i>	283 Mallard Bay Rd Hampstead NC 28443	
Dennis FUSCO	<i>[Signature]</i>	283 Mallard Bay Rd Hampstead NC 28443	
JILL HAINES	Jill Haines	Hampstead 263 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
Etalo Rastelli	<del>S. Rastelli</del>	218 Hickory Lane	12/1/07
Wool Duff	W.D. DUFFETT	219 Hickory Lane	12/1/07
Jennifer Heywood	Jennifer Heywood	221 HICKORY LANE	12/1/07
DANIEL HOWARD		221 HICKORY LANE	12/1/07
Betty Ebert	Betty Ebert	222 Hickory Lane	12/1/07
Margaret Heine Miller		226 Hickory Ln.	12/1/07
Henry Stein Miller	Henry Stein Miller	226 Hickory Ln.	12/1/07
Steve Colawa		230 Hickory Lane	12/1/07
Debbie Czekli		232 Hickory Ln	12-1-07
Pammi Clark		232 Hickory Ln	12-1-07
		232 Hickory Lane	12-1-07
Deanna Bennett		231 Hickory Lane	12/1/07
Harold M. Clair		234 Hickory Lane	12/1/07
Pat M. Clair		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
Elith Muller		202 Hickory Hampstead	12/1
Alice J. Lyke		204 Hickory Lane	
Debra D Lyke		204 Hickory Lane	
Oscar Cerda		204 Hickory Lane	
Don Janacodi		206 Hickory Lane	
Karl Van Leuven		205 Hickory Ln.	12-1-2009
Bert Man		210 Hickory Ln	12-1/07
Paula Moore		210 Hickory Lane	12-1-07
Doug 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 MARGARET		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

~~Keith 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 CORABLE James Corable 22 MALLARD BAY RD HAMPSTEAD NC

KIMBERLY CORABLE Kimberly M. Corable 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

James Davis James Davis 207 Hatters Ct Hampstead

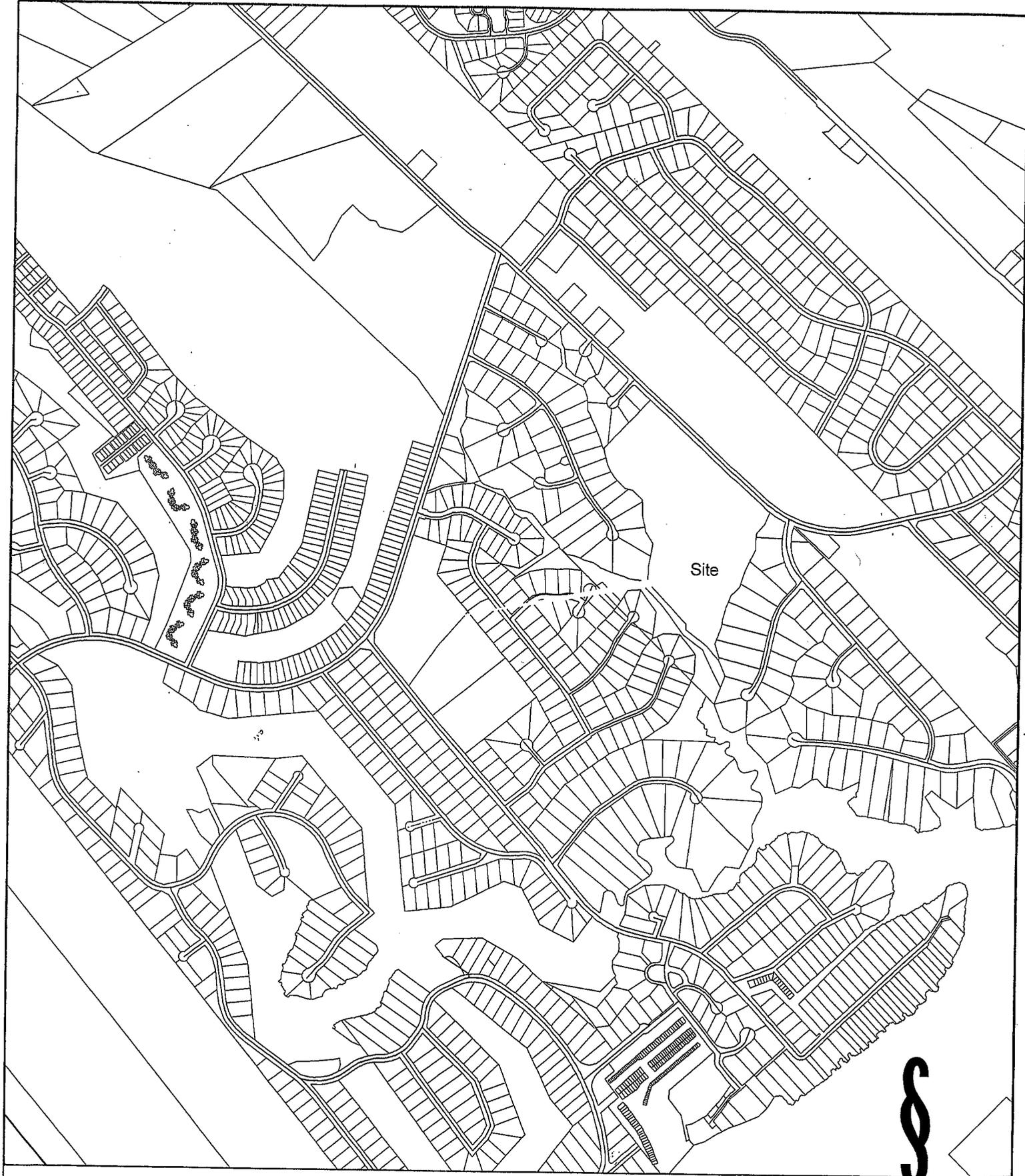
270-8107

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	Lisa Theriault	118 Summerset Ldg.	12-3-07
Denise Rozewski	Denise Rozewski	305 Tall Ships Ln	12-3-07
Lou Rozewski	Lou Rozewski	" " " "	" " " "
Jeff Leckrone	Jeff Leckrone	lots 29-30-32	
Tony Migliana	Tony Migliana	lots 10, 27, 35, 44	
Richard (Rick) Smith	Richard Smith	200 HATTERAS Ct	3 Dec 07
Joly M Turco	Joly M Turco	508 Navigator Dr. Lot #46	12/3/07
Glen Wynn	Glen Wynn	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. Underwood	William W. Underwood	302 Tall Ships	12/3/2007
Cheryl 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
Brett Underwood	Brett Underwood	301 TALL SHIPS	12/3/07



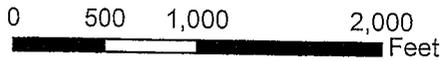




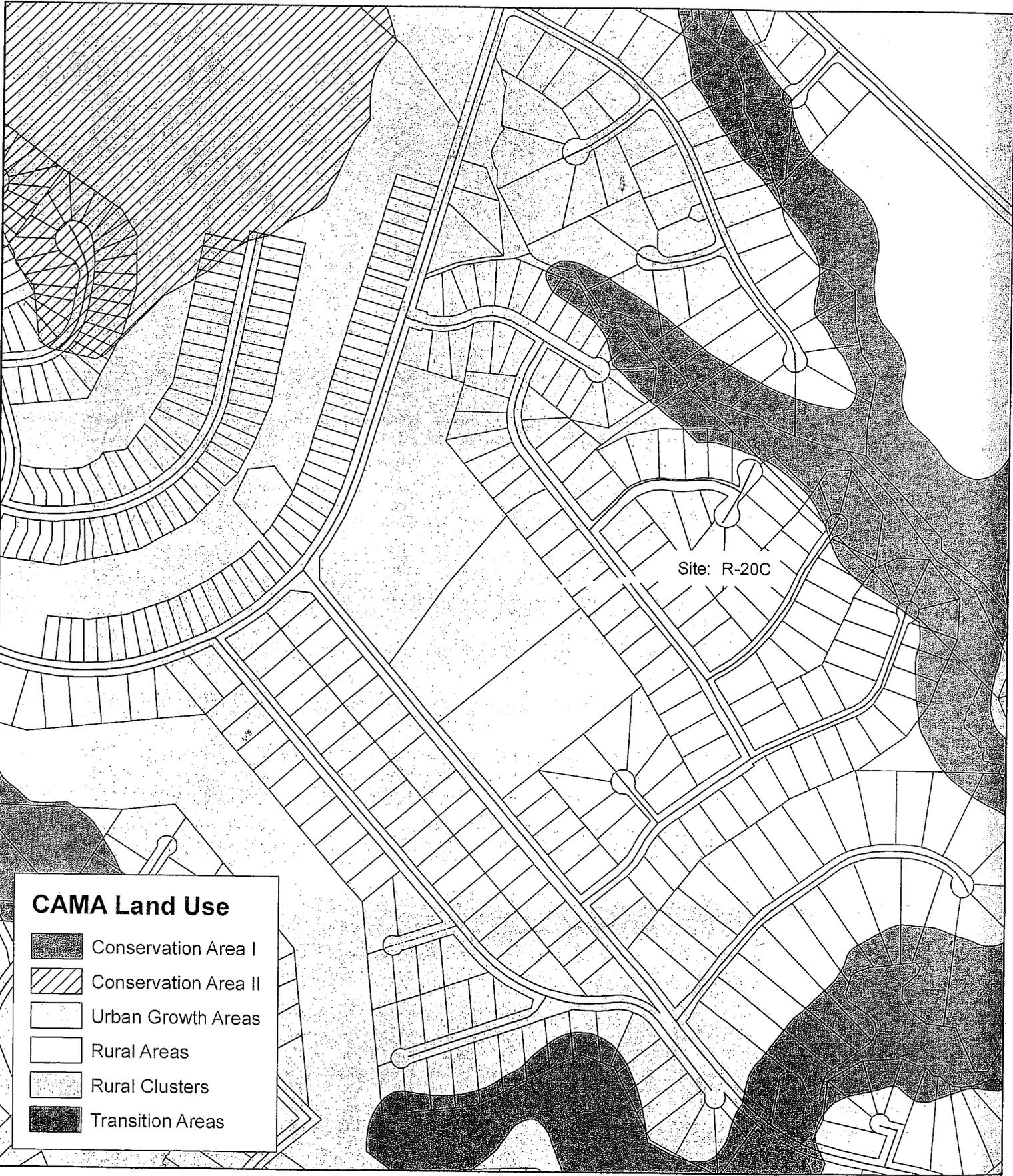
Site



1 inch equals 1,000 feet

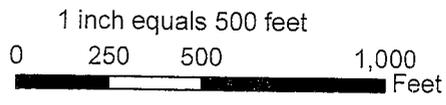


Haden, Stanziale  
Rezoning R-20C to PD  
Vicinity



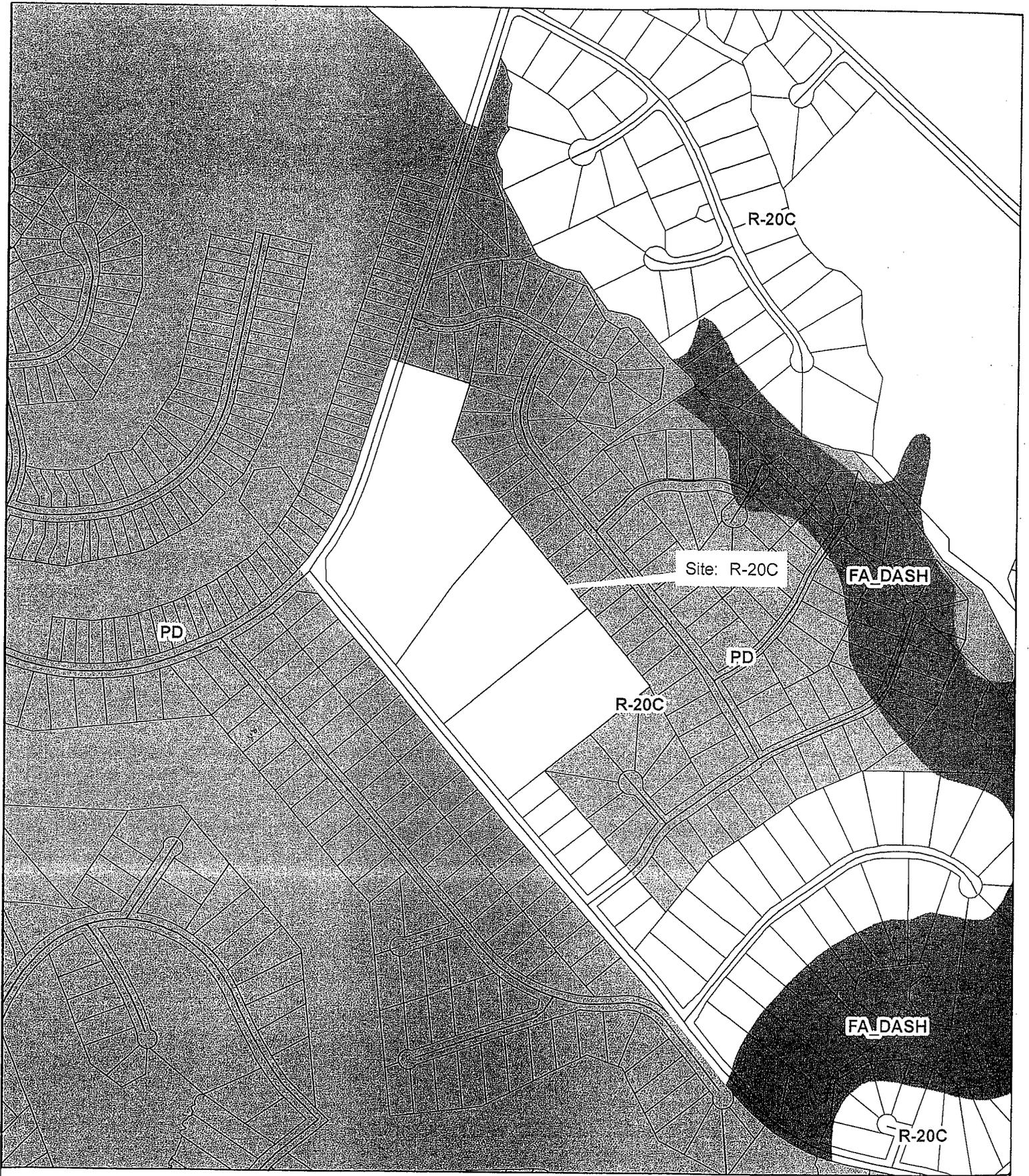
**CAMA Land Use**

-  Conservation Area I
-  Conservation Area II
-  Urban Growth Areas
-  Rural Areas
-  Rural Clusters
-  Transition Areas



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





R-20C

Site: R-20C

FA\_DASH

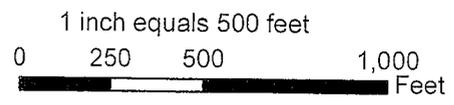
PD

PD

R-20C

FA\_DASH

R-20C



### 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)

