

Pender County Planning and Community Development

Planning Division

805 S. Walker Street
PO Box 1519
Burgaw, NC 28425



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Marshburn – Scottsdale Dr. Variance

Case Number: VAR 2025-0025

Application Type: Variance

Applicant: Jeremy & Amanda Marshburn

Owners: Jeremy & Amanda Marshburn

Location: Approximately 612 feet northeast of the intersection of Scottsdale Dr. and Scotts Hill Loop Rd. in Wilmington. The property is located at 349 Scottsdale Dr.

Property ID #(s): 3270-94-6837-0000

Description: Request for a variance to permit a residential accessory structure within the rear setbacks. The current existing structure is 9.3 feet from the property line, currently 15.7 feet inside the rear setback requirement of 25 feet.

Total Area of Project: 539 sq. ft.

Current Zoning: RP, Residential Performance

Technical Review Committee Meeting: N/A

Board of County Commissioners/Planning Board Meeting/Board of Adjustment:
11/19/2025

Application Materials

Application Package

Narrative

Site Plan/Survey

APPLICATION

APPLICATION FOR VARIANCE

SECTION 1: APPLICANT INFORMATION

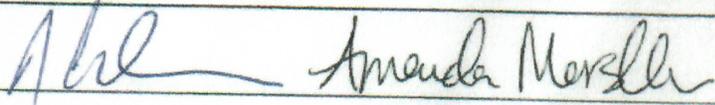
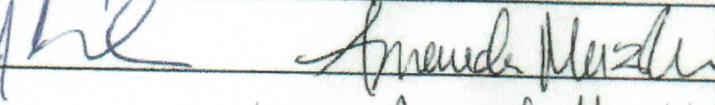
Applicant's Name:	Jeremy + Amanda Marshburn	Owner's Name:	Jeremy + Amanda Marshburn
Applicant's Address:	349 Scottsdale Dr. Wilmington NC 28411	Owner's Address:	349 Scottsdale Dr. Wilmington NC 28411
City, State, & Zip	Wilmington NC 28411	City, State, & Zip	Wilmington NC 28411
Phone Number:	Jeremy 706 231 1235 Amanda 423 342 5992	Phone Number:	Jeremy 706 231 1235 Amanda 423 342 5992
Email Address:	jmarshburn78@yahoo mandy.marshburn@yahoo	Email Address:	jmarshburn78@yahoo mandy.marshburn@yahoo

Legal relationship of applicant to landowner: self

SECTION 2: PROJECT INFORMATION

Property Identification Number (PIN):	3270-94-6837-0000	Total property acreage:	.46
Zoning Classification:	RP	Variance Size:	15.7 feet
Variance Location & Address	349 Scottsdale Dr Wilmington NC 28411	Township:	Topsail
		Water Provider	PCU
Describe Variance:	rear yard set back	Waste Water Provider:	septic
	converting pre-existing detached garage into ADU	NAICS (if applicable):	NA

SECTION 3: SIGNATURES

Applicant's Signature		Date:	9/25/25
Applicant's Name Printed	Jeremy Marshburn Amanda Marshburn	Date:	9/25/25
Owner's Signature		Date:	9/25/25
Owner's Name Printed	Jeremy Marshburn Amanda Marshburn	Date:	9/25/25

NARRATIVE

Variance Request Submission

Jeremy Marshburn

Property Address: 349 Scottsdale Dr, Wilmington, NC 28411

Parcel ID: 3270-94-6837-0000

Zoning District: RP (Residential Performance)

Request: Rear Yard Setback Variance of 15.7 feet

Variance Request Narrative

Dear Members of the Pender County Board of Adjustment,

I am writing to respectfully request a variance from the rear yard setback requirement outlined in Section 4.14 of the Pender County Unified Development Ordinance (UDO), which mandates a 25-foot rear setback for accessory structures exceeding 600 square feet in the RP zoning district.

The purpose of this request is to allow the conversion of a pre-existing detached garage into an Accessory Dwelling Unit (ADU). The garage is currently located approximately 9.3 feet from the rear property line, necessitating a 15.7-foot variance.

This ADU will meet all other requirements as outlined in Section 5.2.3(E) of the UDO, including:

- The heated floor area of the ADU will be 529 square feet, which is approximately 30% of the principal dwelling's heated floor area of 1,759 square feet.
- Only one accessory dwelling unit will be located on the lot.
- The unit will remain clearly subordinate to the principal structure.
- The ADU will be located in the rear yard, consistent with placement requirements.

The garage is structurally sound and its conversion will not alter the footprint or height of the existing building. Granting this variance will allow for a modest and functional living space that supports housing flexibility without negatively impacting neighboring properties or the character of the community.

This request is supported by the attached approved floor plan and certified survey, which confirm the existing layout and setback measurements.

Findings Required by the Board of Adjustment

In support of this variance request, I respectfully submit the following findings:

1. The strict application of the rear setback requirement would result in unnecessary hardship, as the garage was constructed prior to current zoning standards and cannot be relocated or reconstructed without significant financial and structural burden.
2. The hardship is unique to this property due to the existing placement of the garage and the lot's configuration. These conditions are not common to other properties in the neighborhood. Additionally, the backyard contains a septic system, which occupies the remaining usable space and further limits the ability to relocate or reconstruct the garage structure. A permit was issued and approved for septic expansion in 2025.

3. The proposed conversion is consistent with the spirit and intent of the ordinance. It maintains the residential character of the area, does not expand the structure, and ensures public safety and neighborhood harmony.

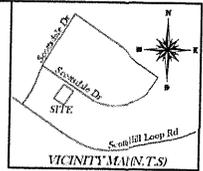
4. The requested 15.7-foot variance is the minimum necessary to allow the existing structure to be used as a modest accessory dwelling unit without altering its footprint.

Sincerely,
Jeremy Marshburn

SITE PLAN

NOTES:

1. This Property does not lie within a 1% Annual Flood Hazard Area per FEMA Firm Panel: 3720327000 L, Flood Zone X, Dated January 17, 2025.
2. Corners marked as noted on map.
3. All bearings relative to NC Grid NAD 83/2011.
4. All distances are horizontal field measurements.
5. Area computed by the coordinate method.
6. Horizontal Control per Carlson BRG, Average of 3,90 Epoch Sessions.
7. Known Easements or Rights of Way over property as shown.
8. This Survey performed without the benefit of a Title Opinion.
9. This Property is Zoned RP by Pender County.

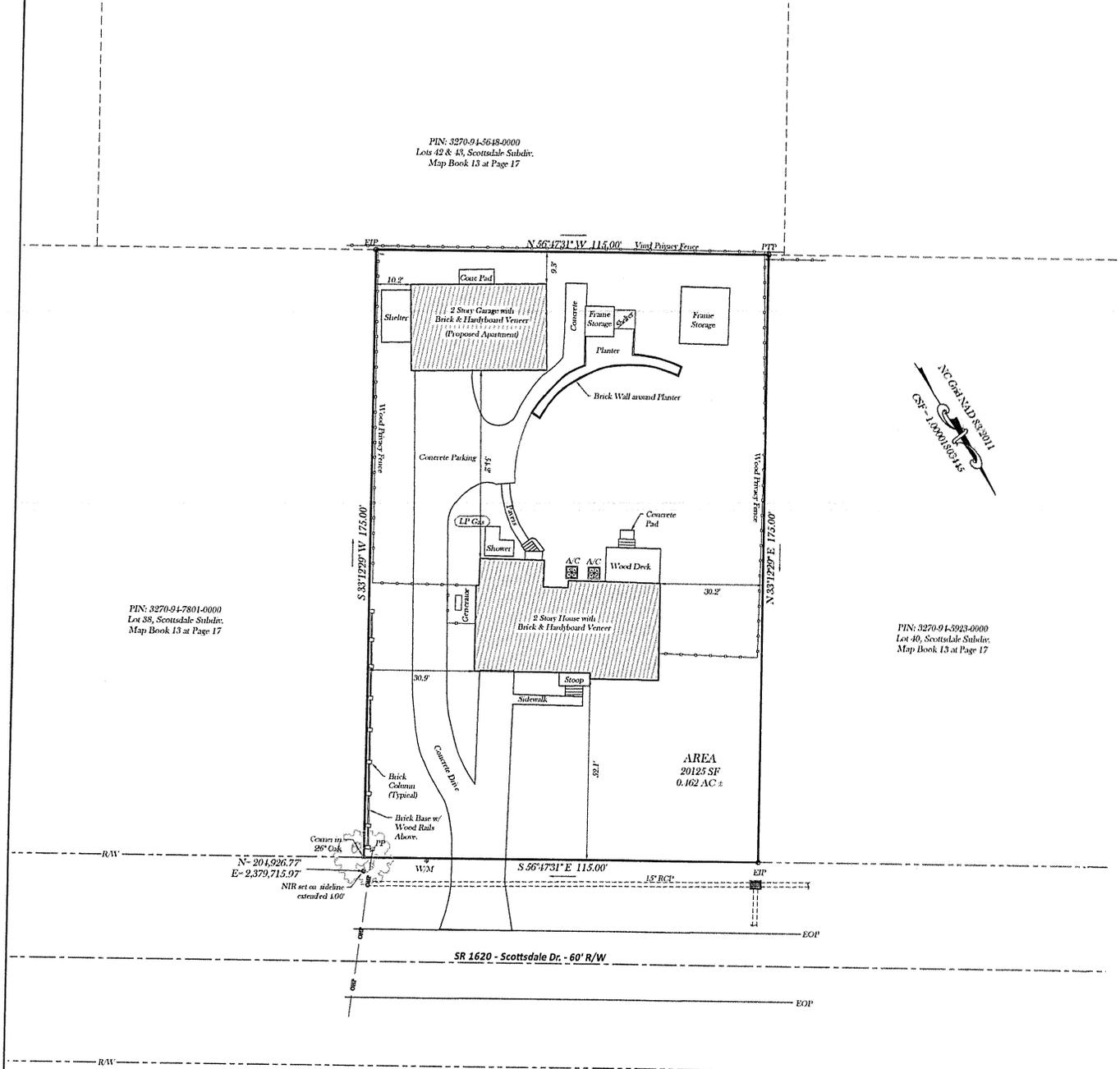


PIN: 3270-91-5648-0000
 Lots 42 & 43, Scottsdale Subdiv.
 Map Book 13 at Page 17

PIN: 3270-91-7801-0000
 Lot 38, Scottsdale Subdiv.
 Map Book 13 at Page 17

PIN: 3270-91-3923-0000
 Lot 40, Scottsdale Subdiv.
 Map Book 13 at Page 17

NC GRANULAR 301
 51450570007-457



AREA
 20125 SF
 0.462 AC ±

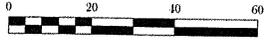
I, Vennie E. Cavenough, Jr., PLS, certify that this plat was drawn by me from an actual field survey made by me from information as noted hereon; that the boundaries not surveyed are clearly indicated as dashed lines; that the ratio of precision as calculated is 1:10,000±; that this survey was prepared within the guidelines of the Standards of Practice for Engineers and Surveyors and is correct to the best of my knowledge and belief. Witness my original Signature, License Number and Seal, this being the 18th day of September, 2025 AD.

Vennie E. Cavenough, Jr.
 Vennie E. Cavenough, Jr., PLS
 NC License No. L-4123

Land Surveyor
 Vennie E. Cavenough, Jr., PLS
 168 Home Place Dr.
 Wilmington, NC 28401
 910-512-5045
 Email: vennie@veng.com
 FILE No.: P3270-91-6837



Map of Survey
 For
Jeremy Marshburn
 and Wife
Amanda Marshburn
 319 Scottsdale Dr, Wilmington, NC 28111
 Topsail Township - Pender County - North Carolina
 Scale: 1" = 20' September 17, 2025



SURVEY REFERENCE:
 Dred Book 4713 at Page 1645
 Lot 39, Scottsdale, Section 2
 Map Book 13 at Page 17
 Tax Par: 3270-91-6837-0000
 Pender County Region

- LEGEND**
- EIP/NIP - Existing/New Iron Ipe
 - EIR/NIR - Existing/New Iron Irod
 - ECM - Existing Concrete Monument
 - Property Line
 - - - Non-Surveyed Line
 - - - - Road Right of Way
 - Road Centerline
 - - - - Easement as shown