

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

Rocky Point Rezoning Application Information General Use Rezoning

Case Number: REZONE 2024-80

Application Type: General Use Rezoning

Applicant: Shauna Auringer

Owners: Shauna Auringer

Location: Approximately 800 feet east from the entrance of Heide Trask High School, at the intersection of NC Highway 210 and Sawdust Road.

Property ID #(s): 3235-52-4155-0000

Description: General use rezoning application from the RA, Rural Agricultural zoning district to the RP, Residential Performance zoning district.

Total Area of Project: 8 ac

Current Zoning: RA, Rural Agricultural

Proposed Zoning: RP, Residential Performance

Technical Review Committee Meeting: N/A

Board of County Commissioners/Planning Board Meeting: 02/04/2024

Application Materials

Application Package
Narrative
Site Plan

REZONE 2024-80

Application

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GENERAL USE REZONING

GENERAL

1. An applicant shall be required to schedule a pre-submittal meeting with the Administrator at least thirty (30) days prior to submission of an application.
2. Amendments to the Zoning Map, also called a Rezoning, shall be made in accordance with the provisions of the Pender County UDO and shall follow the review process as shown in Figure 1 at the end of Section 3.4.
3. The County Commissioners shall approve or deny amendments to the Zoning Map of Pender County, as may be required from time to time.
4. 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 the UDO. An illustration containing a metes and bounds description is required.
5. All zoning requirements shall be met within the boundaries of the area being rezoned. If all of the requirements cannot be met on the site being rezoned, the rezoning shall be expanded to include all property necessary to meet zoning requirements.
6. Must show substantial compliance with the goals and policies of the Comprehensive Land Use Plan and other adopted plans.

APPROVAL STANDARDS

1. Whether the range of uses permitted by the proposed change would be appropriate to the area concerned (including not being detrimental to the natural environment, not adversely affecting the health or safety of residents or workers in the area, not being detrimental to the use or development of adjacent property, and not materially or adversely affecting the character of the general neighborhood).
2. Whether adequate public facilities/services (i.e., water, wastewater, roads) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change.
3. Whether the proposed change is consistent with the County's Comprehensive Land Use Plan and CAMA Land Use Plan or any other adopted land use document.
4. Whether the proposed amendment is reasonable as it relates to the public interest.

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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. _____ **Signed Application**
3. _____ **Payment**
Invoice will be generated after receipt of application for online payment. ***Do not include check with application.*** \$500 for the first 5 acres; \$10/ acre thereafter up to 1,000 acres; \$5 per acre thereafter (*rounded up to the nearest whole acre*)
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, provide a digital version. These may be emailed or uploaded to a share folder. Physical media such as CD or USB drives will not be accepted.
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 two sets 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. Do not include return address or company branding on envelopes.

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

Signature of Applicant _____

Date _____

Printed Name _____

Staff Initials: _____
Date: _____

Zoning Map Amendment



Submit Completed Application
and Materials



Planning Staff Review



Planning Staff comments
addressed



Planning Board Public Hearing



Board of County Commissioners Public
Hearing



Decision Rendered by Board

Zoning Map Amendment Specific Requirements

1. Application Submittal

- Application
- 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.
- All zoning requirements shall be met within the boundaries of the area being rezoned. If all of the requirements cannot be met on the site being rezoned, the rezoning shall be expanded to include all property necessary to meet zoning requirements.
- Must show substantial compliance with the goals and policies of the Comprehensive Land Use Plan.
- The rezoning application must contain a description and/or statement of the present and proposed zoning regulation or district boundary, and the name(s) and address(es) of the owner(s) of the property involved as required by General Statute.
- The applicant shall provide an accurate legal description or a map drawn to scale showing the property boundaries that are to be rezoned, in sufficient detail for the rezoning to be located on the Official Zoning Map.

2. Planning Board and Board of Commissioners Review Criteria (per Section 3.3.8)

- A. Whether the range of uses permitted by the proposed change would be appropriate to the area concerned (including not being detrimental to the natural environment, not adversely affecting the health or safety of residents or workers in the area, not being detrimental to the use or development of adjacent property, and not materially or adversely affecting the character of the general neighborhood);
- B. Whether adequate public facilities/services (i.e., water, wastewater, roads) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change;
- C. Whether the proposed change is consistent with the County's Comprehensive Land Use Plan and CAMA Land Use Plan or any other adopted land use document.
- D. Whether the proposed amendment is reasonable as it relates to the public interest.

APPLICATION FOR REZONING (Zoning Map Amendment)

THIS SECTION FOR OFFICE USE			
Application No.	ZMA	Date	
Application Fee	\$	Invoice	
Pre-Application Conference		Hearing Date	
SECTION 1: APPLICANT INFORMATION			
Applicant's Name:	Shauna Auringer	Owner's Name:	Shauna Auringer
Applicant's Address:	14174 St. Hwy 210	Owner's Address:	
City, State, & Zip	Rocky Point, NC 28457	City, State, & Zip	same
Phone Number:	805-296-2945	Phone Number:	as
Email Address:	gardenofroses@live.com	Email Address:	as
Legal relationship of applicant to landowner: self			
SECTION 2: PROJECT INFORMATION			
Property Identification Number (PIN):	3235-52-4155-0000	Total property acreage: (rounded up to the nearest whole acre)	8
		Total Acreage to be Rezoned:	8
Current Zoning District:	RA (Rural Agriculture)	Water Provider:	Pender
Project Address:	14174 NC 210, RP, 28457	Waste Water Provider:	septic
Description of Project Location:	" "	Proposed Zoning District:	RP - Residential Performance
	" "	Township:	Rocky Point
		Road Type:	Public/Private/Both
SECTION 3: SIGNATURES			
Applicant's Signature		Date:	10/4/24
Applicant's Name Printed	Shauna Auringer	Date:	10/4/24
Owner's Signature		Date:	10/4/24
Owner's Name Printed	Shauna Auringer	Date:	10/4/24
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 			

Rezoning/Zoning Map Amendment Checklist

<input type="checkbox"/>	Signed application form							
<input type="checkbox"/>	Application fee							
<input 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 type="checkbox"/>	Two (2) business size envelopes legibly addressed with first class 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.							
Office Use Only								
<input type="checkbox"/>	ZMA Fees: (<i>\$500.00 for first 5 acres; \$10/acre thereafter up to 1,000 acres; \$5/acre thereafter</i>)				Total Fee Calculation: \$			
Attachments Included with Application: (Please include # of copies)								
CD /other digital version	<input type="checkbox"/>	Y	Plan Sets	# of large	# of 11X17	Other documents/Reports	<input type="checkbox"/>	Y
	<input type="checkbox"/>	N					<input type="checkbox"/>	N
Payment Method:	Cash : <input type="checkbox"/> \$ _____			Credit Card: <input type="checkbox"/> Master Card <input type="checkbox"/> Visa		Check: <input type="checkbox"/> Check # _____		
Application received by:							Date:	
Application completeness approved by:							Date:	
Dates scheduled for public hearing:								
<input type="checkbox"/> Planning Board:								
<input type="checkbox"/> Board of Commissioners:								

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

REZONE 2024-80

Narrative

Shauna Auringer

November 11, 2024

14174 State Hwy 210

Rocky Point, NC, 28457

To Pender County

I am applying to rezone my property which currently is zoned RA. I am considering selling off the house located on the property along with ½ acre, but recently learned I would have to sell it with a minimum of 1 acre due to that zoning. After meeting with the planning department and seeing the neighboring properties, I learned that several other adjacent properties have already had their zoning changed and have a house on less than an acre. I have no intention of dividing up the property for development purposes. My kids and I really love having the back of the property for recreational purposes and my plan is to pass the property down to them but as I am getting older, I do not want the financial responsibility of owning a 1910 house and all my funds are tied up in the house. If any of my five children want to build themselves a house one day I want to keep the land for them to have that opportunity, especially because I see Rocky Point properties increasing in price and popularity.

Thank you for your consideration in this matter.

Shauna Auringer

REZONE 2024-80

Site Plan

JENNIFER CARTER MATTHEWS
DB 3683 PG 286
TRACT B - MB 39 PG 73

JENNIFER CARTER MATTHEWS
DB 3683 PG 286
TRACT B - MB 39 PG 73

DANIEL C. MATTHEWS, JR.
DB 2668 PG 263
TRACT A - MB 39 PG 73

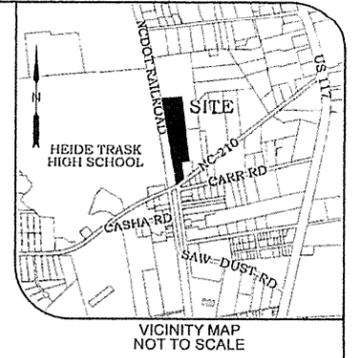
AREA
(OUTSIDE OF
RAILROAD ROW)
8.183 ACRES
OR
356,457 SQ. FT.

PIN
3235-52-4155-0000

PENDER COUNTY
DB 1480 PG 156
MB 19 PG 87

LEGEND:
PTP - PINCHED TOP PIPE FOUND
ECM - EXISTING CONCRETE MONUMENT
IPF - IRON PIN/PIPE FOUND
MNF - MAG NAIL/PK NAIL FOUND
IPS - IRON PIPE SET
IRF - IRON ROD FOUND
IRS - IRON ROD/REBAR SET
MNS - MAG NAIL/PK NAIL SET

0 50 100 200 300
SCALE: 1"=100'



Basis of Bearings
NAD83 (2011)
Epoch: 2010.00

CERTIFICATE OF ACCURACY AND MAPPING (NCGS 47-30)

I, DEAN D. EXLINE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (SEE RECORDED DOCUMENTS TABLE); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN DOCUMENTS REFERENCED HEREON; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY AS CALCULATED IS 1: 10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS 24TH DAY OF AUGUST, A.D., 2022.

Dean D. Exline
PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER L-4375



ADDITIONAL CERTIFICATION - EXISTING PARCEL (NCGS 47-30)

THAT THE SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND OR ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

Dean D. Exline
PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER L-4375



RECORDED DOCUMENTS:

MB 1 PG 12
MB 19 PG 87
MB 23 PG 31
MB 39 PG 73
DB 570 PG 68
DB 740 PG 262
DB 1020 PG 200
DB 2668 PG 268
DB 3683 PG 286
DB 4304 PG 302
DB 4304 PG 305
DB 4629 PG 1436
DB 4671 PG 1010
DB 4729 PG 869

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	788.00'	104.78'	104.70'	S 55°30'35" W	7°37'07"
C2	38262.20'	1427.71'	1427.62'	N 09°50'38" W	2°08'17"
LINE	BEARING	DISTANCE			
L1	S 51°42'01" W	36.52'			

OTHER DOCUMENTS:
RIGHT-OF-WAY AND TRACK MAP
V.9N.C/23 ATLANTIC COASTLINE
R.R. CO. DATED JUNE 30, 1917.

Doc No: 20106733
Recorded: 08/25/2022 09:15:20 AM
Fee Amt: \$21.00 Page 1 of 1

Pender County North Carolina
Sharon Lear Willoughby, Register of Deeds
BK 70 PG 107 - 107 (1)

State of North Carolina (Exempt)
County of Pender

I, *Amey Everett*, a Review Officer of
Pender County, certify that the map or plat to
which this certification is affixed meets all
statutory requirements for recording.
Amey Everett
Date: *8/25/22* Review Officer

3235-52-4155-0000

SURVEYOR NOTES

- TRACT 2 OF DEED BOOK 4729 PAGE 869 DESCRIBES THE PARCEL AS "THE EASTERN HALF OF THE ABANDONED SEABOARD COASTLINE RAILROAD". THE NCDOT ALSO CLAIMS THE SAME AS PART OF THE ABANDONED CSX RAILWAY CORRIDOR THROUGH PENDER COUNTY AS ACQUIRED BY THE NCDOT BY QUITCLAIM DEED AS RECORDED IN DEED BOOK 1010 PAGE 200 OF THE PENDER COUNTY REGISTRY.
- THE AREA CLAIMED BY BOTH PARTIES IS APPROXIMATELY 2.14 ACRES.
- THE PROPERTY IS SHOWN NEAR STATION 4800+00 ON THE ATLANTIC COAST LINE R.R., CO. RIGHT-OF-WAY AND TRACK MAP V.9N.C/23 DATED JUNE 30, 1917.
- RIGHT-OF-WAY WIDTH AND CURVE DATA SHOWN HEREON IS TAKEN FROM SAID RIGHT-OF-WAY AND TRACK MAP V.9N.C/23 DATED JUNE 30, 1917.

GENERAL NOTES:

- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES IN US SURVEY FEET, UNLESS OTHERWISE NOTED.
- THIS MAP WAS PREPARED WITHOUT THE BENEFIT OF A CERTIFIED TITLE REPORT AND THEREFORE THE PROPERTY SHOWN HEREON MAY BE SUBJECT TO RECORDED OR UNRECORDED RIGHT-OF-WAYS, EASEMENTS, RESTRICTIONS OF RECORD, OR OTHER ENCUMBRANCES NOT OBSERVED OR SHOWN HEREON.
- NO DETERMINATION HAS BEEN MADE BY THE SURVEYOR AS TO THE FOLLOWING: FLOOD ZONES, WETLANDS, UNDERGROUND STORAGE FACILITIES, CEMETERIES, HAZARDOUS WASTE DEPOSITS OR MATERIALS, OR OTHER CONDITIONS.
- THE CALCULATED PROPERTY LINES SHOWN HEREON WERE DRAWN FROM FIELD LOCATED BOUNDARY EVIDENCE AND/OR RECORDED DEEDS AND MAPS AS NOTED.
- ANY LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS MAP ARE APPROXIMATE BASED ON INFORMATION PROVIDED BY OTHERS AND/OR FIELD LOCATED EVIDENCE. ALL UTILITIES ARE SUBJECT TO FIELD VERIFICATION BY ANY USER OF THIS MAP.

BOUNDARY SURVEY
14174 HWY 210
DB 4729 PAGE 869
ROCKY POINT TOWNSHIP
PENDER COUNTY, ROCKY POINT, NC

DATE: 08/24/2022
SCALE: 1"=100'
DRAWN: CAD
CHECKED: SPB
APPROVED: DDE
PROJECT NO: 22107



402 Jewell Point
Wilmington, North Carolina 28411
910-799-0099
www.gisapc.com
NCBELS Firm C-2881

CURRENT OWNER
DAVID A. CRAVEN
365 OAKS PLANTATION
ROCKY POINT, NC 28457

SHEET NO: 1
OF: 1