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 prior to submission, and advised to contact Planning Staff with any questions. The following sections of the Zoning Ordinance pertain specifically to zoning amendments:

- 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:

<table>
<thead>
<tr>
<th>Required Information</th>
<th>Applicant Initial</th>
<th>Staff Initial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Copy of the New Hanover County Tax Map, which delineates the property requested for rezoning.</td>
<td>gwk</td>
<td>BS</td>
</tr>
<tr>
<td>Legal description (by metes and bounds) of property requested for rezoning.</td>
<td>gwk</td>
<td>BS</td>
</tr>
<tr>
<td>Copy of the subdivision map or recorded plat which delineates the property.</td>
<td>gwk</td>
<td>NA</td>
</tr>
<tr>
<td>Any special requirements of the Ordinance (for example, Section 54.2 for Planned Development District, Section 54.1 for Exceptional Design Zoning District, or Section 54.3 for Riverfront Mixed Use District)</td>
<td>none</td>
<td>NA</td>
</tr>
<tr>
<td>A report of the required public information meeting outlined in Section 111-2.1 (if applicable)</td>
<td>none</td>
<td>NA</td>
</tr>
<tr>
<td>Authority for Appointment of Agent Form (if applicable)</td>
<td>gwk</td>
<td>BS</td>
</tr>
<tr>
<td>Fee - For petitions involving 5 acres or less, $500. For petitions involving greater than 5 acres, $600</td>
<td>gwk</td>
<td>BS</td>
</tr>
</tbody>
</table>

CRITERIA REQUIRED FOR APPROVAL OF A CHANGE OF ZONING

Requests for general rezonings do not consider a particular land use but rather all of the uses permitted in the zoning district which is being requested for the subject property. Rezoning requests must be consistent with the New Hanover County Land Use Plan and the Zoning Ordinance, and the applicant has the burden of proving that the request is not consistent with the county’s adopted land use plan, zoning ordinance, reasonable, and in the public’s interest. The applicant should explain, with reference to attached plans (where applicable), how the proposed zoning district 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?

These parcels lie in a currently zoned residential area where multiple residential zones are present. These specific properties are currently Zoned R20, but share a common border with other residential lands currently Zoned R10. lands currently zoned R15 are nearby.
2. How would the requested zone change be consistent with the property's classification on the Land Classification Map?

These properties lie within and near the center of a "General Residential Area" as shown on the County Future Land Use Map.

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?

Utilities such as water and sewer are now available nearby. Same zoning (as proposed) exists at a common property line. Property divisions of the past have resulted in smaller width or depth parcels that have access but would benefit from the zoning category of neighboring tracts/lots.

4. How will this change of zoning serve the public interest?

This zoning change can enable the strengthening of infrastructure, enhance the current land use, and enable development towards the future land use plans.

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 zoning district 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.

[Signature]

Gary Keyes

Signature of Petitioner and/or Property Owner

Print Name
NEW HANOVER COUNTY
PLANNING & LAND USE

AUTHORITY FOR
APPOINTMENT OF AGENT

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.

<table>
<thead>
<tr>
<th>Agent Information</th>
<th>Property Owner(s)</th>
<th>Subject Property</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name: Gary Keyes</td>
<td>Owner Name: Germain Nadaud</td>
<td>Address: 319, 333 Cottonwood, 3101 Ervins Pl and 1540 Rock Hill Rd</td>
</tr>
<tr>
<td>Company: Gary W. Keyes Land Surveying, P.C.</td>
<td>Owner Name 2:</td>
<td>City, State, Zip:</td>
</tr>
<tr>
<td>Address: 110 Hinton Ave</td>
<td>Street Address:</td>
<td>City, State, Zip:</td>
</tr>
<tr>
<td>City, State, Zip: Wilmington, NC 28403</td>
<td>2217 Masons Point Pl</td>
<td>Wilmington, NC 28405</td>
</tr>
<tr>
<td>Phone: 910-228-4773</td>
<td>Phone: 910-471-0106</td>
<td>Parcel ID: R02500-003-007-000</td>
</tr>
<tr>
<td>Email: <a href="mailto:keyessurveying@gmail.com">keyessurveying@gmail.com</a></td>
<td>Email: <a href="mailto:keyessurveying@gmail.com">keyessurveying@gmail.com</a></td>
<td></td>
</tr>
<tr>
<td>Application Tracking Information:</td>
<td><strong>(Staff Only)</strong></td>
<td></td>
</tr>
</tbody>
</table>

This document was willfully executed on the 9 day of May, 2018.

Owner 1 Signature

Owner 2 Signature
Description of Lands within Zoning Petition for Germain Nadaud dated 05/09/18

Lying and being in Cape Fear Township, New Hanover County, NC and being lands which include the parcels currently designated as 319 Cottonwood Lane, 323 Cottonwood Lane, 1540 Rockhill Road, and 3101 Ervin’s Place. This area of land is more particularly described as follows, and said following description being drawn from record only and without Title Search or Boundary Survey of the premises but being limited in use for the purposes of modifying or recognizing municipal zoning lines and areas over and upon the subject property (ies):

Beginning at a point, the Northwest corner of that 0.90 acre lot as described in Deed Book 1680, Page 323; said lot currently being designated as 323 Cottonwood Lane,

Thence along the Western line of another 0.90 acre lot as described in Deed Book 1928, Page 689; said lot currently being designated as 319 Cottonwood Lane, N 10°48'26" E a distance of 197.38' to a point, the Northwest corner of the 319 Cottonwood lot;

Thence along the Northern line of the 319 Cottonwood lot S 79°09'45" E a distance of 200.86' to a point in the Western line of that 3.41 acre tract currently designated as 1540 Rockhill Road;

Thence along the Western line of the 1540 Rockhill tract N 11°50'14" E a distance of 1261.21' to a point in the Southern Right-of-Way line of Rockhill Road;

Thence with the Southern Rockhill Road Right-of-Way line S 78°03'46" E a distance of 77.34' to a point at the intersection of said Southern Right-of-Way line with the Western Right-of-Way line of Ervin’s Place as shown in Map Book 39, Page 20;

Thence along the Western Right-of-Way line of Ervin’s Place S 11°50'14" W a distance of 1948.20' to a point in the line of Apple Valley Section One as shown in Map Book 33, page 25;

Thence along the Apple Valley line S 65°27'46" W a distance of 96.06' to a point, the Southeastern corner of that 0.45 acre lot as shown in Deed Book 5612, page 1674, said lot currently designated as 335 Cottonwood Lane;

Thence along the Western line of that lot currently designated as 3101 Ervin’s Place N 11°50'25" E a distance of 345.87' to a point; the Southeastern corner of that 0.90 acre lot as described in Deed Book 1680, Page 323; said lot currently being designated as 323 Cottonwood Lane,

Thence along the Southern line of the 323 Cottonwood lot N 79°09'45" W a distance of 194.13' to a point;

Thence N 10°55'26" E a distance of 200.77' to a point; which is the point and place of beginning having a calculated area of 5.314 acres, and being subject to the Right-of-Way areas of Rockhill Road and Ervin’s Place.