

# Pender County Planning and Community Development

## Planning Division

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



Phone: 910-259-1202  
Fax: 910-259-1295  
[www.pendercountync.gov](http://www.pendercountync.gov)

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## Variance Application Information Jolene Johnson Accessory Structure Side Setback

**Case Number:** VAR 2025-26

**Application Type:** Variance

**Applicant:** Jolene Johnson

**Owner:** Jolene Johnson

**Location:** East side of subject property at 86 Oaks Plantation Dr. in Rocky Point

**Property ID #(s):** 3233-22-8778-0000

**Description:** Variance request to allow a 2.7 ft. encroachment into the 10 ft. side setback for Accessory Structures.

**Total Property Acreage:** .63 acres

**Current Zoning:** RP, Residential Performance

### Application Materials

Application  
Site Plan & Survey  
Narrative

# **APPLICATION**

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## Variance Submission

Applications will be considered for the Board of Adjustment hearing and reviewed by Staff only when deemed complete. The application will be regarded as incomplete until the following items are received by the Planning and Community Development Staff.

1.  **Signed Application**
2.  **Payment**  
\$250 (online payment preferred, invoice generated upon receipt of application)
3.  **Narrative**  
A narrative shall be submitted to include the specific Ordinance Section for the requested variance.
4.  **Digital Submission**  
For all documents submitted in paper copy, provide a digital version. These may be emailed or uploaded to a share folder. Physical media such as CD or USB drives will not be accepted.
5.  **List of Property Owners Within 500'**  
A numbered list of names and addresses, including the applicant, the owner, and owners of all properties located within 500-feet of the perimeter of the project bounds of the property under consideration as obtained from the county tax listings and tax abstract. Instructions to obtain list of addresses available on Pender County's website on the Planning and Community Development page.
6.  **500' Buffer Property Envelopes**  
The applicant shall provide a set of business envelopes addressed to the applicant, the owner, and each of the owners of all properties located within 500-feet of the perimeter of the project bounds and accompanied with first class postage adhered. Do not include return address or company branding on envelopes.

I certify that all information presented in this application is accurate to the best of my knowledge.

Signature of Applicant

Date

9-3-25

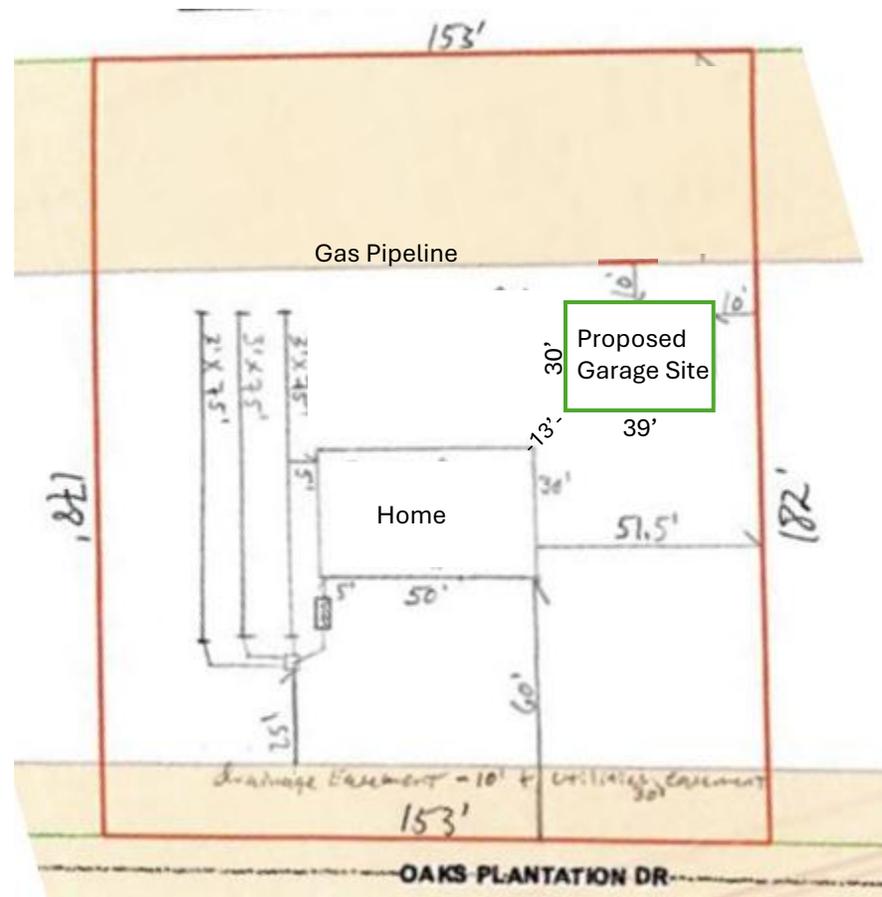
Printed Name

Jalene M. Johnson

## APPLICATION FOR VARIANCE

SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	<i>Jolene Johnson</i>	Owner's Name:	<i>Jolene Johnson</i>
Applicant's Address:	<i>86 Oaks Plantation Dr</i>	Owner's Address:	<i>Same</i>
City, State, & Zip	<i>Rocky Point, NC 28457</i>	City, State, & Zip	<i>Same</i>
Phone Number:	<i>218.390.2263</i>	Phone Number:	<i>Same</i>
Email Address:	<i>valentina977@yahoo.com</i>	Email Address:	<i>Same</i>
Legal relationship of applicant to landowner: <i>same</i>			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	<i>3233-22-8778-0000</i>	Total property acreage:	<i>.68</i>
Zoning Classification:		Variance Size:	<i>2.7 ft</i>
Variance Location & Address	<i>East side of structure</i>	Township:	<i>Rocky Point</i>
	<i>86 Oaks Plantation Dr Rocky Point</i>	Water Provider	<i>Well</i>
Describe Variance:	<i>2.7 ft into 10 ft setback</i>	Waste Water Provider:	<i>septic</i>
	<i>on east side of property</i>	NAICS (if applicable):	
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	<i>9.3.2025</i>
Applicant's Name Printed	<i>Jolene M Johnson</i>	Date:	<i>9.3.2025</i>
Owner's Signature		Date:	<i>9.3.2025</i>
Owner's Name Printed	<i>Jolene M. Johnson</i>	Date:	<i>9.3.2025</i>

# **SITE PLAN & SURVEY**



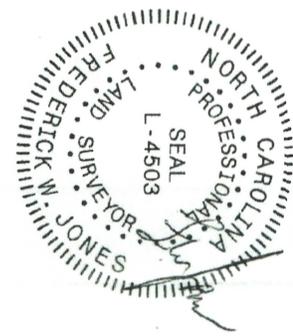
FIELD MEASUREMENTS.  
 COORDINATE METHOD.

WITHIN A FLOOD HAZARDOUS AREA.  
 TO BE IN ACCORD WITH THE PENDER  
 FRONT 30' // SIDE 10' // REAR 25')

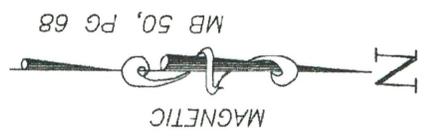
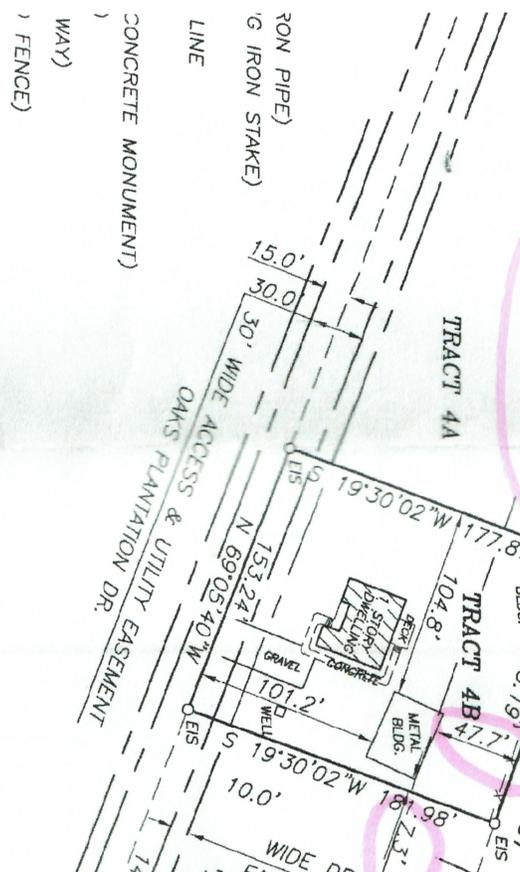
KIMWOOD MOBILE HOME PARK  
 CHRISTOPHER JAMES MILLER  
 DB 1690, PG 152

TRACT 4B  
 AREA:  
 0.633± ACRES

JOHN C MILLER  
 DB 1690, PG 154



*2. needed  
 Ed Miller  
 Ed Jones*



**SURVEY REFERENCE:**  
 TRACT 4B  
 MAP BOOK 50 AT PAGE 68  
 PENDER COUNTY REGISTRY

**JOLENE JOHNSON**  
 AS-BUILT SURVEY  
 FOR

86 OAKS PLANTATION DRIVE  
 ROCKY POINT, NC 28457

KY POINT TOWNSHIP - PENDER COUNTY - NORTH CAROLINA  
 SCALE: 1" = 100'  
 JANUARY 13, 2025

GRAPHIC SCALE - FEET  
 0 100 200 300

**F.W. JONES**  
**Surveying Company**  
 N.C. LICENSE No. F-1036  
 P.O. Box 1471  
 111 East Fremont Street  
 Burgaw, NC 28425  
 Ph: (910) 259-2954  
 Fx: (910) 259-9040  
 Em: jonesurveying@bellsouth.net  
 Title: MORRIS ANNE MILLER  
 Dwg. No.: PM 12 CRAVEN DAVID

*J. Johnson P.L.L.C. 02/19/22*  
*See notes in file*

**NARRATIVE**

The following is the narrative regarding a variance application for Pender County parcel number 3233-22-8278-0000 located at 86 Oaks Plantation Drive, in Rocky Point.

The strict application of the setback ordinance would result in a hardship. It would require the tear down of the newly built garage structure, as it is not feasible to move the structure to accommodate the necessary footings to support the structure.

I am requesting a variance approval for 2.7 feet inside of the 10-foot setback on the east side of the property. I am including the county approved plan from the permitting process. In this plan, it shows the layout of the existing structures and features of the property, which include the home, a septic system occupying the west side of the property, a well on the south-eastern corner of the property, and the gas line easement across the back (north side) of the property. As a result of the current features of the property, there is only one suitable space for the garage structure.

The plan for an 1170 sq foot structure was approved by Pender County to be setback from the natural gas pipeline, the property line, and the existing housing structure by 10 feet. There are existing property markers on the property line, which were used to set the footings for the structure. These property lines were marked from a previous survey completed by F.W. Jones according to the adjacent property owner, David Craven. According to those property markers, the structure is within the 10-foot set back from the property line.

Initially, TWA Concrete Service was contracted for the foundation portion of the structure. They placed the markers for the concrete according to the specifications approved by Pender County, taking into account the setbacks approved and utilizing current property markers. TWA never returned to finish the job and would not return my calls, so I reached out to several other companies to bid to complete the work that had been started. I selected J Holmes Construction who worked from the county's approved plan to verify setbacks and set the markers for the foundation of the structure. After completion of the foundation and final county building inspection of the structure, the land survey was completed, again by F.W. Jones and, it was found that those property markers were now inaccurate. The structure, while the required 10-feet from the gas line per the approved plan, is 2.6 feet into the gas line easement, which encompasses a 50-foot easement, essentially consuming approximately half of the back yard. It also showed that the structure was 2.7 feet into the 10-foot setback at the side of the yard. After lengthy discussions and work with Piedmont Natural Gas, they approved the permit for encroachment for the 2.6 foot portion in the easement. I will also note that I have discussed this variance of the 10-foot setback adjoining Mr. Craven's property and he has indicated he has no concerns about the structure remaining 2.7 feet into the setback from his property line.