

Ordinance



City Council
City of Wilmington
North Carolina

Introduced By: Rebecca L. Hawke, City Manager

Date: 7/15/2025

Ordinance Amending the Official Zoning Maps of the City of Wilmington to Rezone Property Containing 0.81 Acres Located at 3816 Market Street from O&I, Office and Institutional District, to CB, Community Business District (Z-8-625)

LEGISLATIVE INTENT/PURPOSE:

WHEREAS, N.C.G.S. §§160D-102, 160D-108(d), 160D-603, and 160D-702, authorize local governments to change or modify zoning boundaries within their jurisdiction; and,

WHEREAS, the amendment set out below is made in accordance with N.C.G.S. §160D-601, and Article 7, Divisions 1 and 2, of the City of Wilmington Land Development Code ("LDC").

THEREFORE, BE IT ORDAINED:

SECTION 1: The official zoning maps of the City of Wilmington are hereby amended by removing the hereinafter described property from the present O&I, Office and Institutional District, and putting it in the CB, Community Business District classification, said property being more particularly described as follows:

Being all of Lot 1 as depicted on the "Map of Division of Tract 2 Fernside, Wilmington", recorded in the New Hanover County Registry of Deeds in Map Book 74 Page 321. Commencing at the intersection of the southern right of way of US Highway 17, Market Street and the centerline of the Seaboard Coastline Railroad right of way, thence following the southern right of way line of US Highway 17, Market Street, N77°32'30"E, 52.10 feet, to an iron rod located at the intersection with the eastern right of way line of the Seaboard Coastline Railroad right of way, being the POINT OF BEGINNING, thence following the southern right of way line of US Highway 17, Market Street, N77°32'30"E, 32.66 feet to an iron rod, thence following the southern right of way line of US Highway 17, Market Street, N77°32'30"E, 214.73 feet to an iron rod, being the northeast corner of Lot 1 and the northwest corner of Lot 2, thence following the line S12°08'39"E, 236.10 feet to an iron rod, being the southeast corner of Lot 1 and the southwest corner of Lot 2, thence following the line S77°32'30"W, 47.57 feet to an iron rod, located on the western right of way line of the Seaboard Coastline Railroad, being the southwest corner of Lot 1, thence following the western right of way line of the Seaboard Coastline Railroad,

N52°31'08"W, 308.48 feet, returning to the POINT OF BEGINNING. Containing 0.81 acres, more or less.

SECTION 2: The City is authorized to change the zoning maps on file in the office of the City Clerk, so as to make them comply with this ordinance.

SECTION 3: Any person violating the provisions of this ordinance shall be subject to the penalties set forth in Section 18-648 of the LDC.

SECTION 4: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed, to the extent of such conflict.

SECTION 5: If any section, subsection, paragraph, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 6: This ordinance shall be effective immediately upon its adoption.

Adopted at a _____ meeting

On _____ 2025

Bill Saffo, Mayor

Approved As To Form:

Attest:

Penelope Spicer-Sidbury, City Clerk

City Attorney