

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

Porter Road Industrial Site Conditional Rezoning

Case Number: REZONE 2023-57 CZMA

Application Type: Conditional Rezoning

Applicant: TW & AG Timber, LLC

Owners: TW & AG Timber, LLC

Location: 1753 Porter Road – At the corner of Porter Road and Malpass Corner Road in the Grady Township.

Property ID #(s):

2276-79-7246-0000, 2276-89-3080-0000, & 2276-78-2161-0000

Description: Conditional Rezoning application for the expansion of an existing Industrial Site located at the Corner of Porter Road and Malpass Corner Road. The existing industrial site was originally approved as a Special Use Permit in 1988 for Lumber Manufacturing. At this time the owner wishes to seek the allowance of additional uses for the site as well as to expand the development into two adjacent parcels that are under the same ownership. The subject properties total 59 acres.

Current Zoning: RA, Rural Agricultural

Proposed Zoning: Conditional District (TBA)

Technical Review Committee Meeting

11/2/2023

Board of County Commissioners/Planning Board Meeting (TENTATIVE DATES)

PB: 12/5/2023, BOCC: 1/16/2024

Included: Application Materials, Application Package, Project Narrative, SUP History

Pender County Planning Project Contact: Justin Brantley, Deputy Planning Director, 910-259-1529, jbrantley@pendercountync.gov

APPLICATION

APPLICATION FOR CONDITIONAL REZONING

THIS SECTION FOR OFFICE USE

Application No.	ZMA-CD REZONE 2023-57 CZMA	Date	10/16/2023
Application Fee	\$ 1,040.70	Invoice Number:	00036347
Pre-Application Conference	N/A	Hearing Date	TBA

SECTION 1: APPLICANT INFORMATION

Applicant's Name:	TW+AG Timber, LLC	Owner's Name:	TW+AG Timber, LLC
Applicant's Address:	8155 Malpass Corner	Owner's Address:	←
City, State, & Zip	Currie, NC 28435	City, State, & Zip	←
Phone Number:	910-604-0049	Phone Number:	←
Email Address:	Wesley@lewisfarmandliquidwaste.com	Email Address:	←

Legal relationship of applicant to landowner: SAME

SECTION 2: PROJECT INFORMATION

Property Identification Number (PIN):	2276-79-7246	Total property acreage:	37.62
Current Zoning District:	RA (Special Use)	Proposed Zoning District:	Conditional Zoning
Project Address or Location:	1753 Porter Road Currie, NC 28435		

Proposed Uses to be Considered (Include NAICS Code):

332311 and 332322
(and Proposed Uses Attached)

Proposed Uses to be Eliminated from Consideration (Include NAICS Code):

ELIMINATE OTHER USES IN TABLE - EXCEPT THOSE LISTED

SECTION 3: SIGNATURES

Applicant's Signature		Date:	
Applicant's Name Printed	Wesley Wooten	Date:	10-10-23
Owner's Signature	<i>Wesley Wooten</i>	Date:	10-10-2023
Owner's Name Printed	Wesley Wooten	Date:	10-10-23

NOTICE TO APPLICANT

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

APPLICATION FOR CONDITIONAL REZONING

THIS SECTION FOR OFFICE USE

Application No.	ZMA-CD REZONE 2023-57 CZMA	Date	10/16/2023
Application Fee	\$ 1,040.70	Invoice Number:	00036347
Pre-Application Conference	N/A	Hearing Date	TBA

SECTION 1: APPLICANT INFORMATION

Applicant's Name:	TW AG + Timber, LLC	Owner's Name:	TW AG + Timber LLC
Applicant's Address:	8155 Malpass Corner	Owner's Address:	8155 Malpass Corner
City, State, & Zip	Currie, NC 28435	City, State, & Zip	Currie, NC 28435
Phone Number:	910-604-0049	Phone Number:	←
Email Address:	Wesley@lcwisfarmardliquidwaste.com	Email Address:	←

Legal relationship of applicant to landowner: SAME

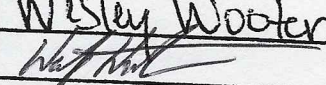
SECTION 2: PROJECT INFORMATION

Property Identification Number (PIN):	2276-99-3080	Total property acreage:	1.21
Current Zoning District:	Agriculture	Proposed Zoning District:	CZ
Project Address or Location:	Porter Road		

Proposed Uses to be Considered (Include NAICS Code):
 (See attached list of proposed uses)

Proposed Uses to be Eliminated from Consideration (Include NAICS Code):
 (Eliminate all others on Table of Use List)
 Except those on attached list

SECTION 3: SIGNATURES

Applicant's Signature		Date:	
Applicant's Name Printed	Wesley Wooten	Date:	10-10-23
Owner's Signature		Date:	10-10-23
Owner's Name Printed		Date:	

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APPLICATION FOR CONDITIONAL REZONING

THIS SECTION FOR OFFICE USE

Application No.	ZMA-CD REZONE 2023-57 CZMA	Date	10/16/2023
Application Fee	\$ 1,040.70	Invoice Number:	00036347
Pre-Application Conference	N/A	Hearing Date	TBA

SECTION 1: APPLICANT INFORMATION

Applicant's Name:	TW AG + Timber, LLC	Owner's Name:	TW AG + Timber LLC
Applicant's Address:	8155 Malpass Corner	Owner's Address:	8155 Malpass Corner
City, State, & Zip	Currie, NC 28435	City, State, & Zip	Currie, NC 28435
Phone Number:	910-604-0049	Phone Number:	←
Email Address:	Wesley@lewisfarmardliquidwaste.com	Email Address:	←

Legal relationship of applicant to landowner: SAME

SECTION 2: PROJECT INFORMATION

Property Identification Number (PIN):	2276-78-2161	Total property acreage:	20.24
Current Zoning District:	Agriculture	Proposed Zoning District:	Conditioned - C2
Project Address or Location:	PORTER ROAD		

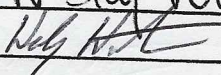
Proposed Uses to be Considered (Include NAICS Code):

(See attached list of proposed uses)

Proposed Uses to be Eliminated from Consideration (Include NAICS Code):

(Eliminate all others on Table of Use List)
Except those on attached list

SECTION 3: SIGNATURES

Applicant's Signature		Date:	
Applicant's Name Printed	Wesley Wooten	Date:	10-10-23
Owner's Signature		Date:	10-10-23
Owner's Name Printed		Date:	

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NARRATIVE

October 12, 2023

Pender County Planning
805 South Walker Street
Burgaw, NC 28425

RE: Porter Road Conditional Zoning

Pender County Planning Department:

We submit the following to serve as the application description as a part of the Conditional Zoning request for the Porter Road Parcels owned by TW AG & Timber, LLC.

The applicant, TW AG & Timber, LLC, is applying for approval of a Conditional Zoning for 3 tracts of land. They are located at Malpass Corner Road and Porter Road. TW AG & Timber are the owners of all 3 parcels. The parcels have a combined acreage of 59.07.

Current Parcel Information:

Owner: TW AG & Timber, LLC
Property Address: 1753 Porter Road, Currie, NC 28435
PIN: 2276-79-7246-0000
Zoning: RA (Special use from 1988) Lumber and Lumber Manufacturing
Acreage: 37.62

Owner: TW AG & Timber, LLC
Property Address: Porter Road
PIN: 2276-78-2161-0000
Zoning: Agriculture
Acreage: 20.24

Owner: TW AG & Timber, LLC
Property Address: Porter Road
PIN: 2276-89-3080-0000
Zoning: Agriculture
Acres: 1.21 acres

This property operated as a Lumber and Lumber Manufacturing facility for 32 years and the Owner decided to relocate. TW AG & Timber purchased the property in 2021. They have improved many items on said property (storm drainage, landscaping and building maintenance) over the last couple of years and have started looking for a tenants. Recently, a metal building company who provides metal building components and roofing would like to lease a portion of the property that was formerly the lumber company.

The neighboring 2 parcels were purchased by TW AG Timber last year. They do not have any structures on them and are currently zoned RA. We would like the Conditional Zoning to incorporate all 3 parcels listed above.

We would like to request a Conditional Rezoning for the following proposed uses:

ACCESSORY USES AND STRUCTURES

Agritourism Activities on active farms

SECTOR 22: UTILITIES

Natural Gas Distribution Except Transmission Lines	221210
Water Supply Facilities	221310

SECTOR 23: CONSTRUCTION

Construction of Buildings	236
Specialty Trade Contractors	238

Sectors 31-33: MANUFACTURING:

Artisan Manufacturing	
Food Manufacturing	311
Beverage Tobacco Product Manufacturing	312
Textile Mills	313
Textile Product Mills	314
Apparel Manufacturing	315
Wood Product Manufacturing	321
Truss Manufacturing	321214
Prefabricated Wood Building Manufacturing	321992
Prefabricated Metal Building and Component Manufacturing	332311
Printing and Related Support Activities	323
Soap, Cleaning Compound and Toilet Preparation Manufacturing	3256
Fabricated Product Manufacturing	332
Machine Shops; Turned Product; and Screw, Nut and Bolt Manufact.	3327
Machinery Manufacturing	333
Computer & Electronic Product Manufacturing	334
Electrical Equipment, Appliance, & Component Manufacturing	335
Transportation Equipment Manufacturing	336
Furniture and Related Product Manufacturing	337

Redi-Mix Concrete Manufacturing	32733
Other Concrete Manufacturing	32739
Fabricated Product Manufacturing	332
Machine Shops: Turned Product; and Screw, Nut and Bolt Manufact.	3327
Miscellaneous Manufacturing	339

Sector 42: WHOLESALE TRADE

Wholesale Trade	42
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Sector 48-49: TRANSPORTATION AND WAREHOUSING:

Truck Transportation	484
Charter Bus Industry	4855
Support Activities for Transportation	4881
Support Activities for Road Transportation	4884
Warehousing and Storage	493

Sector 53: REAL ESTATE AND RENTAL AND LEASING

Real Estate and Rental and Leasing	53
Commercial and Industrial Machinery and Equipment	5324

Sector 54: PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES 54

Sector 55: MANAGEMENT OF COMPANIES AND ENTERPRISES 55

Sector 56: ADMINISTRATIVE AND SUPPORT AND WASTE MANAGEMENT AND REMEDIATION SERVICES

Administrative and Support Services	561
Solid Waste Collection Public	562111
Solid Waste Collection Private	562111
Other Nonhazardous Waste Treatment and Disposal	562219
Remediation Services	562910
Materials Recovery Facilities	562920
All Other Waste Management Facilities	56299

Sector 61: EDUCATIONAL SERVICES

Technical and Trade Schools	6115
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Sector 81: OTHER SERVICES EXCEPT PUBLIC ADMINISTRATION

Automotive Repair and Maintenance	8111
Electronic and Precision Equipment Repair and Maintenance	8112
Commercial and Industrial Machinery and Equipment Repair	8113
Linen & Uniform Supply	81233


MISCELLANEOUS:

Bona fide Farm Purposes	
Industrial Park	
Portable Storage Containers	
Storage of Merchandise, Materials or Equipment on Site	

Telecommunication Facilities
Temporary Manufactured Homes
Temporary Modular/Manufactured Offices
Temporary Buildings for Construction or Development

Please let me know if you have any questions.

Thanks -

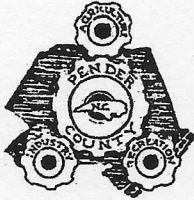
A handwritten signature in cursive script, appearing to read "Livian Jones". The signature is fluid and extends to the right.

Livian Jones
910-520-3943

SITE PLAN

CASE HISTORY

Pender County
Planning and Inspection Department



"Designing a better future for Pender County"

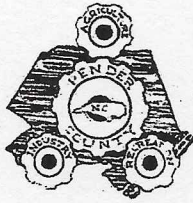
P. O. BOX 832

BURGAU, NORTH CAROLINA 28425

SUGGESTED CONDITIONS FROM PLANNING BOARD

1. That a buffer of a mixture of hardwood and softwood be placed along the borders of the properties adjacent to the public roads and this being necessary to buffer out existing residential areas. The buffer plan will be in accordance with the Pender County Zoning Ordinance.
2. That the proposed facility that contains the sawmill, maintenance building, and outside storage area be fenced for the safety of the public.
3. All ground surface not in daily use shall be established in permanent grasses and maintained.

Pender County
Planning and Inspection Department



"Designing a better future for Pender County"

P. O. BOX 832

BURGAW, NORTH CAROLINA 28425

Phone (919) 259-5461

Form 7

COUNTY OF PENDER

SPECIAL USE PERMIT GRANTED

On the date(s) listed below, the Planning Board for the County of Pender met and held a public hearing to consider the following application.

Applicant: Coastal Piedmont Co., P.O. Box 3741, Wilmington NC

Property location: SR 1120, Currie, NC

Tax Map F-100 Block _____ Lot 17,17-4

Proposed use of property: Lumber and Lumber Manufacturing

Meeting date(s) December 5, 1988

Having heard all the evidence and argument presented at the hearing, the board finds that the application is complete, that the application complies with all of the applicable requirements of the Pender County Zoning Ordinance for the development proposed, and that therefore the application to make use of the above described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Zoning Ordinance and the following conditions:

1. The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this board, a copy of which is filed in Clerk Office/Planning Dept.
2. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.

If this permit authorizes development on a tract of land larger than one acre, nothing authorized by the permit may be done until the property owner properly executes and returns to the county the attached acknowledgment of the issuance of this permit so that

the county may have it recorded in the Pender County Registry.

IN WITNESS WHEREOF, the county has caused this permit to be issued in its name, and the undersigned, being all of the property owners of the property above described, do hereby accept this Special Use Permit, together with all its conditions, as binding on them and their successors in interest.

COUNTY OF PENDER

Attest:

[Signature] (Seal) By Jim L Baker

COASTAL PIEDMONT FOREST PRODUCTS, INC., owner(s) of the above identified property, do hereby acknowledge receipt of this Special Use Permit. The undersigned owners do further acknowledge that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements and that this restriction shall be binding on them and their successors in interest.

Richard A. Olson Owner Daniel H. [Signature] Owner
President Vice-President

~~ORANGE~~ NORTH CAROLINA
PENDER COUNTY

I, John Allen Moore, a Notary Public in and for said state and county, do hereby certify that Richard A. Olson personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

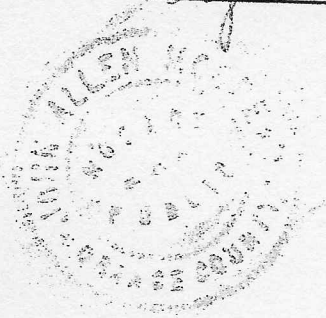
WITNESS my hand and notarial seal, this the 9 day of January, 1989.

John Allen Moore
Notary Public

My commission expires:

August 12, 1989

(Not valid until fully executed and recorded)



COASTAL-PIEDMONT FOREST PRODUCTS, INC.
P.O. Box 3741
Wilmington, NC 28406
December 12, 1988

Tim G. Baker
Chairman
Pender County Board of Commissioners
P.O. Box 5
Burgaw, NC 28425

RE: Application for Special Use Permit

Dear Mr. Baker:

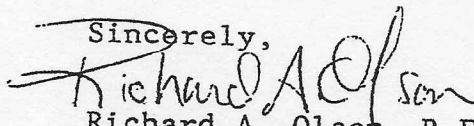
As requested by the Pender County Board of Commissioners on December 5, 1988, we are forwarding this letter of clarification.

In the development of our proposed project near Currie, NC, we will comply with the three suggested conditions from the Pender County Planning Board.

As discussed in our Presentation to the Pender County Planning Board in Support of Application for Special Use Permit, we will also comply with all applicable local, state, and federal regulations during the construction and operation of the proposed facility.

We appreciate the opportunity to work with you and the Pender County Board of Commissioners in the development of our proposed project.

Sincerely,


Richard A. Olson, R.F.
President

cc: Mike Lord, Pender County Administrator
Alvin Midgette, Pender County Planning Board

Pender County
Planning and Inspection Department



"Designing a better future for Pender County"

P. O. BOX 832

BURGAW, NORTH CAROLINA 28425

November 18, 1988

Mr. Thomas F. Mann
Wilmington Industrial Development
P.O. Box 1698
Wilmington, N.C. 28402

Dear Mr. Mann:

This is a follow-up of your letter and telephone conversation on November 18, 1988. I appreciate the positive response of the letter, but with reference to your third paragraph pertaining to the waiting time of the presentation for Coastal, Mr. Olson was informed prior to the meeting that it would be after 8:00 p.m. before he would appear on the agenda. He, along with Jimmy Smith, knew that the Planning Board had several mobile home parks for review.

I am sorry that you or others were discouraged at the waiting for the presentation, but it was Mr. Olson's responsibility to inform his guest as to the approximate time of the presentation. It should also be noted that the Planning Board's agenda time is not centered around the wishes of the presenters, but around the review of the projects. The times given to presenters are all approximate times with a desire that their presentation could start at that time, but some times other reviews may take longer.

It is hoped that the efforts of the Planning board to review, comment, approve, and set the public hearing date for this project on the same night instead of the sixty days option would not be criticized for a few minutes of delay time for the presentation.

In the future the Planning Board will be reminded to be more receptive to the assigned time schedule.

Again, thank you for your appreciative letter.

Sincerely,

Alvin F. Midgette

cc: Richard Olson
Wayne Zeigler

COASTAL-PIEDMONT FOREST PRODUCTS, INC.
P.O. Box 3741
Wilmington, NC 28406
December 12, 1988

Tim G. Baker
Chairman
Pender County Board of Commissioners
P.O. Box 5
Burgaw, NC 28425

RE: Application for Special Use Permit

Dear Mr. Baker:

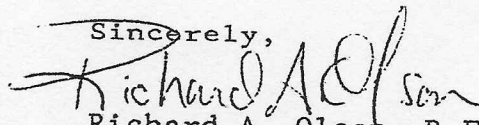
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Sincerely,


Richard A. Olson, R.F.
President

cc: Mike Lord, Pender County Administrator
Alvin Midgette, Pender County Planning Board

Public Hearing Notice

Notice is hereby given that the Pender County Commissioners will hold a public hearing on December 5, 1988 at 4:00 p.m. at the Howard Holly Administration Building, 300 Fremont Street, Burgaw, North Carolina to review a proposed lumber and lumber manufacturing company request for a Special Use Permit. According to the Pender County Zoning Ordinance, Coastal Piedmont Forest Products, Inc. is a North Carolina company established for the purpose of manufacturing and wholesaling of lumber and wood products. The location of the proposed project is at the intersection of SR 1120 and SR 1118, Currie, North Carolina.

Persons interested in commenting on the proposed project should attend the hearing.

Persons interested in reviewing the proposed project should contact the Pender County Planning Department, located in the Howard Holly Administration Building Annex, 259-1202.

PUBLIC INPUT MEETING REPORT

PUBLIC HEARING

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#419

Nov 23&30

Porters Road Community Hearing Nocite

NAME	ADDRESS	City	State	Zip Code
Gary Abtigo	1531 Porter Road	Currie	NC	28435
John Rowe	6640 Malpass Corner Road	Currie	NC	28435
Jimmy McDuffie	1549 Porter Road	Currie	NC	28435
Isidro Aquilera	2405 Briarcliff Circle #205	Wilmington	NC	28411
Damaris Soto-Servin	1495 Porter Road	Currie	NC	28435
Veronica Velazquez	1475 Porter Road	Currie	NC	28435
Callie Murphy c/o Wendell Muphy	1393 Porter Road	Currie	NC	28435
Willis Murphy	1393 Porter Road	Currie	NC	28435
Wolfe Timber LLC	PO Box 18	Currie	NC	28435
David Jones	126 Columbine Street	Statesville	NC	28625
Darrell Gurganious	6940 Malpass Corner Road	Currie	NC	28435
Herrera Herminio	1475 Porter Road	Currie	NC	28435
Conway Murphy	978 Union Chapel Road	Burgaw	NC	28425
Mammie Hansley	978 Union Chapel Road	Burgaw	NC	28425
Saroya Kemp	6331 SW 35th Street	Hollywood	FL	33021
Corey Walker	1152 Union Chapel Road	Burgaw	NC	28425
Debbie Walker	1152 Union Chapel Road	Burgaw	NC	28425
Rufus Martin	5885 Bell Williams Road	Currie	NC	28435
Laura Murphy	7228 Malpass Corner Road	Currie	NC	28435
Sherese Brewington Carr	821 N Jackson Street	Wilmington	DE	10806
Terri Erne	6559 Malpass Corner Road	Currie	NC	28435
Horace Hansley	PO Box 100	Currie	NC	28435
Jason Hansley	PO Box 25	Currie	NC	28435
Gwendolyn Murphy	1566 Porter Road	Currie	NC	29435
Juliett Boykin - Powell	1546 Porter Road	Currie	NC	28435
Ronald Jarrett	1514 Porter Road	Currie	NC	28435
Jenny Harrell	PO Box 267	Currie	NC	28435

Community Meeting Information

October 12, 2023

To: Adjacent Property Owners and others within 500ft.

From: Livian Jones (representing TW AG & Timber, LLC)

My name is Livian Jones and I am sending this notice on behalf of TW AG & Timber, LLC. We are requesting a Conditional Zoning for the properties at the Corner of Malpass Road and Porter Road (Address: 1753 Porter Road). The previous Owner of the property received a Special Use Permit in 1988 for Lumber and Timber Manufacturing. TW AG & Timber purchased the property in 2021 and has made improvements since that time.

The community meeting will be held on October 26, 2023 at the Burgaw Train Depot (109 N. Walker Street, Burgaw, NC 28425) 6:00-8:00.

If you cannot attend the meeting and have any questions, please feel free to contact me at 910-520-3943 or LivianLJones@gmail.com and I will get you the answer.

Sincerely,

Livian L. Jones
910-520-3943