



PETITION FOR A ZONING MAP AMENDMENT

IMPORTANT: Supplementary information required as part of petition to be included:

Completed rezoning petition. For general use requests: The petition must be signed by the petitioner. Proof of compliance with GS 160A-383 regarding third party notification is required.

Adjacent Property Owners Map. A copy of the area as depicted on the Zoning Map which shows subject property (outlined in bold) and other surrounding properties within 100 feet of the subject property. Please label the names of the property owners directly affected by the zoning map amendment and those adjacent to or within 100 feet (excluding right-of-way) of the request.

This petition will be scheduled for the next possible meetings with the following boards: (1) Technical Review Committee, (2) Planning and Zoning Commission and (3) Town Council. The petitioner or representative should be present at all meetings to answer any questions. Contact the Department of Planning and Development for the schedule of meeting times and submittal deadlines. All meetings are held at the Municipal Administration Building, 1121 N. Lake Park Boulevard, Carolina Beach, NC 28428. Petitioners will be informed of any changes in date, time, or location of meetings. **Fee: to be submitted with application in accordance with the Town's annually adopted Rates and Fee Schedule**



Minor Rezoning

Rezoning of property less than 1 acre in size.



Major Rezoning

Rezoning of property one acre or greater in size.

Petitioner

Petitioner's Full Name: Jonathan Lee "Zeke" Hutchins Phone #: (917) 239-9863

Street Address: 211 Virginia Ave

City: Carolina Beach State: NC Zip: 28428

Email: [REDACTED]

Requested Zoning Map Change

Address(s) of Requested Site: 205 Raleigh Ave

Property Identification Numbers (PIN) 3130-45-9322.000

Acreage/Sq. Ft: 0.1159 Existing Zone: Mixed Use Requested Zone: CBD

Signature of Petitioner: Jonathan P. Hutchins Date: 10/14/25

PURPOSE OF ZONING DISTRICTS

The petitioner seeks to show that the fundamental purposes of zoning as set forth in the N.C. enabling legislation would be best served by changing the zoning classification of the property. Among the fundamental purposes of zoning are: (1) to lessen congestion in the streets; (2) to provide adequate light and air; (3) to prevent the overcrowding of land; (4) to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; (5) to regulate in accordance with a comprehensive plan; (6) to avoid spot zoning; and (7) to regulate with reasonable consideration to the character of the district, the suitability of the land for particular uses, the conservation of the value of buildings within the district and the encouragement of the most appropriate use of the land throughout the Town.

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PETITIONER'S STATEMENTS: This section is reserved for the petitioner to state factual information in support of the rezoning request. Any comments should be typed or written in block print on a separate piece of paper.

1. Please state the consistency of the proposed zoning map amendment with the Town's Land Use Plan and any other applicable *Town*-adopted plan(s).

We are applying to change the Future Land Use Map with a request for a rezoning from Mixed-Use (MU) to Central Business District (CBD) at 205 Raleigh Ave.

2. Please describe the compatibility of the proposed rezoning with the *property* and surrounding area.
3. Please discuss the benefits and detriments of the proposed rezoning for the landowner, the immediate neighbors and the surrounding community.
4. Please explain the public need for additional land to be zoned to the classification requested.
5. Please discuss the impact on public services, facilities, infrastructure, fire and safety, parks and recreation, topography, access to light and air, etc.
6. Please include a description of the existing zoning patterns (zoning districts including overlay districts) and existing built environment (densities, building heights, setbacks, tree cover, buffer yards).
7. Include any additional arguments on behalf of the map amendment requested.

REQUIRED OWNER INFORMATION

The following are all of the persons, firms, property owners, associations, corporations, entities or governments owning property adjacent to and within one hundred feet (excluding right-of-way) of the property sought to be rezoned. Please include New Hanover County PINs with names, addresses and zip codes. Indicate if property is owned by a condominium property owners association. Please complete ownership information in the boxes below. If you need additional space, please copy this form.

Name	Street Address	City/State/Zip	NHC. PIN

Table 1

[illegible]

1. RE: Consistency of Proposed Zoning Map Amendment at 205 Raleigh Ave with Town Plans

This proposed zoning map amendment for the property at 205 Raleigh Ave, changing the designation from Mixed-Use (MU) to Central Business District (CBD), is consistent with and supportive of the Town of Carolina Beach's Land Use Plan and other adopted community goals. Our request is reasonable and serves the public interest by allowing for the optimal use of a small lot to enhance community vitality, while also prioritizing historic preservation and year-round economic activity.

Specifically, this rezoning aligns with the town's goals in the following ways:

- **1. Enhancing Community and Economic Vitality**
- **Encourages Year-Round Activity:** The business model emphasizes community-driven events and programming, particularly during the off-season. This directly supports the town's goal of fostering a resilient local economy that is not solely reliant on the peak tourist season.
- **Expands Family-Friendly Spaces:** By maximizing the use of the property's small backyard as a protected, open-air space, the business will provide a much-needed venue for families and residents of all ages. This expands opportunities for public activities and recreation, a key objective found in the Land Use Plan.
- **2. Supporting Walkable, Pedestrian-Scaled Environments**
- **Mitigates Parking Requirements:** Under the current Mixed-Use designation, a parking requirement of two spaces for our retail square footage would drastically reduce the outdoor space available for community programming. Rezoning to CBD, which accommodates different parking approaches for small lots, enables us to prioritize pedestrian-friendly gathering spaces over vehicle storage.

- **Enhances Walkability:** The full optimization of the outdoor space creates a destination for residents and visitors that promotes walking and biking within a highly walkable district, reducing reliance on motor vehicles.

3. Preserving Historic and Cultural Resources

- **Protects a Historic Cottage:** The change to CBD, with its flexible setback requirements, is essential for preserving the historic facade and charm of the 1933 beach cottage. The limited setbacks of the existing structure make it difficult, if not impossible, to comply with MU standards without significant, historically incompatible alterations.
- **Allows for ADA Compliance:** The rezoning will enable the installation of an ADA-compliant ramp along the side and back of the building. This design approach allows for the preservation of the original front porch entrance, maintaining the building's historic details while improving accessibility for the entire community.

In summary, the proposed rezoning from Mixed-Use to CBD for 205 Raleigh Ave provides a path to fully activate this property as a community asset, which is a core objective of the town's adopted plans. The request is not only reasonable for the property but also aligns with the broader public interest by promoting year-round activity, creating public gathering spaces, and ensuring the preservation of the town's historic character.

2. RE: Compatibility of Proposed Rezoning at 205 Raleigh Ave with the Surrounding Area

The proposed rezoning of 205 Raleigh Ave from Mixed-Use (MU) to Central Business District (CBD) is highly compatible with both the immediate property and the predominant character of the surrounding neighborhood. An analysis of the area within a 100-foot perimeter of the property reveals that the existing land uses are overwhelmingly commercial, creating a natural and logical transition to the CBD designation.

This compatibility is evident in several key ways:

1. Context of Surrounding Zoning and Land Use

- **Dominant CBD Corridor:** Our property is immediately adjacent to the CBD-zoned Truist bank on Lake Park Blvd and is located directly across the street from the CBD-zoned El Cazador restaurant and its associated parking lot. The CBD zoning district, as defined by Carolina Beach, is intended for intensive commercial uses.
- **Existing Commercial Adjacency:** To the rear of our property, we are adjacent to Havana's restaurant, which is also CBD-zoned. The neighboring Mixed-Use properties consist primarily of parking lots, motels, and other transient rental properties, reinforcing the area's established commercial identity. Of the nine properties within 100 feet of 205 Raleigh Ave, only three are single-family houses, none of which are directly adjacent to our parcel.
- **Integration with Commercial Core:** The surrounding pattern of commercial and transient uses makes the proposed rezoning a logical extension of the town's existing commercial core, ensuring a cohesive pattern of development rather than creating an isolated use.

2. Harmony with Property and Community Needs

- **Optimizing Lot for Community Engagement:** The proposed business model is designed to fully utilize this small lot to provide community-driven, family-friendly events and programming. The existing Mixed-Use zoning's restrictive parking requirements hinder this goal, as they would severely reduce the outdoor space needed for community gatherings. Rezoning to CBD will permit the business to maximize its community benefit.
- **Enhancing Neighborhood Amenities:** While the surrounding commercial uses include restaurants and services, our proposal for a community-centered space with new books, quality toys, workshops, and guest speakers is a unique offering that complements, rather than conflicts with, the existing commercial landscape. It fills a community need by providing enriching activities for residents and families throughout the year, especially during the

off-season.

3. Respect for Architectural and Aesthetic Character

- **Preserving Historic Charm:** As a 1933 beach cottage, the property has limited setbacks and a small backyard. The CBD zoning, with its greater flexibility, is more compatible with preserving the home's original character. Attempting to force compliance with more restrictive MU setbacks would likely compromise the building's historic facade and charm, contradicting the town's interest in preserving aesthetically significant structures.
- **Improved Accessibility:** The rezoning will facilitate the construction of an ADA-compliant ramp along the side and back of the house, allowing for the preservation of the original, more restrictive front porch entrance. This improves accessibility for the community without sacrificing the property's historic integrity.

In conclusion, the rezoning request is a reasonable and compatible extension of the surrounding Central Business District. It leverages the property's location and character to provide a unique community asset that aligns with the neighborhood's commercial context while also protecting its aesthetic and historical value.

3. RE: Benefits and Detriments of Proposed Rezoning for 205 Raleigh Ave

The proposed rezoning of 205 Raleigh Ave from Mixed-Use (MU) to Central Business District (CBD) offers clear and compelling benefits for the landowner, the immediate neighbors, and the surrounding community, with minimal, manageable detriments.

Benefits of the Proposed Rezoning

For the Landowner:

- **Optimal Property Use:** The rezoning allows the landowner to fully utilize the small, unique lot to its maximum potential by removing the restrictive parking requirements of the Mixed-Use zone. This enables the creation of a protected outdoor space for community programming.

- **Historic Preservation:** The change in zoning permits the preservation of the 1933 beach cottage's historic charm and facade. The more flexible setback requirements of the CBD are crucial for preserving the structure's original details and installing an ADA-compliant ramp without compromising the historic character.
- **Business Viability:** The rezoning will support a sustainable business model that provides consistent, year-round offerings, reducing reliance on the high-tourist season and ensuring the business's long-term success.

For the Immediate Neighbors:

- **No Direct Residential Encroachment:** The immediate adjacent properties are primarily commercial (CBD-zoned Truist bank and El Cazador restaurant), transient (motels), or parking lots. The only nearby residences are not directly adjacent to our property. Therefore, this rezoning does not represent a new commercial intrusion into an existing residential block.
- **Removal of a "Hybrid" Status:** The property has operated as a business for several years (including acupuncture, therapy, and an Airbnb). Rezoning to CBD formally recognizes the property's established commercial use, providing clarity and consistency to the immediate area.
- **Enhanced Pedestrian Environment:** By eliminating the need for on-site parking, the rezoning promotes walkability and discourages the kind of vehicular traffic that would otherwise be generated by required on-site parking.

For the Surrounding Community:

- **Year-Round Community Programming:** The business will provide enriching activities such as books, art and craft workshops, guest speakers, and after-school tutoring. This directly benefits residents, local families, tourists, and convention attendees, particularly by offering much-needed off-season programming.

- **Employment Opportunities:** The business will create jobs for community members, contributing to the local economy.
- **Promotion of Walkability:** By attracting pedestrian traffic, the business will help foster a more vibrant, walkable core consistent with the town's goals.

Potential Detriments of the Proposed Rezoning

- **Potential for Perceived Commercial Creep:** A potential detriment is the perception that expanding the CBD zone could encourage further commercial creep towards residential areas. However, this concern is mitigated by the property's unique location, which is already a transitional area between established commercial uses and transient properties.
- **Unlikely to Return to Residential Use:** The property's small size, historical use as a commercial space, and location make a return to family residential use highly unlikely. Therefore, rezoning to CBD formalizes its most appropriate and viable use, avoiding the potential detriment of having an underutilized or mismatched parcel in a key area.

In conclusion, the benefits of optimizing this property for year-round community engagement and historic preservation outweigh the minimal, and in some cases, already-addressed detriments. The rezoning will support a successful local business while providing valuable resources to the community and aligning with the surrounding area's commercial character.

4. RE: Public Need for Additional Central Business District (CBD) Zoning

The proposed rezoning of 205 Raleigh Ave to the Central Business District (CBD) classification addresses a clear public need for flexible zoning that supports unique, community-focused businesses within the town center. This request is not simply for the benefit of a single property owner but is essential for creating a more vibrant, accessible, and resident-friendly town center, objectives commonly identified in the town's planning documents.

1. Optimal Use of Space to Meet Community Needs

- **Encouraging Public Gathering Spaces:** The small, under-700-square-foot building is inherently limited in its ability to offer programming indoors. The current Mixed-Use zoning's requirement for on-site parking would consume the property's small backyard, preventing its use as a much-needed green space for community events. Rezoning to CBD, which does not require this parking, will enable the establishment of a protected, open-air space for enriching activities, fulfilling a public need for gathering areas in the town center.
- **Maximizing Land Use in a Built-Out Area:** Carolina Beach is a built-out community where redevelopment is the norm. The public benefits from zoning classifications that allow small, commercially-oriented parcels to be used to their fullest potential. By enabling the combined indoor-outdoor model, the CBD classification ensures this limited land can provide maximum public value, offering more retail on the inside and more programming and engagement in the back.

2. Promoting Local Economic Resilience

- **Supporting Year-Round Business Activity:** The business will focus on year-round residents, providing after-school tutoring and programming that serves the local population and promotes foot traffic during the off-season. This aligns with public need by bolstering the local economy beyond the seasonal tourist influx, a strategic goal for many coastal towns.
- **Reducing Reliance on Off-Island Shopping:** By providing a unique local retail option for gifts, toys, books and games, the business addresses a specific public need identified by local residents. It lessens the reliance on off-island chain stores like Walmart or Target, and online giants like Amazon, supporting a stronger, more independent local economy. This enhances the quality of life for residents and keeps revenue within the community.

3. Enhancing Accessibility and Walkability

- **Ensuring ADA Compliance with Historic Preservation:** The property's historic 1933 cottage has limited setbacks that make achieving

proper ADA access difficult under the current MU zoning without compromising its architectural integrity. The greater flexibility offered by the CBD classification is a public necessity, as it allows for the installation of an ADA-compliant ramp while preserving a historic structure, balancing accessibility with historic preservation.

- **Complementing the Town Center's Walkable Character:** By creating a business that serves as a destination and complement to the boardwalk and surrounding restaurants, the rezoning leverages existing infrastructure. It benefits the public by offering a new, unique destination for those waiting for a table or strolling through the district, naturally encouraging pedestrian activity.

In summary, the public need for this rezoning is multifaceted: it is needed to unlock a property's potential to serve the community year-round, to promote a resilient local economy, and to achieve ADA accessibility while preserving the town's historic character. The CBD classification is the most appropriate tool to achieve these public benefits on this specific property.

5. RE: Impact on Public Services, Facilities, Infrastructure, Fire and Safety, Parks and Recreation,

The proposed rezoning and subsequent renovation of 205 Raleigh Ave are not expected to place any negative or excessive burdens on the town's public services, facilities, or infrastructure. The project is a low-impact development that focuses on the adaptive reuse of an existing structure rather than new, large-scale construction.

Public Services and Facilities:

- **Minimal Strain on Services:** The retail and community-oriented business model will not generate a significant increase in demand for public services such as water, sewer, or police. The property is already serviced by existing town utilities, and the scale of the business will not strain current capacities.
- **Waste Management:** The only notable change will be a minor

increase in trash and recycling.

Infrastructure:

- **No Expansion Required:** The project requires no new or expanded public infrastructure. All needed services are currently in place.
- **Focus on Pedestrian Infrastructure:** In collaboration with the town, we will contribute positively to pedestrian infrastructure by evaluating the best location for bike racks and improving visibility for bicycle and foot traffic. This active collaboration shows our commitment to supporting the town's infrastructure goals.

Fire and Safety:

- **Enhanced Safety Features:** The renovation of the 1933 cottage will bring the structure up to current safety codes, which will include improved fire safety measures.
- **Accessibility for Emergency Services:** The installation of a new ADA-compliant ramp will also ensure ease of access for emergency responders, improving overall safety for all occupants and visitors.
- **No Increased Risk:** The nature of the retail and activity space, and the modest occupancy, does not create any increased fire or safety risk for the surrounding area.

Parks and Recreation:

- **Complementary Services:** Rather than burdening existing park and recreation facilities, our business will offer a complementary option for community programming and family activities. The use of our green space for things like after-school tutoring and workshops will serve as an extension of community recreational offerings.
- **Environmental Landscaping:** The beautification efforts, including the planting of native plants, will contribute to the local ecosystem and enhance the aesthetic value of the neighborhood.

Topography:

- **Minimal Impact:** The project involves no significant changes to the property's topography. The existing structure and footprint will be maintained, and renovations will not require major excavation or grading that would alter drainage patterns or create runoff issues.

Access to Light and Air:

- **Preservation of Existing Conditions:** By retaining the building's original height and design, the project will ensure that existing light and air access for neighboring properties is maintained. There will be no new construction or expansion that would cast shadows or block air circulation.
- **Neighborhood Buffering:** We are committed to working with our neighbors to address existing issues, such as the damaged fencing from the adjacent parking lot. Collaborating on agreeable buffers and new fencing will improve the quality of life and aesthetic appeal of the immediate area.

6. RE: Description of Existing Zoning and Built Environment

The existing zoning patterns and built environment surrounding the property at 205 Raleigh Ave strongly support the proposed rezoning to the Central Business District (CBD) classification. The immediate area is characterized by a commercial and transitional land use pattern, with several recent rezoning cases setting a clear precedent for this type of change.

Existing Zoning Patterns

- **Surrounding Districts:** The properties surrounding 205 Raleigh Ave consist predominantly of Central Business District (CBD) and Mixed-Use (MU) zoning districts. As noted in the analysis of the town's zoning map, the adjacent MU parcels are primarily commercial in nature, functioning as parking lots or transient businesses rather

than traditional residential family homes.

- **CBD Context:** Our property is immediately adjacent to the CBD-zoned Truist Bank on Lake Park Blvd and the CBD-zoned El Cazador restaurant across the street, confirming our location within a well-established commercial corridor.
- **Pattern of Rezoning:** The proposed rezoning is consistent with recent land use trends in the immediate area. Specifically, the properties at 204 Harper Ave and 205 Charlotte Ave were recently rezoned from Mixed-Use to CBD. Furthermore, a public hearing is scheduled for the rezoning of 205 Cape Fear Blvd from Mixed-Use to CBD. This pattern demonstrates that the requested zoning is a logical and progressive step for the area, not an isolated request.
- **Existing Built Environment**
 - **Building Heights and Density:** The built environment along Raleigh Ave consists of predominantly one and two-story buildings, a pattern we intend to maintain with our existing structure. We will not be increasing the height of the current 1933 cottage, which aligns with the modest scale of the neighborhood. The overall density of structures is low, with larger commercial lots nearby accommodating parking and other commercial functions.
 - **Setbacks and Lot Configuration:** The property at 205 Raleigh Ave is a small, historically-built lot with limited setbacks, which is a key reason for the rezoning request. These limited setbacks are not uncommon for historic properties in this area. The current lot configuration includes existing tree cover and shrubbery that provide buffers to the adjacent commercial neighbors, Truist Bank and the El Cazador parking lot.
 - **Buffer Yards and Screening:** We recognize the importance of maintaining and enhancing buffer yards and plan to work with landscape designers to improve the natural screening and buffering on our property. We are also open to collaborating with neighboring businesses to address issues, such as the damaged fencing from the adjacent parking lot, to improve the overall aesthetic and function of the area.

- **Access to Light and Air:** By preserving the existing building's original height and design, the project will ensure that light and air access for neighboring properties remains unimpeded, supporting the town's concern for a healthy and pleasant urban environment.

7. Include any additional arguments on behalf of the map amendment requested.

To the Town of Carolina Beach and all who we are presenting to:

We are The Hutchins Family. We live on the North End with our 8 year old son, Denver. This is his 3rd year at Carolina Beach Elementary School. We have been working in the music industry for over 20 years. Previously, we lived in New York and LA. Jonathan "Zeke" Hutchins is from Durham and his family relocated to Wilmington some time ago. We bought our beach cottage in 2017 and split our time here between 2017-2019 and then COVID hit and we were stuck in L.A. When the world reopened, we visited family and friends in the area and decided to stay. We fell in love with the town, not just for a vacation but as a community and a place to slow down and focus on family. We even got married here in 2023 at the Ocean Grill & Tiki Bar. We have been dreaming of ways to pivot from the hustle of our industry and give back to our community in Carolina Beach. At the end of July, we closed on a cute 1930s beach cottage at 205 Raleigh Ave, zoned as Mixed Use. It is across from El Cazador and behind the Truist Bank and next to the El Cazador auxiliary parking lot. Our dream is to open a bookstore, toy store, art supply, gift shop and utilize the backyard as a place for community driven programming: authors, artists, workshops, book clubs, tutoring and enrichment for our kids. With the current Mixed Use laws, we are required to provide a minimum of two parking spaces in our backyard, which would diminish our vision and concept quite a bit. Our goal is to be rezoned from Mixed Use to CBD to eliminate our parking concerns on the property. Many buildings across the 205 line deemed Mixed Use have been converted to CBD. We want to honor the property as it is and provide the community with something that it doesn't quite have yet, and hopefully bring a unique perspective from all of our years of travel and experience in the arts around the globe.

The name of our spot would be called 'the little wave.' We hope you will welcome us.

"You're not a wave, you're a part of the ocean." ~ M. Schwartz