

**INTRODUCED BY:** Planning Staff **DATE:** October 2, 2007 **ITEM NO:** 6

**TITLE:** Zoning Map Amendment, James Asbury (8.24 acres 12181 NC Highway 50)

**SUBJECT: PROPERTY PARCEL ID Number:** 4236-34-6257-0000

**APPLICANT:** James Asbury

**OWNER:** Same

**ACTION REQUESTED:** Applicant is requesting one tract totaling 8.24 acres be rezoned from R-20, Residential District to B-2, Highway Business District.

**HISTORY/BACKGROUND:**

**Location of Property:** The property is located on the west side of NC Highway 50, north of the Shepard's Road intersection, near the Pender County -Onslow county line. (See Vicinity Map)

**Description of Proposal:** The proposal consists of rezoning one tract totaling 8.24 acres from R-20, Residential District to B-2, Highway Business District.

**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:** Subject's property is surrounded by R-20, Residential District. It is also approximately 750 feet from the Onslow County Border which is zoned RA. RA in Onslow County allows some commercial uses. Subject's property is approximately 1500 feet from a Surf City Satellite Annexation which is zoned Neighborhood Commercial.
- C) Existing Land Use in Area:** The property is bordered to the north with vacant land, to the east residential homes, to the south residential and to the west vacant and residential.
- 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 8.24 acres of land from R-20 Residential District, 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 is requested to hold a public hearing for a rezoning.

**AMENDMENTS:**

**Planning Board**

Motion: \_\_\_\_\_ Seconded \_\_\_\_\_

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Unanimous \_\_\_\_\_

Walton \_\_\_\_ Reynolds \_\_\_\_ Garrett \_\_\_\_ Gonzales \_\_\_\_ Marshburn \_\_\_\_ Millette \_\_\_\_ Smith \_\_\_\_

**RESOLUTION: NOW, THEREFORE, BE IT RESOLVED**, that on October 15, 2007, the Pender County Board of Commissioners (approved, modified, denied) a rezoning request for one tract of land totaling 8.24 acres be rezoned from R-20, Residential District to B-2, Highway Business District, 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.

**Board of Commissioners**

MOVED \_\_\_\_\_ SECONDED \_\_\_\_\_

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_ UNANIMOUS \_\_\_\_\_

YEA VOTES: Rivenbark \_\_\_\_ Blanchard \_\_\_\_ Brown \_\_\_\_ Tate \_\_\_\_ Williams \_\_\_\_

\_\_\_\_\_  
F. D. Rivenbark,  
Chairman

10-15-2007  
Date

\_\_\_\_\_  
ATTEST

10-15-2007  
DATE



# Pender County Planning Department

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Burgaw, North Carolina 28425

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Fax (910) 259-1295

Email: [planning1@pender-county.com](mailto:planning1@pender-county.com)

## PLANNING BOARD APPLICATION FOR ZONING MAP AMENDMENT

Date <u>08/30/2007</u>	Application Fee <u>\$230.00</u> <sup>postage included</sup>	Receipt No. <u>072227</u>
Application No. <u>Ø</u>	Postage Fee <u>\$31.26</u>	Receipt No. <u>Ø</u>

**I. PROPERTY INFORMATION:**

Record #: 4236346257 Current Zoning District: R-20

Tax Map #: N/A Requested Zoning District: B-2

Lot #: \_\_\_\_\_ Acreage to Be Rezoned: 8.24

Total Acreage of Tract: 8.24

Property Location: 12181 NC Highway 50 Holly Ridge, NC 28445

Reason for Rezoning: PROPERTY DEVELOPMENT (COMMERCIAL)

**II. REQUIRED NAMES:**

Applicant James Asbury Owner James Asbury

Address 12181 NC Highway 50 Holly Ridge NC 28445 Address SAME

Phone 910-329 0151 Fax (SAME) Phone \_\_\_\_\_ Fax \_\_\_\_\_

Email \_\_\_\_\_ Email \_\_\_\_\_

Legal Relationship of Applicant to Property Owner: SAME PERSON IS DOING BOTH.

**III. SIGNATURE OF OWNER & APPLICANT:**

James C. Asbury

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

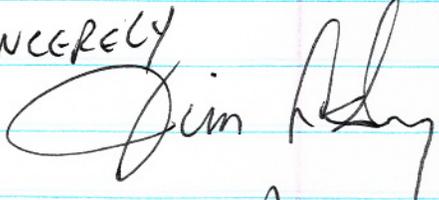
12181 NC Highway 5  
Holly Ridge, NC  
8/30/07

RE: REZONE REQUEST

THIS LETTER OF REQUEST TO REZONE  
IS BECAUSE I HAVE 8+- ACRES ON  
HIGHWAY 50, JUST INSIDE THE PENDER CO  
LINE. I HAVE NO CLOSE NEIGHBORS  
AND MOSTLY WOODED PROPERTY WITH LESS  
THAN AN ACRE TO DEVELOPE AT THIS TIME.

THERE ARE APPROX 2500 NEW HOMES  
BEING BUILT WITHIN 1 MILE OF MY  
PROPERTY AND PEOPLE NEED STORAGE.

I PROPOSE TO FURNISH MINI-STORAGE  
UNITS AND STORAGE ON LESS THAN AN  
ACRE AT THIS TIME. THANKS FOR  
YOUR CONSIDERATION.

Sincerely  
  
James Asbuey

S 9° 16' 49" W

811.69'

N 43° 48' 30" W

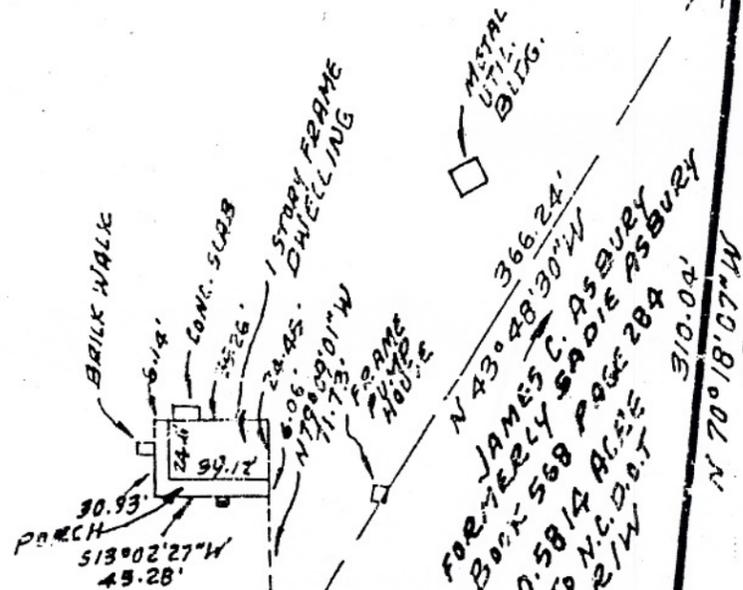
JAMES C. ASBURY  
FORMERLY - SADIE ASBURY  
TRACT No. 4 - MAP BOOK 7 PAGE 116  
BOOK 568 PAGE 283  
7.5052 ACRES.  
TO N.C.D.O.T. R/W

357.70'

S 85° 09' 01" E  
555.84'

NOW OR FORMER  
ENGLISH ASBELL

MAP BOOK 7 PAGE 116



N 13° 30' 13" E  
334.875'

N 13° 30' 13" E  
164.337'

0.74'  
19.49'  
318.997'

4.46'  
19.304'  
175.00' 20.118'

30.345' N 13° 30' 13" E  
295.13'

35.646' N 13° 30' 13" E  
190.995' 30.176'

N 13° 30' 13" E

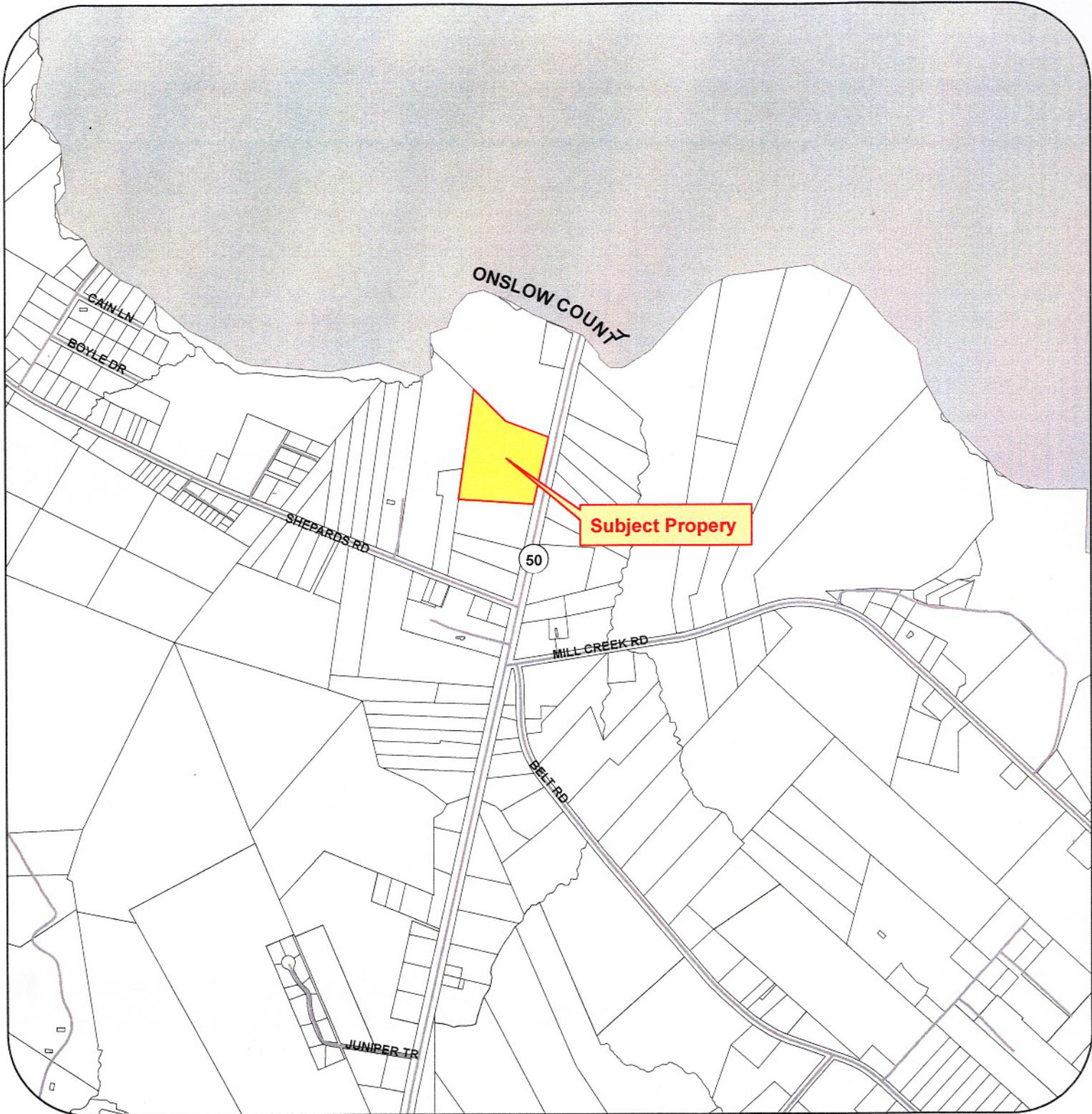
N 13° 30' 13" E

50'  
50'

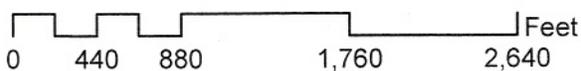
30' 30'

R/W

33



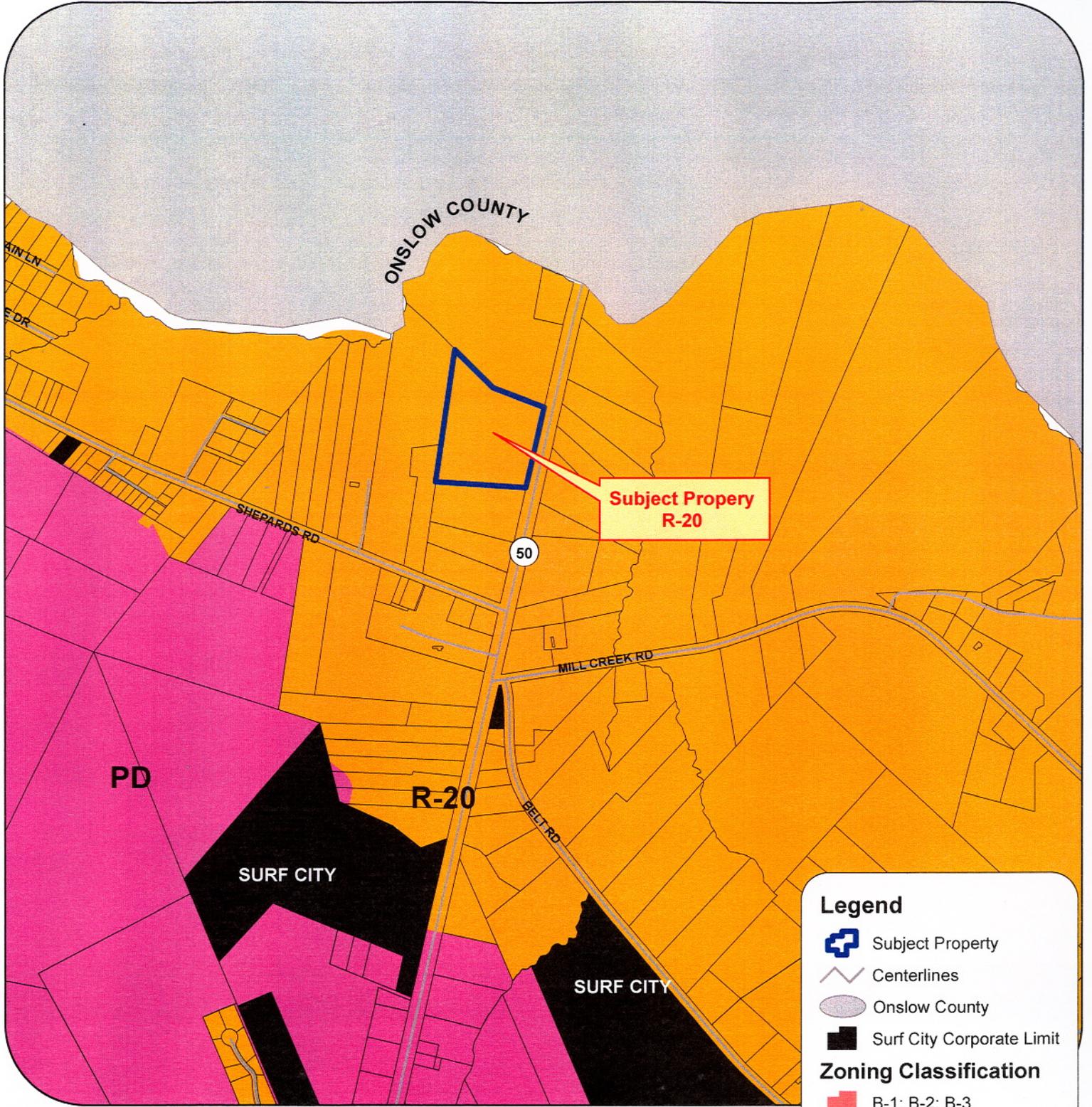
1 inch equals 1,000 feet



## Rezoning

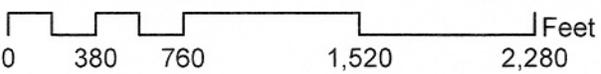
James Asbury  
12181 NC Hwy 50  
Holly Ridge

General Vicinity Map



**Subject Property  
R-20**

1 inch equals 833 feet



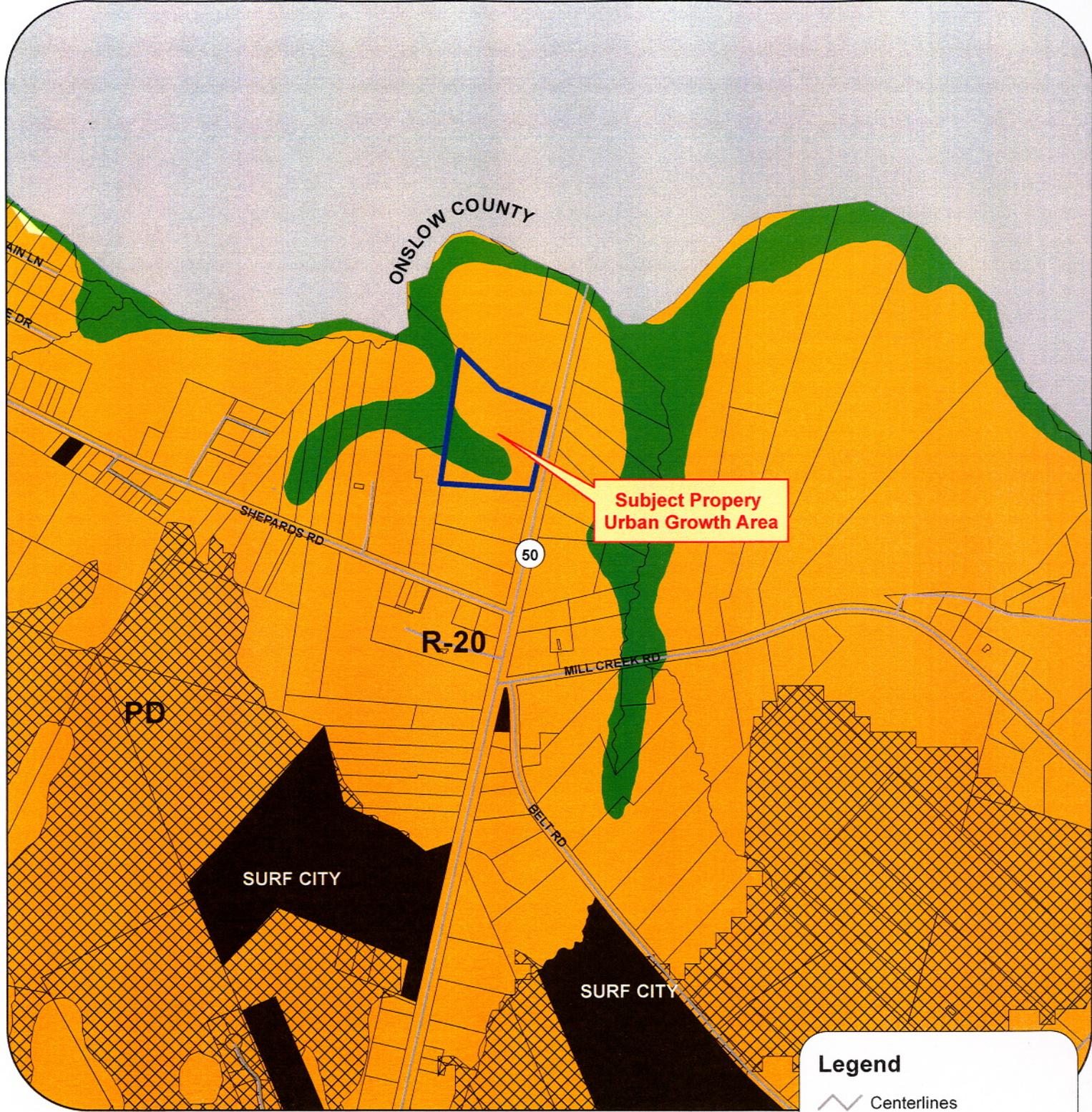
**Rezoning**  
 James Asbury  
 12181 NC Hwy 50  
 Holly Ridge  
 Zoning Map

**Legend**

- Subject Property
- Centerlines
- Onslow County
- Surf City Corporate Limit

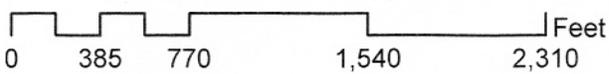
**Zoning Classification**

- B-1; B-2; B-3
- FA
- FA\_DASH
- I-1; I-2
- PD
- R-10; R-15; R-20
- R-20C
- RA
- RT
- WSCA; WSPA



**Subject Property  
Urban Growth Area**

1 inch equals 833 feet



## Rezoning

James Asbury  
12181 NC Hwy 50  
Holly Ridge

*CAMA: Future Land Use*

**Legend**

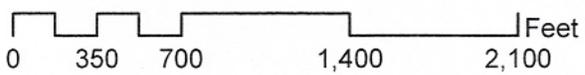
- Centerlines
- Surf City Corporate Limit
- Subject Property
- Onslow County

**Future Land Use**

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



1 inch equals 800 feet



## Rezoning

James Asbury  
 12181 NC Hwy 50  
 Holly Ridge  
*LDAR Image*

### Legend

-  Surf City Corporate Limit
-  Subject Property
-  Onslow County