

**INTRODUCED BY:** Planning Staff    **DATE:** December 4, 2007    **ITEM NO:** 3

**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

**OWNER:** 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 on the northeastern side of the Country Club Drive and Mallard Bay Road intersection. 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 consistent with Section 5.3 A of the Zoning Ordinance.
- 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.

**G) Pender County Planning Board Recommendation:** The Pender County Planning Board, at its December 4, 2007 meeting, recommended approval/denial of this rezoning request in a (indicate vote).

**Planning Board Recommendation for Haden Stanziale Rezoning:**

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

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

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

**RESOLUTION: NOW, THEREFORE, BE IT RESOLVED**, that on January 21, 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 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 \_\_\_ Tate \_\_\_ Blanchard \_\_\_ Brown \_\_\_ Williams \_\_\_

\_\_\_\_\_  
**F. D. Rivenbark,**  
**Chairman** 1-21-08  
**Date**

\_\_\_\_\_  
ATTEST 1-21-08  
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](mailto:planning1@pender-county.com)

## PLANNING BOARD APPLICATION FOR ZONING MAP AMENDMENT

Date <u>November 2, 2007</u>	Application Fee <u>\$400.00</u>	Receipt No. <u>077076</u>
Application No. _____	Postage Fee <u>PAID</u>	Receipt No. _____

**I. PROPERTY INFORMATION:**

Record #: 47084,41941,38017 Current Zoning District: R-20C  
 4203-97-6548-0000,  
 Tax Map #: 4203-97-3970-0000, 4203-98-1361-0000 Requested Zoning District: PD  
 Lot #: N/A Acreage to Be Rezoned: 25.00 AC

Total Acreage of Tract: 25.00 ACRES TOTAL  
 LOCATED AT THE CORNER OF COUNTRY  
 CLUB DRIVE AND MALLARD BAY RD.  
 Property Location: \_\_\_\_\_  
 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</u> <u>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:**

*[Handwritten signatures of Haden Stanziale and Keith Avant]*

(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)

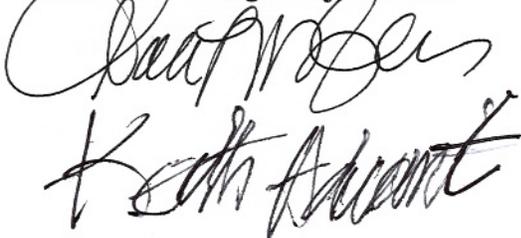
Dear Pender County Planning Board:

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.

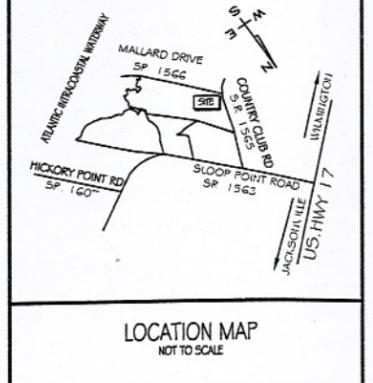
Sincerely,  
Milestone Village Project Team



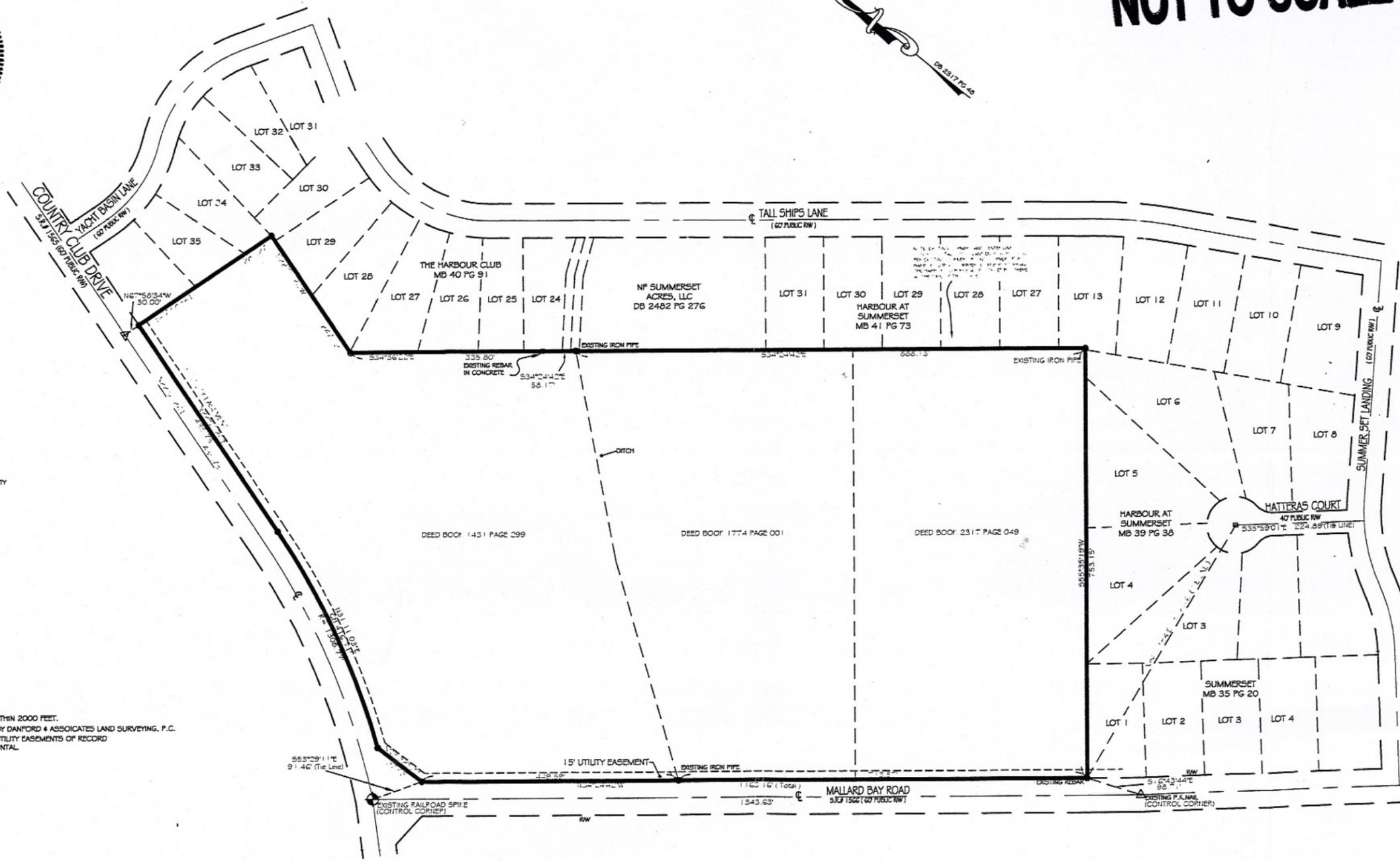
The image shows two handwritten signatures in black ink. The first signature is written in a cursive style and appears to be 'Keith Adams'. The second signature is also in cursive and appears to be 'Keith Adams'.

I, VERNON DEREK DANFORD, CERTIFY THAT THIS PROPERTY WAS SURVEYED AND MAP DRAWN UNDER MY SUPERVISION. DESCRIPTION AS SHOWN ON THE FACE OF THIS PLAT, RATIO OF PRECISION AS CALCULATED BY COMPUTER IS 1:110,000+; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN BY BROKEN LINES PLOTTED FROM INFORMATION REFERENCED; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA; WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 1ST DAY OF NOVEMBER, A.D. 2007.

*Vernon Derek Danford*  
 VERNON DEREK DANFORD  
 N.C. PLS No. L-4528



**NOT TO SCALE**



NOTE: THESE TRACTS ARE LOCATED IN ZONE X FROM COMMUNITY PANEL # 370344 4203 J DATED: FEBRUARY 16, 2007

NOTE: THESE TRACTS ARE SUBJECT TO ALL UTILITY EASEMENTS, RESTRICTIONS, OR COVENANTS OF RECORD.

SURVEY REFERENCE  
 MAP BOOK 39 PAGE 30  
 MAP BOOK 39 PAGE 66  
 DEED BOOK 2317 PAGE 46  
 DEED BOOK 1774 PAGE 1  
 DEED BOOK 1431 PAGE 299

- NOTES:
1. N.C.G.S. MONUMENT NOT FOUND WITHIN 2000 FEET.
  2. NO TITLE EXAMINATION PERFORMED BY DANFORD & ASSOCIATES LAND SURVEYING, P.C.
  3. THESE PARCELS IS SUBJECT TO ALL UTILITY EASEMENTS OF RECORD
  4. ALL DISTANCES ARE GROUND HORIZONTAL.
  5. AREA BY COMPUTER.

- LEGEND
- - FOUND IRON PIPE
  - ⊙ - CENTERLINE
  - ⊕ - EXISTING RAILROAD SPIKE
  - ⊖ - EXISTING PK NAIL
  - ⊞ - EXISTING CONCRETE MONUMENT
  - - IRON PIPE SET

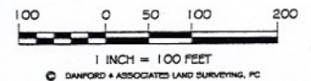
Field Book # 92  
 E:\Land Projects\Avant & Nunn\Avant-Nunn.dwg

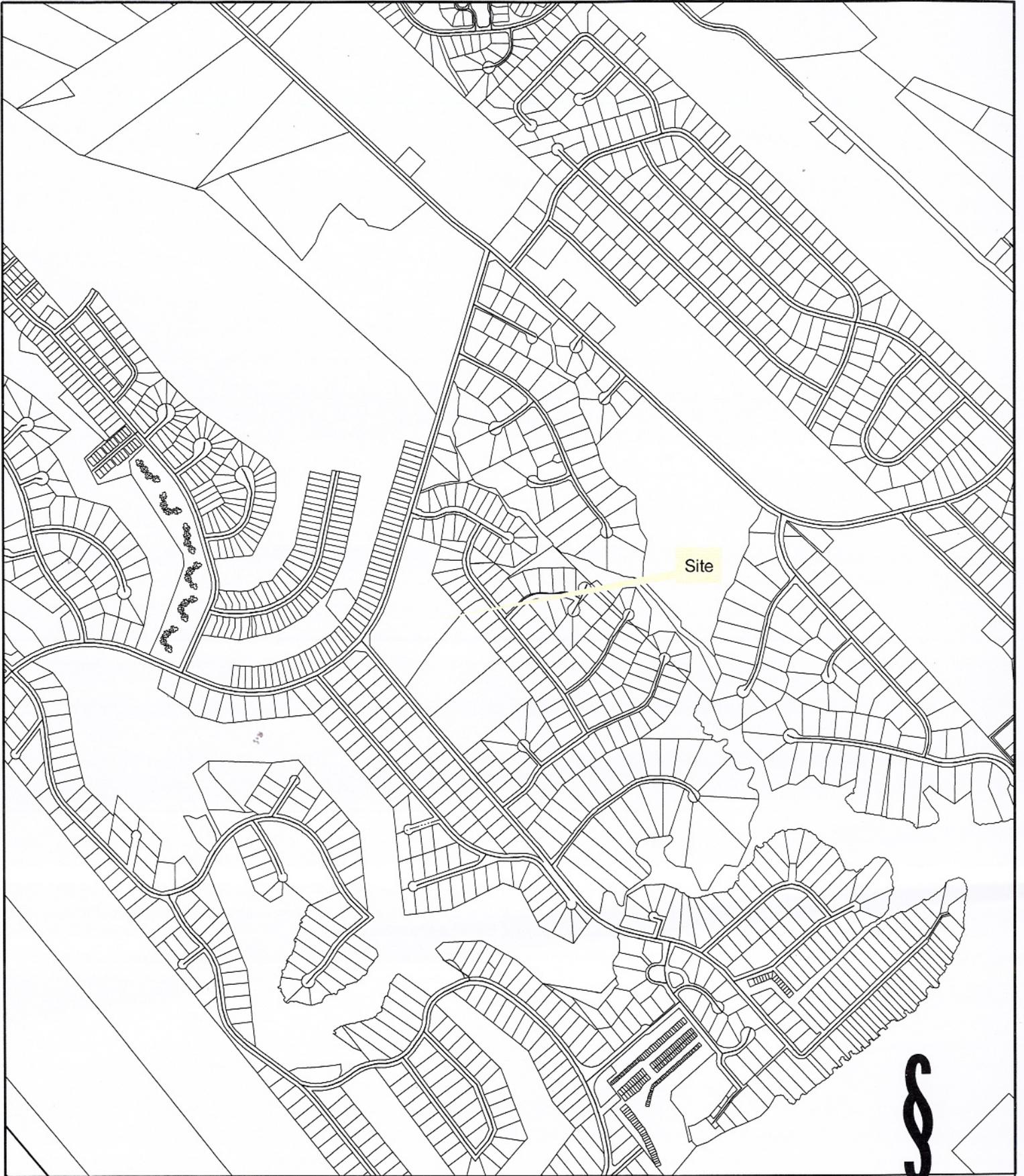


2231 WRIGHTSVILLE AVENUE  
 WILMINGTON, N.C. 28403  
 PHONE (910) 815-3711  
 FAX (910) 815-2686

MAP OF SURVEY  
**AVANT & NUNN, LLC LANDS**  
 DEED BOOK 2317 PAGE 48  
 DEED BOOK 1774 PAGE 1  
 DEED BOOK 1431 PAGE 299  
 TOPSAIL TOWNSHIP PENDER COUNTY NORTH CAROLINA

NOVEMBER 1, 2007 25.0 ACRES ±



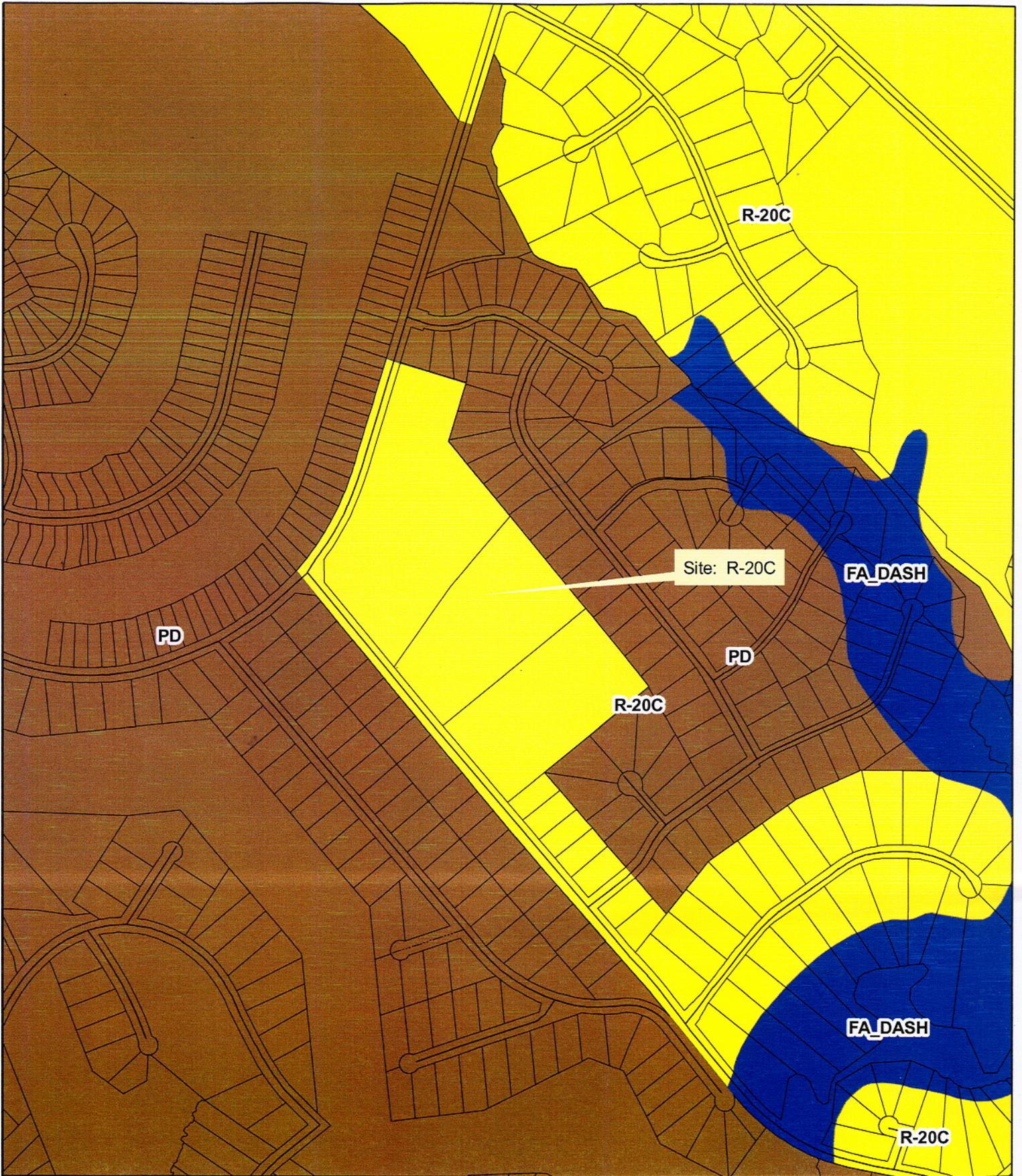


Site



1 inch equals 1,000 feet  
0 500 1,000 2,000  
Feet

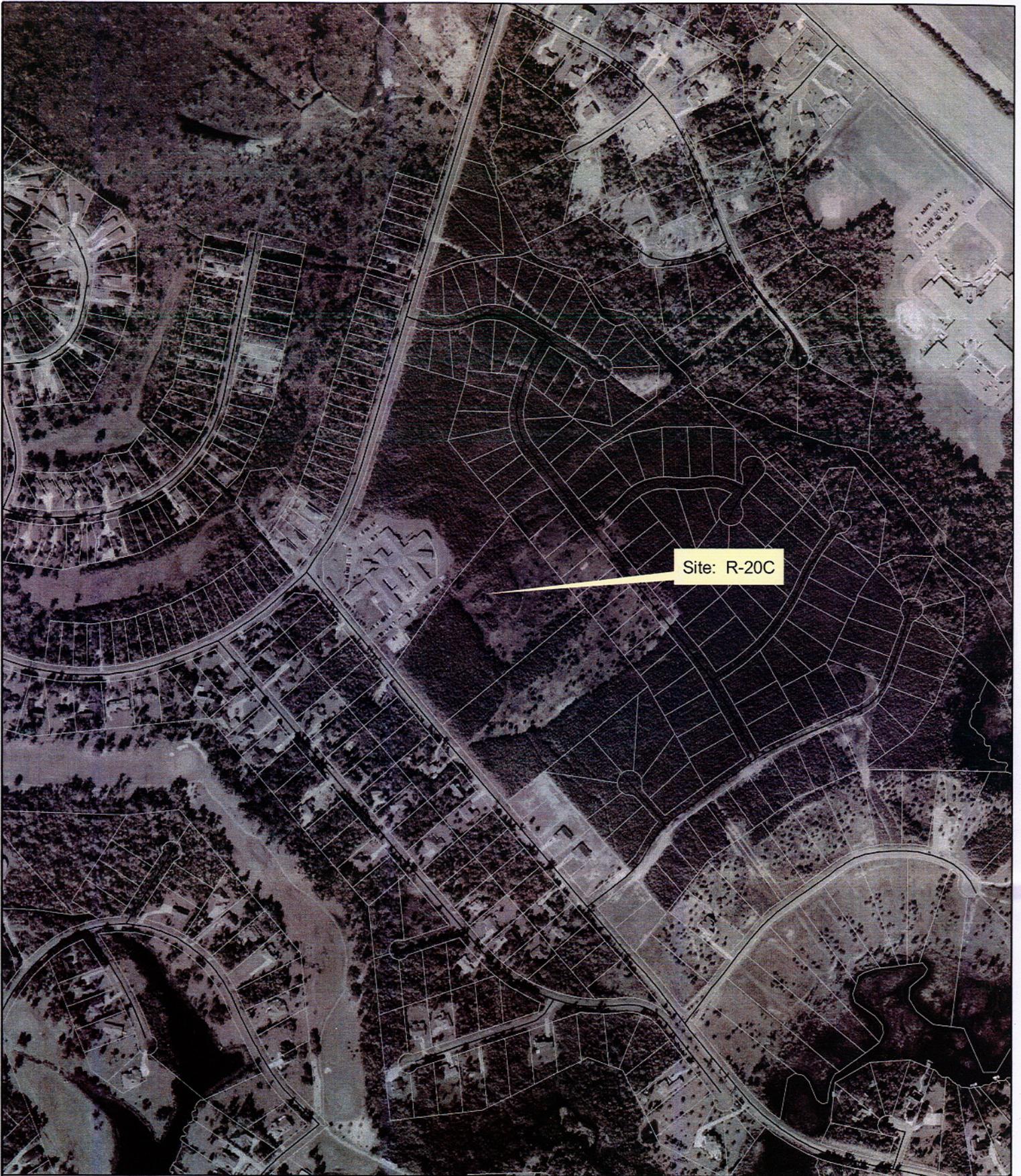
Haden Stanziale  
Rezoning R-20C to PD  
Vicinity



1 inch equals 500 feet  
0 250 500 1,000 Feet

### Haden Stanziale Rezoning R-20C to PD Zoning





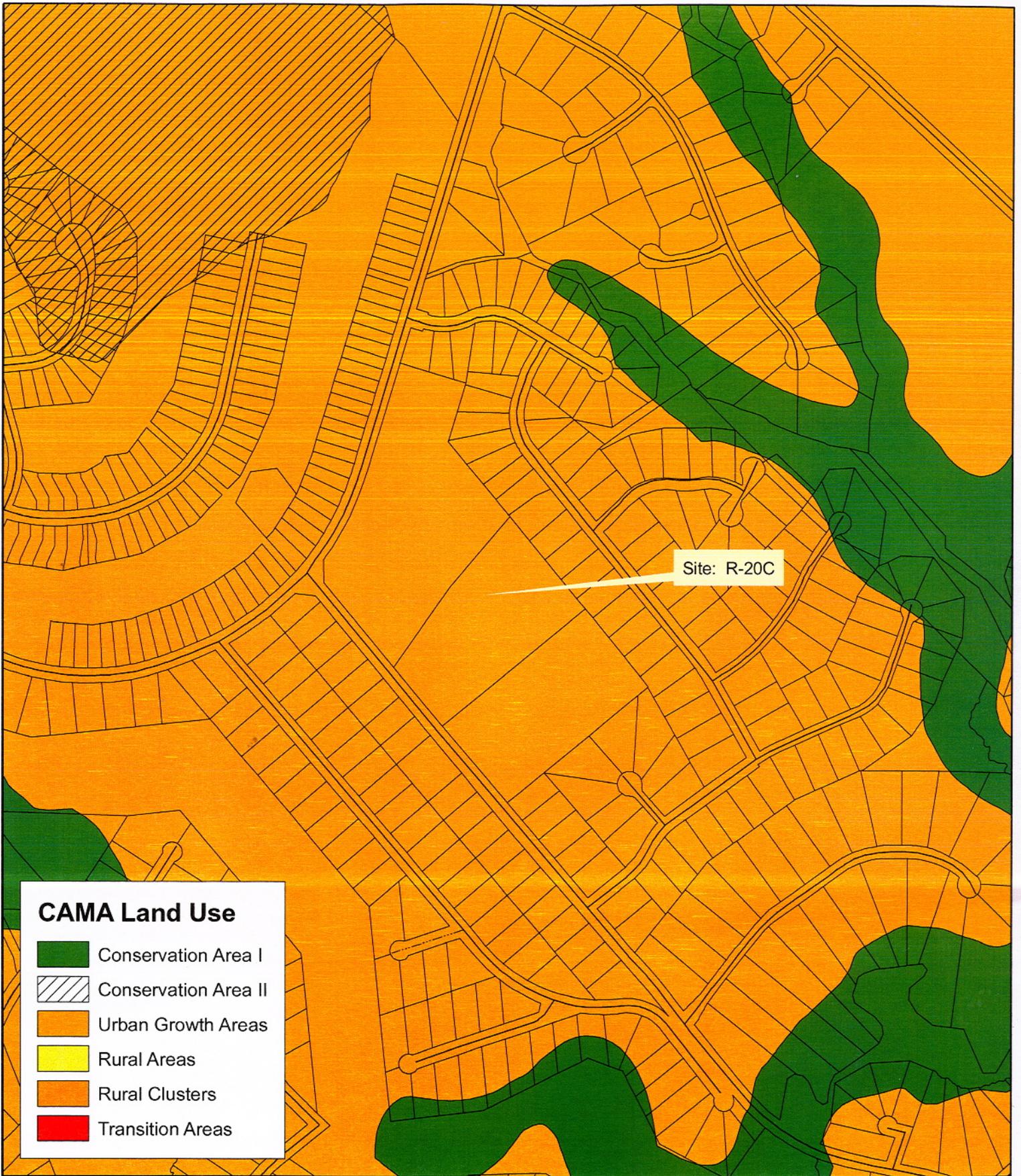
Site: R-20C

1 inch equals 500 feet

0 250 500 1,000 Feet

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

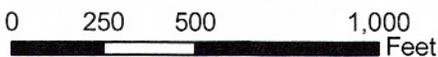




**CAMA Land Use**

- 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

