



# 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](http://planningdevelopment.nhcgov.com)

## CONDITIONAL ZONING APPLICATION

This application form must be completed as part of a conditional zoning 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 10.3.3 of the Unified Development Ordinance.



### 1. Applicant and Property Owner Information

<b>Applicant/Agent Name</b> Cindee Wolf	<b>Owner Name</b> (if different from Applicant/Agent) Carolyn Faye Barefoot
<b>Company</b> Design Solutions	<b>Company/Owner Name 2</b>
<b>Address</b> P.O. Box 7221	<b>Address</b> 2104 Castle Hayne Road
<b>City, State, Zip</b> Wilmington, NC 28406	<b>City, State, Zip</b> Wilmington, NC 28401
<b>Phone</b> 910-620-2374	<b>Phone</b> 910-274-6336 (Contact: Steve Dutton)
<b>Email</b> <a href="mailto:cwolf@lobodemar.biz">cwolf@lobodemar.biz</a>	<b>Email</b> <a href="mailto:swansongproperties@gmail.com">swansongproperties@gmail.com</a>

## 2. Subject Property Information

<b>Address/Location</b> 137 Spring Road		<b>Parcel Identification Number(s)</b> 312915.53.5635 [R04107-002-006-000]	
<b>Total Parcel(s) Acreage</b> 2.23 acres +/-	<b>Existing Zoning and Use(s)</b> AR / Vacant	<b>Future Land Use Classification</b> General Residential	

## 3. Proposed Zoning, Use(s), & Narrative

<b>Proposed Conditional Zoning District:</b> CZD / R-15	<b>Total Acreage of Proposed District:</b> 2.23 acres +/-
<p><b>Please list the uses that will be allowed within the proposed Conditional Zoning District, the purpose of the district, and a project narrative (attach additional pages if necessary).</b> Note: Only uses permitted in the corresponding General Use District are eligible for consideration within a Conditional Zoning District.</p> <p>Subdivide the existing parcel into five (5) single-family home lots with minimum width of 80' and minimum area of 15,000 s.f.</p>	

## 4. Proposed Condition(s)

<p>Note: Within a Conditional Zoning District, additional conditions and requirements which represent greater restrictions on the development and use of the property than the corresponding general use district regulations may be added. These conditions may assist in mitigating the impacts the proposed development may have on the surrounding community. Please list any conditions proposed to be placed on the Conditional Zoning District below. Staff, the Planning Board, and Board of Commissioners may propose additional conditions during the review process.</p> <p>No additional conditions proposed.</p>
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## 5. Traffic Impact

Please provide the estimated number of trips generated for the proposed use(s) based off the most recent version of the Institute of Traffic Engineers (ITE) Trip Generation Manual. A Traffic Impact Analysis (TIA) must be completed for all proposed developments that generate more than 100 peak hour trips, and the TIA must be included with this application.

**ITE Land Use:**

**Trip Generation Use and Variable (gross floor area, dwelling units, etc.)** ITE 210 - Single-Family Homes

**AM Peak Hour Trips:** 4

**PM Peak Hour Trips:** 5

## 6. Conditional Zoning District Considerations

The Conditional Zoning District procedure is established to address situations where a particular land use would be consistent with the New Hanover County 2016 Comprehensive Plan and the objectives outlined in the Unified Development Ordinance and where only a specific use or uses is proposed. The procedure is intended primarily for use with transitions between zoning districts of dissimilar character where a particular use or uses, with restrictive conditions to safeguard adjacent land uses, can create a more orderly transition benefiting all affected parties and the community at-large.

**The applicant must explain, with reference to attached plans (where applicable), how the proposed Conditional Zoning district meets the following criteria.**

- 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.**

The policies for growth and development encourage safe and affordable housing to be available to every citizen. Sustainability of the County depends on sensible in-fill and maximizing use of lands already accessible to urban services. The proposed development will provide additional housing units with direct service from public utilities and in the proximity of existing urban services.

**2. How would the requested Conditional Zoning district be consistent with the property's classification on the 2016 Comprehensive Plan's Future Land Use Map.**

The parcel is identified in the "General Residential" place-type on the Comprehensive Land Use Plan. The proposed lots will be consistent with other properties in the vicinity

**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 Airport Residential zoning district is established for the purpose of limiting the development of land within the vicinity of the Airport to low-density residential development, but the one-acre area requirement is counter-productive to addressing the housing deficit that has been determined in our community. The proposed rezoning would not impair the utility of the airport or the public's investment in it.

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". If an item is not applicable, mark as "N/A". Applications determined to be incomplete must be corrected in order to be processed for further review; Staff will confirm if an application is complete within five business days of submittal.

**Application Checklist**

**Applicant Initial**

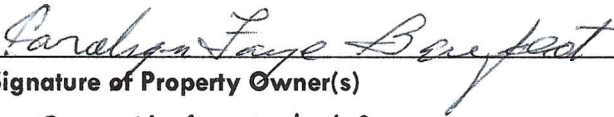
<input type="checkbox"/> This application form, completed and signed	<u>CW</u>
Application fee:	
<input type="checkbox"/> <ul style="list-style-type: none"> <li>• \$600 for 5 acres or less</li> <li>• \$700 for more than 5 acres</li> <li>• \$300 in addition to base fee for applications requiring TRC review</li> </ul>	<u>CW</u>
<input type="checkbox"/> Community meeting written summary	<u>CW</u>
<input type="checkbox"/> Traffic impact analysis (if applicable)	<u>N/A</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>CW</u>
Conceptual Plan including the following minimum elements:	
<input type="checkbox"/> Tract boundaries and total area, location of adjoining parcels and roads <ul style="list-style-type: none"> <li>• Proposed use of land, building areas and other improvements <ul style="list-style-type: none"> <li>○ For residential uses, include the maximum number, height, and type of units; area to be occupied by the structures; and/or proposed subdivision boundaries.</li> <li>○ For non-residential uses, include the maximum square footage and height of each structure, an outline of the area structures will occupy, and the specific purposes for which the structures will be used.</li> </ul> </li> <li>• Proposed transportation and parking improvements; including proposed rights-of-way and roadways; proposed access to and from the subject site; arrangement and access provisions for parking areas.</li> <li>• All existing and proposed easements, required setbacks, rights-of-way, and buffers.</li> <li>• The location of Special Flood Hazard Areas.</li> <li>• A narrative of the existing vegetation on the subject site including the approximate location, species, and size (DBH) of regulated trees. For site less than 5 acres, the exact location, species, and sized (DBH) of specimen trees must be included.</li> <li>• Approximate location and type of stormwater management facilities intended to serve the site.</li> <li>• Approximate location of regulated wetlands.</li> <li>• Any additional conditions and requirements that represent greater restrictions on development and use of the tract than the corresponding general use district regulations or additional limitations on land that may be regulated by state law or local ordinance</li> </ul>	<u>CW</u>
<input type="checkbox"/> One (1) hard copy of ALL documents and site plan. Additional hard copies may be required by staff depending on the size of the document/site plan.	<u>CW</u>
<input type="checkbox"/> One (1) digital PDF copy of ALL documents AND plans	<u>CW</u>

## 7. Acknowledgement and Signatures

By my signature below, I understand and accept all of the conditions, limitations, and obligations of the Conditional Zoning District zoning 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)

Carolyn Faye Barefoot

Print Name(s)

  
Signature of Applicant/Agent

Cynthia Wolf / Design Solutions

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.*

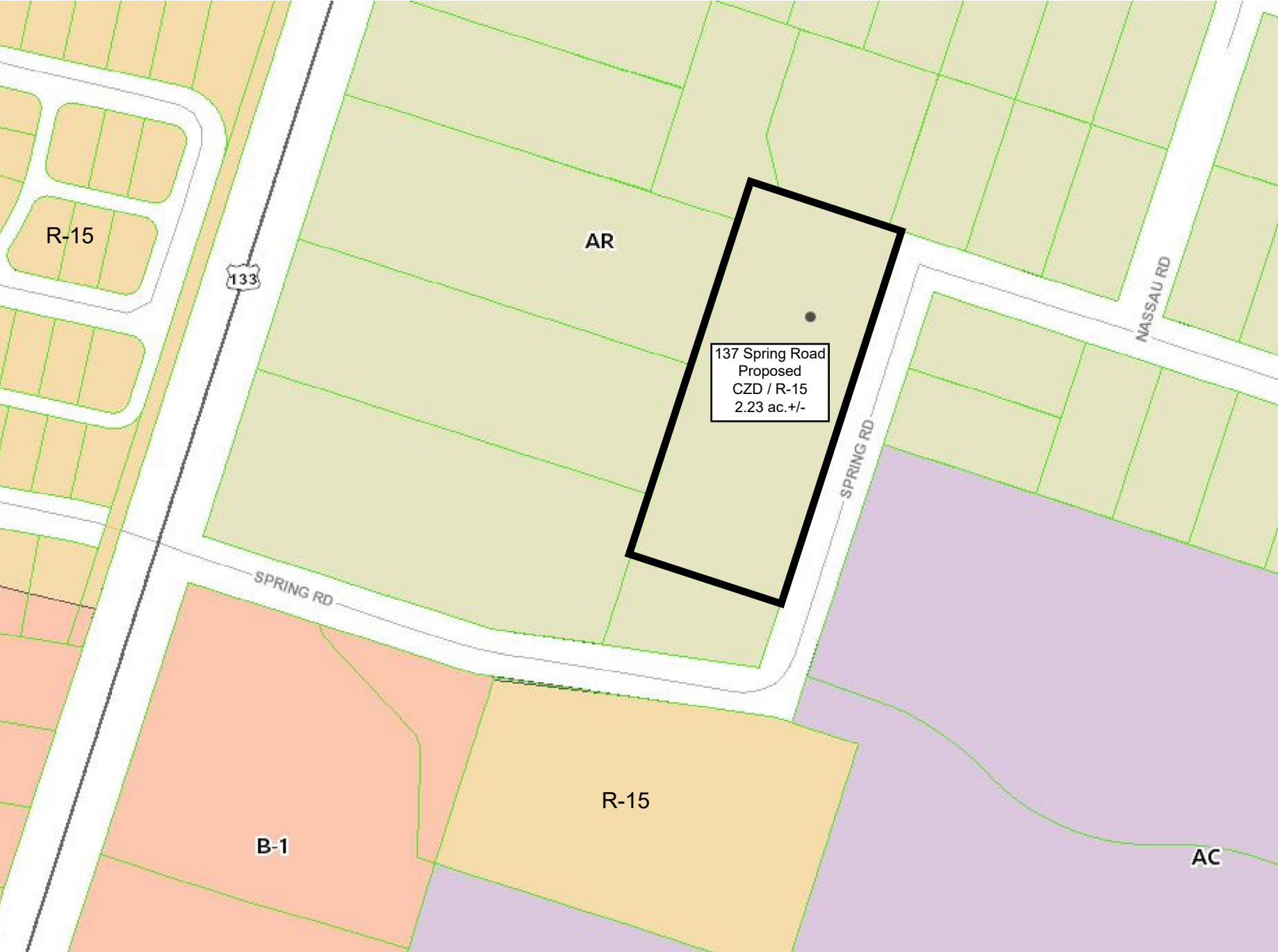
137 Spring Road  
Proposed  
CZD / R-15  
2.23 ac. +/-

Spring Road

Fairfield Drive

To  
Blue  
Clay  
Road

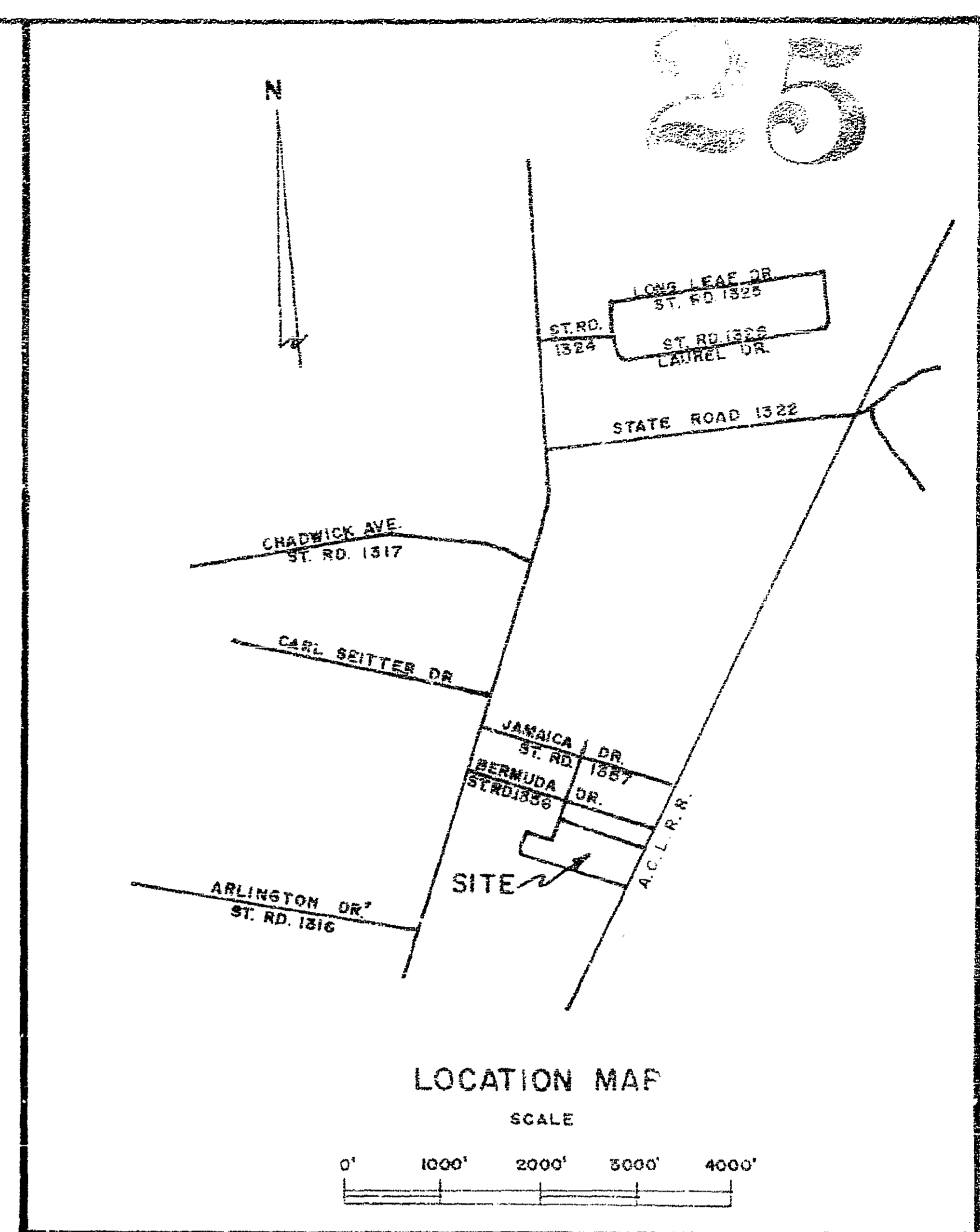
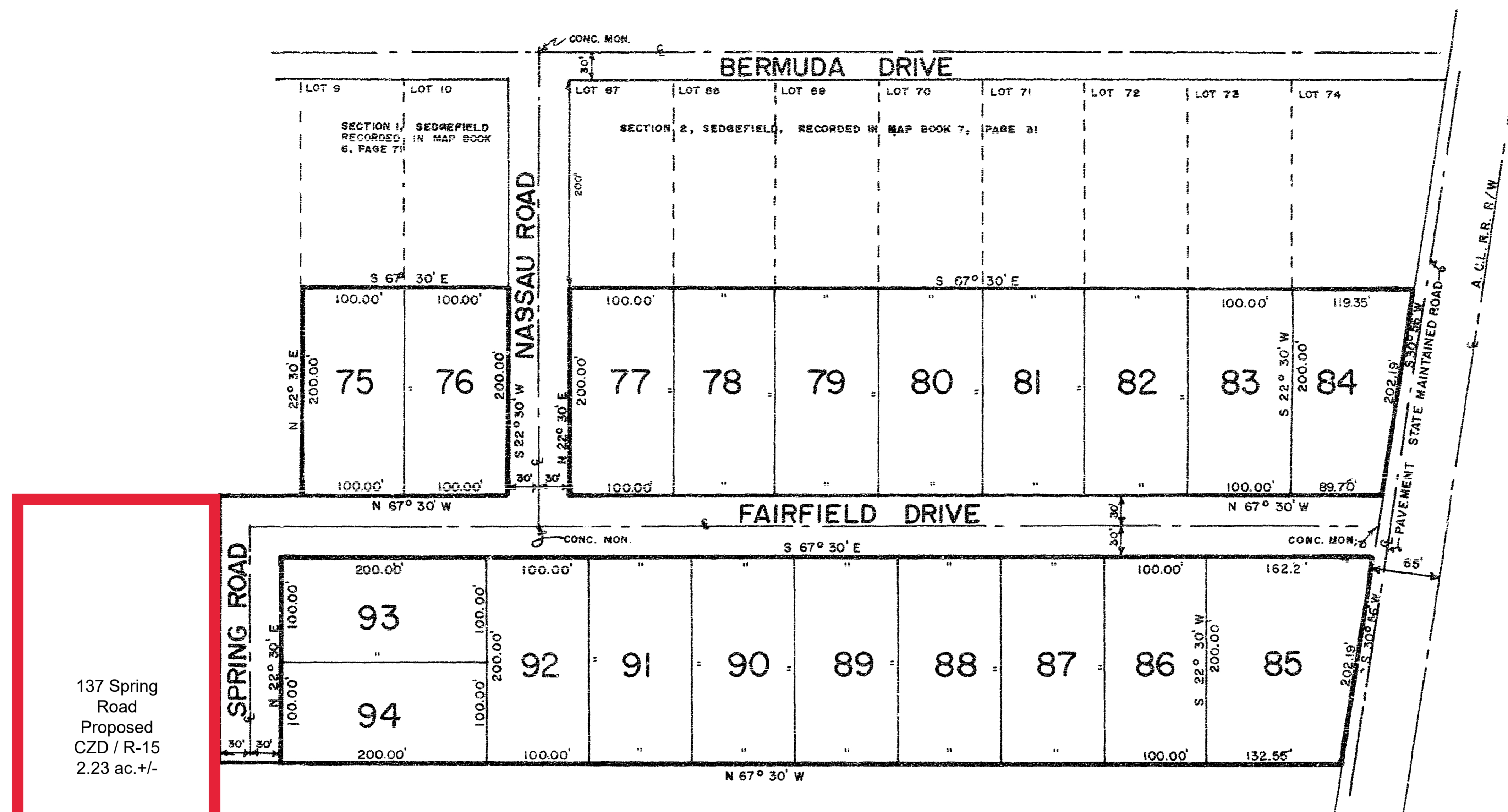
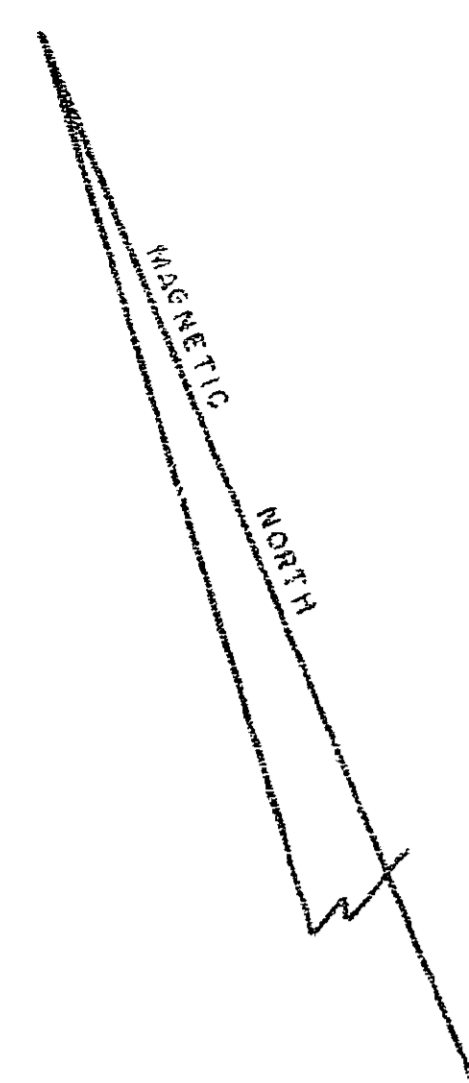
To  
Castle  
Hayne  
Road



Legal Description for  
Conditional Rezoning of  
137 Spring Road

Beginning at a point in the western boundary of Spring Road, a 60' public right-of-way; said point being at its intersection with the northern boundary of Fairfield Drive, a 60' public right-of-way shown on a plat recorded among the land records of the New Hanover County Registry in Map Book 9, at Page 25; and running thence from the point of beginning with that Spring Road right-of-way:

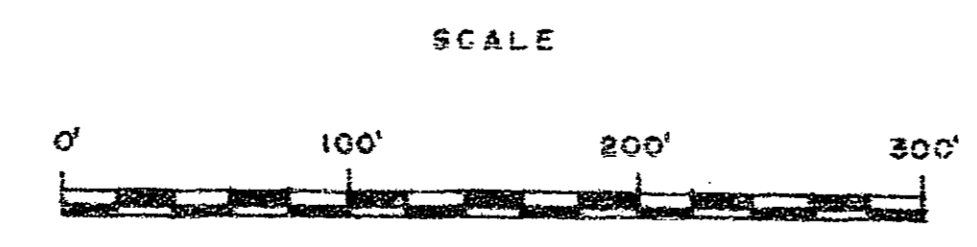
South 22°30' West, 489.78 feet to a point; thence  
North 67°57' West, 195.87 feet to a point; thence  
North 22°03' East, 491.33 feet to a point; thence  
South 67°30' East, 199.45 feet to the point and place of beginning, containing 97,029  
square-feet (2.23 acres), more or less.



# SECTION 3 SEDFIELD

CAPE FEAR TOWNSHIP NORTH CAROLINA NEW HANOVER COUNTY  
SCALE 1" = 100' FEB. 1, 1966

DEVELOPED BY  
MADELINE TRASK



C. W. Blomme Jr.  
SURVEYED & MAPPED BY  
C. W. BLOMME JR.  
REGISTERED LAND SURVEYOR L-776  
WILMINGTON, N.C.

NEW HANOVER COUNTY NORTH CAROLINA  
THIS IS TO CERTIFY THAT THIS MAP HAS BEEN FILED WITH THE COUNTY PLANNING & ZONING COMMISSION THIS THE 21 DAY OF FEB., 1966, & THAT IT HAS BEEN DETERMINED TO THE SATISFACTION OF THE COMMISSION THAT THE REGULATIONS CONTAINED IN THE NEW HANOVER COUNTY SUBDIVISION ORDINANCE ARE NOT APPLICABLE TO SAME, IN ACCORDANCE WITH SECTION II OF SAID ORDINANCE.

COUNTY PLANNING & ZONING COMMISSION  
BY: *[Signature]*

NEW HANOVER COUNTY NORTH CAROLINA  
I, C. W. BLOMME JR., CERTIFY THAT THIS MAP WAS DRAWN FROM FIELD NOTES OF AN ACTUAL SURVEY MADE BY ME, THAT THE ERROR OF CLOSURE AS CALCULATED BY LATITUDES & DEPARTURES IS 1:20000 & THAT ALL BOUNDARIES WERE SURVEYED BY ME, THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G. S. 47-30 AS AMENDED. WITNESS MY HAND & SEAL THIS 25 DAY OF FEB., 1966.

C. W. Blomme Jr.  
REGISTERED LAND SURVEYOR

NEW HANOVER COUNTY NORTH CAROLINA  
PERSONALLY APPEARED BEFORE THE UNDERSIGNED NOTARY PUBLIC OF NEW HANOVER CO., N.C. C. W. BLOMME JR., REGISTERED LAND SURVEYOR WHO, BEING DULY SWORN, SAYS THAT THIS MAP IS TRUE & CORRECT TO THE BEST OF HIS KNOWLEDGE & BELIEF & IS THE RESULT OF AN ACTUAL SURVEY MADE BY HIM, & FURTHER ACKNOWLEDGES THE PREPARATION & DUE EXECUTION OF THE SAME THIS THE 24 DAY OF Feb., 1966.

NOTARY PUBLIC  
MY COMMISSION EXPIRES 5/17/67

NEW HANOVER COUNTY NORTH CAROLINA  
THE FOREGOING CERTIFICATE OF DOROTHY A. BLOMME, NOTARY PUBLIC OF NEW HANOVER CO. IS ADJUDGED TO BE CORRECT LET THIS INSTRUMENT & CERTIFICATE BE RECORDED. 2-24-66  
Clerk of Superior Court

NEW HANOVER COUNTY NORTH CAROLINA  
FILED FOR REGISTRATION ON THIS 24 DAY OF Feb., 1966 AT 11:35 AM AND DULY RECORDED IN MAP BOOK 9 AT PAGE 25  
Clerk of Deeds

STREET NAMES APPROVED BY: *[Signature]* 2/24/66

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

Project Name: 137 Spring Road Subdivision  
Proposed Zoning: AR to CZD / R-15

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, and provided to the Planning Department for notice of the Sunshine List on September 8, 2021 . A copy of that written notice and site layout are also attached.

The meeting was held at the following time and place: Thursday, September 23, 2021  
6:00 p.m.; at 64 Arlene Dr., Castle Hayne.

The persons in attendance at the meeting were: Reference attached sign-in list

The following issues were discussed at the meeting: The proposal to development five (5) residential lots was explained. We acknowledged the Airport Authority's admonition about customary noise the activities around a working airport. The Tadlocks were concerned about the status of a recorded access and drainage issue, but were assured that there would be no changes or impacts to it.

As a result of the meeting, the following changes were made to the petition: None

Date: September 28, 2021  
Applicant: Design Solutions  
By: Cindee Wolf

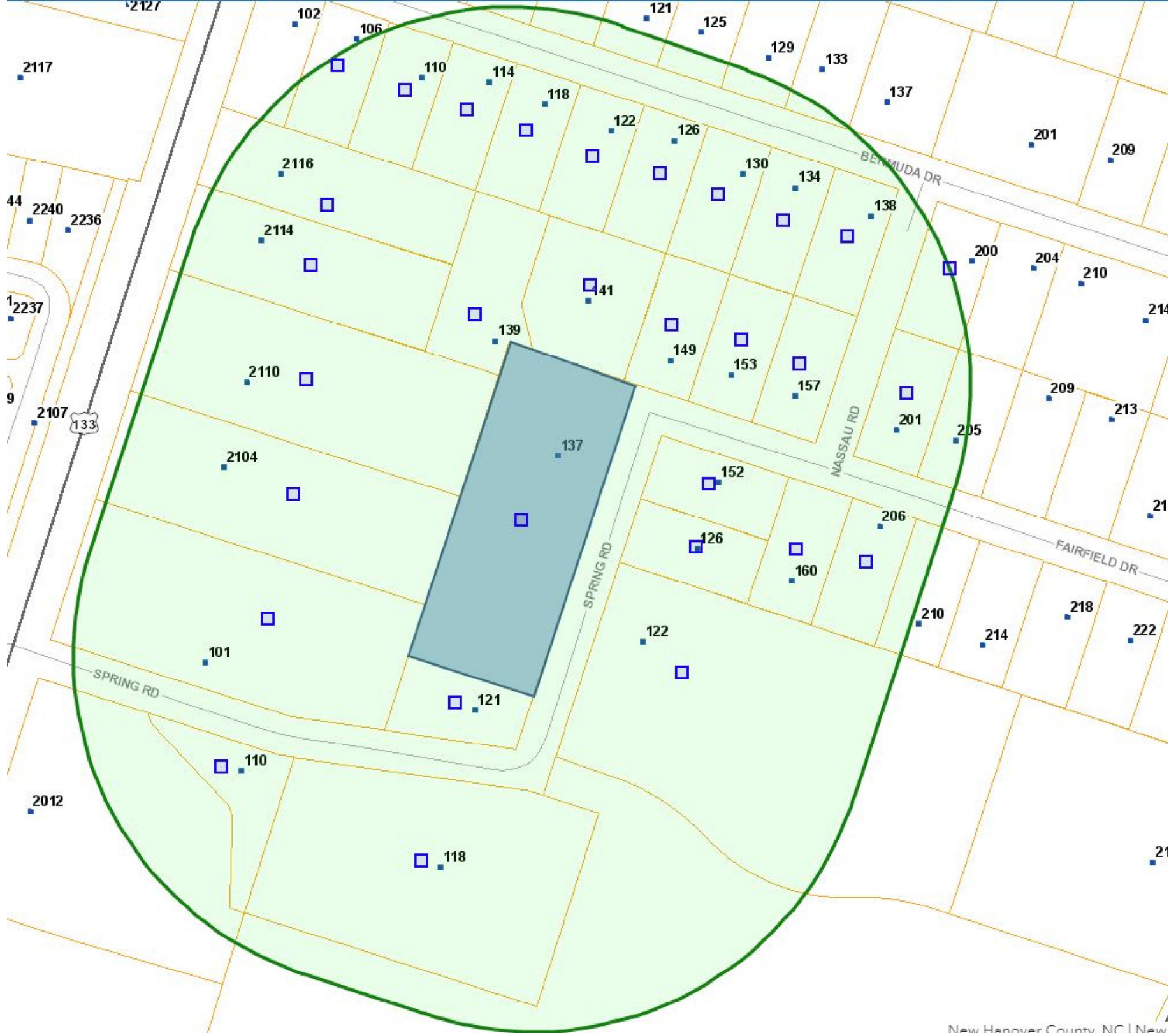
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# Community Information Meeting

Spring Road Division

Date: September 23, 2021

Name	Address	Email (Optional)
Daughter of James & Caraway Robeson	138 Bermuda Ave	Call-in
Bob Campbell	ILM Airport	Call-in
Donald Tadlock	139 Spring Rd.	
Steve Dutton	Developer	<a href="mailto:swansongproperties@gmail.com">swansongproperties@gmail.com</a>
Cindee Wolf	Project Planner	<a href="mailto:cwolf@lobodemar.biz">cwolf@lobodemar.biz</a>



## Adjacent Owners within 500' Perimeter of 137 Spring Road

OWNER	MAILING ADDRESS	CITY / STATE / ZIP	SITUS ADDRESS
BAREFOOT CAROLYN FAYE	2104 CASTLE HAYNE RD	WILMINGTON, NC 28401	137 SPRING RD WILMINGTON
BAREFOOT CAROLYN FAYE MOORE	2104 CASTLE HAYNE RD	WILMINGTON, NC 28401	2104 CASTLE HAYNE RD WILMINGTON
BOYLAN GEORGE L	134 BERMUDA DR	WILMINGTON, NC 28401	134 BERMUDA DR WILMINGTON
BRIEN PATRICK ALISON D	157 FAIRFIELD DR	WILMINGTON, NC 28401	157 FAIRFIELD DR WILMINGTON
CHAMPION PETER DONNA M	122 BERMUDA DR	WILMINGTON, NC 28401	122 BERMUDA DR WILMINGTON
COLLINS LEAH R	118 SPRING RD	WILMINGTON, NC 28401	118 SPRING RD WILMINGTON
CONNER HENRY WILBERT BRENDA	205 FAIRFIELD DR	WILMINGTON, NC 28401	201 FAIRFIELD DR WILMINGTON
COUGHLIN KEITH R ETAL	106 BERMUDA DR	WILMINGTON, NC 28401	106 BERMUDA DR WILMINGTON
DALTON JOHN B III	PO BOX 3406	WILMINGTON, NC 28406	122 SPRING RD WILMINGTON
FLOWERS CAROLYN RUTH	126 BERMUDA DR	WILMINGTON, NC 28401	126 BERMUDA DR WILMINGTON
LONANDER KURT P AMANDA M	130 BERMUDA DR	WILMINGTON, NC 28401	130 BERMUDA DR WILMINGTON
MARTIN JACOB W REBECCA L	2110 CASTLE HAYNE RD	WILMINGTON, NC 28401	2110 CASTLE HAYNE RD WILMINGTON
MCKOY JOHNNIE B JR	200 BERMUDA DR	WILMINGTON, NC 28401	200 BERMUDA DR WILMINGTON
MIARS EMMA TRASK HEIRS	1727 AZALEA DR	WILMINGTON, NC 28403	101 SPRING RD WILMINGTON
MIARS EMMA TRASK HEIRS	1727 AZALEA DR	WILMINGTON, NC 28403	101 SPRING RD WILMINGTON
MIARS EMMA TRASK HEIRS	2501 CANTERBURY RD	WILMINGTON, NC 28403	126 SPRING RD WILMINGTON
MIARS EMMA TRASK HEIRS	2501 CANTERBURY RD	WILMINGTON, NC 28403	152 SPRING RD WILMINGTON
MIARS PETER H JESSIE G	3913 SWEETBRIAR RD	WILMINGTON, NC 28403	206 FAIRFIELD DR WILMINGTON
MIARS PETER H JESSIE G	3913 SWEETBRIAR RD	WILMINGTON, NC 28403	160 FAIRFIELD DR WILMINGTON
NEHER RICHARD R ANNIE MARIE C	121 SPRING RD	WILMINGTON, NC 28401	121 SPRING RD WILMINGTON
NHCO AIRPORT AUTHORITY	1740 AIRPORT BLVD	WILMINGTON, NC 28401	2013 BLUE CLAY RD WILMINGTON
PHAM NGOAN ETAL	118 BERMUDA DR	WILMINGTON, NC 28401	118 BERMUDA DR WILMINGTON
ROBESON JAMES W CARYWAY M	138 BERMUDA DR	WILMINGTON, NC 28401	138 BERMUDA DR WILMINGTON
ROME CHRISTINA M CLAUDE Z ETAL	110 BERMUDA DR	WILMINGTON, NC 28401	110 BERMUDA DR WILMINGTON
SEEGER MARCUS B MEGAN T	114 BERMUDA DR	WILMINGTON, NC 28401	114 BERMUDA DR WILMINGTON
TADLOCK DONALD	2116 CASTLE HAYNE RD	WILMINGTON, NC 28401	2116 CASTLE HAYNE RD WILMINGTON
TADLOCK DONALD	2116 CASTLE HAYNE RD	WILMINGTON, NC 28401	141 SPRING RD WILMINGTON
TADLOCK DONALD G JENEANE C	100 WATER ST	WRIGHTSVILLE BCH, NC 28480	2114 CASTLE HAYNE RD WILMINGTON
TADLOCK DONALD GENE SR	2116 CASTLE HAYNE RD	WILMINGTON, NC 28401	139 SPRING RD WILMINGTON
TWIGG ROBERT J MONICA R	153 FAIRFIELD DR	WILMINGTON, NC 28401	149 FAIRFIELD DR WILMINGTON
TWIGG ROBERT J MONICA R	153 FAIRFIELD DR	WILMINGTON, NC 28401	153 FAIRFIELD DR WILMINGTON



September 8, 2021

To: Adjacent Property Owners

Re: Residential Lots

The Owner of land at 137 Spring Road is interested in developing five (5) homes on that tract. This property is within the proximity of your property, and the 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 & conditions pertaining to each individual development project. Essentially, this means that only the use, structures & layout of an approved proposal can be developed. An exhibit of the lot division is enclosed.

The County requires that the developer hold a meeting for all property owners within 500 feet of the tract boundary, and any 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 Thursday, September 23<sup>rd</sup>, 6:00 p.m., at 64 Arlene Drive, Castle Hayne.

If you cannot attend, you are also welcome to contact me, Cindee Wolf, at telephone # 910-620-2374, or email [cwolf@lobodemar.biz](mailto: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.



20' Access Esmt.

Lot 5  
26,006 SF±

Lot 4  
17,850 SF±

Lot 3  
17,788 SF±

Lot 2  
17,724 SF±

Lot 1  
17,660 SF±

Spring Road

Fairfield Drive

To  
Blue  
Clay  
Road

To  
Castle  
Hayne  
Road