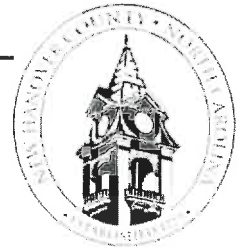


# NEW HANOVER COUNTY

DEPARTMENT OF PLANNING & LAND USE  
 230 Government Center Drive, Suite 110  
 Wilmington, North Carolina 28403  
 Telephone (910) 798-7165  
 FAX (910) 798-7053  
 planningdevelopment.nhcgov.com



## ZONING MAP AMENDMENT APPLICATION

This application form must be completed as part of a zoning map amendment application submitted through the county's online COAST portal. The main procedural steps in the submittal and review of applications are outlined in the flowchart below. More specific submittal and review requirements, as well as the standards to be applied in reviewing the application, are set out in Section 10.3.2 of the Unified Development Ordinance.



### 1. Applicant and Property Owner Information

<b>Applicant/Agent Name</b> Frank Braxton	<b>Owner Name</b> (if different from Applicant/Agent) Scott Rye
<b>Company</b> COASTAL LAND DESIGN	<b>Company/Owner Name 2</b> Preservation Point Partners, LLC
<b>Address</b> P.O. Box 1172	<b>Address</b> 9827 Cogdill Road Ste 1
<b>City, State, Zip</b> Wilmington, NC 28402	<b>City, State, Zip</b> Knoxville, TN 37932
<b>Phone</b> f910-254-9333	<b>Phone</b> 865-777-1170
<b>Email</b> fbraxton@cldeng.com	<b>Email</b> scott@llcinvest.com

### 2. Subject Property Information

<b>Address/Location</b> 1500-1600 Block of Castle Hayne Rd		<b>Parcel Identification Number(s)</b> R04100-001-002-000 & R04100-001-150-000	
<b>Total Parcel(s) Acreage</b> 71.36	<b>Existing Zoning and Use(s)</b> I-2 (unused)	<b>Proposed Zoning District(s)</b> R-15	<b>Future Land Use Classification</b> CONSV.

#### Applicant Tracking Information (This section completed by staff)

<b>Case Number:</b> E20-22	<b>Date/Time Received:</b> 11/02/2020 1PM	<b>Received by:</b> GHS
-------------------------------	--	----------------------------

### 3. Zoning Map Amendment Considerations

Requests for general rezonings do not consider a particular land use but rather all of the uses permitted in the requested zoning district for the subject property. Rezoning requests must be consistent with the New Hanover County 2016 Comprehensive Plan and the Unified Development Ordinance. Zoning Map amendments reclassify the land that is subject of the application to the requested zoning district classification(s) and subjects it to the development regulations applicable to the district(s).

**The applicant must explain, with reference to attached plans (where applicable), how the proposed Zoning Map amendment meets the following criteria. (attach additional pages if necessary)**

**1. How would the requested change be consistent with the County's policies for growth and development, as described in the 2016 Comprehensive Plan, applicable small area plans, etc.?**

SEE ATTACHMENT

**2. How would the requested zoning change be consistent with the property's classification on the 2016 Comprehensive Plan's Future Land Use Map?**

SEE ATTACHMENT

**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?**

SEE ATTACHMENT

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

SEE ATTACHMENT

Staff will use the following checklist to determine the completeness of your application. Please verify all of the listed items are included and confirm by initialing under "Applicant Initial". Applications determined to be incomplete must be corrected in order to be processed for further review.

**Application Checklist**

	<b>Applicant Initial</b>	<b>Staff Initial</b>
<input type="checkbox"/> This application form, completed and signed	<u>FB</u>	<u>GHS</u>
<input type="checkbox"/> Application fee: <ul style="list-style-type: none"><li>• \$500 for 5 acres or less</li><li>• \$600 for more than 5 acres</li></ul>	<u>FB</u>	<u>GHS</u>
<input type="checkbox"/> Legal description (by metes and bounds) or recorded survey Map Book and Page Reference of the property requested for rezoning	<u>FB</u>	<u>Will provide GHS</u>
<input type="checkbox"/> One (1) hard copy of ALL documents	<u>FB</u>	<u>GHS</u>
<input type="checkbox"/> Acknowledgment and Signatures Form (if applicable)	<u>FB</u>	<u>GHS</u>
<input type="checkbox"/> One (1) digital PDF copy of ALL documents AND plans	<u>FB</u>	<u>GHS</u>

#### 4. Acknowledgement and Signatures

By my signature below, I understand and accept all of the limitations and obligations of the Zoning Map amendment for which I am applying. I understand that the existing Official Zoning Map is presumed to be correct. 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.

If applicable, I also appoint the applicant/agent as listed on this application to represent me and make decisions on my behalf regarding this application during the review process. The applicant/agent is hereby authorized on my behalf to:

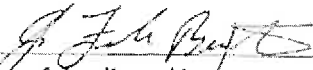
1. Submit an application including all required supplemental information and materials;
2. Appear at public hearings to give representation and comments; and
3. Act on my behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of this application.



Signature of Property Owner(s)



Print Name(s)



Signature of Applicant/Agent

FRANK BRAXTON

Print Name

Note: This form must be signed by the owner(s) of record. If there are multiple property owners, a signature is required for each owner of record.

*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.*

## **REZONING REQUEST**

### **FROM I-2 TO R-15**

**PARCEL ID #R04100-001-002-000 & R04100-001-150-000**

#### **1. HOW WOULD THE REQUESTED CHANGE BE CONSISTENT WITH THE COUNTY'S POLICIES FOR GROWTH AND DEVELOPMENT?**

The rezoning request, from I-2 to R-15, is for 71.36 acres of industrial-use property associated with the Performance Residential Subdivision, Preservation Point. The subject property, in conjunction with the roughly 110 acres of wetlands around the proposed Sans Souci Island, has recently been placed in a permanent conservation easement in order to preserve the natural condition of the sensitive ecosystem of riparian wetlands. Doing so would be consistent with the county's policies for growth and development by protecting an area identified for conservation. The county has focused on conservation throughout the Smith Creek watershed and this would represent a substantial gain of conservation land. Additionally, the change in Zoning from I-2 to R-15 will not impact the adjacent properties.

#### **2. HOW WOULD THE REQUESTED ZONE CHANGE BE CONSISTENT WITH THE PROPERTY'S CLASSIFICATION ON THE LAND CLASSIFICATION MAP?**

The tract has been identified as a "CONSERVATION" area on the Future Land Use Map for New Hanover County. This is a remnant I-2 parcel acquired during the purchase of the land which has been previously re-zoned as R-15 for Preservation Point. Re-zoning to R-15 and placing the land in permanent conservation will fall directly in line with the Counties' classification for this area.

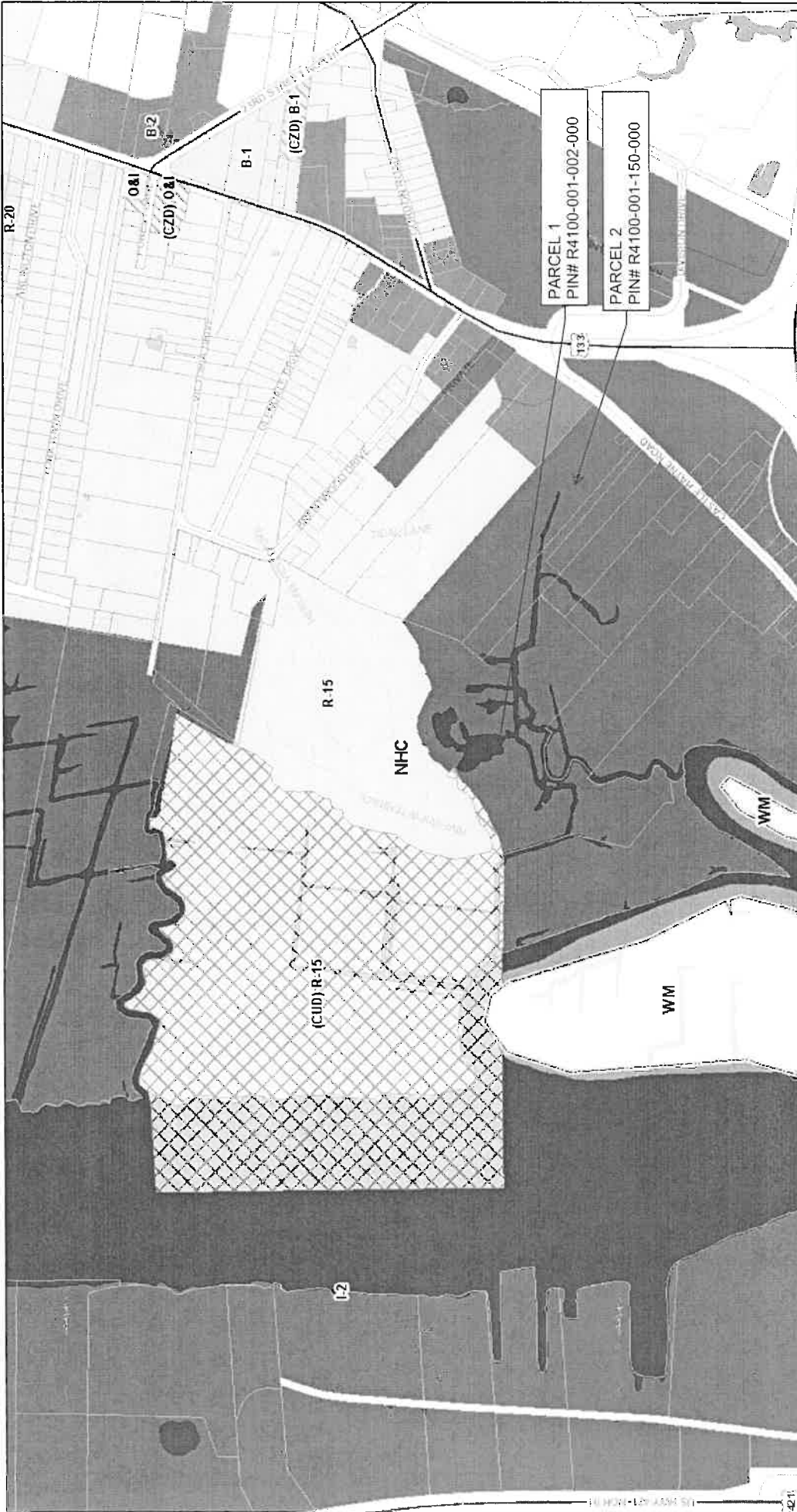
#### **3. WHAT SIGNIFICANT NEIGHBORHOOD CHANGES HAVE OCCURRED TO MAKE THE ORIGINAL ZONING INAPPROPRIATE, OR HOW IS THE LAND INVOLVED UNSUITABLE FOR THE USES PERMITTED UNDER THE EXISTING ZONING?**

The subject tract of land is a remnant I-2 parcel included with the purchase of land for Preservation Point, a Performance Residential subdivision. Currently zoned R-15 parcels associated with the subdivision about the Industrial Zoned land. It is the desire of the petitioner to extend the adjacent parcel lot lines to include the subject property. This will eliminate split zoned parcels and allow individual lot owners control of their visual corridors. Re-zoning to R-15 will create a more consistent land use pattern for the subdivision, while protecting valuable ecological assets.

#### **4. HOW WILL THIS CHANGE OF ZONING SERVE THE PUBLIC INTEREST?**

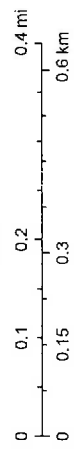
The change in zoning and subsequent permanent conservation of the subject property will ensure the preservation of a delicate and valuable ecosystem. The wetlands provide a myriad of ecosystem services to our area including, but not limited to, flood attenuation, filtering of stormwaters, and habitat for many plants and animals. Eliminating all possible industrial use here will ensure the protection of the natural beauty of the riparian landscape that is emblematic of New Hanover County.

# Basic Map



11/2/2020, 10:25:08 AM

1:8,000



- City Limits
- Zoning
  - A-I
  - AR
  - B-1
  - B-2
  - CITY
  - CUD A-I
  - CUD B-1
  - CUD B-2
  - CUD I-1
  - CUD O&I
  - CUD R-10
  - CUD R-15
  - CUD R-20
  - CUD A-I
  - CUD O&I

- Parcels
- RA
- R-10
- I-1
- CZD R-15
- CZD B-1
- CUD R-10
- CUD B-1
- CUD B-2
- CUD I-1
- CUD O&I
- CUD R-10
- R-15
- R-15
- R-20
- O&I
- PD
- EDZD
- FF
- CZD R-10
- CZD R-7
- CZD B-2
- CZD O&I
- CZD A-I
- CZD A-I
- Schools
- RFMU
- SC
- WB
- R-20S

New Hanover County, NC, New Hanover County, NC  
 NHC GIS Services  
 New Hanover County, NC