

Pender County Planning and Community Development

Planning Division

805 S. Walker Street
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Shugarts Road Rezoning Rezoning

Case Number: REZONE-2023-00058

Application Type: Rezoning

Applicant: Weston Lyall, PE, PLS, PLLC

Owners: Shugarts Family Properties, LLC

Location: The subject properties are located on the east side of US Hwy 17, south of the intersection of US Hwy 17 and Sloop Point Loop Road in the Topsail Township.

Property ID #(s): 4204-97-4618-0000

Description: Weston Lyall, PE, PLS, PLLC, applicant on behalf of Shugarts Family Properties, LLC, owner, is requesting approval of a Zoning Map Amendment to rezone one parcel totaling approximately 1.52 acres of land from the PD, Planned Development zoning district to the GB, General Business zoning district.

Current Zoning:

PD, Planned Development

Technical Review Committee Meeting

12/07/2023

Planning Board Meeting

01/03/2024

Included:

Application, Rezoning Map

APPLICATION PACKAGE

APPLICATION FOR REZONING (Zoning Map Amendment)

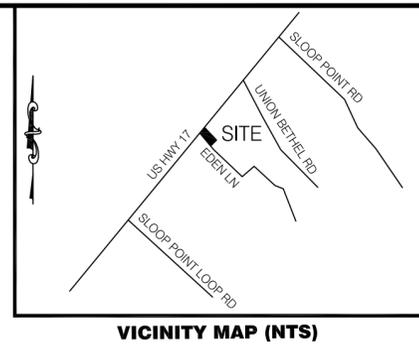
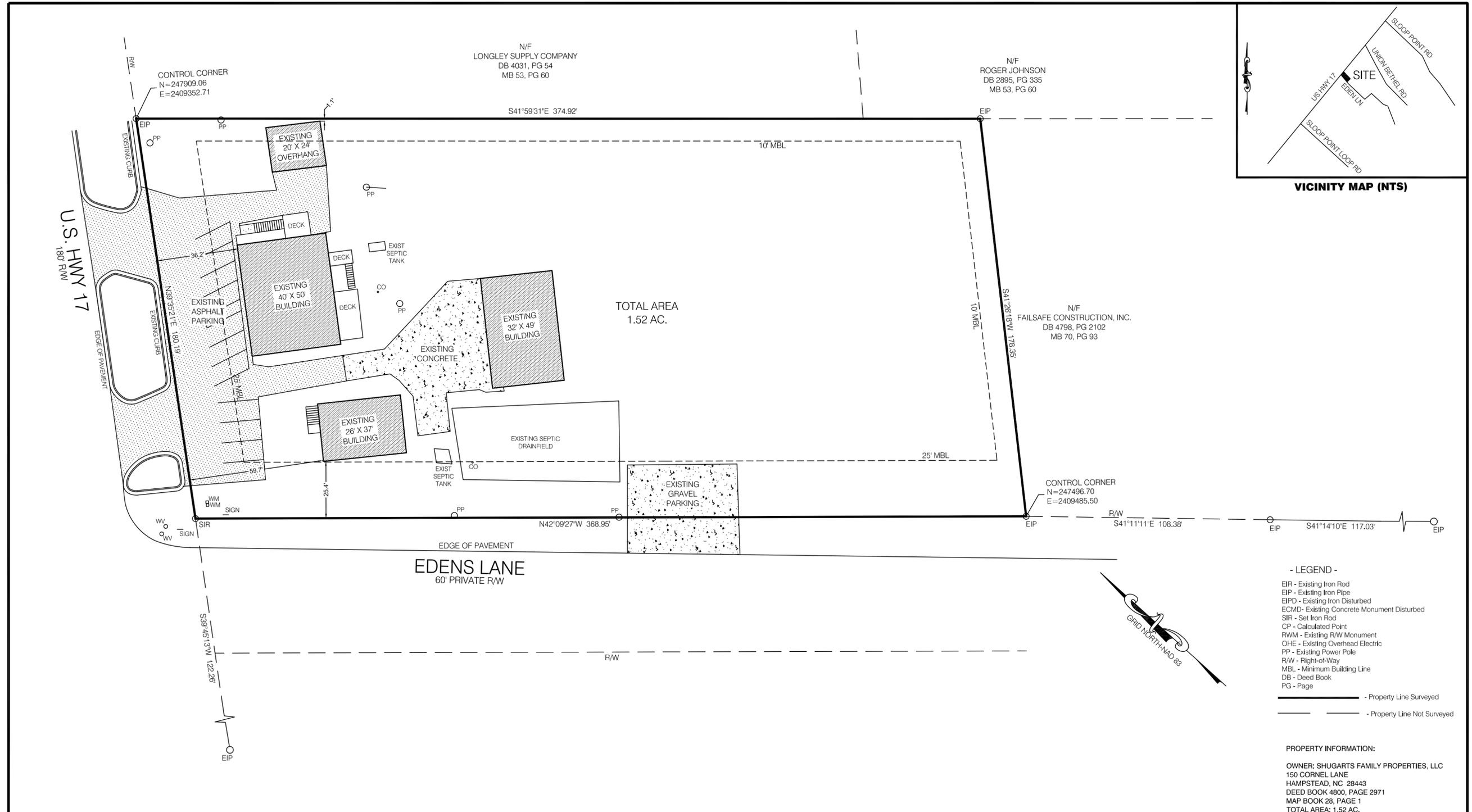
THIS SECTION FOR OFFICE USE			
Application No.	ZMA REZONE-2023-00058	Date	11/06/2023
Application Fee	\$ 500	Invoice	00036782
Pre-Application Conference	n/a	Hearing Date	01/03/2024
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Weston Lyall PEPLS PLLC	Owner's Name:	Shugarts Family Properties
Applicant's Address:	214 Hwy 17 N Suite 1	Owner's Address:	150 Cornell Ln
City, State, & Zip	Holly Ridge NC 28445	City, State, & Zip	Hampstead NC 28443
Phone Number:	910 329-9961	Phone Number:	330-284-4909
Email Address:	westonlyall@westonlyall.com	Email Address:	jeremy.aquamassage@gmail.com
Legal relationship of applicant to landowner:			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	4204-97-4618-0000	Total property acreage:	1.52 AC
Current Zoning District:	PD	Proposed Zoning District:	GB
Project Address:	20180 US HWY 17 HAMPSTEAD		
Description of Project Location:	CORNER US HWY 17 AND EDENS LN		
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	10-24-23
Applicant's Name Printed	CHRISTOPHER RYAN	Date:	10-24-23
Owner's Signature		Date:	10-24-23
Owner's Name Printed	Jeremy Shugarts	Date:	10-24-23
NOTICE TO APPLICANT			
<ol style="list-style-type: none"> 1. Applicant must also submit the information described on the Rezoning Checklist. 2. Applicant or agent authorized in writing must attend the public hearing. 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. 4. All fees are non-refundable 5. A complete application packet must be submitted prior to the deadline in order to be placed on the next Planning Board Agenda 			

PROJECT NARRATIVE

Project Narrative

A zoning amendment request is being sought for the property located at 20180 and 20184 US Hwy 17 near Hampstead, NC, from current zoning of PD to proposed zoning of GB. The PIN number of said property is 4204-97-4618-0000. The owner is making this request in order to subdivide the property and propose a commercial use that will be in compliance with the GB zoning district, and be in harmony with existing commercial use on said property.

SITE PLAN



- LEGEND -
- EIR - Existing Iron Rod
 - EIP - Existing Iron Pipe
 - EIPD - Existing Iron Disturbed
 - ECMD - Existing Concrete Monument Disturbed
 - SIR - Set Iron Rod
 - CP - Calculated Point
 - RWM - Existing R/W Monument
 - OHE - Existing Overhead Electric
 - PP - Existing Power Pole
 - R/W - Right-of-Way
 - MBL - Minimum Building Line
 - DB - Deed Book
 - PG - Page
- Property Line Surveyed
 - Property Line Not Surveyed

PROPERTY INFORMATION:

OWNER: SHUGARTS FAMILY PROPERTIES, LLC
 150 CORNEL LANE
 HAMPSTEAD, NC 28443
 DEED BOOK 4800, PAGE 2971
 MAP BOOK 28, PAGE 1
 TOTAL AREA: 1.52 AC.
 PIN #4204-97-4618-0000



**NORTH CAROLINA
PENDER COUNTY**

I, WESTON LYALL, PROFESSIONAL LAND SURVEYOR NUMBER L-4438, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION FROM (MAP BOOK 28 PAGE 1) AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY: CLASS OF SURVEY: B; POSITIONAL ACCURACY: 500 RMS; TYPE OF GPS FIELD PROCEDURE: VRSRTKGPS; DATUM: NAD83 "2007"; NAVD88; GEIOD MODEL: GEOID 03; COMBINED GRID FACTOR: 0.99999012; UNITS: US SURVEY FEET; THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION. THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

**PRELIMINARY PLAT
NOT FOR CONVEYANCE
SALES OR RECORDING**

WESTON LYALL, PLS

- NOTES:
1. THIS PROPERTY IS SUBJECT TO RESTRICTIVE COVENANTS, EASEMENTS OF RECORD, ZONING ORDINANCE, AND UNDERGROUND UTILITIES, IF ANY.
 2. NO TITLE SEARCH BY SURVEYOR.
 3. AREA BY COORDINATE METHOD.
 4. THIS SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD ZONE. NCFIRM COMMUNITY PANEL #3720-420400-J (EFFECTIVE DATE FEBRUARY 16, 2007).
 5. THE SUBJECT PROPERTY CONTAINS NO AREAS OF ENVIRONMENTAL CONCERN.
 6. REFERENCES: DB 4800, PG 2971; MB 28, PG 1; MB 70, PG 93
 7. ZONING: PD PENDER COUNTY
NO BUILDING SETBACKS ESTABLISHED PER ORIGINAL DEED BOOK 4800, PAGE 2971
PROPOSED BUILDING SETBACKS TO COMPLY WITH NEIGHBORING DISTRICT "GB"
FRONT - 25', SIDE - 10', CORNER SIDE - 12', REAR - 10'
 8. LOT "B" SHALL BE DIRECTLY ACCESSED VIA EXISTING 60' PRIVATE ROAD KNOW AS EDENS LANE, WHICH HAS DIRECT ACCESS FROM U.S. HWY 17.
 9. THIS PARCEL CANNOT BE USED FOR BUILDING DEVELOPMENT, UNLESS AN APPROVED WASTE WATER DISPOSAL METHOD HAS BEEN APPROVED AND PERMITTED BY THE PENDER COUNTY ENVIRONMENTAL HEALTH DEPARTMENT OR APPROPRIATE STATE AGENCY OR UNLESS A NEW PLAT IS APPROVED AND RECORDED AS REQUIRED UNDER THIS ORDINANCE.
 10. FIELD WORK COMPLETED MAY 3, 2023.

**REVISION BOUNDARY MAP FOR
JEREMY SHUGARTS**

20180 & 20184 US HWY 17, HAMPSTEAD, NC
ALL OF THE LANDS CLAIMED IN DEED BOOK 4800, PAGE 2971
TOPSAIL TOWNSHIP
PENDER COUNTY, NC

SCALE: 1" = 30' OCTOBER 23, 2023

WESTON LYALL, PE, PLS, PLLC
214 HIGHWAY 17N SUITE 1
HOLLY RIDGE, NC 28445
PHONE: 910-329-9961 FIRM LICENSE #P-0937
STRUCTURAL & CIVIL ENGINEERING & LAND SURVEYING