NEW HANOVER COUNTY
DEPARTMENT OF PLANNING & LAND USE
230 Government Center Drive, Suite 110
Wilmington, North Carolina
Telephone (910) 798-7165
FAX (910) 798-7053
planningdevelopment.nhcgov.com

VARIANCE
Application

REVIEW PROCESS

Step 1: Pre-Application Conference
In order to assist applicants through the variance process, applicants are highly encouraged to attend a pre-
application conference prior to application submittal. Applicants are requested to review Section 122-1(2) of
the Zoning Ordinance and sections relating to the application, and advised to contact Planning Staff with any
questions. The purpose of the pre-application conference is to provide the applicant an opportunity to become
familiar with the submittal requirements and procedures of the application, and also to receive preliminary
comments from staff regarding the proposal’s compliance with any applicable development regulations.

Step 2: Application Submittal
Applications must be received by the Planning and Inspections Department by 5:00 PM on the application
deadline date. A complete application consists of the items detailed in the submittal checklist provided in this
application.

Step 3: Staff Review
Upon receiving a completed application, staff may distribute it to certain departments and agencies for review.
County Planning staff shall review the application, and prepare a staff report for the Zoning Board of Adjustment.

Step 4: Zoning Board of Adjustment Review and Action
The New Hanover County Zoning Board of Adjustment shall consider the application at a public hearing. Public
hearings for variance applications are conducted in a quasi-judicial manner and include additional standards
for the testimony and evidence presented during the hearing. The property owner, or their attorney, must be
present for the meeting.

A variance shall be approved if the applicant provides substantial evidence that the proposed use will meet
the following findings:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary
to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.

2. The hardship results from conditions that are peculiar to the property, such as location, size or
topography. Hardship resulting from personal circumstances, as well as hardships resulting from conditions that
are common to the neighborhood or general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of
purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall
not be regarded as a self-created hardship.
**New Hanover County**

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230 Government Center Drive, Suite 110
Wilmington, North Carolina
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**Variance Application**

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<table>
<thead>
<tr>
<th><strong>Applicant/Agent Information</strong></th>
<th><strong>Property Owner(s)</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Name</strong> DAVID L. MENIUS, P.E.</td>
<td><strong>Owner Name</strong> MARITIME WEST DEVELOPMENT, LLC</td>
</tr>
<tr>
<td><strong>Company</strong> STROUD ENGINEERING, P.A.</td>
<td><strong>Owner Name 2</strong> BY: SCOTT GEROW, MEMBER</td>
</tr>
<tr>
<td><strong>Address</strong> 102-D CINEMA DRIVE</td>
<td><strong>Address</strong> PO BOX 789</td>
</tr>
<tr>
<td><strong>City, State, Zip</strong> WILMINGTON, NC 28403</td>
<td><strong>City, State, Zip</strong> CASTLE HAYNE, NC 28429</td>
</tr>
<tr>
<td><strong>Phone</strong> 910-815-0775</td>
<td><strong>Phone</strong> 910-821-1735</td>
</tr>
<tr>
<td><strong>Email</strong> <a href="mailto:LMENIUS@STROUENGINEER.COM">LMENIUS@STROUENGINEER.COM</a></td>
<td><strong>Email</strong> <a href="mailto:SGEROW@AOL.COM">SGEROW@AOL.COM</a></td>
</tr>
</tbody>
</table>

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**Subject Property Information**

| **Address/Location** 4320 US HWY 421 NORTH WILMINGTON, NC 28401 |
| **Parcel Identification Number(s)** RO2400-001-048-000 |
| **Total Parcel(s) Acreage** 11.45 |
| **Existing Zoning and Use(s)** I-2, LAND USE CODE 281 (CHEMICAL AND ALLIED) |

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**Application Tracking Information**

| **Case Number** ZBA-940 |
| **Date/Time received:** | **Received by:** |

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*Energov - VAR-19-0006*

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**Page 3 of 6**

Variance Application – Updated 3/2017
2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardship resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or general public, may not be the basis for granting a variance.

SEE ATTACHED

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

SEE ATTACHED

4. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

SEE ATTACHED
Maritime North
4320 US Hwy 421 North

Project Narrative

The 11.45 acre site is located on US Hwy 421, approximately 1 mile north of the intersection with SR 2145 (Sutton Lake Road) in an unincorporated portion of New Hanover County, NC. The site and adjoining properties are zoned I-2. Proposed improvements are consistent with this zoning and include 34 proposed warehouse units totaling 132,100 sf.

An existing building located on the northern corner of the site is to be retained along with the parking and driveway connection. The southern 2/3 of the site is presently vacant and is vegetated with a stand of 10" - 20" pine trees. No significant trees are located onsite. The central and eastern side of the site drains towards vacant land to the east. The western side of the site drains towards the 421 R/W. No stormwater conveyances are located on or adjacent to the site.

Access to the site is by an existing full-movement driveway off of US 421. Internal drive aisle widths are sufficient to allow fire apparatus access and a 96’ diameter turnaround area is provided in the rear of the buildings.

Water and sewer service will be provided by extensions of private mains off of the CFPUA mains along US 421. The daily water usage is calculated to be 3400 GPD based on NCDEQ rules which prescribe 25 GPD per employee.

Stormwater runoff will be collected by inlets and conveyed via to an infiltration basin designed to infiltrate the 1.5” storm in 72 hours. Additional volume in the basin is used to attenuate the 25 year storm in accordance with the NHC stormwater ordinance. A portion of BUA which is <= the existing BUA onsite will bypass the basin. The drainage basins are aligned to mirror predevelopment sizes and directions and all runoff will be infiltrated.

Erosion control is accomplished through the temporary use of gravel construction entrances, silt fence, and hardware cloth and gravel inlet protection. The stormwater basin will be used as a skimmer basin during site construction and will be converted to a stormwater basin once the site is stabilized. Riprap aprons will be installed and left in place at all pipe outlets.
Variance Criteria #3

The hardship did not result from actions taken by the applicant or property owner.

The easements were granted by previous owners and the current owner has no ability to amend these existing easement agreements or relocate the utilities.

Variance Criteria #4

The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

The proposed landscaping plan, which is provided along with this variance application, will provide an attractive property frontage, with plantings and groundcover along its entire length. Landscaping internal to the project is consistent with the ordinance and will enhance the appearance of an existing parking land and structure located on the property. Substantial justice can be achieved by the implementation of this plan.

Public health and safety will be best served by fully utilizing this industrial site for a use for which it is zoned and upon which significant infrastructure—most at the public’s expense—has been installed. Newly constructed public water and sewer mains, a large existing driveway and deceleration lane, and electric distribution lines were all designed to support the continued growth of this corridor. The requested variance to the County’s landscaping ordinance will allow for this continued growth in a manner that does not impede the utilities which enable it.
New Hanover County
EnerGov
230 Government Center Drive
Suite 110
Wilmington, NC 28403
910-798-7308

039240-0001 Star R. 08/07/2019 08:41AM

ENERGOV INVOICE
MENIUS, DAVID (STROUD ENGINEERING PA)
VAR-19-0006
2019 Item: INV-00013085
Balance due: 0.00
Balance unpaid: 0.00
{PL} - $400 Fixed -
PL100 400.00

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400.00

Subtotal 400.00
Total 400.00

CHECK 400.00
  Check Number 1095

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Change due 0.00

Paid by: MENIUS, DAVID

Comments: NHC ZONING CODE VARIANCE FOR
4320 US HWY 421, VAR-19-0006

Thank you for your payment

CUSTOMER COPY
DUPLICATE RECEIPT
STROUD ENGINEERING, P.A.
102-D Cinema Drive
Wilmington, NC 28403

(910) 815-0775

TO NHC

WE ARE SENDING YOU □ Attached □ Under separate cover via __________________________ the following items:

□ Shop drawings □ Prints □ Plans □ Samples □ Specifications
□ Copy of letter □ Change order □

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AUG - 6 2019
NEW HANOVER COUNTY PLANNING & ZONING

THESE ARE TRANSMITTED as checked below:

□ For approval □ Approved as submitted □ Resubmit ______ copies for approval
□ For your use □ Approved as noted □ Submit ______ copies for distribution
□ As requested □ Returned for corrections □ Return ______ corrected prints
□ For review and comment □ FOR BIDS DUE __________________________ □ PRINTS RETURNED AFTER LOAN TO US

REMARKS


COPY TO __________________________

SIGNED: __________________________

If enclosures are not as noted, kindly notify us at once.
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**RECEIVED**

**AUG - 6 2019**

NEW HANOVER COUNTY
PLANNING & ZONING

Select Bank - 2966

Var-19-0086
Inv 00013085