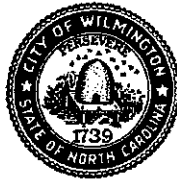


Ordinance



City Council
City of Wilmington
North Carolina

Introduced By: Sterling B. Cheatham, City Manager

Date: 11/15/2011

**Ordinance Amending the Official Zoning Maps of the City Adopted March 27, 1984 to
rezone property located at 5307 Oleander Drive from CS (SD), Commercial Services
District (Special Use District) to CB, Community Business District
(Z-1-1011)**

LEGISLATIVE INTENT/PURPOSE:

WHEREAS, NCGS Section 160A-385 authorizes local governments to change or modify zone boundaries within their jurisdiction; and

WHEREAS, the amendment set out below is made in accordance with NCGS Section 160A-364 and Article 3, Section 18-117 of the Land Development Code.

THEREFORE, BE IT ORDAINED:

SECTION 1: The Official Zoning Maps of the City of Wilmington are hereby amended by removing the hereinafter described tract of land from the present classification, CS (SD), Commercial Services (Special Use District) and putting it in the CB, Community Business classification, said tract being more particularly described as follows:

Beginning at the centerline of the intersection of Park Avenue and 54th Street (formerly Oak Avenue), thence along the centerline of 54th Street south 33 degrees 8 minutes 43 seconds west a distance of 597.70' to a point in said centerline; thence leaving said centerline south 81 degrees 39 minutes 40 seconds east a distance of 13.77' to a new iron pin set and the true point of beginning; thence south 81 degrees 39 minutes 40 seconds east a distance of 226.57' to a new iron pin set and the northeastern most corner of subject tract; thence south 33 degrees 01 minutes 00 seconds west a distance of 500.00' to an iron pipe found on the northern right-of-way line of Oleander Drive (Hwy 76); thence along said right-of-way north 85 degrees 29 minutes 40 seconds west a distance of 235.61' to a new iron pin set at the intersection of rights-of-way of Oleander Drive and 54th Street (formerly Oak Avenue); thence along the eastern right-of-way line of 54th Street north 33 degrees 8 minutes 43 seconds east a distance of 517.82' back to the true point of beginning. Containing 2.41 acres.

SECTION 2: The City Clerk and the planning manager are hereby authorized and directed under the supervision of the City Manager to change the zoning maps on file in the office of the City Clerk and the planning division, so as to make them comply with this ordinance.

CERTIFIED TO BE A TRUE COPY
Amber Spira - Sidbury
CITY CLERK

SECTION 3: That any person violating the provisions of this ordinance shall be subject to the penalties set forth in Section 18-52 of the Land Development Code.

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

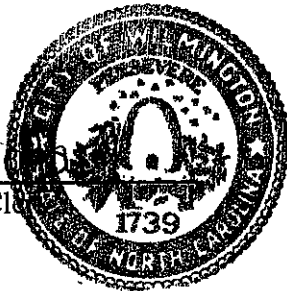
SECTION 5: If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions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

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

Adopted at a regular meeting
on December 6, 2011.

ATTEST:

Penelope Spicer S.
Penelope Spicer-Sidbury, City Clerk



Bill Saffo
Bill Saffo, Mayor

APPROVED AS TO FORM:

Carolyn D. Johnson
City Attorney