



REQUEST FOR BOARD ACTION

ITEM NO. 23

DATE OF MEETING: November 23, 2015

REQUESTED BY: Megan O'Hare, Senior Planner, Planning & Community Development

SHORT TITLE: Resolution Requesting Approval of a General Use Rezoning from GB, General Business zoning district to RP, Residential Performance zoning district.

BACKGROUND: David A. West, applicant, on behalf of David West et al, owner, is requesting approval of a Zoning Map Amendment for a general use rezoning of four (4) tracts totaling approximately 65.56 acres from GB, General Business zoning district to RP, Residential Performance zoning district. The subject properties are located near the intersection of US HWY 117 and Anderson Rd (SR 1315) in the Union Township and may be further identified by Pender County PINs; 3313-88-8748-0000, 3313-99-5261-0000, 3313-79-6117-0000 and 3313-98-366s8-0000.

SPECIFIC ACTION REQUESTED: To Hold a Public Hearing and Consider the Approval of a General Use Rezoning.

**PLANNING STAFF REPORT
ZONING MAP AMENDMENT**

SUMMARY:

Hearing Date: October 13, 2015 Planning Board
November 23, 2015 Board of Commissioners
Applicant: David A. West
Property Owner: David West et al
Case Number: 11460

Rezoning Proposal: David A West, applicant, on behalf of David West et al, owner, is requesting approval of a Zoning Map Amendment for a general use rezoning of four (4) tracts totaling approximately 65.56 acres from GB, General Business zoning district to RP, Residential Performance zoning district.

Property Record Number, Acreage, and Location: The subject properties, recorded on Register of Deeds Map Book 40 Page 80, Map Book 50 Page 3 and Deed Book 3918 Pages 73-76 (Attachment 1), are located near the intersection of US HWY 117 and Anderson Rd (SR 1315) in the Union Township and may be further identified by Pender County PINs 3313-88-8748-0000, 3313-99-5261-0000, 3313-79-6117-0000 and 3313-98-3668-0000.

RECOMMENDATION

The application consists of a general use rezoning of four (4) tracts totaling approximately 65.56 acres from GB, General Business zoning district to RP, Residential Performance zoning district. As submitted, the request complies with all criteria set forth in Section 3.3.8 Review Criteria for Rezoning of the Pender County Unified Development Ordinance and is consistent with one (1) goal and three (3) policies of the 2010 Comprehensive Land Use Plan and potentially conflicts with one policy.

At their October 13, 2015 meeting the Pender County Planning Board unanimously recommended approval of the general use rezoning as described in the report.

HISTORY

The portions of the subject properties along US HWY 117 were designated as B2, Business zoning district on the 2003 Pender County Zoning Map (Attachment 2). The remainder of the subject properties were designated RA, Rural Agricultural zoning district. With the adoption of the 2010 Pender County Unified Development Ordinance, the designation of all four (4) subject properties was changed to GB, General Business zoning district.

According to the Zoning Ordinance, certain residential structures were permitted on some business zoned properties (Attachment 3). The existing residential structures located on the subject properties were permitted prior to the Unified Development Ordinance adoption in 2010.

The existing structures located on the subject properties are considered an existing non-conformity with respect to current zoning regulations. According to Section 10.3 of the Pender County Unified Development Ordinance; A nonconforming use is a principal or accessory land use, other than a nonconforming sign, that was lawfully established in accordance with zoning regulations in effect at the time of its establishment but that is no longer allowed by the use regulations of the zoning district in which it is now located. A nonconforming use(s) may continue, subject to the regulations of this Section.

DESCRIPTION

David A. West, applicant, on behalf of David West et al, owner, is requesting approval of a Zoning Map Amendment for a general use rezoning of four (4) tracts totaling approximately 65.56 acres from GB, General Business zoning district to RP, Residential Performance zoning district. The subject properties, recorded on Register of Deeds Map Book 40 Page 80, Map Book 50 Page 3 and Deed Book 3918 Pages 73-76 (Attachment 1), are located near the intersection of US HWY 117 and Anderson Rd (SR 1315) in the Union Township. The properties may be further identified by Pender County PINs 3313-88-8748-0000, 3313-99-5261-0000, 3313-79-6117-0000 and 3313-98-3668-0000.

The minimum acreage to rezone to RP, Residential Performance zoning district is five (5) acres. As these parcels are in an assemblage comprising of approximately 65.56 acres the request meets the minimum acreage for rezoning per Section 4.14 Zoning District Dimensional Requirements of the Pender County Unified Development Ordinance, for the RP, Residential Performance zoning district. Additionally, the subject properties meet the requirement of Pender County Unified Development Ordinance Section 4.14.3 as they are adjacent to properties that are currently zoned RP, Residential Performance zoning district to the south of one of the parcels and to the north of another subject property.

The subject properties meet the minimum lot size of 15,000 square feet as the smallest existing property in this request is approximately 1.5 acres.

Access

As shown on the aerial, the westernmost tract has direct access to Anderson Rd. (SR 1315) to the south and direct access to US HWY 117 to the east. The largest parcel to the west of US HWY 117 has direct access to US HWY 117. One of the outparcels to the northwest has direct access on US HWY 117 and the second outparcel to the southwest has a thirty (30) foot access easement recorded for access to US HWY 117 (Attachment 1).

Utilities

The properties have access to Pender County public water along US HWY 117. The larger parcels in this request are currently vacant and undeveloped. Both outparcels to the west have a private waste water disposal method, the properties cannot be used for building development, unless an approved waste water disposal method has been approved and permitted by the Pender county Environmental Health Department or the appropriate State Agency.

Proximity to Municipal Corporate Limits

The subject properties are directly adjacent to the incorporated area of Watha, as well as, near the extraterritorial planning jurisdiction of the Town of Watha. The 2010 Comprehensive Land Use Plan Policy 1A.1.1 encourages; development in and around municipal corporate limits and other developed areas within the County to yield a more compact pattern of development that will reduce suburban/rural sprawl.

EVALUATION

This Zoning Map Amendment request has been evaluated for compliance with the Pender County Unified Development Ordinance and the 2010 Pender County Comprehensive Land Use Plan, as well as the existing land uses and zoning classifications in the surrounding area. The Zoning Map Amendment does not conflict with any existing policies, land uses, or zoning classifications.

3.3.8 Review Criteria for Rezoning

The Planning Board and Board of Commissioners shall consider the following matters in considering a rezoning request:

- A. *Whether the range of uses permitted by the proposed change would be appropriate to the area concerned (including not being detrimental to the natural environment, not adversely affecting the health or safety of residents or workers in the area, not being detrimental to the use or development of adjacent property, and not materially or adversely affecting the character of the general neighborhood);*
- B. *Whether adequate public facilities/services (i.e., water, wastewater, roads) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change;*
- C. *Whether the proposed change is consistent with the County's Comprehensive Land Use Plan and CAMA Land Use Plan or any other adopted land use document.*
- D. *Whether the proposed amendment is reasonable as it relates to the public interest.*

2010 Comprehensive Land Use Compliance

The 2010 Comprehensive Land Use Plan designates the subject properties as "Suburban Growth." The Suburban Growth land use classification identifies those areas of Pender County where significant residential growth is expected to occur within the planning horizon. Areas designated as Suburban Growth are located primarily adjacent to municipal planning jurisdictions and within or near high growth, un-incorporated areas of the County. Suburban Growth designates areas where public water and public sewer are available or are planned in the near future. Uses that would typically be allowed in Suburban Growth areas include medium-high density residential (single-family site-built and modular homes); limited non-residential uses (commercial, office, or public/institutional) that meet locational criteria. Locational criteria for non-residential uses include frontage and access to a major State highway or secondary road, location at a major intersection, proximity to similar uses, and spatial separation from non-compatible uses such as existing residential development

This Zoning Map Amendment request is consistent with one (1) goal and three (3) policies of the 2010 Comprehensive Land Use Plan and potentially conflicts with one policy. The following goals and policies within this plan may be relevant to support the proposed Zoning Map Amendment:

Growth Management Goal 1A.1: Manage the physical growth and development of Pender County by promoting more intensive land uses in key locations identified for such growth while preserving and protecting the unique physical character and social assets of the predominant rural lifestyle and coastal environment that makes the County a unique place to live.

Policy 1A.1.1 Encourage development in and around municipal corporate limits and other developed areas within the County to yield a more compact pattern of development that will reduce suburban/rural sprawl.

Policy A.1.2 Encourage development in areas where the necessary infrastructure- roads, water, sewer and schools- are available, planned or can be most cost effectively provided and extended to serve existing and future development.

Policy 1A.1.5: The County supports a pro-business/pro-growth attitude, balanced by a concern for preserving the natural assets and quality of life factors that make the area attractive to visitors and permanent residents alike.

This Zoning Map Amendment proposal potentially is not consistent with:

Policy 8A.1.2 Consider consequences of traditional development practices which are not compatible with agricultural operations and the extension of utility infrastructure into identified prime agricultural areas.

Unified Development Ordinance Compliance

This is a general use rezoning, which will allow all uses permitted by-right in the RP, Residential Performance zoning district as shown in Section 5.2.3 Permitted Use Table of the Pender County Unified Development Ordinance. According to Section 4.7.2 of the Pender County Unified Development Ordinance, the RP, Residential Performance zoning district is intended to allow a variety of residential uses and densities as well as limited commercial activities and agritourism. Existing or new agricultural and farm uses shall be allowed on undeveloped land prior to development. The RP, Residential Performance zoning district shall meet the following general standards:

- 1) Buildings on the periphery of a Residential Performance Development shall be setback no less than twenty (20') feet from the adjoining property line. Additional buffers may be required based on the adjacent land use. See buffer chart in Section 8.2.6.
- 2) All undivided areas within the development (other than street rights-of-way, parking, and structures) shall be designated as open space as defined in Appendix A Definitions and Article 8. Such open space shall be offered to the public or encumbered for the perpetual benefit of the residents.
- 3) Private streets will be permitted in Performance Residential Developments; however, dedication of public streets and utility easements shall be required if such are indicated on the official plans as adopted by Pender County or any municipality if it is determined by the County Planning Board.
- 4) When a development proposal is submitted under this Article, it shall be processed as a Master Plan.
- 5) Projects proposing less than ten (10) lots shall be submitted as one phase and must be contiguous when submitted for final plat.
- 6) A homeowners association shall be established and kept continuously active, for the maintenance of open and private spaces and stormwater runoff, along with any private water, sewer or roads, when warranted.
- 7) All requirements of Article 9 Flood Damage Prevention must be met.
- 8) Any land designated as usable open space shall be used in calculating the density for a proposed development.
- 9) Buffer strips shall be required and maintained by the Homeowner's Association.
- 10) All preliminary plans shall provide the approximate delineation of Corps of Engineers Section 404

Existing Zoning and Land Use

There are four (4) separate parcels requested as part of the Zoning Map Amendment.

The westernmost parcel (3313-79-6117-0000) is vacant and used for agriculture. This property is bordered to the North by Welsh Landing residential subdivision, to the East by a single family residential home with an existing business on the property, to the south by single family residential structures accessing directly on Anderson Road (SR 1315) and to the west by a vacant agricultural land and Interstate 40.

The parcels to the east of US HWY 117 (3313-88-8748-0000, 3313-99-5261-0000 and 3313-98-3668-0000) together are bordered to the west by US HWY 117, to the east of the Northeast Cape Fear River, to the south by the residential subdivision Three Cypress, to the north boarded by Riverview Memorial Park (cemetery) and a single family residential parcel with an existing business.

There are two existing residential structures on the subject properties to the east of US HWY 117. One structure accesses off Whitetail Lane (private) and the other has direct access to US HWY 117.

The existing zoning in the proximity of the requested Zoning Map Amendment is GB, General Business zoning district and some RP, Residential Performance zoning district for the aforementioned residential subdivisions; Welsh Landing and Three Cypress. To the west of the westernmost parcel is the Town of Watha.

Environmental Concerns

According to FEMA Flood Insurance Rate Map Number 3720331300J Panel 3313 and 3720332300J Panel 3323 (adopted February 16, 2007) a portion of the easternmost property is located within the AE Flood Zone, with the Northeast Cape Fear River being the flood source. The remaining areas of the properties are not located within any Special Flood Hazard Area (SFHA).

Additionally there may be navigable waters on this property requiring compliance with CAMA regulations managed by the Division of Coastal Management. Areas of the subject properties may contain wetlands and would need to be verified before any land disturbing activities take place.

Public Notifications

Public notice of the proposal for map change has been advertised in the Pender-Topsail Post and Voice. Adjacent property owners have been given written notice of the request, and a sign has been placed on the subject properties. Prior to any development on the subject properties, all necessary local, state, and federal permits would be required.

RECOMMENDATION

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At their October 13, 2015 meeting the Pender County Planning Board unanimously recommended approval of the general use rezoning as described in the report.

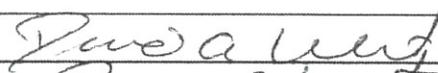
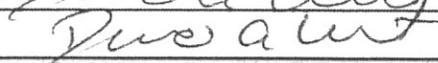
BOARD ACTION FOR REZONING REQUEST

Motion: Marshburn Seconded: Edens

Approved: x Denied: _____ Unanimous: x

Williams: x McClammy: __ Fullerton: x Baker: x Edens: x Marshburn: x Nalee: x

APPLICATION FOR REZONING (Zoning Map Amendment)

THIS SECTION FOR OFFICE USE			
Application No.	ZMA 11460	Date	8-19-15
Application Fee	\$ 1105.60	Receipt No.	152135
Pre-Application Conference	8-19-15	Hearing Date	¹⁰⁻¹³ PB 10-6 BOCC 11-23
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	David A. West	Owner's Name:	Same
Applicant's Address:	9090 US Hwy 117 N	Owner's Address:	Same
City, State, & Zip	Watha, NC 28478	City, State, & Zip	Same
Phone Number:	910-271-0757	Phone Number:	Same
Legal relationship of applicant to land owner: Self			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	3313-88-8748-0000 3313-99-5261-0000 3313-79-6117-0000 3313-98-3663-0000	Total property acreage:	65.56
Current Zoning District:	GB	Proposed Zoning District:	Residential (RP)
Project Address:	Watha Hwy 117 & Anderson Rd.		
Description of Project Location:			
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	8-17-15
Owner's Signature		Date:	8-17-15
NOTICE TO APPLICANT			
<ol style="list-style-type: none"> 1. Applicant must also submit the information described on the Rezoning Checklist. 2. Applicant or agent authorized in writing must attend the public hearing. 3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing. 4. All fees are non-refundable 5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda 			

Rezoning/Zoning Map Amendment Checklist

<input checked="" type="checkbox"/>	Signed application form							
<input checked="" type="checkbox"/>	Application fee							
<input checked="" type="checkbox"/>	A list of names and addresses, as obtained from the county tax listings and tax abstract, all adjacent property owners, including property owners directly across any road or road easement, and owners of the property under consideration for rezoning.							
<input checked="" type="checkbox"/>	Two (2) business size envelopes legibly addressed with first class postage for each of the adjacent and abutting property owners on the above list.							
<input checked="" type="checkbox"/>	Accurate legal description or a map drawn to scale showing the property boundaries to be rezoned, in sufficient detail to for the rezoning to be located on the Official Zoning Map.							
<input checked="" type="checkbox"/>	18 (11"x17") map copies to be distributed to the Planning Board							
<input checked="" type="checkbox"/>	20 (11"x17") map copies to be distributed to the Board of Commissioners							
<input checked="" type="checkbox"/>	Digital (.pdf) submission of all application materials							
<input checked="" type="checkbox"/>	A description and/or statement of the present and proposed zoning regulation or district boundary and stating why the request is being made and any information that is pertinent to the case. If the owner and applicant are different, the letter must be signed by both parties.							
Office Use Only								
<input checked="" type="checkbox"/>	ZMA Fees: (\$500.00 for first 5 acres; \$10/acre thereafter up to 1,000 acres; \$5/acre thereafter)				Total Fee Calculation: \$			1105.60
Attachments Included with Application: (Please include # of copies)								
CD /other digital version	<input type="checkbox"/> Y <input type="checkbox"/> N	Plan Sets	# of large	# of 11X17	Other documents/Reports	<input type="checkbox"/> Y <input type="checkbox"/> N		
Payment Method:	Cash : <input type="checkbox"/> \$ _____			Credit Card: <input type="checkbox"/> Master Card <input checked="" type="checkbox"/> Visa 1130		Check: <input type="checkbox"/> Check # _____		
Application received by:	<i>Anne H. Cijf</i>					Date: 8-19-15		
Application completeness approved by:	<i>Anne H. Cijf</i>					Date: 8-19-15		
Dates scheduled for public hearing:								
<input checked="" type="checkbox"/> Planning Board: 10-6-15 10-13-15								
<input checked="" type="checkbox"/> Board of Commissioners: 11-23-15								

RETURN COMPLETED APPLICATION TO:
Pender County Planning & Community Development
805 South Walker Street
P.O. Box 1519
Burgaw, NC 28425

Dear Planning,

I am wanting to move an existing mobile home that is on my property to another peice of my propert. After doing so I am wanting to sell the pc. of Land that the mobile home is on ~~know~~ and sell it. The new zoning will not allow me to do this. I would like to rezone from GB to RP

David Allred

Owner

Dear, Planning Board

I will be out of town on the
date of ~~plar~~ commissioner meeting.

I will allow Chris Debnam to
speak on my behalf.

David A. Whit

3313-89-2147-0000
3313-79-6117-0000

4/24/11 INT JB

The attorney preparing this instrument
Has made no record search or title examination
As to the property herein described, unless the
same is shown by his written and signed certificate

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: 0.00

Parcel Identifier No. 3313-89-2147-0000 and 3313-79-6117-0000

This instrument was prepared by: Robert C. Kenan, Jr., Attorney at Law, P.O. Box, Burgaw, NC 28425

Brief description for the Index:

THIS DEED made this 27th day of April, 2011, by and between

GRANTOR

GRANTEE

JULIA CARR WEST (Divorced)
also known as
JULIA CARR SHEEHAN
2375 Anderson Road
Watha, North Carolina 28478

DAVID A. WEST (Married)
9090 U.S. Highway 117 North
Watha, North Carolina 28478

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g., corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for natural love and affection received from Grantee, the adequacy and sufficiency of which is hereby acknowledged by Grantor, has and by these presents does grant and convey unto the Grantee in fee simple, all those certain lots or parcels of land situated in the Union Township, Pender County, North Carolina and more particularly described as follows:

TRACT ONE:

Being all of Lot 1 as it appears upon a map of survey for Julia Carr West dated October 28, 2003, and recorded in Map Book 36, Page 94, of the Pender County Registry, reference to which is hereby made for a more accurate and complete description.

TRACT TWO:

Attachment 1

Located in Pender County, North Carolina, beginning at a stake in the center of the Long Creek public road (this being that public road that leads from U.S. Highway 117, by C. T. Carr's residence to Watha, Carr's corner, this same stake beginning corner being in line with an old ditch on the northwesterly side of the aforesaid public road and from this beginning corner as located running thence as follows:

1. With the aforesaid old ditch, the same being Carr's line as located by the following calls: North 35 degrees 20 minutes West 597 feet and North 37 degrees 50 minutes West 786 feet to a stake;
2. Thence leaving Carr's line and running to and with the center of a ditch North 71 degrees 15 minutes East 981 feet to a stake;
3. Thence leaving the aforesaid ditch and running South 38 degrees 26 minutes East 415 feet to a stake in the center of another old ditch;
4. Thence with the center of this aforesaid other ditch points on or beside which are located by the following calls: North 55 degrees 4 minutes East 287 feet and North 32 degrees 22 minutes East 17 feet to a stake;
5. Thence North 77 degrees 12 minutes East 16 feet to a stake in the westerly edge of the pavement (24 feet wide) of U. S. Highway 117;
6. Thence with the aforesaid westerly edge of the pavement of U.S. Highway 117, South 12 degrees 48 minutes East 415 feet is the center of the above mentioned Long Creek public road;
7. Thence with the aforesaid Long Creek public road, the same being Currie T. Carr and wife, Elizabeth M. Carr's line, South 39 degrees 4 minutes West 1132 feet to the point of beginning containing 25-3/4 acres, more or less; same being a portion of the land conveyed to Minnie P. Harrell by deed as recorded in Book 90, at Page 307 of the Registry of Pender County, North Carolina.

All or a portion of the real property herein conveyed does not include the primary residence of the Grantor.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances,

2. Restrictions and/or easements of record, if any.
3. Pender County zoning ordinances.
4. Utility, roadway and other easements of record, if any.

Attachment 1

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Julia Carr West (SEAL)
Julia Carr West

STATE OF NORTH CAROLINA
COUNTY OF PENDER

I, Robert C. Kenan, Jr, a Notary Public of the aforesaid County and State do hereby certify that Julia Carr West (the "Signatory") personally appeared before me this day and acknowledged the execution of the foregoing instrument.

I certify that the Signatory personally appeared before me this day and (*check one of the following and mark through all blank lines or spaces in the certificate*)

I have personal knowledge of the identity of the Signatory; or
 I have seen satisfactory evidence of the Signatory's identity, by a current state or federal identification with the Signatory's photograph in the form of: (*check one of the following*):

- a driver's license; or
- in the form of _____; or
- a credible witness has sworn to the identity of the Signatory.

The Signatory acknowledged to me that he/she voluntarily signed the foregoing instrument for the purpose stated and in the capacity indicated.

Witness my hand and official stamp or seal this the 27th day of April, 2011.

Robert C. Kenan, Jr
Notary Public
(Notary Public must sign exactly as on notary seal)

My Commission Expires: 6-8-2013



SATISFACTION OF SECURITY INSTRUMENT BY SECURED CREDITOR

The undersigned is now the secured creditor in the security instrument identified as follows:

Type of Security Instrument: Deed of Trust

Original Grantor(s): Douglas Hugh McDonald

Original Trustee: Graham A. Phillips, Jr.

Original Secured Party(ies): Julia Carr West

Recording Data: The security instrument is recorded in Book 1636, at Page 162 in the Office of the Register of Deeds for Pender County, State of North Carolina.

This satisfaction terminates the effectiveness of the security instrument.

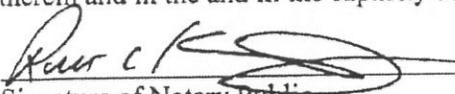
Date: April 27, 2011



Julia Carr West
Secured Creditor

STATE OF NORTH CAROLINA
COUNTY OF PENDER

I, Robert C. Kenan, Jr., a Notary Public in and for the aforesaid County and State do hereby certify that Julia Carr West personally appeared before me this day 27th day of April, 2011, and acknowledged to me that they voluntarily signed the foregoing document for the purpose stated therein and in the and in the capacity indicated.

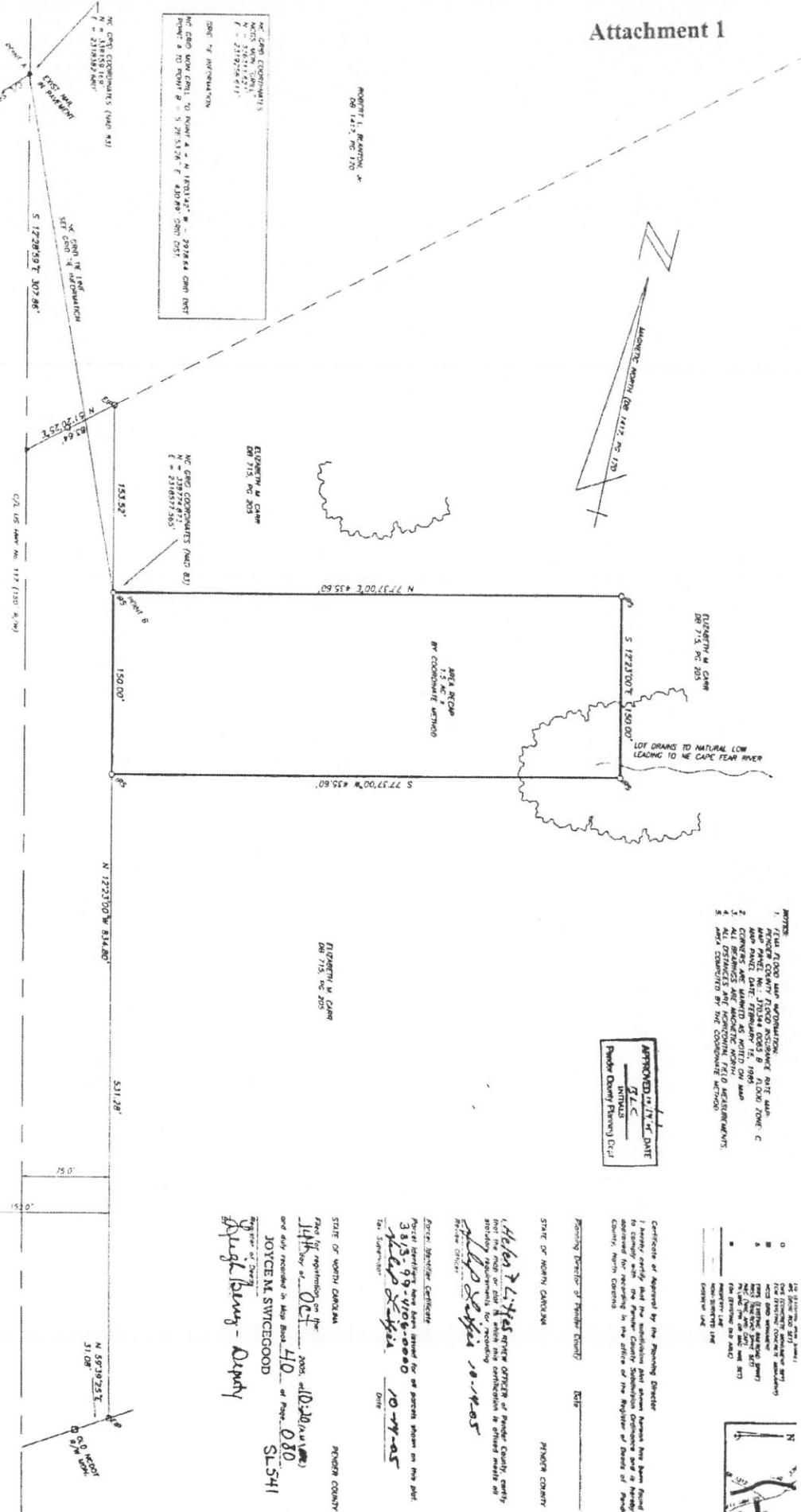


Signature of Notary Public



My Commission Expires: June 8, 2013.

Attachment 1



- NOTES**
1. THIS PLAT IS FOR THE SUBDIVISION OF LAND.
 2. THE PLAT IS FOR THE SUBDIVISION OF LAND.
 3. THE PLAT IS FOR THE SUBDIVISION OF LAND.
 4. THE PLAT IS FOR THE SUBDIVISION OF LAND.
 5. THE PLAT IS FOR THE SUBDIVISION OF LAND.
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 8. THE PLAT IS FOR THE SUBDIVISION OF LAND.
 9. THE PLAT IS FOR THE SUBDIVISION OF LAND.
 10. THE PLAT IS FOR THE SUBDIVISION OF LAND.

APPROVED BY THE DATE
 J.E.C.
 INITIALS
 Pender County Planning Dept.

Certificate of Approval by the Planning Director
 I hereby certify that the subdivision plat shown herein has been found to comply with the Pender County Subdivision Ordinance and is hereby approved for recording in the office of the Register of Deeds of Pender County, North Carolina.

Planning Director of Pender County: _____ DATE: _____

STATE OF NORTH CAROLINA PENDER COUNTY

He/She/It is the REGISTER OF DEEDS of Pender County, North Carolina, and do hereby certify that the subdivision plat shown herein has been found to comply with the Pender County Subdivision Ordinance and is hereby approved for recording in the office of the Register of Deeds of Pender County, North Carolina.

Register of Deeds: _____ DATE: _____

STATE OF NORTH CAROLINA PENDER COUNTY

Plat for registration on the 14th day of OCT 2005 at 10:20 A.M.

and duly recorded in Map Book 410 of Page 080

JOYCE M. SWICEGOOD SLS541

Register of Deeds: _____ DATE: _____

Deputy: _____

ELIZABETH M. CARR
 PROFESSIONAL LAND SURVEYOR
 N.C. LICENSE NO. L-2380

WALTER D. CARR
 PROFESSIONAL LAND SURVEYOR
 N.C. LICENSE NO. L-2380

WALTER D. CARR, P.L.S. certifies that this plat is a true and correct representation of the land shown thereon, and that the boundaries and areas shown thereon are in accordance with the original survey and the records of the Pender County Register of Deeds.

Witness my hand and seal this 15th day of October, 2005.

Walter D. Carr
 Professional Land Surveyor
 N.C. License No. L-2380

THIS PLAT CANNOT BE USED FOR BUILDING DEVELOPMENT, UNLESS A NEW PLAT IS APPROVED AND RECORDED AS REQUIRED UNDER THE PENDER COUNTY SUBDIVISION ORDINANCE.

ONE LOT SUBDIVISION ON NCDOT ROAD

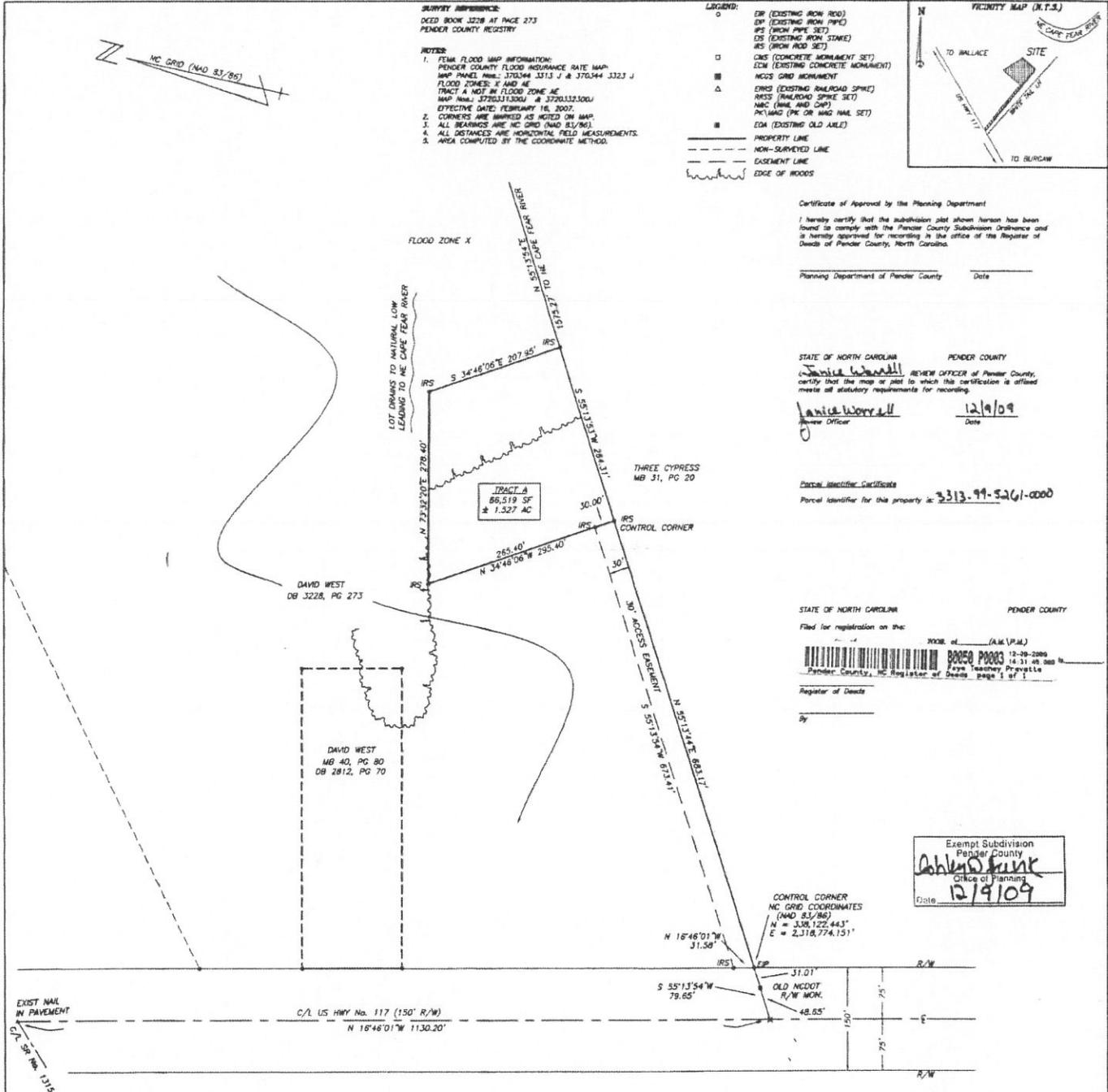
ELIZABETH M. CARR
 FOR

UNION TOWNSHIP - PENDER COUNTY - NORTH CAROLINA
 SCALE: 1" = 60'
 SEPTEMBER 22, 2005

OWNER: ELIZABETH M. CARR
 2375 OLD ANDERSON STREET
 MATAI, NC 28431

REGISTERED: WALTER D. CARR
 296 E. SOUTHERN ROAD, P.O. BOX 133
 MATAI, NC 28458
 P.L.S. No. PL-04-08

MB 40 PG 080 SLS541

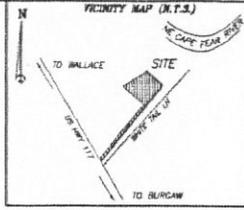


SURVEY INFORMATION:
 DEED BOOK 3228 AT PAGE 273
 PENDER COUNTY REGISTRY

NOTES:
 1. FEMA FLOOD MAP INFORMATION:
 PENDER COUNTY FLOOD INSURANCE RATE MAP:
 MAP PANEL NO.: 370344 3313 J & 370344 3323 J
 FLOOD ZONES: X AND AE
 TRACT A NOT IN FLOOD ZONE AE
 MAP NO.: 370311300J & 370311300K
 EFFECTIVE DATE: FEBRUARY 16, 2007.
 2. CORNERS ARE MARKED AS NOTED ON MAP.
 3. ALL BEARINGS ARE NC GRID (NAD 83/85).
 4. ALL DISTANCES ARE HORIZONTAL FIELD MEASUREMENTS.
 5. AREA COMPUTED BY THE COORDINATE METHOD.

LEGEND:

- EIR (EXISTING IRON ROD)
- EIP (EXISTING IRON PIPE)
- IPS (IRON PIPE SET)
- DS (EXISTING IRON STAKE)
- IRS (IRON ROD SET)
- CWS (CONCRETE MONUMENT SET)
- ECM (EXISTING CONCRETE MONUMENT)
- NCOS GRID MONUMENT
- △ ECRS (EXISTING RAILROAD SPIKE)
- △ RRS (RAILROAD SPIKE SET)
- △ NRC (NAIL AND CAP)
- △ PCL (PICKET (PK OR WOOD NAIL SET))
- EOA (EXISTING OLD AULE)
- PROPERTY LINE
- - - NON-SURVEYED LINE
- - - EASEMENT LINE
- ~ ~ ~ EDGE OF ROADS



Certificate of Approval by the Planning Department
 I hereby certify that the subdivision plat shown herein has been found to comply with the Pender County Subdivision Ordinance and is hereby approved for recording in the office of the Register of Deeds of Pender County, North Carolina.

Planning Department of Pender County Date

STATE OF NORTH CAROLINA PENDER COUNTY
Janice Woyall REVIEW OFFICER of Pender County,
 certify that the map or plat to which this certification is affixed
 meets all statutory requirements for recording.
Janice Woyall 12/9/09
 Review Officer Date

Parcel Identifier Certificate
 Parcel Identifier for this property is: **3313-99-5261-0000**

STATE OF NORTH CAROLINA PENDER COUNTY
 Filed for registration on the: 2008 of (A.M./P.M.)
 80050 P0003 12-28-2009 14:31:49 SPS
 Pender County, NC Register of Deeds page 1 of 1
 Register of Deeds
 By

Exempt Subdivision
 Pender County
Ohlyd Stunk
 Office of Planning
 Date: 12/9/09

All new access easements shown or designated on this plot, include the transfer of an easement to 1) Pender County for use by its employees and agents for access for emergency personnel (Police, Fire and Rescue), and for use by Pender County employees for administration of all Pender County Ordinances; 2) Transfer of an easement to public utilities and public utilities for the purpose of installation and maintenance of water, sewer, electric and communication lines.

Certificate of Ownership, Dedication and Jurisdiction
 I hereby certify that I am the owner of the property shown and described hereon and that I hereby adopt this plan of subdivision with my own free consent and dedicate all streets, alleys, walks, parks and other areas to public or private use as noted. Further, I certify that the land as shown hereon is located within the subdivision jurisdiction of Pender County.

David West 12-9-09
 Owner Date

OWNER: DAVID WEST
 9090 US HWY 117 NORTH
 WILARD, NC 28478

THIS MAP REVISES AND SUPERCEDES THE MAP RECORDED IN MAP BOOK 49 AT PAGE 136 IN THE PENDER COUNTY REGISTRY.

I, Monkey D. Carr, PLS, certify that this plot is of a survey that creates a subdivision within the area of a county or municipality that has an ordinance that regulates parcels of land.
Monkey D. Carr
 Monkey D. Carr
 Professional Land Surveyor
 NC License No. L-2580



CERTIFICATE OF SURVEY AND ACCURACY (G.S. 47-30)
 I, Monkey D. Carr, PLS, certify that this plot was drawn under my supervision from an actual survey made under my supervision from information found in Pender County Registry, as noted herein, that the ratio of precision as calculated is 1:10,000; that the boundaries not surveyed are shown as dashed lines as noted; that this plot was prepared in accordance with G.S. 47-30 as amended. Witness my original Signature, License Number, and Seal.
 the 04th day of December, AD, 2009.

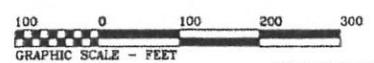
Monkey D. Carr
 Monkey D. Carr
 Professional Land Surveyor
 NC License No. L-2580



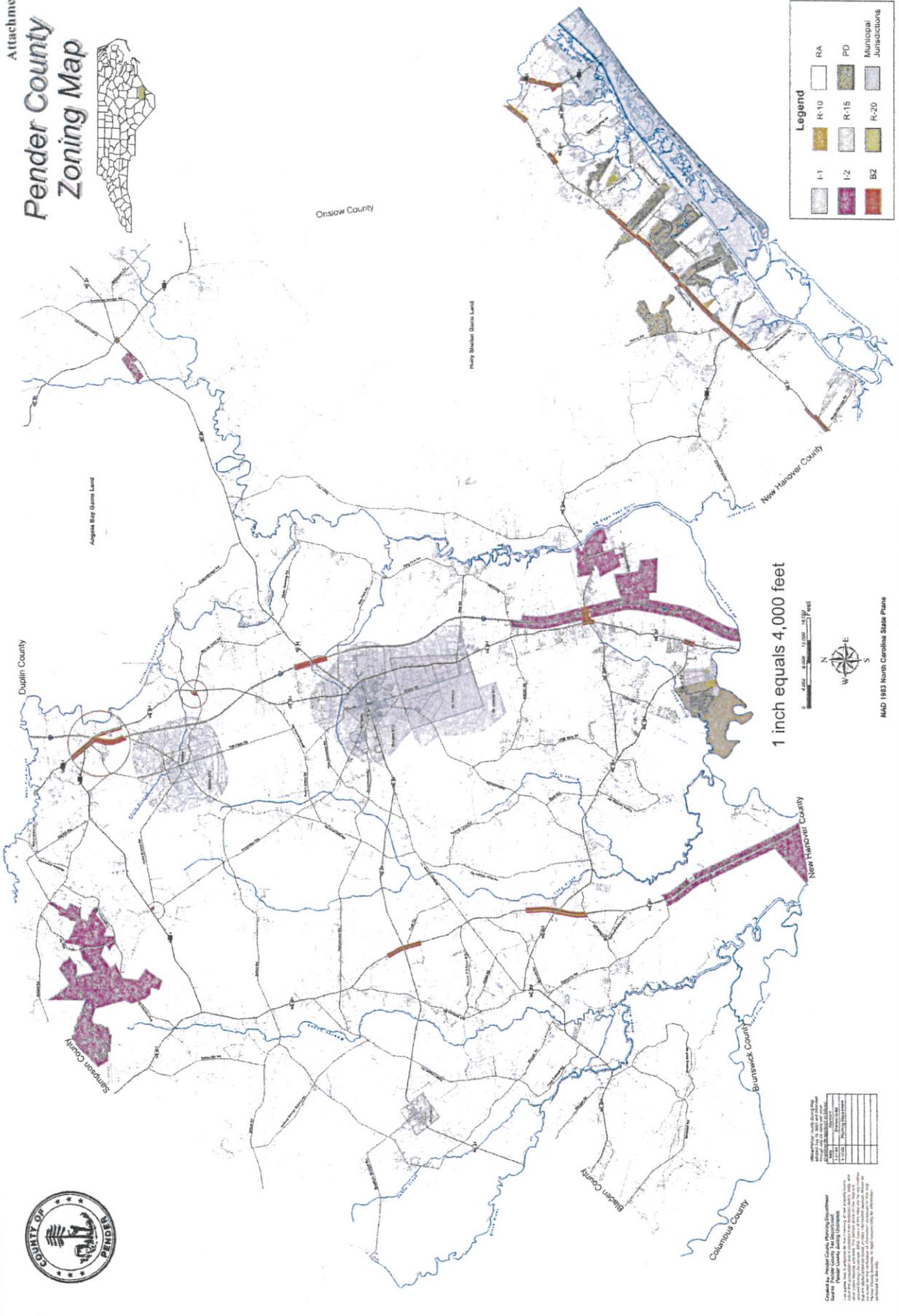
MONKEY D. CARR, PLS
 ROBERT H. GOSLEE & ASSOCIATES, PA
 LAND SURVEYORS - LAND PLANNERS
 317 E. HURRY ST. / P.O. BOX 133
 WALLACE, NORTH CAROLINA 28448
 NC CORPORATE LICENSE NO. C-1167
 810-385-4210
 Email: rhp@rhambar.com

MAP OF REVISION
 OF THE
 FAMILY SUBDIVISION
 FOR
DAVID WEST
 A PART OF THE DAVID WEST PROPERTY

UNION TOWNSHIP - PENDER COUNTY - NORTH CAROLINA
 SCALE: 1" = 100'
 SEPTEMBER 23, 2009
 REVISED: DECEMBER 8, 2009 ADDED 4' TO WESTERN SIDE OF LOT



Pender County Zoning Map



Legend

I-1	I-2	B2	RA	R-10	R-15	R-20	PD	Municipal Jurisdictions
[Light Blue Box]	[Light Green Box]	[Light Purple Box]	[Light Yellow Box]	[Light Orange Box]	[Light Green Box]	[Light Orange Box]	[Light Blue Box]	[Light Blue Box]

1 inch equals 4,000 feet



MAD 1983 North Carolina State Plane



Map Information

Map Date	10/2011
Map Scale	1" = 4,000'
Map Author	Planning Department
Map Reviewer	Planning Department
Map Status	Final

Disclaimer: The County Planning Department is not responsible for any errors or omissions on this map. The County Planning Department is not responsible for any actions taken based on this map. The County Planning Department is not responsible for any damages, including consequential damages, arising from the use of this map. The County Planning Department is not responsible for any actions taken based on this map. The County Planning Department is not responsible for any damages, including consequential damages, arising from the use of this map.

Attachment 3

PERMITTED USES	PD	R-20C	R-20	R-15	R-10	B-1	B-2	B-3	I-1	I-2	A	RT	RA	WS All
RESIDENTIAL														
Single Family Dwelling	P	P	P	P	P	P	P	P				P	P	
Duplexes	P	P	P	P	P							P	P	
Multi-Family Development, Townhouse, etc. (three or more units)	P					S	S	S				S		
Dwelling Unit As Accessory Use(see Temporary & Accessory Use Section)	P	P	P	P	P	P	P	P				P	P	
Dwelling Unit in Non Residential Principal Use	P					S	S	S				S	S	
Mobile Home (See ZI 15, & 27)	P		P	P	P	P	P					P	P	
Mobile Home, Doublewide (See ZI 15 & 27)	P		P	P	P	P	P				P	P	P	
Mobile Home Park (See ZI 16 & 34)	SPB		S	S		S	S					S	S	
Temporary Use of Mobile Home As Residence (See Section 11.1B)	P	P	P	P	P	P	P	P			P	P	P	
Accessory Buildings or Uses clearly incidental to the permitted use of principal building(See Temporary & Accessory Use & Supplementary District Regulation Sections)	P	P	P	P	P	P	P	P	P	P	P	P	P	
Home Occupation(See Temporary Use Section)	P	P	P	P	P	P	P	P				P	P	P
OTHER USES														
Carnivals, Circuses, Fairs and side shows of no more than 30 days duration per year						S	S	S				S	S	
Incinerator, Vegetative Only(as defined herein)									S	S			S	
Landfill, Land Clearing & Inert Debris(LCID)									S	S			S	
Landfill, Sanitary									S	S			S	
Motion Picture Production Facilities, Excluding Adult Entertainment (Permanent Structures Only Require Zoning Permits)	SPB						P	S	S	S	S		S	
Salvage Yards, Junkyards, Scrap Processing									S	S			S	
Outdoor Advertising (See Sign Regulations)	P					P	P	P	P	P		P	P	



Applicant:
David A. West

Owner:
David West et al

**General Zoning
Map Amendment**

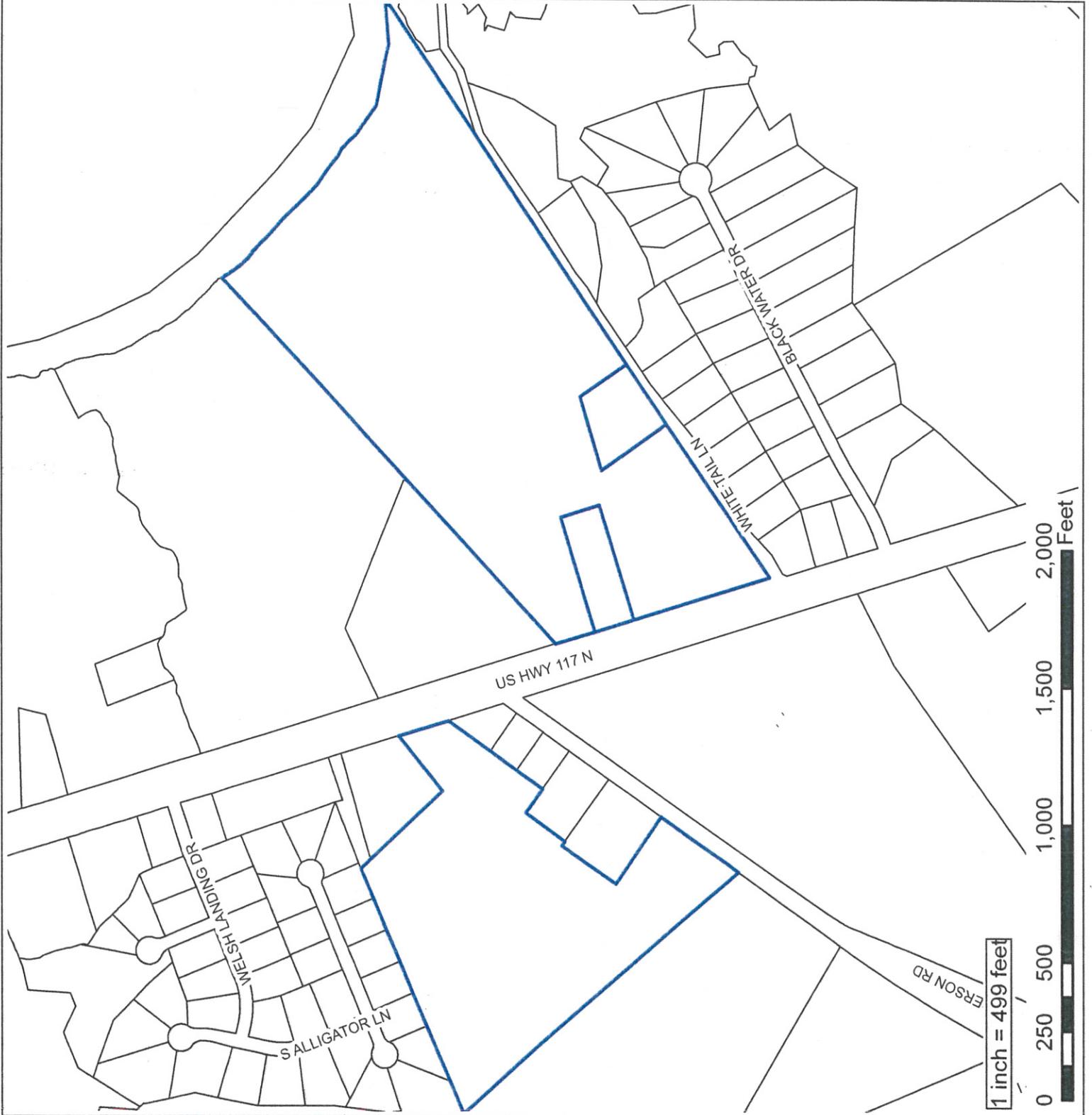
Case Number:
11460



Subject Property



Vicinity





Applicant:
David A. West

Owner:
David West et al

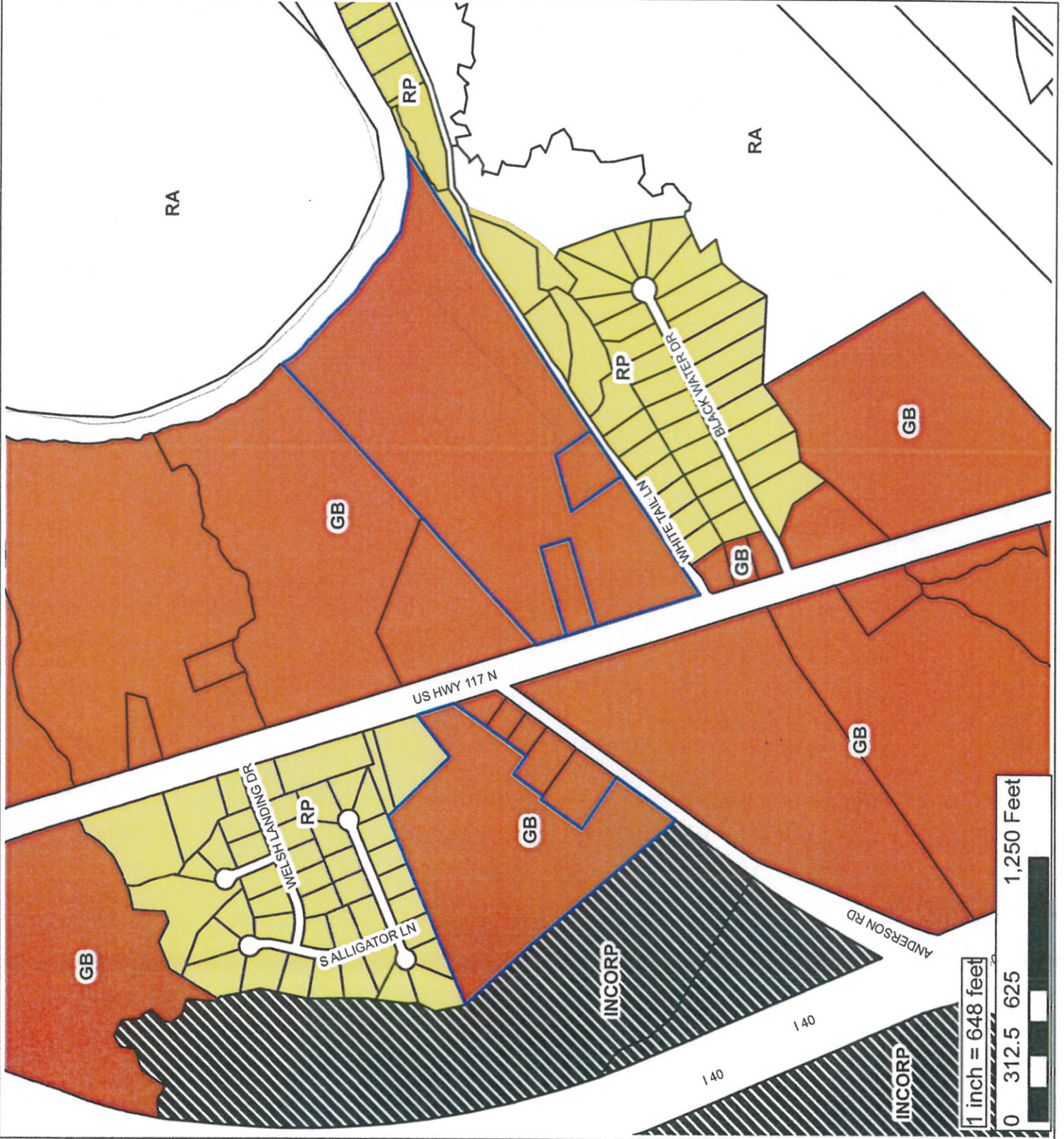
General Zoning
Map Amendment

Case Number:
11460

- Legend**
- Subject Property
 - Zoning Classification**
 - UDO Zoning**
 - General Business (GB)
 - General Industrial (GI)
 - Industrial Transition (IT)
 - Office & Institutional (OI)
 - Rural Agricultural (RA)
 - Planned Development (PD)
 - Residential Performance (RP)
 - Environmental Conservation (EC)
 - Incorporated Areas (INCPORP)
 - Manufactured Home Park (MH)
 - Residential Mixed (MF)
 - Subject Property



Current Zoning





Applicant:
David A. West

Owner:
David West et al

**General Zoning
Map Amendment**

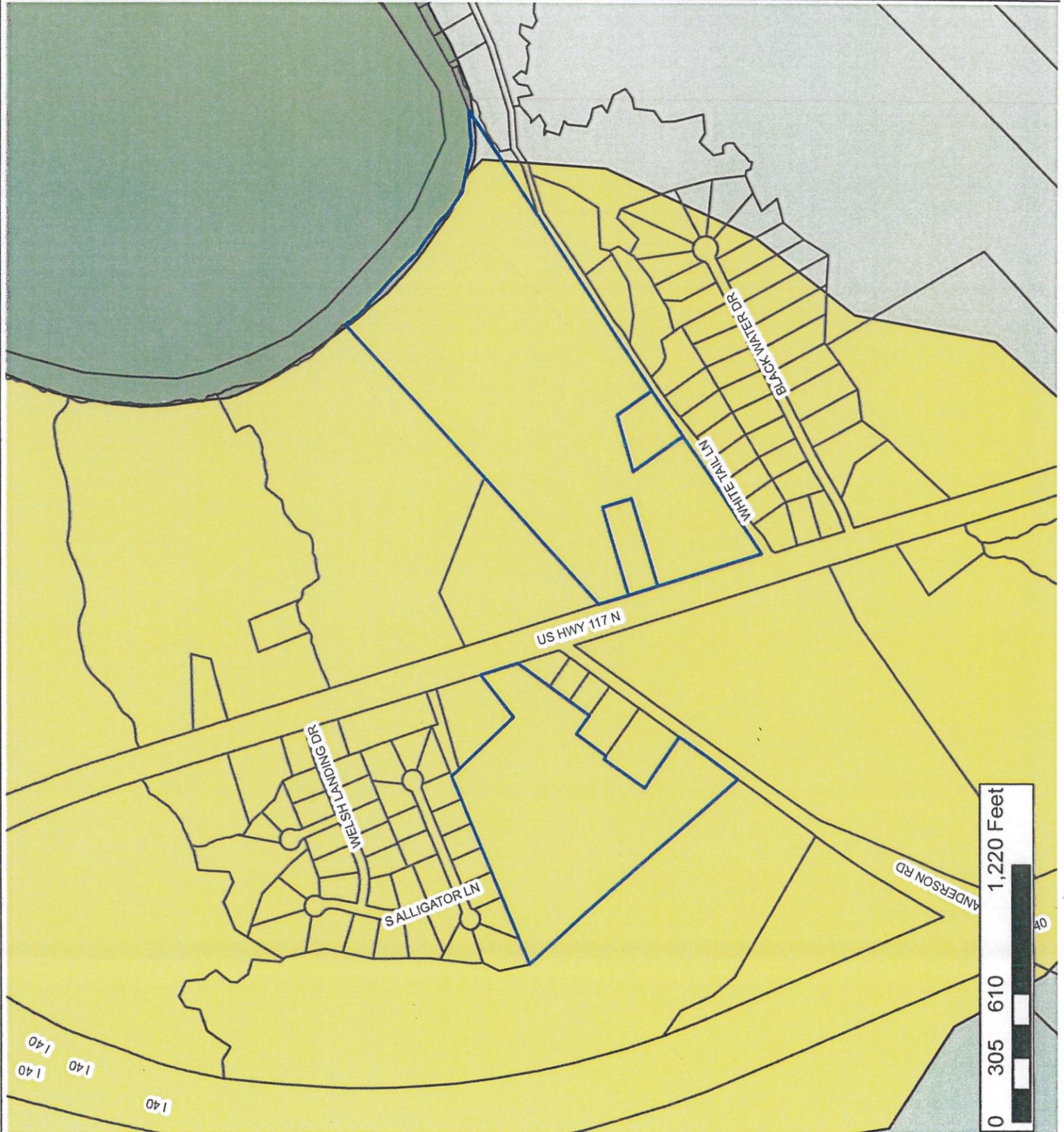
Case Number:
11460

Legend

-  Subject Property
-  Conservation
-  Industrial
-  Mixed Use
-  Office, Institutional, Business
-  Rural Growth
-  Suburban Growth



Future Land Use





Applicant:
David A. West

Owner:
David West et al

**General Zoning
Map Amendment**

Case Number:
11460

Legend

-  BUSINESS
-  CEMETERY
-  CHURCH
-  COMMUNICATION TOWER
-  HOUSE
-  SINGLE-WIDE TRAILER
-  Subject Property



2012 AERIAL





Applicant:
David A. West

Owner:
David West et al

**General Zoning
Map Amendment**

Case Number:
11460

Subject Property

Flood Hazard Areas

- A
- AE
- AEFW
- SHADED X
- VE



Flood Zones





Applicant:
David A. West

Owner:
David West et al

**General Zoning
Map Amendment**

Case Number:
11460

 Subject Property

Preliminary Flood Zones

	A
	AE
	AO
	VE



**Preliminary
Flood Zones**

