



NEW HANOVER COUNTY PLANNING & INSPECTIONS

230 Government Center Drive Suite 110
Wilmington, NC 28403
910-798-7165 phone
910-798-7053 fax
www.nhcgov.com

Application for **CONDITIONAL ZONING DISTRICT**

Petitioner Information	Property Owner(s) If different than Petitioner	Subject Property
Name Cindee Wolf	Owner Name Nix Investments 2, L.L.C.	Address 2415 Castle Hayne Road
Company Design Solutions	Owner Name 2	Parcel ID(s) 312911.56.5566
Address PO Box 7221	Address 1121 Military Cutoff Rd., Ste C364	Area 0.58 ac.+/-
City, State, Zip Wilmington, NC 28406	City, State, Zip Wilmington, NC 28405	Existing Zoning and Use R-15 / Vacant
Phone 910-620-2374	Phone 910-616-0022 / Stephen Nix	Proposed Use B-2 (CD) Self-Storage
Email cwolf@lobodemar.biz	Email snix@tigeruc.com	Land Classification Transition
Application Tracking Information (Staff Only)		
Case Number	Date/Time received:	Received by:

APPLICATION OVERVIEW

In order to assist petitioners through the rezoning process, petitioners are highly encouraged to attend a pre-application conference prior to application submittal. Petitioners are requested to review the sections of the Zoning Ordinance specific to zoning amendments and conditional zoning districts prior to submission, and advised to contact Planning Staff with any questions. The following sections of the Zoning Ordinance pertain specifically to zoning amendments and conditional zoning districts:

- Section 55.3: Conditional Zoning Districts
- Section 110: Amending the Ordinance
- Section 111: Petitions
- Section 112: Approval Process

Applications for zoning amendments must first be considered by the New Hanover County Planning Board at a public hearing. The Planning Board will make a recommendation to the County Commissioners which will take final action on the permit application in a quasi-judicial public hearing. Attendance at all public hearings is required. The public hearings will allow staff, the applicant, proponents and opponents to testify in regards to the request. Unless otherwise published or announced, Planning Board meetings are held on the first Thursday of each month at 6:00PM in the Commissioner's Assembly Room at the Historic County Courthouse located at Third and Princess Streets, Wilmington, North Carolina. All meeting dates and application deadlines are published on the New Hanover County Planning website.

APPLICATION REQUIREMENTS

In order to assist petitioners through the rezoning process, petitioners are highly encouraged to attend a pre-application conference prior to application submittal. Applications must be reviewed by Planning Staff for completeness prior to being officially accepted. Applications must be submitted to Planning Staff at least twenty (20) working days before the Planning Board meeting at which the application is to be considered. In order to allow time to process, fees and review for completeness, applications will not be accepted after 5:00 PM on the deadline day. Once accepted, the Planning Board will consider the application at the assigned meeting unless the applicant requests a continuance.

For all proposals, in addition to this application, the following supplemental information and materials are required:

Required Information	Applicant Initial	Staff Initial
Copy of the New Hanover County Tax Map, which delineates the property requested for rezoning.	CW	
Legal description (by metes and bounds) of property requested for rezoning.	CW	
Copy of the subdivision map or recorded plat which delineates the property.	CW	
Site Plan (8-24x36 copies for Planning Board; 8-24x36 copies for Commissioners) <ul style="list-style-type: none"> • Tract boundaries and total area, location of adjoining parcels and roads • Proposed use of land, structures and other improvements. For residential uses, this shall include number, height and type of units and area to be occupied by each structure and/or subdivided boundaries. For non-residential uses, this shall include approximate square footage and height of each structure, an outline of the area it will occupy and the specific purpose for which it will be used. • Development schedule including proposed phasing. • Traffic and Parking Plan to include a statement of impact concerning local traffic near the tract, proposed right-of-way dedication, plans for access to and from the tract, location, width and right-of-way for internal streets and location, arrangement and access provision for parking areas. • All existing and proposed easements, reservations, required setbacks, rights-of-way, buffering and signage • The one hundred (100) year floodplain line, if applicable • Location and sizing of trees required to be protected under Section 62 of the Zoning Ordinance • Any additional conditions and requirements, which represent greater restrictions on development and use of the tract than the corresponding General Use District regulations or other limitations on land which may be regulated by State law or Local Ordinance. • Any other information that will facilitate review of the proposed change (Ref. Article VII, as applicable) 	CW	
A report of the required public information meeting outlined in Section 111-2.1.	CW	
Authority for Appointment of Agent Form (if applicable)	CW	
Fee - For petitions involving 5 acres or less, \$600. For petitions involving greater than 5 acres, \$700	CW	

CRITERIA REQUIRED FOR APPROVAL OF A CHANGE OF ZONING

Conditional Use District Zoning is established to address situations where a particular land use would be consistent with the New Hanover County Land Use Plan and the Zoning Ordinance objective but for which none of the general zoning classifications which would allow that use are acceptable. The applicant should explain, with reference to attached plans (where applicable), how the proposed use satisfies these requirements. The applicant has the burden of proof and must provide sufficient evidence in order for the required findings to be met.

You must explain in the space below how your request satisfies each of the following requirements (attach additional sheets if necessary):

1. How would the requested change be consistent with the County's Policies for Growth and Development?

Policies for growth encourage continued efforts to attract & retain businesses. The proposal is to expand an existing self-storage facility along a busy commercial thoroughfare. Extending the business zone, but with conditional regulations is consistent with the concept of in-filling parcels where urban services are available.

2. How would the requested zone change be consistent with the property's classification on the Land Classification Map?

The site is in a "Transition" land classification. The Transition classification is intended for more intensive development where urban services are already in place.

3. What significant neighborhood changes have occurred to make the original zoning inappropriate, or how is the land involved unsuitable for the uses permitted under the existing zoning?


Castle Hayne Road is a busy corridor with a mixture of commercial uses and older homes. New home development immediately bordering it has become generally undesirable. Adding the vacant parcel to the existing highway business district should have little impact on the surrounding area. Use of the tract will require full permitting & meeting Ordinance requirements.

4. List proposed conditions and restrictions that would mitigate the impacts of the proposed use(s).

The trip generation for a self-storage facility is much lower than many of the more intense business uses that could be appropriate for this location & an existing driveway access will be used instead of creating a new driveway. Bufferyards will mitigate any impacts to the residential uses to the North & West. Streetyard plantings will meet the landscape requirements. The rezoning would maximize the effectiveness of commercial uses by assuring that land is available in proximity to the markets they serve.

If an applicant requests delay of consideration from the Planning Board or Board of County Commissioners before notice has been sent to the newspaper, the item will be calendared for the next meeting and no fee will be required. If delay is requested after notice has been sent to the newspaper, the Board will act on the request at the scheduled meeting and are under no obligation to grant the continuance. If the continuance is granted, a fee in accordance with the adopted fee schedule as published on the New Hanover County Planning website will be required.

By my signature below, I understand and accept all of the conditions, limitations and obligations of the Conditional Use District zoning for which I am applying. I understand that the existing official zoning map is presumed to be correct. I understand that I have the burden of proving why this requested change is in the public interest. I certify that this application is complete and that all information presented in this application is accurate to the best of my knowledge, information, and belief.

 03/03/16

Cynthia Wolf / Design Solutions

Signature of Petitioner and/or Property Owner

Print Name



**NEW HANOVER COUNTY
PLANNING & INSPECTIONS**

***AUTHORITY FOR
APPOINTMENT OF AGENT***

230 Government Center Drive
Suite 110
Wilmington, NC 28403
910-798-7165 phone
910-798-7053 fax
www.nhcgov.com

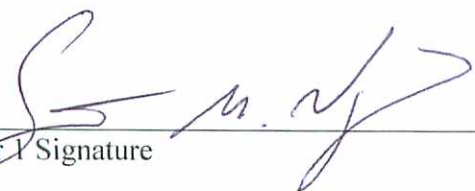
Please note that for quasi-judicial proceedings, either the land owner or an attorney must be present for the case at the public hearing.

The undersigned owner does hereby appoint an authorized the agent described herein as their exclusive agent for the purpose of petitioning New Hanover County for a variance, special use permit, rezoning request, and/or an appeal of Staff decisions applicable to the property described in the attached petition. The Agent is hereby authorized to, on behalf of the property owner:

1. Submit a proper petition and the required supplemental information and materials
2. Appeal at public meetings to give representation and commitments on behalf of the property owner
3. Act on the property owner's behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of any petition applicable to the New Hanover County Zoning Ordinance.

Agent Information	Property Owner(s)	Subject Property
Name Cindee Wolf	Owner Name Nix Investments 2, LLC	Address 2415 Castle Hayne Road
Company Design Solutions	Owner Name 2	City, State, Zip Wilmington, NC
Address P.O. Box 7221	Address 1121 Military Cutoff Rd., Ste. C364	Parcel ID 312911.56.5566
City, State, Zip Wilmington, NC 28406	City, State, Zip Wilmington, NC 28405	
Phone 910-620-2374	Phone 910-616-0022 / Steve Nix	
Email cwolf@lobodemar.biz	Email snix@tigeruc.com	
Application Tracking Information (Staff Only)		
Case Number Reference:	Date/Time received:	Received by:

This document was willfully executed on the 2ND day of March, 2016.


Owner / Signature



115

113

111

109

107

2509

2505

2504

112

110

108

106

104

Chadwick
Ave.

2501

Castle
Hayne
Rd

2419

312911.56.5566

2415

2411

2409

2407

Castle
Creek
Ln

2405

2403

2400

2393

Legal Description for
Rezoning of
2415 Castle Hayne Road

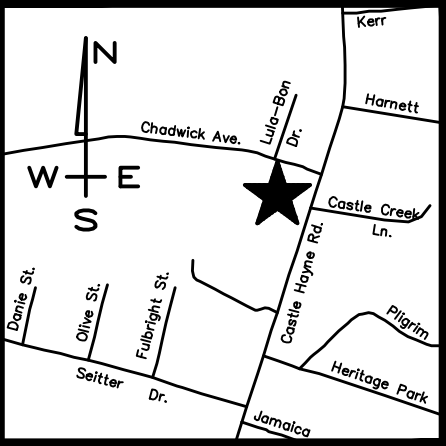
Beginning at a point in the western boundary of Castle Hayne Road (S.R. 2812), a 100' public right-of-way; said point being located 73.08 feet southwest along the right-of-way from its intersection with the southern boundary of Chadwick Avenue (S.R. 1317), a 60' public right-of-way; and running thence from the point of beginning, with the Castle Hayne Road right-of-way,

South $21^{\circ}32'25''$ West, 90.30 feet to a point; thence leaving the road right-of-way,

North $73^{\circ}34'37''$ West, 298.88 feet to a point; thence,

North $23^{\circ}32'44''$ East, 86.95 feet to a point; thence

South $74^{\circ}18'30''$ East, 287.18 feet to the point and place of beginning, containing 0.58 acres, more or less.



VICINITY MAP NO SCALE

MAGNETIC
MAP BOOK 60 PAGE 215

NOTE:
10' DIMENSION IS
DISPLAYED ON
M.B. 5 PG. 79

NOW OR FORMERLY
NIX INVESTMENTS 2, LLC
BOOK 5887 PAGE 2704
TRACT A
MAP BOOK 60 PAGE 215

NOTE: THIS LOT IS NOT LOCATED
IN AN AREA OF 100 YEAR FLOOD.

NOW OR FORMERLY
LUTHER C. McBRIDE and wife,
SYBEL B. McBRIDE
BOOK 577 PAGE 462
PART OF LOT 2
CHADWICK ACRES, PART I
MAP BOOK 5 PAGE 100

E.I.P. (LEANING)
ORIGIN UNKNOWN
TO SURVEYOR

NOW OR FORMERLY
LAURIE ANNE MEADOWS a single person
BOOK 5553 PAGE 2161
R.A. CHADWICK and MRS. LULA C. BOYLAN
MAP BOOK 5 PAGE 79

0.58± ACRES

CHADWICK AVENUE (60' PUBLIC R/W)

CASTLE HAYNE ROAD (100' PUBLIC R/W)

GRAPHIC SCALE: 1" = 50'



Survey Reference
BOOK 5505 PAGE 52
MAP BOOK 5 PAGE 79
MAP BOOK 60 PAGE 215

Plat of Survey For:
NIX INVESTMENTS
0.58± ACRES
A PORTION OF TRACT #3
DIVISION OF LANDS FOR
R.A. CHADWICK and MRS. LULA C. BOYLAN
CAPE FEAR TOWNSHIP NEW HANOVER COUNTY
CASTLE HAYNE, NORTH CAROLINA

Legend:
E.I.P. EXISTING IRON PIPE ⊕ CENTER LINE
I.P.S. IRON PIPE SET ⊕ PROPERTY LINE
N.P.S. NO POINT SET

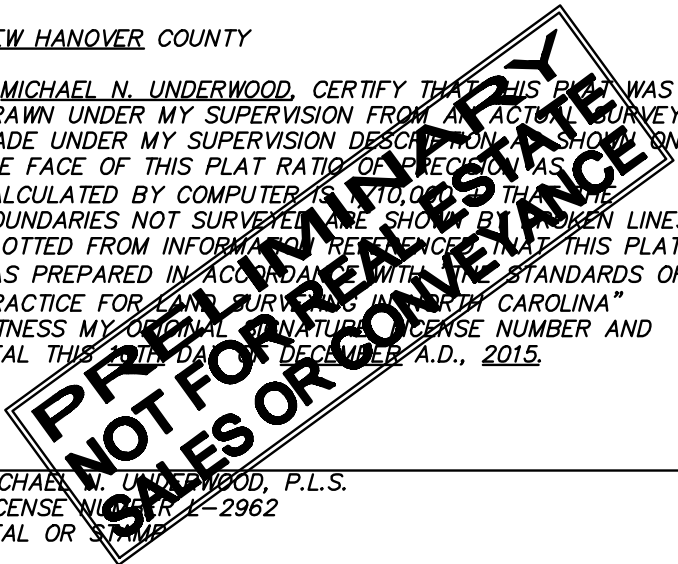
Address: 2415 CASTLE HAYNE RD.
MICHAEL UNDERWOOD and ASSOCIATES, PA
102 CINEMA DRIVE, SUITE A
WILMINGTON, NC 28403
PHONE: 910-815-0650 FIRM LICENSE No.:
FAX: 910-815-0393 C-0615
E-MAIL: mua@bizec.rr.com

NORTH CAROLINA
NEW HANOVER COUNTY

I, MICHAEL N. UNDERWOOD, CERTIFY THAT THIS PLAT WAS
DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY
MADE UNDER MY SUPERVISION DESCRIPTION AS SHOWN ON
THE FACE OF THIS PLAT RATIO OF PRECISION AS
CALCULATED BY COMPUTER IS 1/10,000 AND THAT THE
BOUNDARIES NOT SURVEYED ARE SHOWN BY DOTTED 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 20TH DAY OF DECEMBER A.D., 2015.

MICHAEL N. UNDERWOOD, P.L.S.
LICENSE NUMBER 2-2962
SEAL OR STAMP

© 2015 MICHAEL UNDERWOOD and ASSOCIATES, PA



**REPORT OF COMMUNITY MEETING REQUIRED BY
NEW HANOVER COUNTY ZONING ORDINANCE
FOR CONDITIONAL DISTRICT REZONINGS**

Location: 2415 Castle Hayne Road

Proposed Zoning: Conditional Zoning District B-2 (CD)

The undersigned hereby certifies that written notice of a community meeting on the above zoning application was given to the adjacent property owners set forth on the attached list by first class mail on February 20, 2016, and emailed to all parties registered on the County's "Sunshine List" on February 20, 2016. A copy of the written notice is also attached.

The meeting was held at the following time and place: Tuesday, March 1, 2016;
6:15 p.m.; New Hanover County Conference Center; 1241 Military Cutoff Rd.

The persons in attendance at the meeting were: Reference Attached Sign-in List

The following issues were discussed at the meeting:

- ** A project introduction was given with an overview of Conditional Zoning Districts and of the site layout. It was explained that this would be climate-control storage with only interior doors, and that there would be no vehicular access around the rear of the building.
- ** Several neighbors discussed the drainage patterns & issues in the vicinity. An explanation of how this project's runoff would drain to the existing ditch was given.
- ** Including a security fence, along with the required vegetative buffering, along the common boundary with the Meadows residence was agreed to.

As a result of the meeting, the following changes were made to the rezoning petition: Site
plan was revised to show security fencing along the northern boundary.

Date: March 3, 2016
Applicant: Design Solutions
By: Cindee Wolf

Community Information Meeting

Nix Storage Expansion

Tuesday, March 1, 2016

Name	Address	Email (Optional)
BRAD SCHULER	230 GOVERNMENT CENTER	BSCHULER@NHC.GOV.COM
Wayne McBride	1701 Oakley Rd / 104 Chadwick ^{F01}	-
TRACY LEE	2501 CASTLE HAYNE RD.	
Robert & Brenda Chadwick	Wilmington, NC 28401 2505 Castle Hayne Rd	
ERIC J. MATZKE	107 CHADWICK AVE WIL. NC 28401	
Laure Meadows	2419, Castle Hayne Rd. Wilmington, NC 28401	LMEADOWS@gmail.com
Don & Carol Turner	WILMINGTON 106 CHADWICK AVE NC 28401	

Owner	Owner Address	Owner City
BYRD DAVID WINSTON JR	2403 CASTLE HAYNE RD	WILMINGTON, NC 28401
CHADWICK ROBERT A JR SYLVIA B	2505 CASTLE HAYNE RD	WILMINGTON, NC 28401
CHAMBERS VICTORIA DE LA RUPELLA	206 ST LUKE CT	WILMINGTON, NC 28409
CHR PROPERTIES LLC	7918 CUMBERLAND PL	WILMINGTON, NC 28411
ENNIS EDWIN I	3508 HARNETT AVE	WILMINGTON, NC 28401
ENNIS EDWIN I JR NANCY R	2545 CASTLE HAYNE RD	WILMINGTON, NC 28401
FILIPPINI FAMILY LTD PTNRP	PO BOX 902	WRIGHTSVILLE BCH, NC 28480
GALLAN VACATION PROPERTIES LLC	PO BOX 1726	WILMINGTON, NC 28402
HARKER BOBBY D SYLVIA	115 CHADWICK AVE	WILMINGTON, NC 28401
HERRING BENNIE FRANK MARTHA K	114 CHADWICK AVE	WILMINGTON, NC 28401
JORDAN ROBERT H JR ETAL	PO BOX 610	LENOIR, NC 28645
KINGREY SANDRA EDITH	135 PILGRIM CIR	WILMINGTON, NC 28401
LEE TRACY P	2501 CASTLE HAYNE RD	WILMINGTON, NC 28401
LIENHOP CHRISTOPHER	112 CHADWICK AVE	WILMINGTON, NC 28403
MATZKE ERIC J BETTY J FAMILY TRUST	107 CHADWICK AVE	WILMINGTON, NC 28401
MCBRIDE SYBEL B HRS	104 CHADWICK AVE	WILMINGTON, NC 28401
MEADOWS LAURIE ANNE	2419 CASTLE HAYNE RD	WILMINGTON, NC 28401
MERRITT PATRICIA P	108 CHADWICK AVE	WILMINGTON, NC 28401
MILLER BILLY EARL DOROTHY B	137 HERITAGE PARK DR	WILMINGTON, NC 28401
MILLER GARY B ETAL	2400 CASTLE HAYNE RD	WILMINGTON, NC 28401
NEWTON BRENT JOEL ETAL	110 CHADWICK AVE	WILMINGTON, NC 28401
NIX INVESTMENTS 2 LLC	1121 MILITARY CUTOFF RD SUITE C-364	WILMINGTON, NC 28405
NORMAN BRANDON FLOYD	2508 CASTLE HAYNE RD	WILMINGTON, NC 28401
PHILLIPS F DONALD JR NANCY K	143 BLUFF OAK DR	CURRIE, NC 28435
POWELL FAMILY TRUST	30 BRIDGE ST	BILLREICA, MA 1821
SULLIVAN CURTIS E HRS	13028 POWELL RD	WAKE FOREST, NC 27587
TURNER DONALD E CAROL	106 CHADWICK AVE	WILMINGTON, NC 28401



Transmittal

February 20, 2016

To: Adjacent Property Owners

From: Cindee Wolf

Re: Wrightsboro Self-Storage

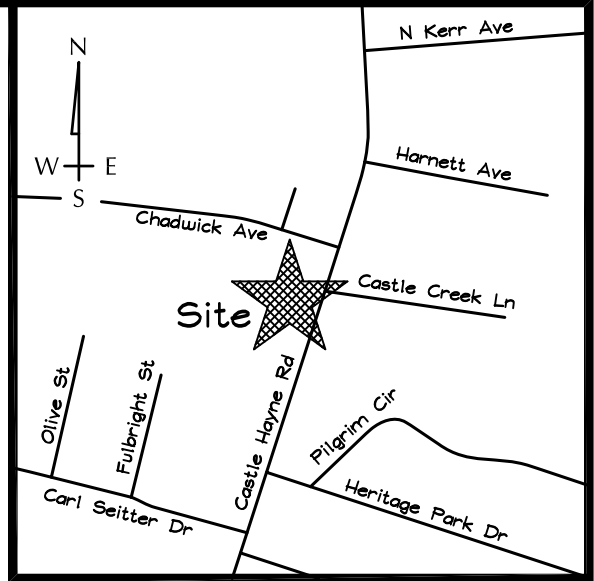
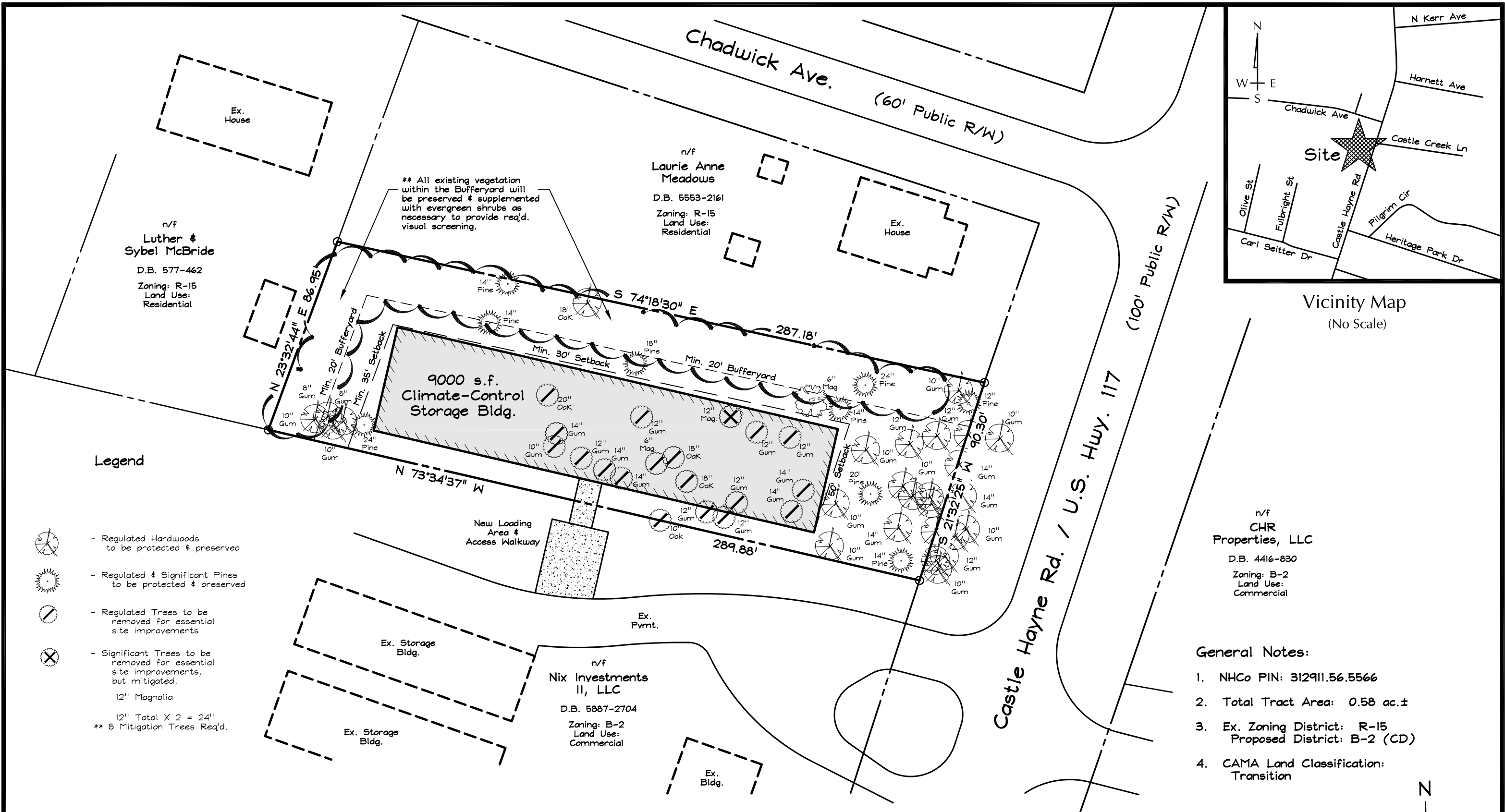
The owner of the Wrightsboro Self-Storage facility is interested in expansion, and constructing a new one-story, climate control building on the adjacent property at 2415 Castle Hayne Road. This proposal would require a Conditional Zoning District approval from New Hanover County.

A Conditional Zoning District allows particular uses to be established only in accordance with specific standards and conditions pertaining to each individual development project. Essentially, this means that only that use, structures and layout of an approved proposal can be developed. A plan of the project layout is enclosed.

The County requires that the developer hold a meeting for all property owners within 500 feet of the tract boundary, and any and all other interested parties. This provides neighbors with an opportunity for explanation of the proposal and for questions to be answered concerning project improvements, benefits and impacts.





A meeting will be held on Tuesday, March 1st, 6:15 – 7:00 p.m., in the Dogwood Room of the New Hanover County Conference Center (behind the public library), 1241 Military Cutoff Road. If you cannot attend, you are also welcome to contact me at telephone # 620-2374, or email cwolf@lobodemar.biz with comments and/or questions.

We appreciate your interest in the project and look forward to being a good neighbor and an asset to the community.



Vicinity Map
(No Scale)

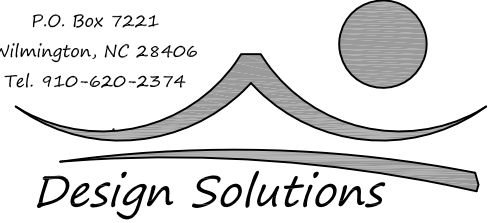
Legend

-  - Regulated Hardwoods to be protected & preserved
 -  - Regulated & Significant Pines to be protected & preserved
 -  - Regulated Trees to be removed for essential site improvements
 -  - Significant Trees to be removed for essential site improvements, but mitigated.
- 12" Magnolia
12" Total X 2 = 24"
** 8 Mitigation Trees Req'd.

n/f
CHR Properties, LLC
D.B. 4416-830
Zoning: B-2
Land Use: Commercial

- General Notes:**
1. NHCo PIN: 312911.56.5566
 2. Total Tract Area: 0.58 ac.±
 3. Ex. Zoning District: R-15
Proposed District: B-2 (CD)
 4. CAMA Land Classification: Transition

P.O. Box 7221
Wilmington, NC 28406
Tel. 910-620-2374



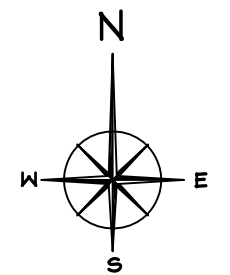
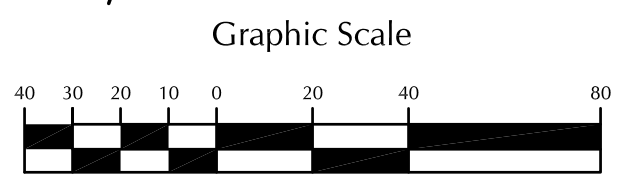
Design Solutions

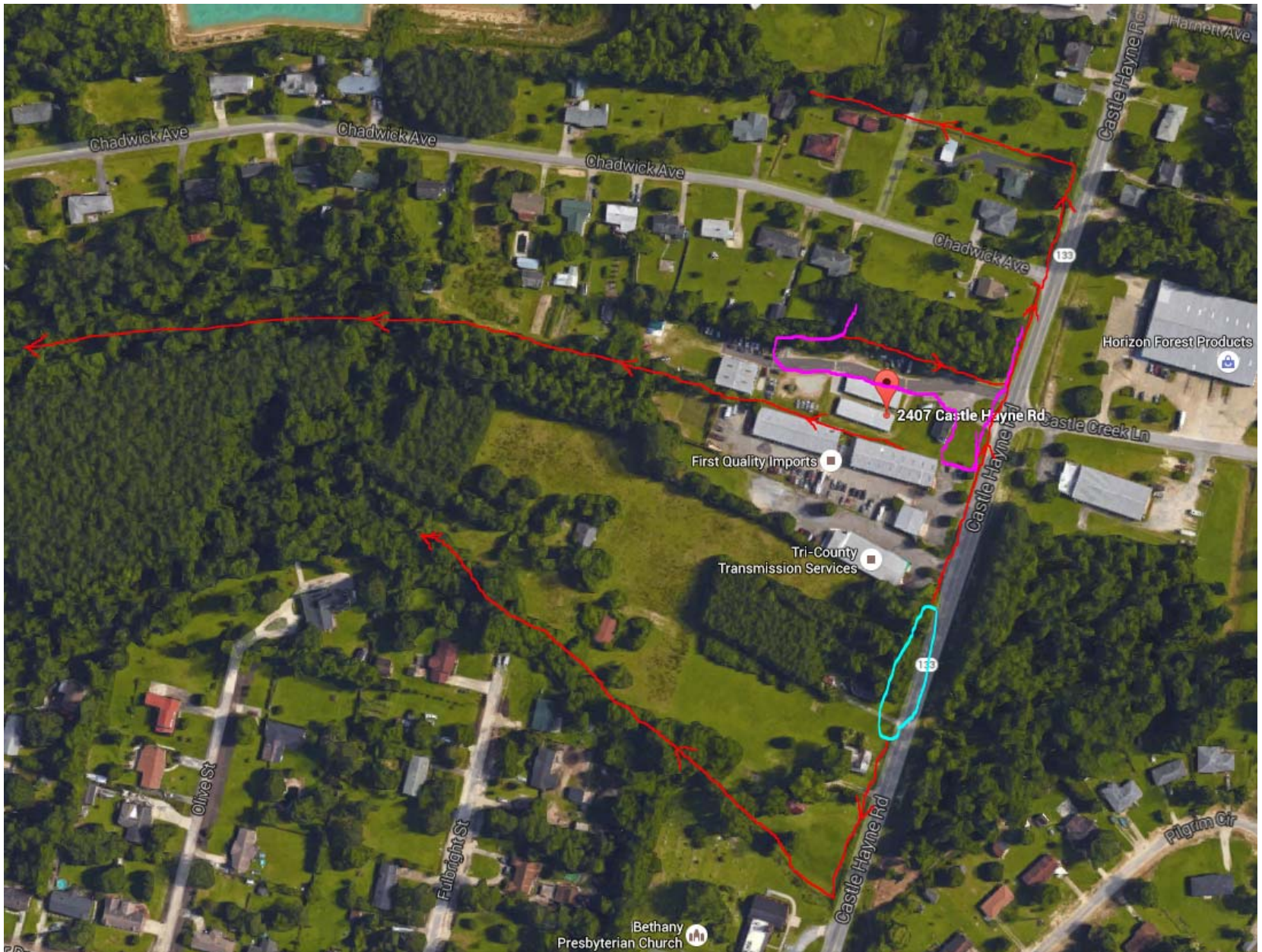
**Conditional
Zoning District
Site Plan**

Property Address: 2415 Castle Hayne Road

Nix Storage Expansion

Cape Fear Township / New Hanover County / North Carolina





Chadwick Ave

Chadwick Ave

Chadwick Ave

Chadwick Ave

Castle Hayne Rd

Harnett Ave

133

Horizon Forest Products

2407 Castle Hayne Rd

First Quality Imports

Tri-County Transmission Services

133

Olive St

Fubright St

Castle Hayne Rd

Pilgrim Cr

Bethany Presbyterian Church