

# Pender County Planning and Community Development

## Planning Division

805 S. Walker Street  
PO Box 1519  
Burgaw, NC 28425



Phone: 910-259-1202  
Fax: 910-259-1295  
[www.pendercountync.gov](http://www.pendercountync.gov)

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## Martinez General Use Rezoning

**Case Number:** REZONE 2023-50

**Application Type:** General Use Rezoning

**Applicant:** Fortino Martinez

**Owner:** Fortino Martinez

**Location:** The site is located on the west side of US Highway 117 approximately ¼ mile south of W. Strawberry Lane.

**Property ID #(s):** 3234-40-7280-0000

**Description:** The request is to rezone the property from GB, General Business, to RP, Residential Performance.

**Current Zoning:** GB, General Business

**Technical Review Committee Meeting** N/A

### **Board of County Commissioners/Planning Board Meeting**

Planning Board – August 1, 2023

Board of Commissioners – August 21, 2023

### **Application Materials**

Application

Survey

# **APPLICATION**

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## Zoning Map Amendment Submission (Rezoning)

Applications will be considered for review by Staff only when deemed complete. The application will be regarded as incomplete until the following items are received by the Planning and Community Development Staff.

1.  **Pre-submittal Meeting**  
Date of Meeting 2/9/2023
2.  **Signed Application**
3.  **Payment**  
\$500 for the first 5 acres; \$10/ acre thereafter up to 1,000 acres; \$5 per acre thereafter
4.  **Requested Revision Boundary Map**  
Rezoning must correspond with the boundary lines of existing platted lots or tracts. Where the boundaries of a rezoning request do not follow a boundary line or a split zoned property line, it must be possible to subdivide and develop that portion of the property outside the proposed rezoning boundary in accordance with the existing zoning and other requirements of this Ordinance. An illustration containing a metes and bounds description is required.
4.  **Narrative**  
A description and/or statement of the present and proposed land use classification and stating why the request is being made and any information that is pertinent to the case.
5.  **Digital Submission**  
For all documents submitted in paper copy, bring a digital copy with paper submission.
6.  **Adjacent Property List**  
A list of names and addresses, of the owners of all properties located within 500-feet of the perimeter of the project bounds as obtained from the county tax listings and tax abstract, of the property under consideration for project parcel.
7.  **Adjacent Property Envelopes**  
The applicant shall provide a set of business envelopes addressed to each person of the owners of all the properties located within 500-feet of the perimeter of the project bounds, accompanied with the amount of postage required for first class postage.

I certify that all information presented in this application is accurate to the best of my knowledge.

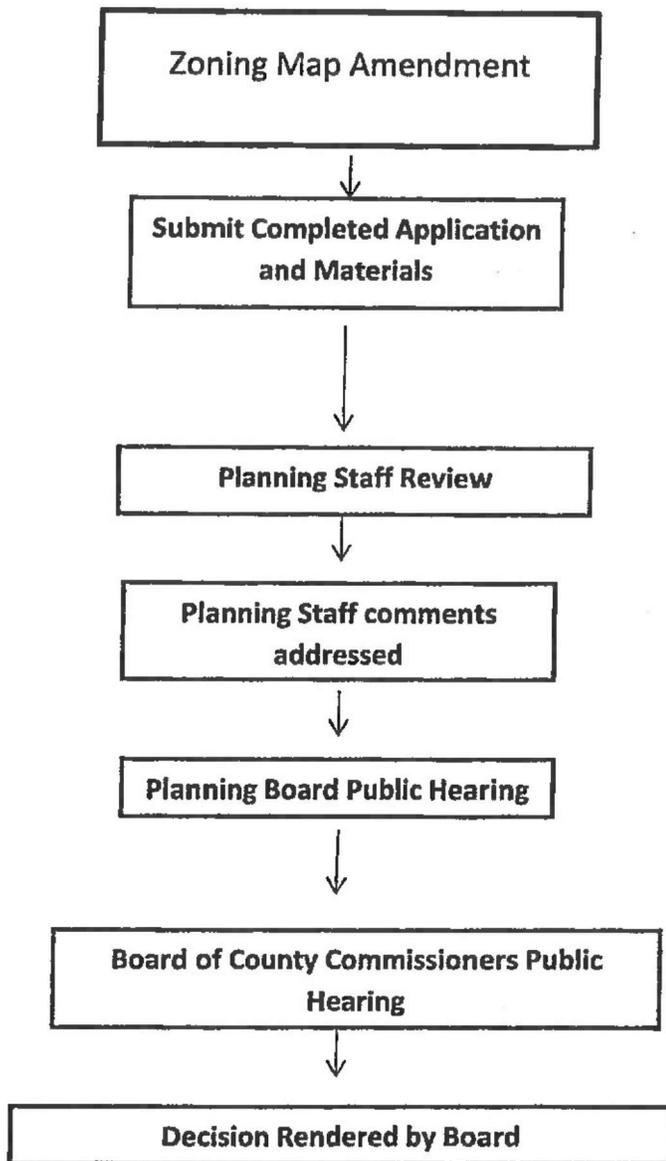
Signature of Applicant *[Signature]*

Date 2/10/23

Printed Name Fortino Martinez  
[Signature]

Staff Initials:	
Date:	

999 Hernandez



## Rezoning/Zoning Map Amendment Checklist

<input type="checkbox"/>	Signed application form		
<input type="checkbox"/>	Application fee		
<input checked="" type="checkbox"/>	A list of names and addresses, as obtained from the county tax listings and tax abstract, all adjacent property owners, including property owners directly across any road or road easement, and owners of the property under consideration for rezoning.		
<input checked="" type="checkbox"/>	Two (2) business size envelopes legibly addressed with <b>first class</b> postage for each of the adjacent and abutting property owners on the above list.		
<input type="checkbox"/>	Accurate legal description or a map drawn to scale showing the property boundaries to be rezoned, in sufficient detail to for the rezoning to be located on the Official Zoning Map.		
<input type="checkbox"/>	18 (11"x17") map copies to be distributed to the Planning Board		
<input type="checkbox"/>	20 (11"x17") map copies to be distributed to the Board of Commissioners		
<input type="checkbox"/>	Digital (.pdf) submission of all application materials		
<input type="checkbox"/>	A description and/or statement of the present and proposed zoning regulation or district boundary and stating why the request is being made and any information that is pertinent to the case. If the owner and applicant are different, the letter must be signed by both parties.		
<b>Office Use Only</b>			
<input type="checkbox"/>	ZMA Fees: (\$500.00 for first 5 acres; \$10/acre thereafter up to 1,000 acres; \$5/acre thereafter)	Total Fee Calculation: \$	
<b>Attachments Included with Application: (Please include # of copies)</b>			
CD /other digital version	<input type="checkbox"/> Y <input type="checkbox"/> N	Plan Sets	# of large
			# of 11X17
			Other documents/Reports
			<input type="checkbox"/> Y <input type="checkbox"/> N
<b>Payment Method:</b>	<b>Cash :</b> <input type="checkbox"/> \$ _____	<b>Credit Card:</b> <input type="checkbox"/> Master Card <input type="checkbox"/> Visa	<b>Check:</b> <input type="checkbox"/> Check # _____
<b>Application received by:</b>			<b>Date:</b>
<b>Application completeness approved by:</b>			<b>Date:</b>
<b>Dates scheduled for public hearing:</b>			
<input type="checkbox"/> <b>Planning Board:</b>			
<input type="checkbox"/> <b>Board of Commissioners:</b>			

**RETURN COMPLETED APPLICATION TO:**  
Pender County Planning & Community Development  
805 South Walker Street  
P.O. Box 1519  
Burgaw, NC 28425

## APPLICATION FOR REZONING (Zoning Map Amendment)

THIS SECTION FOR OFFICE USE			
Application No.	ZMA REZONE-2023-50	Date	4/27/2023
Application Fee	\$ 510	Invoice	00033088
Pre-Application Conference	N/A	Hearing Date	PB-7/11/23 BOCC-8/21/23
<b>SECTION 1: APPLICANT INFORMATION</b>			
Applicant's Name:	FORTINO MARTINEZ ARELLANEZ	Owner's Name:	SAME
Applicant's Address:	89 GOLDEN EAGLE WAY	Owner's Address:	
City, State, & Zip	ROCKY POINT, NC 28457	City, State, & Zip	
Phone Number:	910-442-7948	Phone Number:	
Email Address:	grampamasonry@yahoo.com	Email Address:	
Legal relationship of applicant to landowner: SELF			
<b>SECTION 2: PROJECT INFORMATION</b>			
Property Identification Number (PIN):	3234-40-7280-0000	Total property acreage:	6
Current Zoning District:	GB	Proposed Zoning District:	
Project Address:	US 117 HWY, ROCKY POINT		
Description of Project Location:	LT 2B PB 68/84 SEWELL CONTRACTORS MINOR SUBDIVISION		
<b>SECTION 3: SIGNATURES</b>			
Applicant's Signature		Date:	
Applicant's Name Printed	FORTINO MARTINEZ ARELLANEZ	Date:	
Owner's Signature		Date:	4/26/23
Owner's Name Printed	Fortino Martinez	Date:	4/26/23
<b>NOTICE TO APPLICANT</b>			
<ol style="list-style-type: none"> <li>1. Applicant must also submit the information described on the Rezoning Checklist.</li> <li>2. Applicant or agent authorized in writing must attend the public hearing.</li> <li>3. Once the public hearing has been advertised, the case will be heard unless the applicant withdraws the application or unless the Planning Board or other authorized person agrees to table or delay the hearing.</li> <li>4. All fees are non-refundable</li> <li>5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda</li> </ol>			

On the matter of Rezoning Parcel number 3234-40-7280-0000 from General Business (GB) to Rural and Residential (RP), we feel that Residential is a better compliment to the surrounding area. The parcels directly to the south are an RP designation along with the adjacent property on the other side of Hwy 117.

Rezoning this parcel to RP will better fit the low-density Residential pattern that is already established in this immediate area. The only corresponding property in the area not zoned as RP is the parcel to the North, which is a wet lot and not likely to be heavily developed.

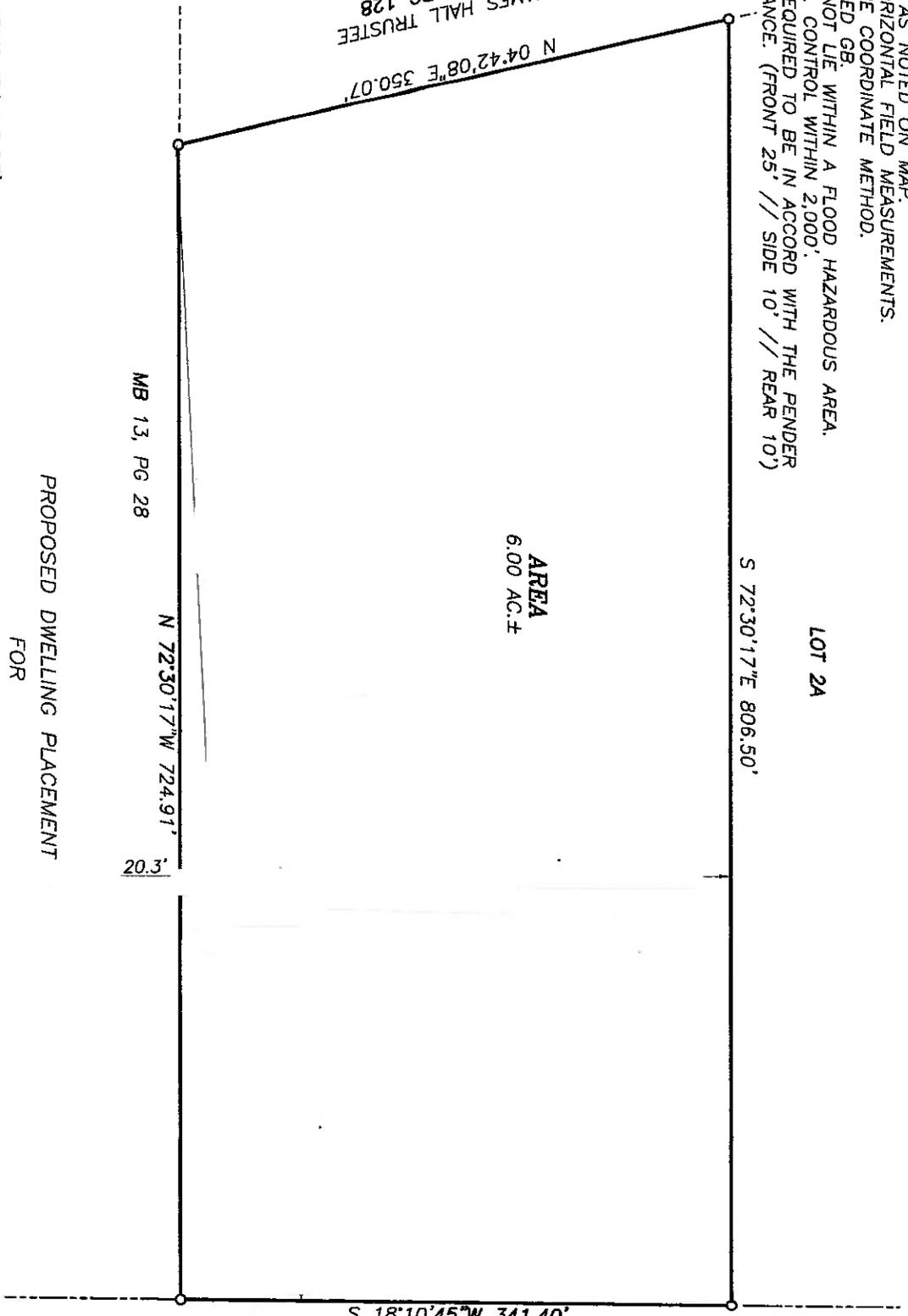
# **SURVEY**

**NOTES:**

1. CORNERS ARE MARKED AS NOTED ON MAP.
2. ALL DISTANCES ARE HORIZONTAL FIELD MEASUREMENTS.
3. AREA COMPUTED BY THE COORDINATE METHOD.
4. THIS PROPERTY IS ZONED GB.
5. THIS PROPERTY DOES NOT LIE WITHIN A FLOOD HAZARDOUS AREA.
6. NO KNOWN HORIZONTAL CONTROL WITHIN 2,000'.
7. BUILDING SET BACKS REQUIRED TO BE IN ACCORD WITH THE PENDER COUNTY ZONING ORDINANCE: (FRONT 25' // SIDE 10' // REAR 10')



JAMES HALL TRUSTEE  
MB 55, PG 128



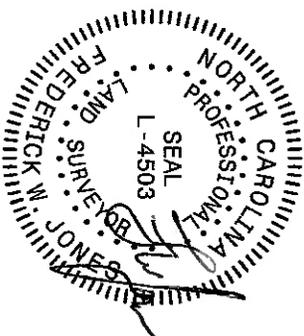
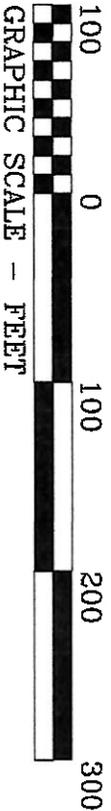
**LEGEND:**

- EIP (EXISTING IRON PIPE)  
OR EIS (EXISTING IRON STAKE)
- PROPERTY LINE
- - - NON-SURVEYED LINE
- ⊕ (CENTER LINE)
- - - R/W (RIGHT OF WAY)

**FORTINO MARTINEZ ARELLANEZ**

PROPOSED DWELLING PLACEMENT  
FOR

ROCKY POINT TOWNSHIP - PENDER COUNTY - NORTH CAROLINA  
SCALE: 1" = 100'  
AUGUST 11, 2022



U.S. HWY. No. 117 (150' PUBLIC R/W)