

REQUEST FOR BOARD ACTION / CONTRACT CONTROL FORM

Tracking Number: 18.

Date of Request: March 3, 2008

Date Request Received:

Board Meeting Date Requested: March 17, 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)

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

CONTRACT TYPE

- 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

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

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

INTRODUCED BY: Planning Staff **DATE:** March 17, 2008 **ITEM NO:** 18.

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 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., 3-17-2008
Chairman **Date**

ATTEST 3-17-2008
DATE



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
 4203-97-6548-0000,
 Tax Map #: 4203-97-3970-0000, 4203-98-1361-0000

Lot #: N/A

Current Zoning District: R-20C
 Requested Zoning District: PD

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

Acreeage to Be Rezoned: 25.00 AC

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 WILMINGTON, NC 28403</u> | Address <u>4656 US HWY 117 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>dluca@hadenstanziale.com 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)

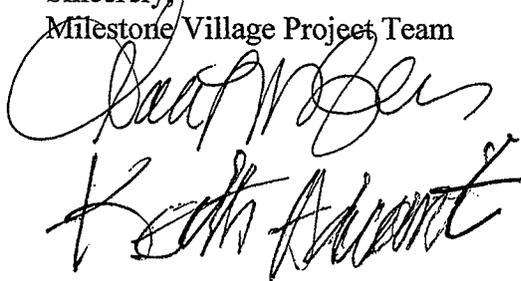
Dear Pender County Planning Board:

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.

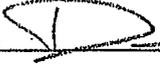
Sincerely,
Milestone Village Project Team



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 SEMAR | <i>[Signature]</i> | 115 HICKORY CR Hampstead, NC 28443 | 12/1/07 |
| Kathy Hodge | Kathy Hodge | 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, NC | |
| 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 BLUTENTHAL | <i>[Signature]</i> | 325 MALLARD BAY RD HAMPSTEAD, NC 28443 | 12/1/07 |
| Donne Lgwhieu | <i>[Signature]</i> | 303 MALLARD BAY RD Hampstead NC 28443 | |
| Myrna FUSCO | <i>[Signature]</i> | 983 Mallard Bay Rd Hampstead NC 28443 | |
| Dennis FUSCO | <i>[Signature]</i> | 283 Mallard Bay Rd Hampstead NC 28443 | |
| Jill HAINES | Jill Haines | Hampstead 243 Mallard Bay Rd | |
| PAM GASCOIGNE | Pamela Gascoigne | " | " |

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| Name, Print | Name Sign | Address | Date |
|---|---|-------------------|---------|
| Isabella Rastelli | Isabella Rastelli | 218 Hickory Lane | 12/1/07 |
| Fabio Rastelli | S. Rastelli | 218 Hickory lane. | 12/1/07 |
| Wod Duff | W.D. DUFFETT | 219 Hickory Lane | 12/1/07 |
| Jennifer Heywood | Jennifer Heywood | 221 HICKORY LANE | 12/1/07 |
| DANIEL HORWOOD |  | 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 Calawa |  | 230 Hickory Lane | 12/1/07 |
| Debbie Cleckli | | 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 McClain | | 234 Hickory Lane | 12/1/07 |
| Pat M ^c Clain | | 234 Hickory Ln | 12/1/07 |

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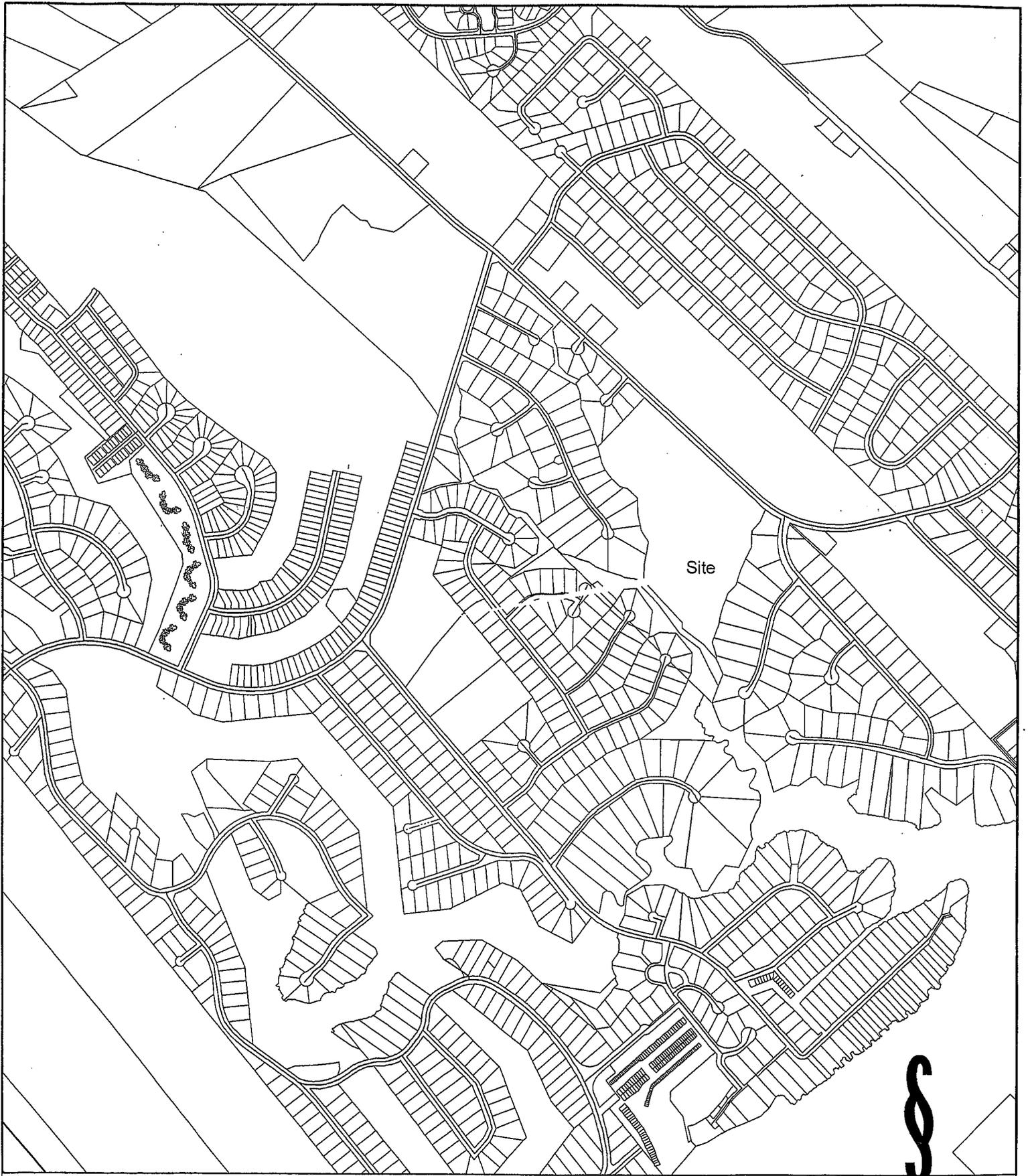
| Name, Print | Name Sign | Address | Date |
|-----------------------|-----------|--------------------------|-----------|
| Keith Muller | | 202 Hickory Hampstead | 12/1 |
| Alice J. Nyke | | 204 Hickory Lane | |
| Debra D. Nyke | | 204 Hickory Lane | |
| Oscar Cerda | | 204 Hickory Lane | |
| Don Janacodi | | 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 |
| 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 MANN | | 214 Hickory Lane | |
| T.C. + Stacey Tatum | | 216 Hickory Lane | 12/1/07 |

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| Name, Print | Name Sign | Address | Date |
|--------------------|------------------------|--|----------|
| Bob Douthit | Robert W. Douthit | 202 MALLARD BAY | 12/2/07 |
| Deborah James | [Signature] | 2731 Country Club Dr | 12/1/07 |
| Matthew James | [Signature] | 2731 Country Club Dr | 12-1-07 |
| Linger Staley | - | 2945 Country Club Dr Hampstead NC | |
| Cency [Signature] | - | 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 GOBBLE | [Signature] | HAMPSTEAD NC 22 MALLARD BAY RD | |
| KIMBERLY GOBBLE | [Signature] | 22 MALLARD BAY RD HAMPSTEAD NC | |
| Matthew | [Signature] | 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 | [Signature] | 207 Hatters Ct Hampstead | 270-0107 |

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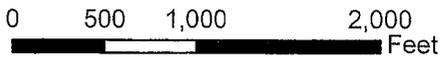
| Name, Print | Name Sign | Address | Date |
|----------------------|-------------------|-----------------------------|-----------|
| Lisa Theriault | Yvonne Theriault | 118 Summerset Ldg. | 12-3-07 |
| Denise Rozowski | Denise Rozowski | 305 Tall Ships Ln | 12-3-07 |
| Lou Rozowski | Lou Rozowski | " " " " | " " |
| Jeff Leckie | Jeff Leckie | lots 29-30-32 | |
| Tom Migliorini | Tom Migliorini | lots 10, 24, 55, 44 | |
| Richard (Rick) Smith | Richard Smith | 200 HATTERSON CT Lot #46 | 3 Dec 07 |
| Joly M Turco | Joly M Turco | 508 Navigata Dr. | 12/3/07 |
| Flora Wynn | Flora Wynn | 394 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 Underwood | William Underwood | 302 Tall Ships | 12/3/2007 |
| Cheryl Collins | Cheryl P. Collins | 112 Summerset Landing | 12/3/2007 |
| John Falzarano | John Falzarano | 300 TALL SHIPS LANE | 12/3/2007 |
| Bobby Collins | Bobby Collins | 112 Summerset Landing | 12/3/07 |
| AMETHUSMAN | AMETHUSMAN | 301 TALL SHIP | 12/3/07 |



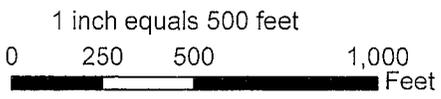
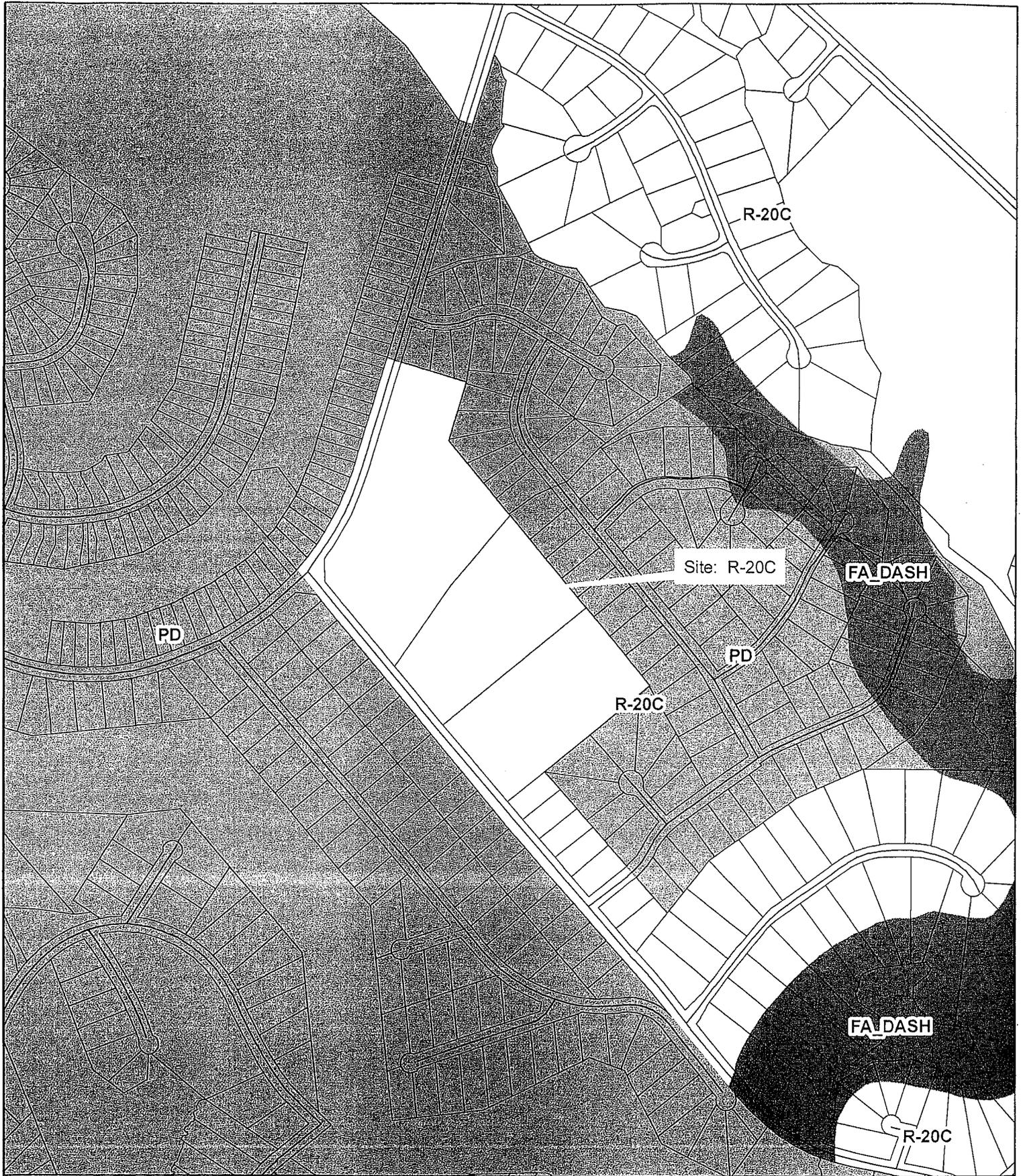
Site



1 inch equals 1,000 feet

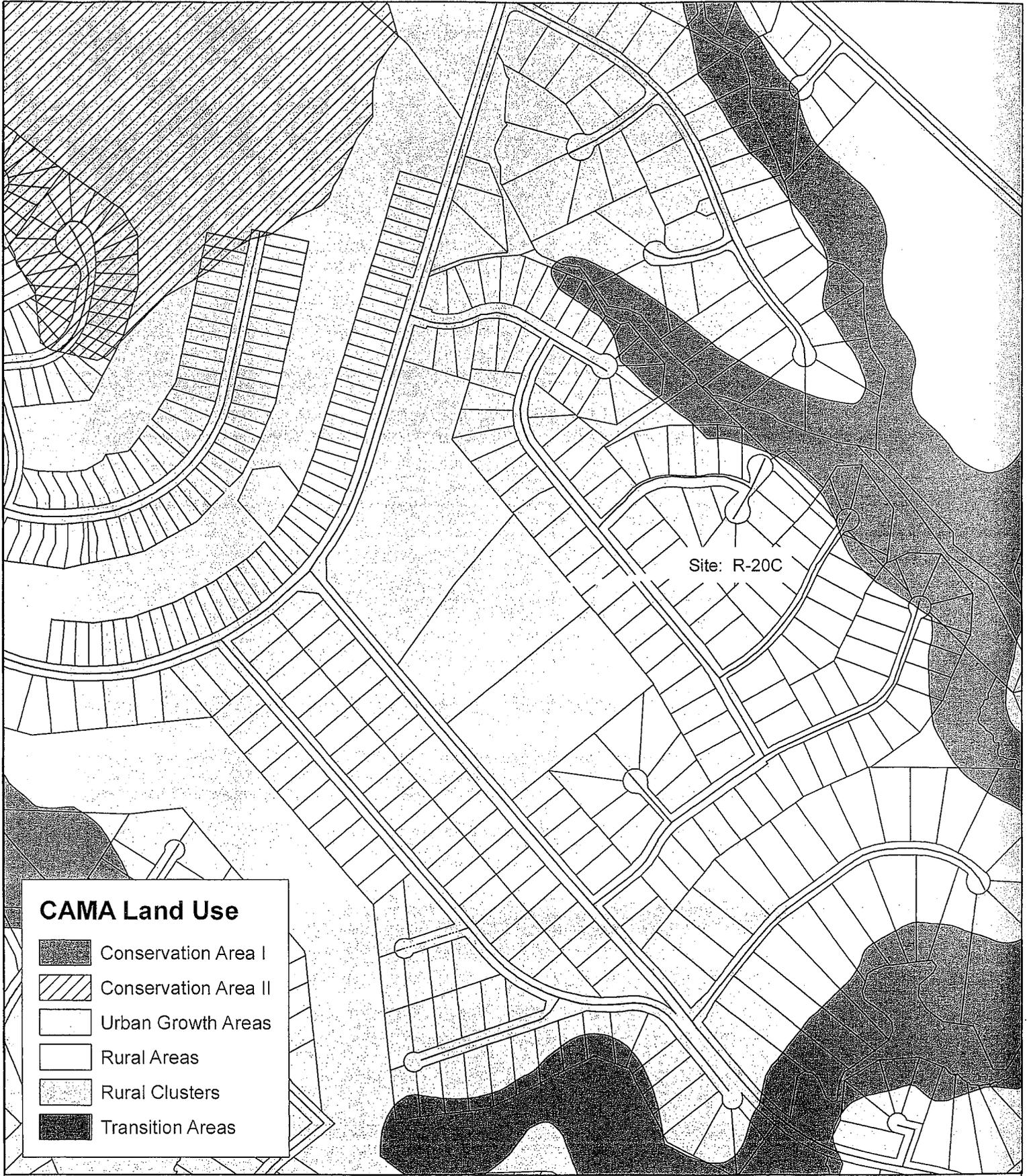


Haden Stanziale
Rezoning R-20C to PD
Vicinity



Haden Stanziale
Rezoning R-20C to PD
Zoning

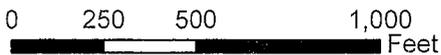




CAMA Land Use

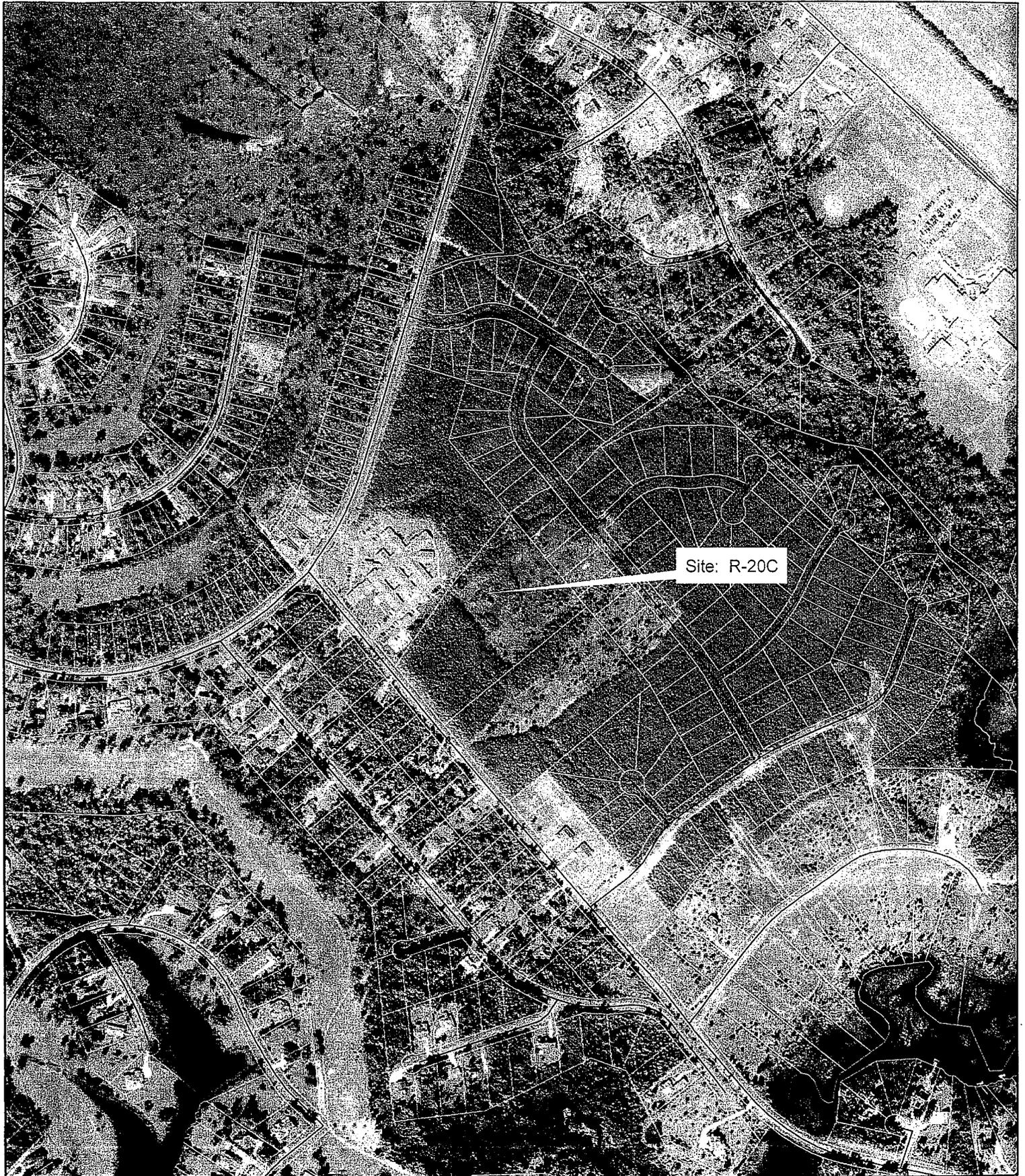
-  Conservation Area I
-  Conservation Area II
-  Urban Growth Areas
-  Rural Areas
-  Rural Clusters
-  Transition Areas

1 inch equals 500 feet



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





Site: R-20C

1 inch equals 500 feet

0 250 500 1,000 Feet

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

