

INTRODUCED BY: Planning Staff **DATE:** September 11, 2007 **ITEM NO:** _____

TITLE: Zoning Map Amendment, Jonathan Arnn (5.0001 acres off US Highway 17 N)

SUBJECT: PROPERTY PARCEL ID NOs: 4215-44-6382-0000

APPLICANT: Jonathan B Arnn

OWNER: Donald Charland

ACTION REQUESTED: Applicant is requesting one tract totaling 5.0001 acres be rezoned from RT, Rural Transition District to B-2, Highway Business District.

HISTORY/BACKGROUND:

Location of Property: The property is located on the east side of US Highway 17 N, in Hampstead, NC. (See attached vicinity map).

Description of Proposal: The proposal consists of rezoning one tract totaling 5.0001 acres from RT, Rural Transition District to B-2, Highway Business District. The request is being made to allow the sale of pre-owned motorcycles which is an allowed use via a Special Use Permit. (See attached applicant letter).

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 property is bordered to the north, south and west across US HWY 17 N with land zoned RT. Bordering the back of the property to the east is land zoned PD planned development district.
- C) Existing Land Use in Area:** The property is surrounded by single family home to the north. To the East of the property there is a field with a pond followed by wooded land cover. To the South of the property there are commercial retail buildings of Benjamin Moore and DDT outlet Furniture. Directly across US HWY 17 N to the west there are approximately 10 mobile homes along Whitus Dr.
- 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 does meet the standards of Section 5.3 of the Zoning Ordinance (See Section 5.3 attached).
- F) Summary & Staff Recommendation:** The proposal consists of rezoning 5.0001 acres of land from RT, Rural Transitional to B-2, Highway Business District. The request complies with the criteria set forth in Section 5.3 of the Zoning Ordinance. The request is consistent with the 2005 CAMA Land Use Plan. Therefore, staff recommends that the request be approved.
- G) Pender County Planning Board Recommendation:** The Pender County Planning Board, at its September 11, 2007 meeting,

RESOLUTION: NOW, THEREFORE, BE IT RESOLVED, that on September 11, 2007, the Pender County Board of Commissioners (approved, modified, denied) a rezoning request for one tract totaling 5.001 acres for Jonathan Arnn , as described herein and F.D. Rivenbark, 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: Rivenbark ____ Blanchard ____ Brown ____ Tate ____ Williams ____

F. D. Rivenbark,
Chairman

9-11-07
Date

ATTEST

9-11-07
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>8-10-07</u>	Application Fee \$ <u>200.00</u>	Receipt No. _____
Application No. _____	Postage Fee \$ <u>30.72</u>	Receipt No. <u>072201</u>

I. PROPERTY INFORMATION:

Record #: 4215-44-6382-0000 Current Zoning District: RT

Tax Map #: _____ Requested Zoning District: B2

Lot #: _____ Acreage to Be Rezoned: 5.0001

Total Acreage of Tract: 5.0001

Property Location: 21758 HWY 17 NORTH HAMPSTEAD NC. 28443

Reason for Rezoning: REQUIRED FOR MOTORCYCLE SALES

II. REQUIRED NAMES:

Applicant <u>JONATHAN B ARNN</u>	Owner <u>DONALD CHARLAND</u>
Address <u>306 PECAN CT</u>	Address <u>PO. Box 1262</u>
<u>HAMPSTEAD NC. 28443</u>	<u>SNEADS FERRY, NC</u>
Phone <u>910-270-8790</u> Fax <u>910-329-7433</u>	Phone <u>910-279-6315</u> Fax <u>270-7707</u>
Email <u>Underground@embarqmail.com</u>	Email <u>DonCharland@aol.com</u>

Legal Relationship of Applicant to Property Owner: TENANT

III. SIGNATURE OF OWNER & APPLICANT:

[Signature] [Signature]

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



Pender County Planning Department

805 South Walker Street
Burgaw, North Carolina 28425

Phone (910) 259-1202
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Email: planning1@penders-county.com

PLANNING BOARD APPLICATION FOR ZONING MAP AMENDMENT

Date <u>8-10-07</u>	Application Fee \$ <u>200.00</u>	Receipt No. _____
Application No. _____	Postage Fee \$ <u>30.72</u>	Receipt No. <u>072201</u>

I. PROPERTY INFORMATION:

Record #: 4215-44-6641-0000 Current Zoning District: RT
 Tax Map #: _____ Requested Zoning District: B2
 Lot #: _____ Acreage to Be Rezoned: 5,0001
 Total Acreage of Tract: 5,0001
 Property Location: 21758 HWY 17 NORTH HAMPSTEAD NC. 28443
 Reason for Rezoning: REQUIRED FOR MOTORCYCLE SALES

II. REQUIRED NAMES:

Applicant <u>JONATHAN B ARNN</u>	Owner <u>DONALD CHARLAND</u>
Address <u>306 PECAN CT</u>	Address <u>P.O. Box 1262</u>
<u>HAMPSTEAD N.C. 28443</u>	<u>SNEADS FERRY, NC</u>
Phone <u>910-270-8796</u> Fax <u>910 329 7433</u>	Phone <u>910-279-6315</u> Fax <u>270-7707</u>
	<u>28460</u>
Email <u>underground@embarqmail.com</u>	Email <u>DONCHARLAND@AOL.COM</u>

Legal Relationship of Applicant to Property Owner: TENANT

III. SIGNATURE OF OWNER & APPLICANT:

Donald Charland Jonathan B Arnn
 (If owner is different from applicant, both signatures are required)

UNDERGROUND MOTORCYCLE WORKS, LLC

21758 U.S. Highway 17 North
Hampstead, North Carolina 28443
(910) 329-7433
e-mail: underground@embarqmail.com

August 9, 2007

Pender County Planning Department
805 South Walker Street
Burgaw, North Carolina 28425

Re: **Underground Motorcycle Works, LLC**
Application for Zoning Map Amendment

Dear Sir/Madam:

Underground Motorcycle Works, LLC is a full service motorcycle shop which provides parts, service and retail merchandise. Since its inception, many of its customers have requested Underground Motorcycle Works to broker their cycles.

As a result of these customer requests, Jonathan Arnn, owner of Underground Motorcycle Works, LLC, has agreed to explore the possibility of selling pre-owned motorcycles. He has completed Carolina's Independent Automobile Dealer's Association training course, which is the only course recognized by the North Carolina License and Theft Bureau.

The shop is currently located in a small shopping center with two other retail shops. All of the shop owners rent their space from Donald Charland, the owner of the shopping center. The addition of motorcycle sales to Underground Motorcycle Works should not alter the environment for any of the shop owners or residents in the area. The motorcycles will be kept inside the shop and for all intents and purposes, there will be no change to the current surroundings.

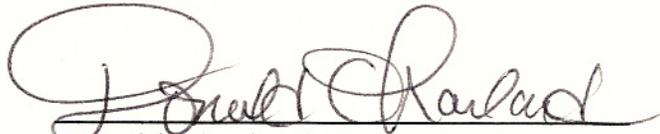
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August 9, 2007
Pender County Planning Department

I respectfully request your consideration of this application for zoning change. If any additional information should be required, please do not hesitate to contact Jonathan Arnn at the above-stated telephone number.

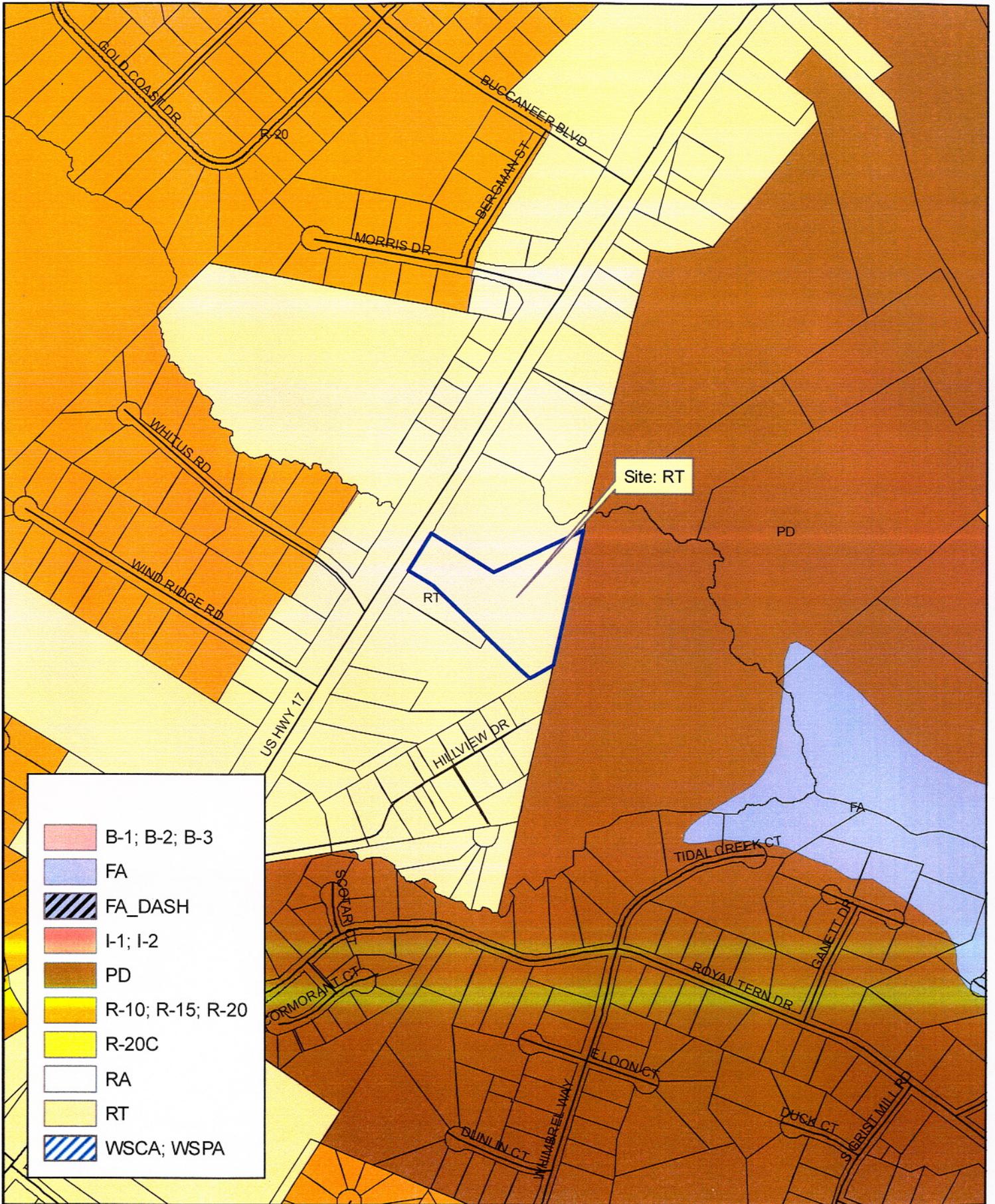
Sincerely,



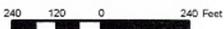
Jonathan Arnn, Owner
Underground Motorcycle Works, LLC



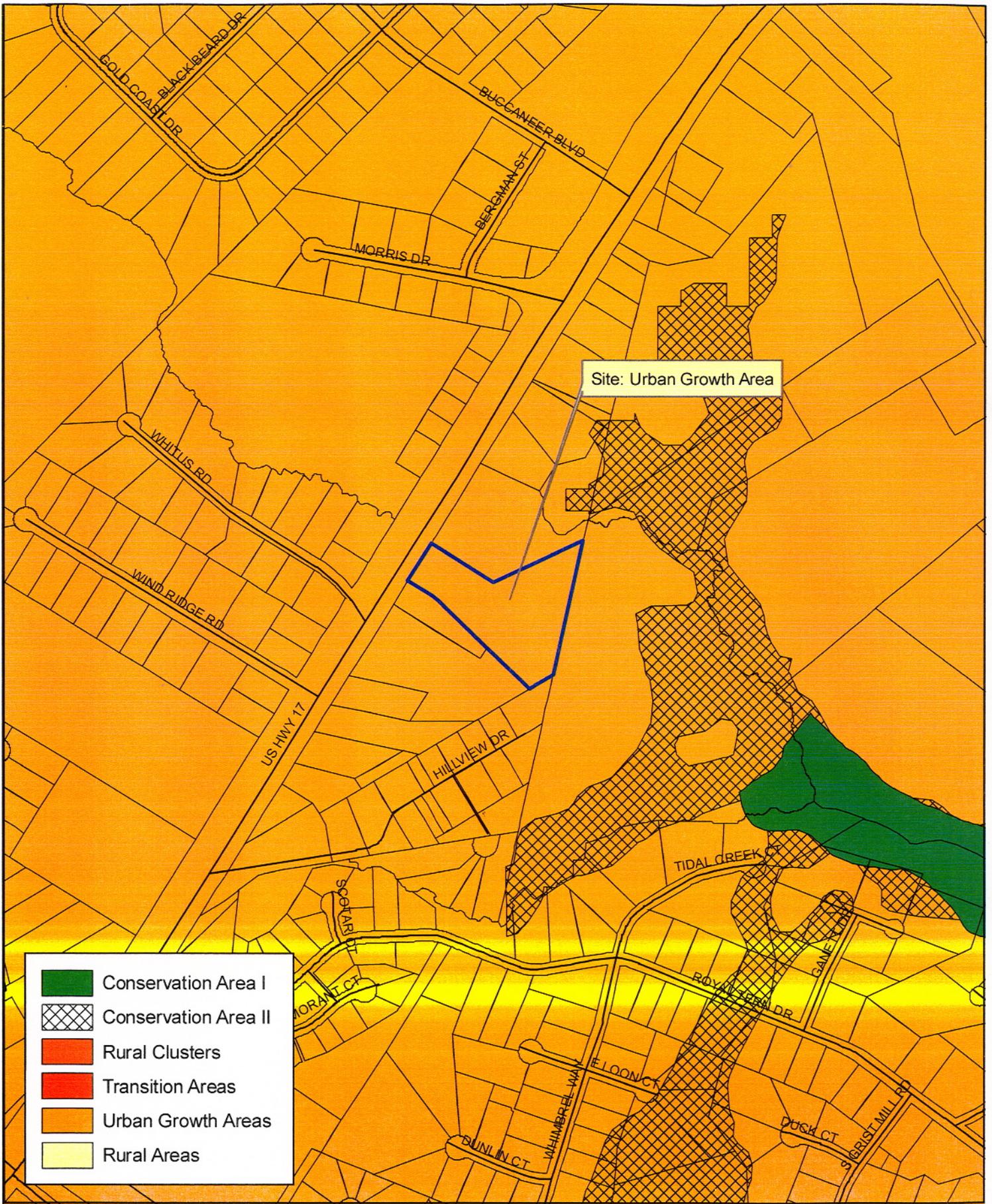
Donald Charland, Owner
Topsail Landing Shopping Center



1 inch equals 500 feet



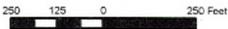
Rezoning - Jonathan Zoning Map



Site: Urban Growth Area

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

1 inch equals 500 feet



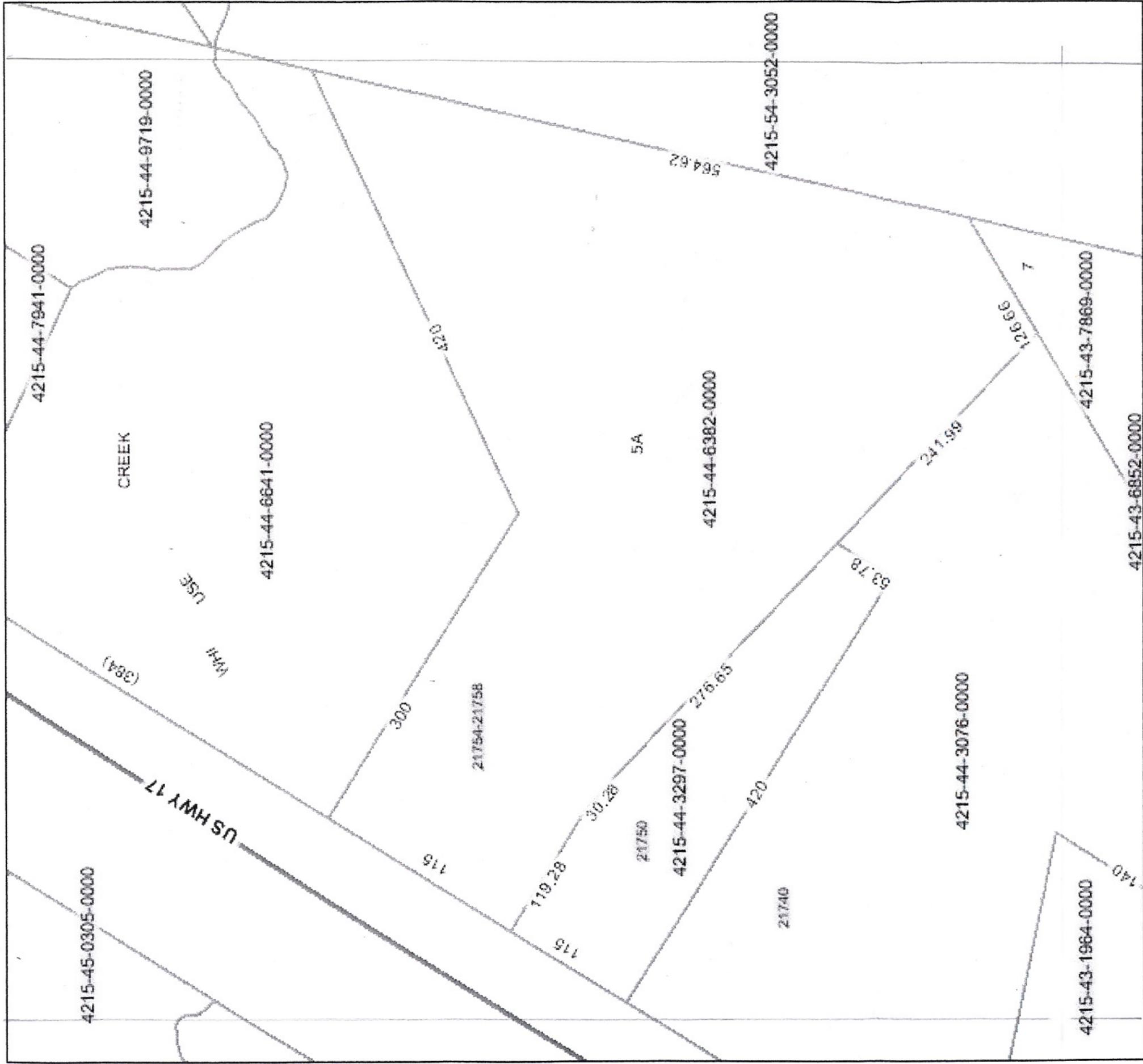
Rezoning - Jonathan Arnn
 CAMA Land Use



1 inch equals 500 feet

250 125 0 250 Feet

Rezoning - Jonathan Arnn
Orthos (2003)



1:131 feet

Pender County GIS



This map is prepared for the inventory of real property found within this jurisdiction, and is compiled from recorded deeds, plats, and other public records and data. Users of this map are hereby notified that the aforementioned public primary information sources should be consulted for the verification of the information contained on this map. Pender County assumes no legal responsibility for the information contained on this map.

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