



# AGENDA BRUNSWICK COUNTY PLANNING BOARD

**6:00 P.M. Monday  
April 11, 2022**

**Commissioners Chambers  
David R. Sandifer Administration Bldg.  
Brunswick County Government Center**

- 1) Call to Order.
- 2) Invocation.
- 3) Pledge of Allegiance.
- 4) Roll Call.
- 5) Consideration of Minutes from the March 8<sup>th</sup> and March 14<sup>th</sup> Meetings.
- 6) Agenda Amendments.
- 7) Public Comment.
- 8) Public Hearing.

## Old Business

### A. Major Subdivision – SS-279

Name: Fairway Acres  
Applicant: Timmons Group  
Tax Parcels: 2290002005  
Location: Beach Drive SW (NC 179)  
Description: Fairway Acres is a proposed major subdivision consisting of 53 single family homes on a gross site of 16.99 acres creating an overall density of 3.1 units per acre.

## New Business

### B. Rezoning Z-838

Proposed rezoning of approximately 3122.94 acres located off Pea Landing Road, No. 5 School Road and Ash-Little River Road near Carolina Shores from RR (Rural Residential) to R-7500 (Medium Density Residential) for Tax Parcels 17700015, 1770000804, 17800090, 1780000301, 1780000303, 19300025, 19400027, 19400028, 1940000201, 1940000202, 1940000203, 1940000204 and 1940000205.

### C. Rezoning Z-840CZ

Proposed rezoning of approximately 11.26 acres located at 2583 Mt. Misery Road near Navassa from CJ (Commercial Intensive) to R-7500CZ (Medium Density Residential – Conditional Zoning) for Tax Parcel 01700003. This Conditional Zoning is proposed to limit the uses to 40 Single Family Detached Dwellings and other accessory uses.

D. Rezoning Z-842

Proposed rezoning of approximately 48.48 acres located off Mill Creek Road near Bolivia from RR (Rural Residential) to R-7500 (Medium Density Residential) for Tax Parcel 1110000601.

E. Planned Development – PD-73

Name: Stone Chimney Tract

Applicant: Withers and Ravenel

Tax Parcel: 16800006

Location: Southport-Supply Road (NC 211) and Stone Chimney Road (SR 1115)

Description: Stone Chimney Tract is a proposed planned development to consist of 190 single family lots on 95.68 acres creating an overall density of 1.99 dwelling units per acre.

F. Planned Development – PD-74

Name: Norris Tract

Applicant: Norris and Tunstall

Tax Parcel: 15200037

Location: Green Swamp Road (NC 211)

Description: Norris Tract is a proposed planned development to consist of 117 single family lots on 30.65 acres creating an overall density of 3.8 dwelling units per acre.

G. Planned Development – PD-75

Name: Doe Creek on Stone Chimney

Applicant: Norris and Tunstall

Tax Parcel: 1680002101

Location: Stone Chimney Road (SR 1115)

Description: Doe Creek on Stone Chimney is a proposed planned development to consist of 121 single family lots on 33.21 acres creating an overall density of 3.64 dwelling units per acre.

9) Other Business.

- Planning Board Case Update.
- Blueprint Brunswick Update.
- Flood Resiliency Update and Planning Board Resolution.

10) Adjournment.

**MINUTES**  
**PLANNING BOARD**  
**BRUNSWICK COUNTY, NC**

**6:00 P.M. Monday**  
**March 8, 2022**

**Commissioners Chambers**  
**David R. Sandifer Administration Bldg.**  
**County Government Center**  
**Old U.S 17 East**

MEMBERS PRESENT

Eric Dunham, Chair  
William Bittenbender  
Clifton Cheek  
Richard Leary  
Ron Medlin  
Christopher Wood

MEMBERS ABSENT

Joy Easley, Vice Chair  
Brett Riggs, Alternate

STAFF PRESENT

Kirstie Dixon, Director  
Marc Pages, Principal Planner  
Connie Marlowe, Admin. Asst. II  
Robert Lewis, Project Planner  
Bryan Batton, Asst. County Attorney

OTHERS PRESENT

Dan Koeller  
John Wall  
Richard Kollier  
Ken McGill

Anne Feig  
Kathleen Mularczyk  
Richard Skorny

I. CALL TO ORDER.

Mr. Dunham called the meeting to order at 6:01 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE.

Mr. Dunham said a prayer. The Chair asked everyone to stand and face the U.S. Flag to say the Pledge of Allegiance.

III. ROLL CALL.

Ms. Joy Easley and Mr. Brett Riggs were absent.

IV. CONSIDERATION OF MINUTES OF THE 10-JAN-22 MEETING.

Mr. Cheek noted a correction on page 6, seventh paragraph should say, "With no further comments, Mr. ~~Cheer~~ Cheek made a motion to close the Public Hearing and the motion was unanimously carried. Mr. Leary made a motion to approve the 10-Jan-22 minutes with the noted correction and the motion as unanimously carried.

V. AGENDA AMENDMENTS.

Mr. Dunham stated that Zoning Case Z-836 has been postpone until the April 11<sup>th</sup> Planning Board meeting at the applicant's request.

VI. PUBLIC COMMENT.

There were none.

VII. PUBLIC HEARINGS.

A. Major Subdivision – SS-279

Name: Fairway Acres  
Applicant: Timmons Group  
Tax Parcels: 2290002005  
Location: Beach Drive SW (NC 179)  
Description: Fairway Acres is a proposed major subdivision consisting of 53 single family homes on a gross site of 16.99 acres creating an overall density of 3.1 units per acre.

Ms. Dixon addressed the Board. She read the Staff Report (attached). Ms. Dixon identified the subject property and surrounding properties on a visual map.

Ms. Dixon said staff recommends approval based on the following conditions:

- That the development shall proceed in conformity with all plans and design features submitted as part of the major subdivision application and kept on file by the Brunswick County Planning Department.
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.
- Major Subdivision approval does not constitute an authorization to construct. All applicable Federal, State and County approvals/permits will be necessary to obtain final

plat approvals and building permits. This includes Stormwater, Utilities and Fire Marshal requirements.

Mr. Bittenbender made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Dan Koeller, owner of Duck Pond Ventures, addressed the Board. Mr. Koeller said a portion of the subject property is on Bricklanding's golf course. He stated that a portion of the green and 2 t-boxes are on their property, and they are working with the Community Partners Golf Association to dedicate an easement for the golf course on the green and the t-box so no development will occur in those areas.

Mr. John Wall, representative for Timmons Group, addressed the Board. Mr. Wall said they are proposed 51 single-family lots rather than 53 single-family lots as initially proposed.

Mr. Ken McGill, President of Community Properties Group, addressed the Board. Mr. McGill said the community is looking forward to having a positive neighboring partnership with the proposed community.

Mr. Richard Skorny, President of Oakbrook II and a member of the Board of Directors of Bricklanding Plantation, addressed the Board. Mr. Skorny said they are concerned with stormwater runoff as there are several proposed developments for this area. He stated that Bricklanding Plantation was designed in 1987 and the infrastructure was designed to handle what was constructed at that time. Mr. Skorny said an engineering study (conducted by East Coast Engineering) was completed in the early 2000s and the risers on the golf course were undersized to handle the floodwaters in Goose Creek. He further stated that Southern Oaks (residential development in Bricklanding Plantation) has flooded on more than one occasion. Mr. Skorny said they are in the process of getting a new engineering study to provide a method to improve the flow of water in the area. He provided maps (attached) of the area where another planned development was approved in 2018 (Greenside Manor) and there are current stormwater issues in the area. Mr. Pages interjected that Greenside Manor (approximately 40 lots) was an expansion of Brunswick Plantation that was approved by the Planning Board around 2018. Mr. Skorny proceeded to say that there are maps showing areas that currently do not exist on the ground. Mr. Skorny identified areas on a map where the water currently flows in relation to the proposed project. He stated that Oakbrook II will have a large amount of stormwater runoff as a result of the developments under construction in the area and the proposed project. Mr. Skorny was concerned with his community not being prepared for the potential stormwater runoff and he was also concerned with who will be responsible for potential repairs.

Mr. Dunham asked staff if the County Stormwater Engineer provided any feedback for this project? Mr. Pages said Brigit Flora, Stormwater Engineer, recommended that additional attenuation of up to 25-year 24-hour storm be designed, if feasible, in addition to the normal 1-year and 10-year 24-hour storms, but the developer is designing the project to a 10-year storm event.

Ms. Anne Feig, owner of Tax Parcel 229NA003, addressed the Board. Ms. Feig was concerned with homes from the proposed development being in close proximity to her property and the potential stormwater runoff once the foliage is removed on the subject property. Mr. Pages stated that stormwater runoff must be contained on the subject property and not sheet flow to the adjacent property.

Ms. Kathleen Mularczyk addressed the Board. Ms. Mularczyk stated that she currently has stormwater runoff from the cart path (between the 9<sup>th</sup> and 10<sup>th</sup> hole of Bricklanding Plantation golf course) and she was concerned with the potential of stormwater runoff from the proposed project. Mr. Koeller addressed Ms. Mularczyk regarding stormwater runoff to her property. He stated that stormwater will be captured and released into the stormwater retention ponds on site. He further stated that they will consider redesigning the project to the 25-year storm event, which may result in the loss of 4 lots or the removal of the t-boxes on their property. He further stated that they may put in an addition stormwater control measure (i.e., pond) on the left side of the property by the green. Mr. Koeller said he will also research requiring a 20' buffer on the rear lots to maintain a larger separation from Ms. Feig's property.

With no further comments, Mr. Wood made a motion to close the Public Hearing and the motion was unanimously carried.

After a brief discussion, Mr. Leary made a motion to table the matter until the applicant can research the concerns regarding the project being designed to the 25-year storm event rather than the proposed 10-year storm event and potentially providing a 20' buffer for the rear lots of the project and the motion was unanimously carried.

B. Rezoning Z-832 – Malmo Ventures LLC.

Request rezoning of approximately 685.23 acres located off Malmo Loop Road NE (SR 1417) near Leland from RR (Rural Low Density Residential) to SBR-6000 (Site Built High Density Residential) for Tax Parcel 0280000106.

LAND USE PLAN MAP AMENDMENT LUM-832:

Request to amend Tax Parcel 0280000106 located off Malmo Loop Road NE (SR 1417) near Leland from LDR (Low Density Residential) to MDR (Medium Density Residential).

Mr. Pages addressed the Board. Mr. Pages read the Staff Report (attached) He identified the subject property and surrounding properties on a visual map.

Mr. Pages said staff recommends approval from RR (Rural Low Density Residential) to SBR-6000 (Site Built High Density Residential) for Tax Parcel 0280000106 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map from LDR (Low Density Residential) to MDR (Medium Density Residential) for Tax Parcel 0280000106 located off Malmo Loop Road NE (SR 1417).

Mr. Bittenbender made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Richard Kollier, representative of McKim and Creed, addressed the Board. Mr. Kollier said they intend to develop a planned development on the subject property if the zoning change is approved. He stated that 98% of the area to be developed is outside of wetlands and they are currently conducting a flood study because they plan to erect a bridge across the floodway. Mr. Kollier said they are currently conducting a traffic study and a scoping document has been provided by the North Carolina Department of Transportation (NCDOT). He further stated that a wetlands survey has been submitted to the US Army Corps of Engineers for delineation of wetlands on the site.

Mr. Cheek asked Mr. Kollier the acreage of wetlands on the property and Mr. Kollier said approximately 250 acres is currently in wetlands.

With no further comments, Mr. Wood made a motion to close the Public Hearing and the motion was unanimously carried.

Mr. Cheek made a motion to approve Tax Parcel 0280000106 from RR (Rural Low Density Residential) to SBR-6000 (Site Built High Density Residential) in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map to MDR (Medium Density Residential) for Tax Parcel 0280000106.

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for REZONING be

**APPROVED – NOT CONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment is NOT consistent with the CAMA Land Use Plan (Comprehensive Plan) for the following reasons:

The proposed zoning is not consistent with the CAMA Land Use Plan (Comprehensive Plan) as it is classified as LDR (Low Density Residential). However, a CAMA Land Use Plan amendment has been requested to MDR (Medium Density Residential).

- The Planning Board further finds that the approval of the proposed zoning amendment will amend the CAMA Land Use Plan (Comprehensive Land Use Plan) and the following changes have been considered to meet the needs of the community:

Based on the Staff Report, the County supports greater residential densities in areas that are accessible to water and sewer service(s) and the County supports directing more intensive land uses to areas that have existing or planned infrastructure.

- The Planning Board further finds that the proposed zoning amendment is reasonable and in the public's interests for the following reasons:

The zoning change is consistent with surrounding zoning.

The Chairman stated that any person with standing may appeal the decision of the Planning Board. If an appeal is received in the allotted time, the case will move forward to the Brunswick County Board of Commissioners for a Public Hearing and their consideration. He further stated that if notice of the appeal is not provided in writing within 15 days, then the decision of the Planning Board shall be final.

C. Rezoning Z-835 – Bianchi Properties LLC (%John Bianchi).

Request rezoning of approximately 0.77 acres located off Kelly Road NE near Leland from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 084BA012 and 084BA013.

LAND USE PLAN MAP AMENDMENT LUM-835:

Request to amend Tax Parcels 084BA012 and 084BA013 located off Kelly Road NE near Leland from LDR (Low Density Residential) to Commercial.

Mr. Pages addressed the Board. Mr. Pages read the Staff Report (attached) He identified the subject property and surrounding properties on a visual map.

Mr. Pages said staff recommends approval from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 084BA012 and 084BA013 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map from LDR (Low Density Residential) to Commercial.

Mr. Bittenbender asked if sewer is available to the site and Mr. Pages said lots will have individual on-site wastewater systems.

Mr. Wood made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Mark Bianchi addressed the Board. Mr. Bianchi stated that they intend to build a showroom with an upstairs office that will be connected to a warehouse building on the rear of the property. Mr. Bianchi further stated that they will have material storage on the rear and the opposite side of the road.

With no further comments, Mr. Wood made a motion to close the Public Hearing and the motion was unanimously carried.

Mr. Leary made a motion to approve Tax Parcels 084BA012 and 084BA013 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map from LDR (Low Density Residential) to Commercial.

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for REZONING be

**APPROVED – NOT CONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment is NOT consistent with the CAMA Land Use Plan (Comprehensive Plan) for the following reasons:

The proposed zoning is not consistent with the CAMA Land Use Plan (Comprehensive Plan) as it is classified as LDR (Low Density Residential). However, a CAMA Land Use Plan amendment has been requested to Commercial.

- The Planning Board further finds that the approval of the proposed zoning amendment will amend the CAMA Land Use Plan (Comprehensive Land Use Plan) and the following changes have been considered to meet the needs of the community:

The change is consistent with adjacent properties.

- The Planning Board further finds that the proposed zoning amendment is reasonable and in the public's interests for the following reasons:

There is similar zoning nearby.

The Chairman stated that any person with standing may appeal the decision of the Planning Board. If an appeal is received in the allotted time, the case will move forward to the Brunswick County Board of Commissioners for a Public Hearing and their consideration. He further stated that if notice of the appeal is not provided in writing within 15 days, then the decision of the Planning Board shall be final.

#### VIII. OTHER BUSINESS.

- Flood Resiliency Update

Ms. Dixon addressed the Board. She stated that staff conducted a roundtable discussion regarding projects being designed to the 25-year storm event. Ms. Dixon said staff drafted a resolution (attached) that includes 3 recommendations to better address water drainage, stormwater and flooding in Brunswick County. She further stated that most of the stormwater concerns usually addressed to the Planning Board are a result of projects that were approved prior to the County implementing a Stormwater Ordinance. After lengthy discussion, the Board revised Option 2 of the resolution to say, "Consider requiring new development projects located in historically susceptible and flood-prone areas of Brunswick County (i.e., Caw-Caw Canal Area and other tidal creeks) to be designed to greater standards such as routing the 100-year storm through the pond for stormwater elements and roadways." The Board suggested that staff revise the resolution and bring back to the Board for final approval once the Stormwater Engineer has reviewed the 3 recommendations.

- Transportation Planning Update

Ms. Bunch addressed the Board. She discussed a PowerPoint presentation (attached) regarding transportation initiatives in the County. Ms. Bunch asked that the Board endorse the proposed transportation initiatives to better address transportation concerns. Mr. Dunham made a motion to endorse the Brunswick County Comprehensive Transportation Plan's (CTP) initiatives and the motion was unanimously carried.

- Planning Board Cases Update

Ms. Dixon addressed the Board. She stated that Zoning Cases Z-827 and Z-830 were approved at the 10-Jan-22 meeting and there were no appeals, so the Board's decision stands.

Mr. Bittenbender said there is a sign on the site for Zoning Case Z-800CZ and Ms. Dixon said staff will investigate to determine what is happening on the site.

#### IX. ADJOURNMENT.

With no further business, Mr. Wood made a motion to adjourn and the motion was unanimously carried.

**MINUTES**  
**PLANNING BOARD**  
**BRUNSWICK COUNTY, NC**

**6:00 P.M. Monday**  
**March 14, 2022**

**Commissioners Chambers**  
**David R. Sandifer Administration Bldg.**  
**County Government Center**  
**Old U.S 17 East**

MEMBERS PRESENT

Eric Dunham, Chair  
Joy Easley, Vice Chair  
Clifton Cheek  
Richard Leary  
Ron Medlin  
Christopher Wood

MEMBERS ABSENT

William Bittenbender  
Brett Riggs, Alternate

STAFF PRESENT

Marc Pages, Principal Planner  
Connie Marlowe, Admin. Asst. II  
Garrett Huckins, Planning Tech.  
Hugo Bryant, Jr., Zoning Tech.  
Bryan Batton, Asst. County Attorney

OTHERS PRESENT

Frank Braxton  
Irina Zaslavskaya  
Gerald Kirby  
Joey White  
Naomi Hewett

Robert Johnston  
John Hankins  
Jeff Petroff  
Nicholas Hewett

I. CALL TO ORDER.

Mr. Dunham called the meeting to order at 6:01 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE.

Mr. Dunham said a prayer. The Chair asked everyone to stand and face the U.S. Flag to say the Pledge of Allegiance.

III. ROLL CALL.

Mr. William Bittenbender and Mr. Brett Riggs were absent.

IV. AGENDA AMENDMENTS.

There were none.

V. PUBLIC COMMENT.

There were none.

VI. NEW BUSINESS.

A. Planned Development – PD-71

Name: Holden Beach Landing  
Applicant: CLD Engineering  
Tax Parcels: 21500060, 21600112, 2160011604, and 2160011802  
Location: Holden Beach Road SW (NC 130)  
Description: Holden Beach Landing is a proposed planned development to consist of 186 single family lots on 109.29 acres creating an overall density of 1.8 dwelling units per acre.

Mr. Pages addressed the Board. He read the Staff Report (attached). Mr. Pages identified the subject property and surrounding properties on a visual map.

Mr. Pages said staff recommends approval based on the following conditions:

- That the development shall proceed in conformity with all plans and design features submitted as part of the planned development application and kept on file by the Brunswick County Planning Department;
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance;
- Planned Development approval does not constitute an authorization to construct. All applicable Federal, State and County approvals/permits will be necessary to obtain final plat approvals and building permits. This includes Stormwater, Utilities and Fire Marshal requirements; and
- Place a note on the site plan that the stormwater system shall be designed to accommodate the 25-year storm event.

Ms. Easley made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Frank Braxton, representative for CLD Engineering PLLC, addressed the Board on behalf of the applicant. Mr. Braxton reiterated that this is a 186 single-family lot planned development with commercial (3.30 acres) near the front of the project. He stated that there was a mining

permit on this site that resulted in a borrow pond. Mr. Braxton said they have studied the floodway as addressed in the Technical Review Committee (TRC) meeting as well as the clogged ditches in the area that was discussed at the neighborhood meeting. As a result, they have moved lots outside the floodway and off Bell's Creek and they will provide clean-out the clogged ditches. He stated that the lots in the AE Flood Zone are buildable lots and the homes will be elevated 2' above base flood elevation. Mr. Braxton said they have worked with the North Carolina Department of Transportation (NCDOT) regarding the location and design of the entranceway to the site. He further stated that the Traffic Impact Analysis has been completed and approved by NCDOT.

Mr. Gerald Kirby, owner of 1443 Stanbury Road SW, addressed the Board. Mr. Kirby was concerned with the drainage ditches that run through the subject property and he asked that the main ditches that run through the subject property stay intact as they were designed by NCDOT to drain the water from Stanbury Road SW (SR 1124) to the Bell Branch area and eventually end up in the Shallotte River. Mr. Kirby further stated that there are 2 culverts that run under Stanbury Road SW (SR 1124) near 1467 and 1529 Stanbury Road SW and the water from the north side of Stanbury Road SW (SR 1124) flows toward the residents on the south side of Stanbury Road SW (SR 1124) through the 2 culverts as it was designed to do. He proceeded to say that the surface water and subsurface water runs toward Bell Branch. Mr. Kirby said NCDOT was maintaining the lead ditches from Stanbury Road SW (SR 1124) to Bell Branch and Brunswick County Mosquito Control maintained the lead ditches until that program was discontinued. Mr. Kirby said the proposed project indicated that there will be homes constructed in close proximity to the lead ditches that drain from Stanbury Road SW (SR 1124) to Bell Branch. Mr. Kirby identified the lead ditches from Stanbury Road SW (SR 1124) to Bell Branch on a visual map that vary from 4' to 8' deep and 6' to 10' wide. He had photos (via a visual map) of the area after a spring rain. He approached the Board with a photo of the area where there is current flooding issues in the area. Ms. Easley asked Mr. Kirby if the drainage ditches run through his property? Mr. Kirby said the ditches come up to his property. Mr. Kirby proceeded to say that the residents along Stanbury Road SW (SR 1124) will be flooded if the lead ditches are removed. Mr. Kirby asked that the drainage issue be addressed prior to the approval of this project.

Mr. Jeff Petroff, representative for CLD Engineer, addressed the Board. Mr. Petroff said the subject property is downstream from Mr. Kirby's property and the subject property is receiving stormwater runoff from other properties in the immediate area. He stated that they are currently evaluating the situation to address the water runoff from the existing vertical cut ditches. Mr. Petroff said they plan to reroute the water to the ditches they build on a 3:1 slope while maintaining the existing ditches that will not be rerouted. Mr. Petroff further stated that the ditches that will be rerouted will be built to a cross section that can be maintained and accommodate the volumes of water coming through the ditches. Mr. Petroff concluded that water will be captured and conveyed to their treatment devices and released. He stated that the project will be designed to a 25-year storm event.

Mr. Cheek asked about the abandoned borrow pit that will be used for stormwater treatment improvements. Mr. Petroff explained that they will likely have to do some filling and bypass the water that is coming through the site and put their water into the stormwater pond where the borrow pit used to be. Mr. Petroff said they will clean-out the ditch(es) where water is not flowing properly. Mr. Leary asked who will be responsible for keeping the ditches clean? Mr. Petroff said the ditches will be a part of the overall stormwater system and maintained by the homeowner's association (HOA) of the subject property.

Mr. Joey White, owner of 1529 Stanbury Road SW, addressed the Board. Mr. White said he has made contact with NCDOT regarding stormwater drainage issues on his property. He stated that he has done repairs to assist with stormwater drainage issues to the main ditch that crosses over the subject property. Mr. White discussed drainage issues via an email photo sent to Mr. Pages earlier today. Mr. Dunham asked Mr. White how long the water remains on his property? Mr. White said, during the winter months, the water is usually there for months and approximately 2' deep when there is a lot of rain.

With no further comments, Mr. Wood made a motion to close the Public Hearing and the motion was unanimously carried.

Mr. Dunham clarified that there appears to be an issue with water flowing through the subject property. However, the developer intends to clean-out the ditches and reroute the water, where possible. Ms. Easley said the U.S. Army Corps of Engineers will have to approve any changes proposed by the developer.

Ms. Easley made a motion to approve Holden Beach Landing Planned Development (PD-71) with the noted conditions presented in the Staff Report and the existing ditches in the project area will not be deadheaded and/or closed; rather, the existing ditches will be rerouted through permitting with the U.S. Army Corps of Engineers and the motion was unanimously carried.

**B. Rezoning Z-837 – Robert Johnston.**

Request rezoning of approximately 8.80 acres located at 791 Bricklanding Road SW near Shallotte from NC (Neighborhood Commercial) to C-LD (Commercial Low Density) for Tax Parcel 21300057.

**LAND USE PLAN MAP AMENDMENT LUM-837:**

Request to amend Tax Parcel 21300057 located at 791 Bricklanding Road SW (NC 179) near Shallotte from LDR (Low Density Residential) to Commercial.

Mr. Pages addressed the Board. Mr. Pages read the Staff Report (attached) He identified the subject property and surrounding properties on a visual map.

Mr. Pages said staff recommends approval from NC (Neighborhood Commercial) to C-LD (Commercial Low Density) for Tax Parcel 21300057 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map from LDR (Low Density Residential) to Commercial for Tax Parcel 21300057 located at 791 Bricklanding Road SW (NC 179).

Mr. Wood made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Robert Johnston addressed the Board. Mr. Johnston stated that the proposed zoning change is the highest and best use of the property for future development on the property in question.

With no further comments, Mr. Leary made a motion to close the Public Hearing and the motion was unanimously carried.

Mr. Cheek made a motion to approve Tax Parcel 21300057 from NC (Neighborhood Commercial) to C-LD (Commercial Low Density) in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map to Commercial for Tax Parcel 21300057.

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for REZONING be

**APPROVED – NOT CONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment is NOT consistent with the CAMA Land Use Plan (Comprehensive Plan) for the following reasons:

The proposed zoning is not consistent with the CAMA Land Use Plan (Comprehensive Plan) as it is classified as LDR (Low Density Residential). However, a CAMA Land Use Plan amendment has been requested to Commercial.

- The Planning Board further finds that the approval of the proposed zoning amendment will amend the CAMA Land Use Plan (Comprehensive Land Use Plan) and the following changes have been considered to meet the needs of the community:

There are commercial nodes in this area.

- The Planning Board further finds that the proposed zoning amendment is reasonable and in the public's interests for the following reasons:

There is a need for more commercial activity that cannot be achieved in the current zoning district.

The Chairman stated that any person with standing may appeal the decision of the Planning Board. If an appeal is received in the allotted time, the case will move forward to the Brunswick County Board of Commissioners for a Public Hearing and their consideration. He further stated that if notice of the appeal is not provided in writing within 15 days, then the decision of the Planning Board shall be final.

C. Rezoning Z-839 – Ruslan Zaslavskiy.

Request rezoning of approximately 1.93 acres located on Ocean Highway West (US 17) near the intersection of Mt. Pisgah Road SW (SR 1130) from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcel 1670005802.

Mr. Pages addressed the Board. Mr. Pages read the Staff Report (attached). He identified the subject property and surrounding properties on a visual map.

Mr. Pages said staff recommends approval from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcel 1670005802.

Mr. Cheek asked to be recused citing a potential conflict of interest.

Ms. Easley made a motion to recuse Mr. Cheek and the motion was unanimously carried.

Mr. Wood made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Nicholas Hewett and Ms. Naomi Hewett addressed the Board. Mr. Hewett said, when the property was surveyed, property stakes were placed approximately 8' onto their property and they want assurance that the property corners are corrected and there is no infringement on their property. Mr. Dunham suggested that they either talk to the surveyor that surveyed the property incorrectly to resurvey the property or they can hire another surveyor to identify the property corners of Naomi Hewett's property (Tax Parcel 1670005801). However, if the matter cannot be resolved, the surveyor board can be contacted to assist in a resolution.

Ms. Irina Zaslavskaya addressed the Board. Ms. Zaslavskaya stated that they want to change the zoning to place a small business on the property.

With no further comments, Mr. Wood made a motion to close the Public Hearing and the motion was carried.

Mr. Wood made a motion to approve Tax Parcel 1670005802 from RR (Rural Low Density Residential) to C-LD (Commercial Low Density).

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for REZONING be

**APPROVED – CONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment is consistent with the CAMA Land Use Plan (Comprehensive Plan) for the following reasons:

The proposed zoning is consistent with the CAMA Land Use Plan (Comprehensive Plan) as it is classified as Commercial.

- The Planning Board further finds that the approval of the proposed zoning amendment will amend the CAMA Land Use Plan (Comprehensive Land Use Plan) and the following changes have been considered to meet the needs of the community:

Based on the Staff Report, the County and its participating municipalities strongly support commercial nodes, including town and village centers, and the prohibition of strip commercialization.

- The Planning Board further finds that the proposed zoning amendment is reasonable and in the public's interests for the following reasons:

The property is located in an area designed as commercial and it is adjacent to a major corridor.

The Chairman stated that any person with standing may appeal the decision of the Planning Board. If an appeal is received in the allotted time, the case will move forward to the Brunswick County Board of Commissioners for a Public Hearing and their consideration. He further stated that if notice of the appeal is not provided in writing within 15 days, then the decision of the Planning Board shall be final.

Ms. Easley made a motion for Mr. Cheek to rejoin the Board and the motion was unanimously carried.

VII. OTHER BUSINESS.

- Flood Resiliency Update.

Mr. Pages addressed the Board. He stated that Brigit Flora, Stormwater Engineer, asked that she have more time to review the proposed resolution that was recommended by the Board at the 08-Mar-22 so it will likely reappear at the 11-Apr-22 Planning Board meeting.

VIII. ADJOURNMENT.

With no further business, Ms. Easley made a motion to adjourn and the motion was unanimously carried.

DRAFT

**BRUNSWICK COUNTY  
STAFF REPORT AND RECOMMENDATION**

Application No. SS-279

Applicant: Timmons Group

Project Name: Fairway Acres Major Subdivision

Property Location: Beach Drive SW (NC 179)

Parcel Numbers: 2290002005

Zoning District: R-7500 (Medium Density Residential) – Maximum Density Allowed is 5.8 Dwelling Units per Acre

Surrounding Zoning **North:** R-7500 and NC (Neighborhood Commercial)  
**South:** R-7500  
**East:** R-7500  
**West:** R-7500

Proposed Use: Fairway Acres is a proposed major subdivision consisting of 53 single family homes on a gross site of 16.99 acres creating an overall density of 3.1 units per acre.

**Approval Criteria**

- The majority of surrounding uses consists of single family residential, commercial and vacant land.
- The Future Land Use Map denotes this area as LDR (Low Density Residential).
- Parking will be off street with a minimum of 2 driveway parking spaces per lot.
- The proposed project meets minimum vehicular access point requirements. All lots will be served internally.
- Proposed infrastructure:
  1. **Water and Sewer** will be provided by Brunswick County.
  2. **Roads** will be private.
- The proposed development will have a 20-foot street buffer fronting on Beach Drive. The development will also have a voluntary 30-foot buffer between the proposed lots and the existing golf course.
- The required Open Space for the development is approximately 0.85 acres. The developer is proposing 3.05 acres of dedicated open space. The developer is also proposing 0.22 acres of recreation space of which 0.13 acres are required.
- The proposed 53 lots will generate approximately 507 vehicle trips per 24-hour weekday volume. A driveway permit from NCDOT will be required prior to the recording of the individual lots.
- The Exceptional Design elements to be included in the project are as follows:
  1. The developer is proposing 3.05 acres of open space where as 0.85 acres are required.
  2. The developer is proposing 0.22 acres of recreation space where as 0.13 acres are required.
  3. A 30-foot buffer shall be installed along the golf course boundary.
- Adjacent property owners were notified via US mail and a notification sign was posted on the subject property.

- 
- TRC was held on January 4, 2022.
  - A neighborhood meeting was held on February 7, 2022.

If approved, this development shall have a vested right for a period of three years. A two-year extension may be requested by the applicant to the Brunswick County Planning Department.

Staff recommends approval based on the following conditions:

1. That the development shall proceed in conformity with all plans and design features submitted as part of the major subdivision application and kept on file by the Brunswick County Planning Department.
2. That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.
3. Major Subdivision approval does not constitute an authorization to construct. All applicable Federal, State and County approvals/permits will be necessary to obtain final plat approvals and building permits. This includes Stormwater, Utilities, and Fire Marshal requirements.

# Major Subdivision Case SS-279 Fairway Views at Brick Landing

CO=COUNTY JURISDICTION

CO-NC

CO-R-6000

CO-R-7500

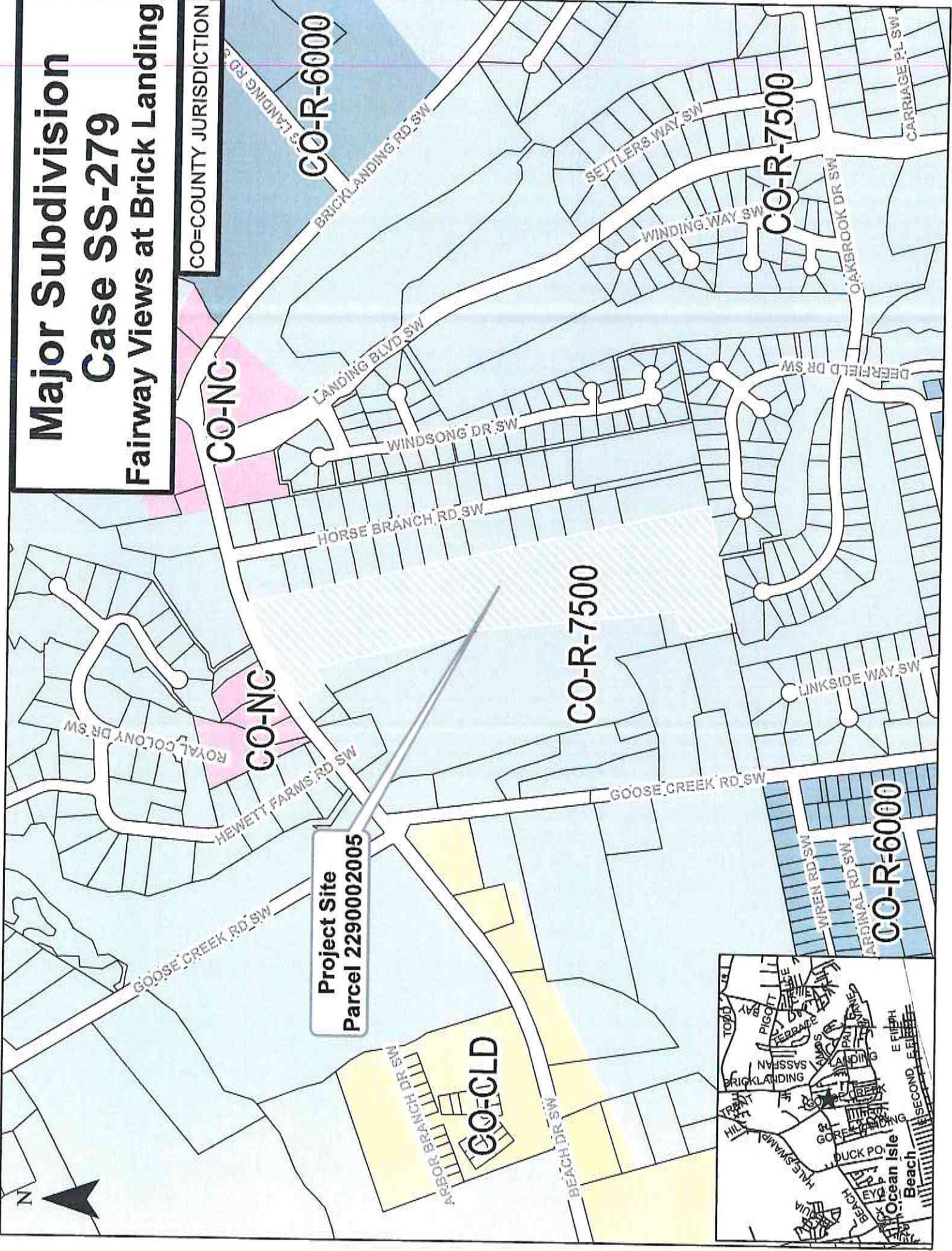
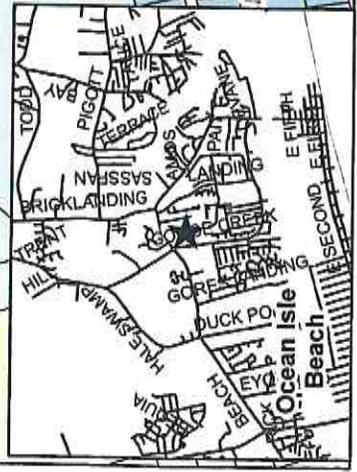
CO-NC

CO-R-7500

CO-R-6000

CO-CLD

Project Site  
Parcel 2290002005

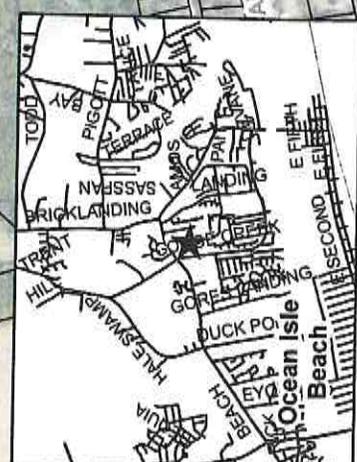
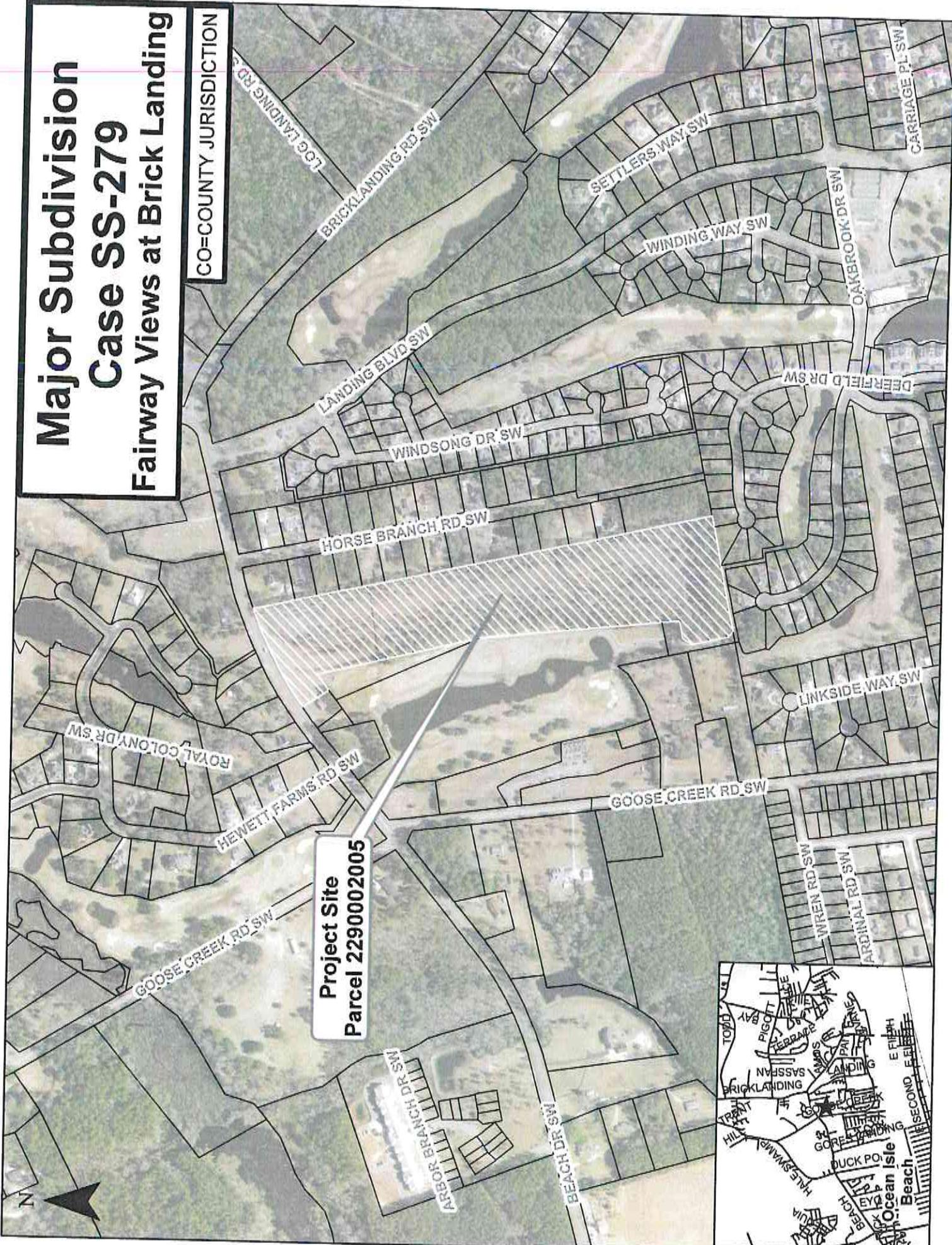


# Major Subdivision Case SS-279

## Fairway Views at Brick Landing

CO-COUNTY JURISDICTION

**Project Site**  
**Parcel 2290002005**







# BRUNSWICK COUNTY PLANNING DEPARTMENT

75 Government Drive, Building 1 • P.O. Box 249 • Bolivia, NC 28422

[www.brunswickcountync.gov/planning](http://www.brunswickcountync.gov/planning) • (910)253-2025

January 5, 2022

Timmons Group  
c/o John Wall  
428 Eastwood Road  
Wilmington, NC 28403

**RE: Fairway Views at Bricklanding Major Subdivision  
File # SS-279**

Dear Mr. Wall,

The Technical Review Committee (TRC) at their January 4, 2022 meeting reviewed the preliminary plans for the above referenced project.

Please find below comments with regards to the review of the project.

Comments from Planning:

Marc Pages – 910-253-2056 – [marc.pages@brunswickcountync.gov](mailto:marc.pages@brunswickcountync.gov)

- Please extend the buffer area from lot 3 to 12.
- Please show a 20-foot street buffer frontin on Bricklanding Road.
- Please relocate Lot 1 so it is served internally.
- Please provide a street and cul-de sac detail.
- Please correct the minimum setbacks listed for the R-7500 zone.
- If sidewalks are to be provided, please note on site plan.
- If the project is proposing to construct public roads and dedicate them to NCDOT, please contact the NCDOT division 3 office in Wilmington to discuss that process.
- Please note on the plan that this property is within a ½ mile of a Voluntary Agricultural District.
- Please remove the note in the lower right-hand corner referencing the Town of Leland standards.
- Please note that a neighborhood meeting is highly recommended per UDO Section 9.2.
- Please note on the plan "There shall be a note on the final plats, master covenants, and deeds showing the location of wetlands and noting that those areas may not be filled, disturbed, or altered in any way unless properly permitted by the NC Department of Environment and Natural Resources and/or the U.S. Army Corp of Engineers."

Comments from Stormwater

Brigit Flora – 910-253-2405 – [brigit.flora@brunswickcountync.gov](mailto:brigit.flora@brunswickcountync.gov)

- A State Erosion Control Permit will be required for clearing and/or grading.
- State and County Stormwater Permits are required before any construction.



## BRUNSWICK COUNTY PLANNING DEPARTMENT

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- The County is requesting that additional attenuation of up to the 25-year 24-hour storm to be designed, if feasible, in addition to the normal 1-year and 10-year 24-hour storms.
- Please note on the plan "County and/or State Stormwater Permits must be obtained prior to any construction. No natural drainage areas will be cut off or disturbed before obtaining the permits."

### Comments from Engineering

Amy Aycock – 910-253-2047 – [amy.aycock@brunswickcountync.gov](mailto:amy.aycock@brunswickcountync.gov)

- The proposed offsite public sewer easement on the residential parcel on Deerfield Drive must be shown as 20' minimum width; said easement must be legally granted to Brunswick County and legally recorded prior to final plan review approval and signing of any water and sewer applications.
- Call out a 20' minimum width sewer easement between Lots 48 and 49.
- The existing end of line gravity sewer manhole on Deerfield Drive where the proposed low-pressure sewer main will connect must be changed out to a polymer concrete or plastic polypropylene manhole per county technical specifications.
- Change "FM" to "low pressure sewer" as this is a proposed low pressure sewer collection system and not a high-pressure force main.
- Need to show end-of-line cleanouts on the ends of the proposed low-pressure sewer main.
- The proposed low-pressure sewer main must be extended to serve Lot 53.
- Lot 1 cannot be served sewer as shown as sewer cannot cross parcels; lot 1 must have frontage on the street ROW where the proposed low pressure sewer main is located; Can have septic on this lot if Environmental Health will approve, if turned down by EH lot can be connected to the high pressure forcemain on Beach Drive through the Rural Sewer Program.
- Need to show a fire hydrant on the proposed eight-inch water main at the subdivision entrance per county design manual.
- NCDOT 3-Party Encroachment Permit will be required for the work on Beach Drive.
- Fire hydrants shall be provided at 800 feet maximum spacing per design manual.
- In line 8-inch main line valves are required approximately every 800 LF per county design manual.
- Call out the proposed 8" x 6" water main reducer and must have a 6-inch in line gate valve for the six-inch main at the line reducer.
- Call out a fire hydrant at the end of the six-inch water main and move to open space area next to lot 53.
- Double water meter boxes are required, or two single gang water meter boxes, on each lot per county design manual and technical specifications.

### Comments from Fire Code Official

Brad Babson – 910-253-2043 – [brad.babson@brunswickcountync.gov](mailto:brad.babson@brunswickcountync.gov)

- Need to submit fire application at the following <https://forms.brunswickcountync.gov/Forms/fireapplication> . Need to also provide the following documents with the fire permit application. Construction documents



## BRUNSWICK COUNTY PLANNING DEPARTMENT

75 Government Drive, Building I • P.O. Box 249 • Bolivia, NC 28422

[www.brunswickcountync.gov/planning](http://www.brunswickcountync.gov/planning) • (910)253-2025

(site plan, utility plan, building plan, appendix B code summary, life safety plan, and emergency responder radio coverage plan) when obtaining permits for construction. All new commercial buildings will require a separate permit application.

- Need to provide a site utility plan indicating the locations of all fire hydrants. Need to show a fire hydrant at the entrances and then every 800' feet thereafter. Will need Hydraulic calculations. Hydrants are to be in place and have water before combustible construction materials are placed on site.
- This project shall comply with requirements of the Brunswick County Fire Marshal in conjunction with the current edition of the 2018 North Carolina Fire Prevention Code and the Brunswick County Fire Prevention Ordinance.
- Will need fire hydrant flow data to be provided at time of construction.

Please provide a digital set of revised plans to the Brunswick County Planning Department by 5:00 p.m. on January 14, 2022.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Marc A. Pages".

Marc A. Pages  
Brunswick County Principal Planner



# Major Subdivision

## Application and Checklist

Fee: \$450 (Brunswick County Jurisdiction)  
 \$825 + \$11 per lot (City of Northwest Jurisdiction)  
 Brunswick County Planning Dept. 910-253-2025

### For Office Use Only

File # SS279 Invoice # \_\_\_\_\_  
 Date Received: 1/14/22  
 Northwest Jurisdiction - YES  NO

This application is a request to obtain approval to construct a Major Subdivision of more than 10 lots consistent with a submitted master site plan that identifies permitted land uses, densities, building setbacks, heights, lot size, width, buffers, off-street parking and street widths. Please reference Section 3.4.11. of the Unified Development Ordinance (UDO) for requirements regarding Major Subdivisions.

Please fill out form completely, supplying all necessary information and documentation to support your request.

Property Owner	Name	Phone
	Address	Fax
	City, St, Zip	Email

Applicant or Representative	Name	Phone
	Address	Fax
	City, St, Zip	Email

Property Information	Address
	Tax Parcel(s)
	Acreage
	Current Zoning
	Public Utilities Available? Water <input type="checkbox"/> Sewer <input type="checkbox"/>

Project Information	Project Name
	Project Description
	Modification or Expansion Of Existing Subdivision? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	Single Family Acres
	Commercial Acres
Number of Lots	

Authorization	Property Owner Signature _____	Date _____
	Applicant/Representative Signature <u><i>Jim C. Wells</i></u>	Date <u>3/2/2022</u>

Please submit three folded copies and one electronic copy of the site plan with application.

# CASE SS-279

## ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
229NA006	MASTEN LINDA B	13633 O TOOLE DR	MATTHEWS	NC	28105-3016
229NA004	MILLER JEAN P	1728 ELBERT LANE	OCEAN ISLE BEACH	NC	28469
24400026	MILLER JEAN P	1728 ELBERT LANE	OCEAN ISLE BEACH	NC	28469
244CB097	PHILLIPS WILLIAM H (LT) W CHRISTOPHER PHILLIPS	1777 OAKBROOK DRIVE SW	OCEAN ISLE BEACH	NC	28469
2290007803	KING JOHN M	1588 HORSE BRANCH RD SW	OCEAN ISL BCH	NC	28469
2290007802	KING JOHN M	1588 HORSE BRANCH RD SW	OCEAN ISL BCH	NC	28469
24400027	KING JOHN MALCOLM	1588 HORSE BRANCH RD SW	OCEAN ISLE BEACH	NC	28469
244CB066	HENDRIX DAVID C ETUX HENDRIX SARA	825 ROWLAND CEMETERY ROAD	ROWLAND	NC	28383
22900019	ALLEN TERRI	7247 BEACH DR SW	OCEAN ISLE BEACH	NC	28469
229NA007	ZIMMERMAN JEFFREY C ETUX ZIMMERMAN KAREN M	10948 DEARDEN CIR	ORLANDO	FL	32817-3823
229NA002	KING ROBERT L ETUX KING YVONNE C	1504 HORSE BRANCH RD SW	OCEAN ISL BCH	NC	28469-7526
229NA005	KING ROBERT LEROY	1504 HORSE BRANCH RD SW	OCEAN ISL BCH	NC	28469-7526
244CB096	MULARCZYK KATHLEEN A ETALS	1774 OAKBROOK DR SW	OCEAN ISL BCH	NC	28469-6424
229NA013	ACOSTA DIANA A ETVIR CORONEL ISMAEL AVILA	6734 NEWBURY WAY	WILMINGTON	NC	28411-1010
2290000909	COMMUNITY PARTNERS GOLF LLC	1640 CARRIAGE PL SW	OCEAN ISL BCH	NC	28469-6503
244CB067	SANDERS LYNDA C	1640 DEERFIELD DR SW	OCEAN ISLE BEACH	NC	28469
2290002006	ROBINSON JACQUELYN HEWETT ETALS	414 34TH ST	SUNSET BEACH	NC	28468-4114
2290002003	ROBINSON JACQUELYN HEWETT ETALS	414 34TH ST	SUNSET BEACH	NC	28468-4114
2290002007	DUCK POND VENTURES LLC ATTN DAN KELLER	5430 WADE PARK BLVD	RALEIGH	NC	27607-4190
2290002008	DUCK POND VENTURES LLC ATTN DAN KELLER	5430 WADE PARK BLVD	RALEIGH	NC	27607-4190
229NA003	FEIG DANIEL J ETUX FEIG ANNE M	1512 HORSE BRANCH RD SW	OCEAN ISL BCH	NC	28469-7526
229NA010	KISER WILLIAM S (LT) ETALS WHITE HANNAH B	1550 HORSE BRANCH RD SW	OCEAN ISL BCH	NC	28469-7526
229NA009	KISER WILLIAM S (LT) ETALS WHITE HANNAH B	1550 HORSE BRANCH RD SW	OCEAN ISL BCH	NC	28469-7526
229NA008	KISER WILLIAM S (LT) ETALS WHITE HANNAH B	1550 HORSE BRANCH RD SW	OCEAN ISL BCH	NC	28469-7526
244CB065	HENDRIX DAVID C AND HENDRIX SARAH P	825 ROWLAND CEMETERY RD	ROWLAND	NC	28383
244CB095	SACCOCCIO AUGUST TRUSTEE AND SACCOCCIO FRANCES TRUSTEE	2510 PARK PLACE	BELLMORE	NY	11710
229NA012	HUGHES WILLIAM ROGER ET HUGHES PATTI	PO BOX 7301	OCEAN ISL BCH	NC	28469-1301
2290002001	BRUNSWICK COUNTY C/O FINANCE DEPT	PO BOX 249	BOLIVIA	NC	28422-0249
2290001801	BEELER KELLY ANTHONY	5380 BEACH DR SW	SHALLOTTE	NC	28470-5239

## OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
2290002005	DUCK POND VENTURES LLC ATTN DAN KELLER	5430 WADE PARK BLVD	RALEIGH	NC	27607-4190

## APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
	TIMMONS GROUP C/O JOHN WALL	428 EASTWOOD RD	WILMINGTON	NC	28403

# REZONING STAFF REPORT



Prepared by Marc Pages, Principal Planner

Rezoning Case#: Z-838

April 11, 2022

## APPLICATION SUMMARY

The applicant, J. Phillip Norris, requests to rezone Tax Parcels 17700015, 1770000804, 17800090, 1780000301, 1780000303, 19300025, 19400027, 19400028, 1940000201, 1940000202, 1940000203, 1940000204 and 1940000205 from RR (Rural Residential) to R-7500 (Medium Density Residential). This rezoning request is conventional, therefore no conditions are proposed. All owners and adjacent owners have been notified via first class mail.

### Location

Pea Landing Road, No. 5 School Road and Ash-Little River Road

### Tax Parcels

17700015, 1770000804, 17800090, 1780000301, 178000303, 19300025, 19400027, 19400028, 1940000201, 1940000202, 1940000203, 1940000204 and 1940000205

### Current Zoning

RR (Rural Residential)

### Proposed Zoning

R-7500 (Medium Density Residential)

### Surrounding Zoning

RR, R-7500, SBR-6000 (High Density Site Built Residential)

### Current Use

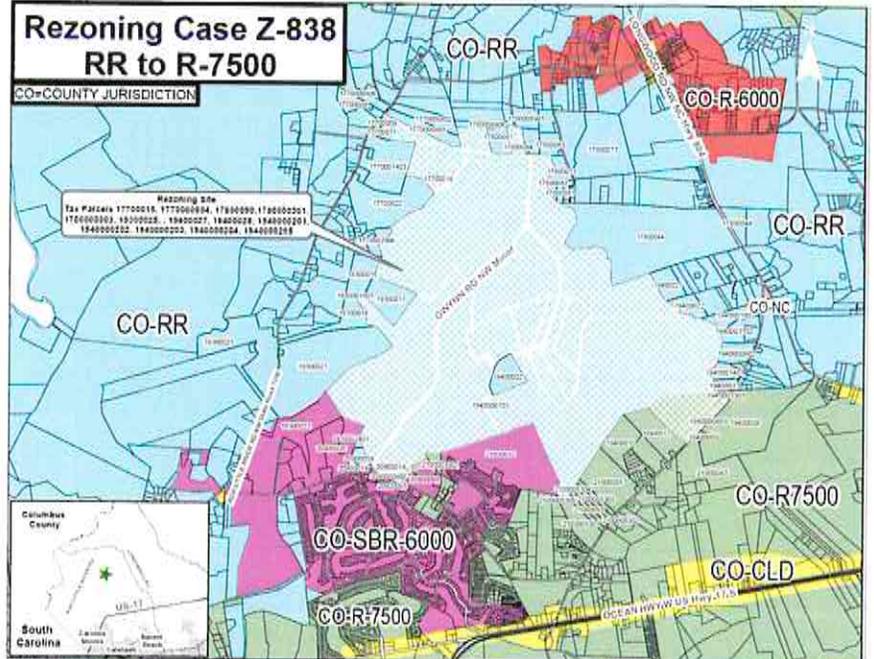
Vacant Lands, Agricultural, Residential

### Surrounding Land Uses

Residential, Agricultural and Vacant Lands

### Size

3,122.94 Acres



## SITE CONSIDERATIONS

**Zoning History:** The zoning designation on this property has remained unchanged since County Zoning was adopted in 1994.

**Density and Intensity:** If rezoned to R-7500, the maximum permitted residential density with water and sewer will increase from 2.9 dwelling units per acre to 5.8 dwelling units per acre.

**Buffers:** If rezoned to R-7500, all uses will require a 0.2 opacity buffer adjacent to RR areas.

**Traffic:** There are no capacity deficiencies for this section of Pea Landing Road, No. 5 School Road or Ash-Little River Road.

**Utilities:** Water and Sewer is available from Brunswick County Utilities along No. 5 School Road. Utility connection will require developer responsibility to connect to the water and sewer system.

**Schools:** The Jesse Mae Monroe Elementary School, Waccamaw Middle School and West Brunswick High School have adequate capacity.

**CIP Projects in Area:** New Early College High School (FY 2022).

**NCDOT Road Improvements in Area:**

- New Highway – Carolina Bays Parkway (R-5876) – Planning and Design Phase.

**Environmental Impacts:**

- Significant portions of the site lay within a Flood Hazard Zone.
- Biodiversity & Wildlife Habitat Assessment Score: Portions of the site score a 6 out of 10 due to substantial wetlands on the site.
- The rezoning site lies within a half mile of a Voluntary Agricultural District.

## ANALYSIS

*"The R-7500, R-6000, and SBR-6000 districts are established to provide for orderly suburban residential development. A limited number of commercial and civic uses are allowed, subject to the restrictions necessary to preserve and protect the residential character of the neighborhood. A special permit process for higher intensity development is also allowed, using discretion to balance issues of higher density with improved amenities. Due to the higher intensity developments contained in this district, it is intended to be applied to properties served by public sewer and water systems."*

**CAMA Land Use Plan Classification:** LDR (Low Density Residential)

- Proposed Zoning is consistent with CAMA Land Use Plan.

**Applicable CAMA Land Use Policies:**

- P.15 states that Brunswick County supports greater residential densities in areas that are accessible to water and sewer service(s). Agricultural and low-density residential land uses should be located in areas that do not have central water or sewer service.
- P.49 states that Brunswick County supports directing more intensive land uses to areas that have existing or planned infrastructure.

# CONSISTENCY STATEMENT

## FOR BRUNSWICK COUNTY PLANNING BOARD

ZONING AMENDMENT DESCRIPTION: Z-838 (RR TO R-7500)



**THE BRUNSWICK COUNTY PLANNING BOARD HEREBY ORDER, on the basis of  
be all the foregoing, that the UNIFIED DEVELOPMENT ORDINANCE ZONING AMENDMENT**

**APPROVED – CONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment *is consistent with the CAMA Land Use Plan (Comprehensive Plan)* for the following reasons: \_\_\_\_\_

**ALTERNATIVE RECOMMENDATION:** \_\_\_\_\_

- The Planning Board further finds that the proposed zoning amendment *is reasonable and in the public's interest* for the following reasons: \_\_\_\_\_

**APPROVED – NOT CONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment *is NOT consistent* with the CAMA Land Use Plan (Comprehensive Plan) for the following reasons: \_\_\_\_\_
- The Planning Board further finds that the approval of the proposed zoning amendment will amend the CAMA Land Use Plan (Comprehensive Plan) and the following changes have been considered to meet the needs of the community: \_\_\_\_\_
- The Planning Board further finds that the proposed zoning amendment *is reasonable and in the public's interests* for the following reasons: \_\_\_\_\_

**DENIED – INCONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment  is  is not consistent with the CAMA Land Use Plan (Comprehensive Plan) and  is  is not in the public interests for the following reasons: \_\_\_\_\_

**TABLED**

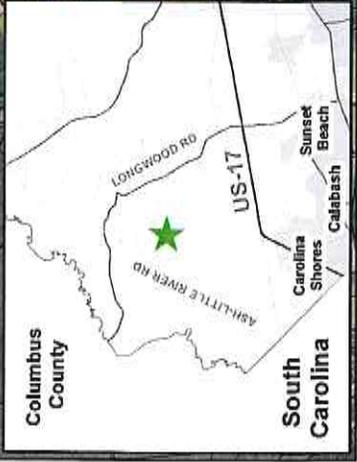
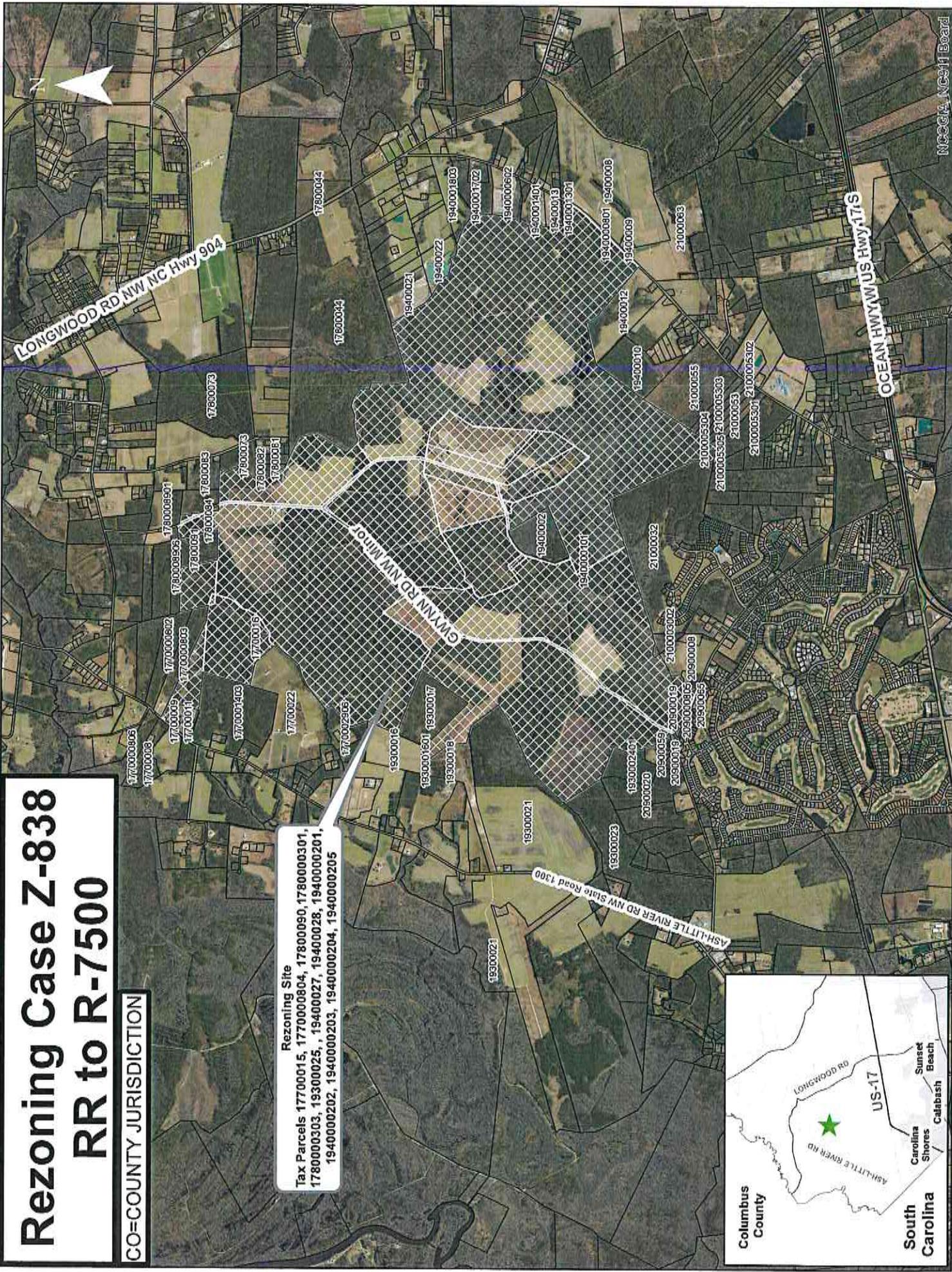
- The Planning Board TABLES the proposed zoning amendment to  Next Planning Board Meeting  A Future Planning Board Meeting in \_\_\_\_\_ months.



# Rezoning Case Z-838 RR to R-7500

CO=COUNTY JURISDICTION

Rezoning Site  
Tax Parcels 17700015, 177000804, 17800090, 178000301,  
178000303, 19300025, 19400027, 19400028, 194000201,  
194000202, 194000203, 194000204, 194000205





NT 2/1/21



# REZONING APPLICATION

*For Office Use Only*

Rezoning Case Z- K38 Invoice # 525/02  
 Date Received 2/1/21  
 Northwest Jurisdiction  YES  NO

Brunswick County Planning • PO Box 249, Bolivia, NC 28422 • Phone: (910) 253-2025/1-800-621-0609 • Fax: (910) 253-2437  
 Complete the following application. This form must be completely filled out. Incomplete applications will result in a delay of this application and slow down the rezoning process.

<b>APPLICANT INFORMATION</b> (This person will be the contact person and will receive all mailings)	
Applicant Name(s): J. Phillip Norris, P.E.	
Mailing Address: 1429 Ash - Little River Road Ash, NC 28420	
Phone: 910-287-5900	Email: pnorris@ntengineers.com
<b>PROPERTY OWNER INFORMATION</b> (If different from above)	
Owner Name(s): S Longwood, LLC, Longwood Properties, LLC, and KCS Farms, LLC	
Mailing Address:	
S Longwood, LLC PO BOX 523 WHITEVILLE, NC 28472	Longwood Properties, LLC PO BOX 70247 MYRTLE BEACH, SC 29572-0023
	KCS Farms, LLC 404 FAIRWAY ROAD MYRTLE BEACH, SC 29572
Phone: 910-540-7727	Email: david_s_fort@yahoo.com
<b>PROPERTY INFORMATION</b>	
Property Address and/or Description of Location:	
Parcel Tax ID #(s):	Total Site Acreage:
17700015    1780009001    19300025    1940000205	3,107.44
1770000804    1780000301    19400027    1940000203	
17800090    1780000303    19400028    1940000204	
Current Zoning District(s): RR	Proposed Zoning District(s): <u>A-7500</u> <u>SBR-6000</u>
Conditional Zoning Request <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
<i>Conditional Zoning have additional submittal requirements such as Conceptual Site Plan, Proposed Conditions, Proposed Uses, and the holding of a neighborhood meeting. Please include the additional information as an attachment to this application.</i>	
<b>NOTE:</b> If multiple parcels are being proposed for rezoning then write "see attached" and attach the list of the parcels. Make sure to include the Tax Parcel ID #, owner name(s)/address, and acreage information.	

**STATEMENT OF REASONABLENESS**

Please explain why the proposed zoning is reasonable for the area. Possible reasons could be the rezoning is consistent with the character of the area, the rezoning will match the surrounding zoning, or the rezoning is consistent with the Land Use Plan:

This rezoning is consistent with existing continuous zonings and is compatible with land use trends for this part of Brunswick County that has access to public water and sewer.

**LAND USE COMPATIBILITY**

Future Land Use Map Classification: LDR

Is the proposed rezoning consistent with the Land Use Plan?  YES  NO

If not consistent, please explain the change in conditions of the community which justify amending the Land Use Plan Map:

This area of Brunswick County is transitioning from a rural agricultural use to more high density residential uses. The requested rezoning is compatible with adjacent existing zonings.

NOTE: The future Land Use Map Classification comes from the Brunswick Co. CAMA CORE Land Use Plan. If a rezoning request is not consistent then an amendment is required. Planning Staff can assist with this determination.

**APPLICANT/OWNER SIGNATURE**

In signing of this Rezoning Application, I certify that I have understand the application guidelines and that incomplete applications will delay my application and my rezoning. I ALSO UNDERSTAND THAT MY REZONING REQUEST MUST BE CONSISTENT WITH THE LAND USE PLAN. I further certify that I am authorized to submit this application and that all the information presented in this application is accurate to the best of my knowledge, information, and belief.

Applicant Signature: [Signature]

Date: 02/01/2022

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

SEE ATTACHED OWNER SIGNATURE PAGES

NOTE: If there are multiple owners that need to sign have them sign under the owner signature or attached additional sheets.

**Brunswick County Jurisdiction Fees**

- <1.0 acres (\$350)
- 1.0 to <5 acres (\$400)
- 5.0 to <25 acres (\$450)
- 25 to <50 acres (\$600)
- 50+ acres (\$1,200)
- Conditional Zoning (Add \$200)

**City of Northwest Jurisdiction Fees**

- <1.0 acres (\$1,650)
- 1.0 to <5 acres (\$1,760)
- 5.0 to <25 acres (\$1,870)
- 25 to <50 acres (\$2,090)
- 50+ acres (\$2,200)
- Conditional Zoning (Add \$550)

Please note that any continuance request after initial advertising will incur and additional \$500 fee for Brunswick County Jurisdiction and \$550 for City of Northwest Jurisdiction.

**STATEMENT OF REASONABLENESS**

Please explain why the proposed zoning is reasonable for the area. Possible reasons could be the rezoning is consistent with the character of the area, the rezoning will match the surrounding zoning, or the rezoning is consistent with the Land Use Plan:

**LAND USE COMPATIBILITY**

Future Land Use Map Classification:

Is the proposed rezoning consistent with the Land Use Plan?  YES  NO

If not consistent, please explain the change in conditions of the community which justify amending the Land Use Plan Map:

NOTE: The future Land Use Map Classification comes from the Brunswick Co. CAMA CORE Land Use Plan. If a rezoning request is not consistent then an amendment is required. Planning Staff can assist with this determination.

**APPLICANT/OWNER SIGNATURE**

Longwood Properties, LLC

In signing of this Rezoning Application, I certify that I have understand the application guidelines and that incomplete applications will delay my application and my rezoning. I ALSO UNDERSTAND THAT MY REZONING REQUEST MUST BE CONSISTENT WITH THE LAND USE PLAN. I further certify that I am authorized to submit this application and that all the information presented in this application is accurate to the best of my knowledge, information, and belief.

Applicant Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Owner Signature: David S. [Signature]

Date: 01/12/22

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

NOTE: If there are multiple owners that need to sign have them sign under the owner signature or attached additional sheets.

**Brunswick County Jurisdiction Fees**

- <1.0 acres (\$350)
- 1.0 to <5 acres (\$400)
- 5.0 to <25 acres (\$450)
- 25 to <50 acres (\$600)
- 50+ acres (\$1,200)
- Conditional Zoning (Add \$200)

**City of Northwest Jurisdiction Fees**

- <1.0 acres (\$1,650)
- 1.0 to <5 acres (\$1,760)
- 5.0 to <25 acres (\$1,870)
- 25 to <50 acres (\$2,090)
- 50+ acres (\$2,200)
- Conditional Zoning (Add \$550)

Please note that any continuance request after initial advertising will incur and additional \$500 fee for Brunswick County Jurisdiction and \$550 for City of Northwest Jurisdiction.

**STATEMENT OF REASONABLENESS**

Please explain why the proposed zoning is reasonable for the area. Possible reasons could be the rezoning is consistent with the character of the area, the rezoning will match the surrounding zoning, or the rezoning is consistent with the Land Use Plan:

**LAND USE COMPATIBILITY**

Future Land Use Map Classification:

Is the proposed rezoning consistent with the Land Use Plan?  YES  NO

If not consistent, please explain the change in conditions of the community which justify amending the Land Use Plan Map:

NOTE: The future Land Use Map Classification comes from the Brunswick Co. CAMA CORE Land Use Plan. If a rezoning request is not consistent then an amendment is required. Planning Staff can assist with this determination.

**APPLICANT/OWNER SIGNATURE**

KCS Farms . LLC

In signing of this Rezoning Application, I certify that I have understand the application guidelines and that incomplete applications will delay my application and my rezoning. I ALSO UNDERSTAND THAT MY REZONING REQUEST MUST BE CONSISTENT WITH THE LAND USE PLAN. I further certify that I am authorized to submit this application and that all the information presented in this application is accurate to the best of my knowledge, information, and belief.

Applicant Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Owner Signature: Katherine Foss

Date: 1/15/22

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

NOTE: If there are multiple owners that need to sign have them sign under the owner signature or attached additional sheets.

**Brunswick County Jurisdiction Fees**

- <1.0 acres (\$350)
- 1.0 to <5 acres (\$400)
- 5.0 to <25 acres (\$450)
- 25 to <50 acres (\$600)
- 50+ acres (\$1,200)
- Conditional Zoning (Add \$200)

**City of Northwest Jurisdiction Fees**

- <1.0 acres (\$1,650)
- 1.0 to <5 acres (\$1,760)
- 5.0 to <25 acres (\$1,870)
- 25 to <50 acres (\$2,090)
- 50+ acres (\$2,200)
- Conditional Zoning (Add \$550)

Please note that any continuance request after initial advertising will incur and additional \$500 fee for Brunswick County Jurisdiction and \$550 for City of Northwest Jurisdiction.

## STATEMENT OF REASONABLENESS

Please explain why the proposed zoning is reasonable for the area. Possible reasons could be the rezoning is consistent with the character of the area, the rezoning will match the surrounding zoning, or the rezoning is consistent with the Land Use Plan:

## LAND USE COMPATIBILITY

Future Land Use Map Classification:

Is the proposed rezoning consistent with the Land Use Plan?  YES  NO

If not consistent, please explain the change in conditions of the community which justify amending the Land Use Plan Map:

NOTE: The future Land Use Map Classification comes from the Brunswick Co. CAMA CORE Land Use Plan. If a rezoning request is not consistent then an amendment is required. Planning Staff can assist with this determination.

## APPLICANT/OWNER SIGNATURE

S. Longwood, LLC

In signing of this Rezoning Application, I certify that I have understand the application guidelines and that incomplete applications will delay my application and my rezoning. I ALSO UNDERSTAND THAT MY REZONING REQUEST MUST BE CONSISTENT WITH THE LAND USE PLAN. I further certify that I am authorized to submit this application and that all the information presented in this application is accurate to the best of my knowledge, information, and belief.

Applicant Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Owner Signature: Katherine Fort

Date: 1/15/22

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

NOTE: If there are multiple owners that need to sign have them sign under the owner signature or attached additional sheets.

### Brunswick County Jurisdiction Fees

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> <1.0 acres (\$350)      | <input type="checkbox"/> 1.0 to <5 acres (\$400)        | <input type="checkbox"/> 5.0 to <25 acres (\$450)       |
| <input type="checkbox"/> 25 to <50 acres (\$600) | <input checked="" type="checkbox"/> 50+ acres (\$1,200) | <input type="checkbox"/> Conditional Zoning (Add \$200) |

### City of Northwest Jurisdiction Fees

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> <1.0 acres (\$1,650)      | <input type="checkbox"/> 1.0 to <5 acres (\$1,760) | <input type="checkbox"/> 5.0 to <25 acres (\$1,870)     |
| <input type="checkbox"/> 25 to <50 acres (\$2,090) | <input type="checkbox"/> 50+ acres (\$2,200)       | <input type="checkbox"/> Conditional Zoning (Add \$550) |

Please note that any continuance request after initial advertising will incur and additional \$500 fee for Brunswick County Jurisdiction and \$550 for City of Northwest Jurisdiction.

**CASE Z-838**

**ADJACENT PROPERTY OWNER(S)**

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
19300021	STANALANDS INC	P O BOX 150	LONGWOOD	NC	28452
17800044	GEORGETOWN TIMBER LLC	632 VILLAGE ROAD STE 1	SHALLOTTE	NC	28470
17800081	DANIELS ONEIL C/O FRANCES DANIELS	1652 WARD RD NW	LONGWOOD	NC	28452
17800084	JOHNSON EVELYN S	2480 FLOYD DR SW	SHALLOTTE	NC	28470
1770002906	HINES WILLIAM	PO BOX 117	LONGWOOD	NC	28452
19300016	SMITH SAMUEL CIRERO	2206 ASH LITTLE RIVER RD NW	ASH	NC	28420
19400009	REAVES CLARENCE DEWAYNE	676 PEA LANDING RD NW	ASH	NC	28420
21000063	REAVES CLARENCE DEWAYNE	676 PEA LANDING RD NW	ASH	NC	28420
19400012	BLACKMON L L (LT)	577 PEA LANDING ROAD	ASH	NC	28420
19400013	COX JOSEPH WEBSTER	1707 BENT TREE TRL	OCEAN ISLE BEACH	NC	28469
1940001301	COX JOE	1707 BENT TREE TRAIL SW	OCEAN ISLE BEACH	NC	28469
2100005301	GAUSE LYDIA A (LT)	1201 MERGANSER COURT	UPPER MARLBORO	MD	20774
21000055	COASTAL CAROLINA TIMBER MGMT LLC	302 LIBERTY STREET	WHITEVILLE	NC	28472
17700008	PRINCE BOYD PAUL (LT)	104 WINDMEADOWS DR	CONWAY	SC	29526
2090006125	CAW CAW LAND CORPORATION	380 BRUNSWICK DRIVE	CALABASH	NC	28467
2090001904	CAW CAW LAND CORPORATION	380 BRUNSWICK DRIVE	CALABASH	NC	28467
1770001403	KETTNER TIMOTHY D	3522 GOLF AVE	LITTLE RIVER	SC	29566
209DB084	VEACH DENNIS E ETUX VEACH JACQUELINE	1144 TREYBURN COURT	CALABASH	NC	28467
2100005304	CHESTNUT SYLANE G ETVIR CHESTNUT EARL	702 WEST 6TH ST	TABOR CITY	NC	28463
1770000803	TAMBOURINO HELEN L	2580 ASH LITTLE RVR RD NW	ASH	NC	28420-2004
20900059	ENZOR DAVID MONROE ETUX ENZOR JULIA ELLEN	9114 N 5 SCHOOL RD NW	ASH	NC	28420-2110
2100003002	JACKSON ANITA F ETVIR JACKSON ELLIS E	8914 N 5 SCHOOL RD NW	ASH	NC	28420-2108
21000032	CAW CAW LAND CORP	380 BRUNSWICK DR NW	CALABASH	NC	28467-2377
19400002	SOMERSETT DARRY COLLIN ETUX SOMERSETT CHRISTY ANN	900 BLAND RD	LONGWOOD	NC	28452-9777
209DB082	LANG PAUL C ETUX LANG DARLENE	1136 TREYBURN CT NW	CALABASH	NC	28467-2190
209DB081	TRAVERS JAMES K ETUX TRAVERS ARLENE R	164 DRUMMOND DR NW UNIT 4	CALABASH	NC	28467
1940000602	BENTON JASON H ETUX BENTON JESSICA MICHELLE	900 PEA LANDING RD NW	ASH	NC	28420-2508
1770000802	MOZZICATO DEBORAH L	8475 EMBER LANE	ASH	NC	28420
1770000806	MOZZICATO DEBORAH L	8475 EMBER LANE	ASH	NC	28420
2090000805	MCLAMB JIMMY LENNON ETUX MCLAMB SANDRA LYNN	901 CALABASH RD NW	CALABASH	NC	28467-1919
20900008	MCLAMB JIMMY LENNON ETUX MCLAMB SANDRA LYNN	901 CALABASH RD NW	CALABASH	NC	28467-1919
17700009	FRIENDSHIP BAPTIST CHURCH OF BRUNSWICK COUNTY INC	2546 ASH LITTLE RIVER RD NW	ASH	NC	28420
19400022	WILSON RONALD M ET WILSON SANDRA K	7570 RABBIT BAY RD	ASH	NC	28420-2231
19400021	WILSON RONALD M ET WILSON SANDRA K	7570 RABBIT BAY RD	ASH	NC	28420-2231
1940001702	WILSON RONALD MURIEL	7570 RABBIT BAY RD	ASH	NC	28420-2231
2100005302	BROOKS WANDA G	7112 MUSKERRY WAY	LELAND	NC	28451-5025
1930001601	HUGHES ROBERT C JR ETUX HUGHES DONNA	2520 ASH LITTLE RVR ROAD	ASH	NC	28420
17700011	HUGHES R C JR ETUX HUGHES DONNA J	2520 ASH LITTLE RIVER RD	ASH	NC	28420
19300017	HUGHES R C JR ETUX HUGHES DONNA J	2520 ASH LITTLE RIVER RD	ASH	NC	28420
1940001401	HENDRIX WADE HAMPTON AND HENDRIX PATSY CARTER	851 PEA LANDING RD NW	ASH	NC	28420-2511
17800082	DANIELS ALFRED ET DANIELS MARY	3169 HWY 20 E	SAINT PAULS	NC	28384
19300018	HARDEE RANDY D ET HARDEE VERMA S	131 HOUGHTON PLACE SW	SUNSET BEACH	NC	28468
1780008906	WARD JOHN DONALD ET WARD ANNETTE	7873 ETHERIDGE RD	LONGWOOD	NC	28452
17800091	WARD ANNETTE ET WARD JOHN D	7873 ETHERIDGE RD	LONGWOOD	NC	28452
1930002401	CAW CAW LAND CORPORATION	252 S MIDDLETON DR NW	CALABASH	NC	28467-2157
19300023	CAW CAW LAND CORPORATION	252 S MIDDLETON DR NW	CALABASH	NC	28467-2157
20900065	LONGWOOD PROPERTIES LLC	PO BOX 70247	MYRTLE BEACH	SC	29572-0023
19400010	LONGWOOD PROPERTIES LLC	PO BOX 70247	MYRTLE BEACH	SC	29572-0023
17800083	STANLEY PAUL EDWARD ETALS	1821 WARD RD NW	LONGWOOD	NC	28452-9747
1940000801	QUINN SCHOPF MICHAEL AND MULLER CHRISTINE	726 PEA LANDING ROAD	ASH	NC	28420
17700022	HUGHES GUY A HRS ETALS	2644 ASH LITTLE RIVER RD NW	ASH	NC	28420-2006
17700016	HUGHES GUY A HRS ETALS	2644 ASH LITTLE RIVER RD NW	ASH	NC	28420-2006
209DB080	BERNAUER FAMILY REVOCABLE LIVING TRUST	1128 TREYBURN COURT NW	CALABASH	NC	28467
17800073	LAM LUF US LLC C/O LAM LAND UND FORSTWIRTSCHAFT	GUTENBERGRING 69 A	NORDERSTEDT GERMANY		
209EE007	DAVIS GERALD GUY ETUX DAVIS SALLY MCNAB	629 ASHTON CT NW	CALABASH	NC	28467
20900020	BRUNSWICK PARTNERS LLC	252 S MIDDLETON DR NW	CALABASH	NC	28467-2157
19400008	HARDEE TIMBER TRACT LLC	55 PARK STREET EXT	LITTLE RIVER	SC	29566-7818
209DB083	GOODALE WALTER A ET GOODALE BEVERLEY J	9111 OAK RIDGE PLANTATION DR	CALABASH	NC	28467-3071
1940001803	NELSON GENE WILLARD ETALS	PO BOX 223	LONGWOOD	NC	28452-0223
21000053	GAUSE HOLLINS HRS C/O MELODY GAUSE	737 HUNT STATION DR	LAWRENCEVILLE	GA	30044
1940000101	DAVIS JIMMY DALE JR	1070 HICKMAN ROAD NW	CALABASH	NC	28467
20900019	DANIELS HENRY MACK C/O TONY DANIELS	905 BRYAN PL APT A4	GARNER	NC	27529-3054
1780008901	CARDENAS FRANCISCO ETUX CARDENAS KARLA	302 WHIRLAWAY BLVD	SNEADS FERRY	NC	28460-9336
2100005303	GAUSE ROGER L	1214 S 7TH ST	WILMINGTON	NC	28401-5732
2100005305	GAUSE PERCELL C/O JEREMINE FRINK	478 MCMILLY RD NW	SHALLOTTE	NC	28470-1802

**OWNER(S)**

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
1940000201	BABB CHARLES D	4352 BALDWIN AVENUE	LITTLE RIVER	SC	29566
17700015	LONGWOOD PROPERTIES LLC	PO BOX 70247	MYRTLE BEACH	SC	29572-0023
19400027	LONGWOOD PROPERTIES LLC	PO BOX 70247	MYRTLE BEACH	SC	29572-0023
1770000804	S LONGWOOD LLC	PO BOX 523	WHITEVILLE	NC	28472
1780000303	S LONGWOOD LLC	PO BOX 523	WHITEVILLE	NC	28472
1780000301	S LONGWOOD LLC	PO BOX 523	WHITEVILLE	NC	28472
19300025	S LONGWOOD LLC	PO BOX 523	WHITEVILLE	NC	28472
17800090	S LONGWOOD LLC	PO BOX 523	WHITEVILLE	NC	28472
1940000205	S LONGWOOD LLC	PO BOX 523	WHITEVILLE	NC	28472
1940000204	S LONGWOOD LLC	PO BOX 523	WHITEVILLE	NC	28472
1940000203	S LONGWOOD LLC	PO BOX 523	WHITEVILLE	NC	28472
1940000202	S LONGWOOD LLC	PO BOX 523	WHITEVILLE	NC	28472
19400028	KCS FARMS LLC	PO BOX 40	WHITEVILLE	NC	28472-0040

**APPLICANT(S)**

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
	J Phillip Norris, P.E	1429 ASH-LITTLE RIVER ROAD	ASH	NC	28420

# REZONING STAFF REPORT

Prepared by Marc Pages, Principal Planner

Rezoning Case#: Z-840CZ

April 11, 2022



## APPLICATION SUMMARY

The applicant, J & S Land Development, requests to rezone Tax Parcel 01700003 from CI (Commercial Intensive) to R-7500CZ (Medium Density Residential Conditional Zoning). This conditional zoning is proposing to limit the uses to a Planned Development (Cherry Tree Place) with 40 Single-Family Detached Residential Homes, Accessory Buildings, and Home Occupation. The applicant held a Neighborhood Meeting on March 28, 2022. The owners and adjacent owners have been notified of the proposed rezoning via first class mail. A site plan is provided, and several conditions have been proposed and agreed upon by the owner.

### Location

2583 Mt. Misery Road (SR 1426)

### Tax Parcel

01700003

### Current Zoning

CI (Commercial Intensive)

### Proposed Zoning

R-7500CZ (Medium Density Residential Conditional Zoning)

### Surrounding Zoning

CI, RR (Rural Residential) and NA-R-15 (Navassa Jurisdiction)

### Current Use

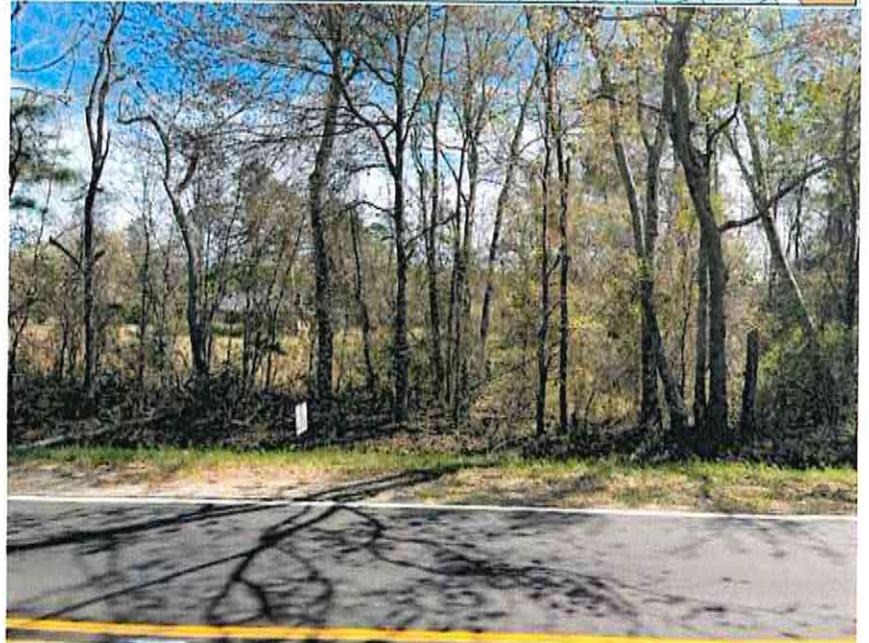
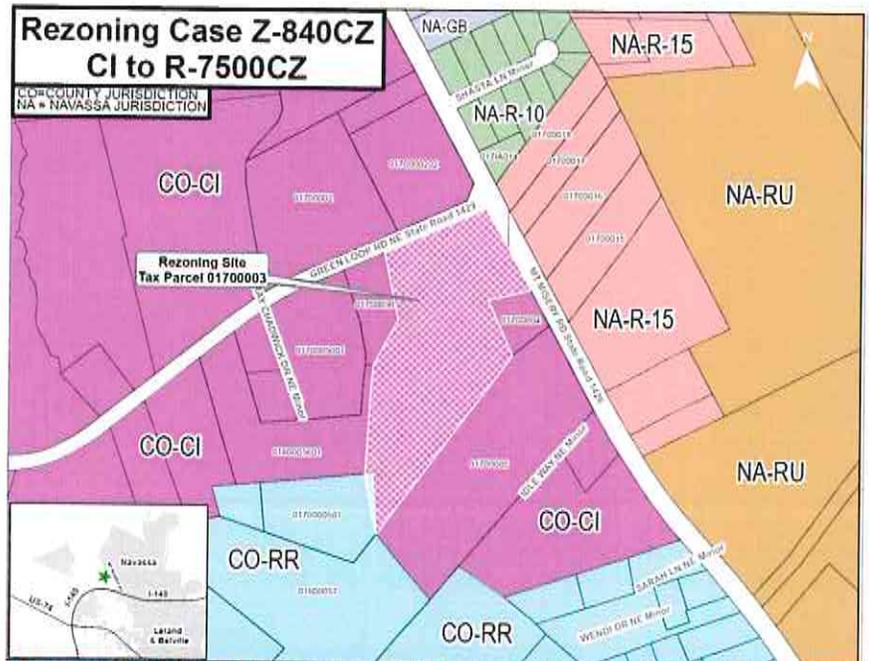
Vacant and Residential

### Surrounding Land Uses

Residential, Industrial, Vacant Lands

### Size

11.26 acres



## SITE CONSIDERATIONS

**Zoning History:** This property was rezoned from RU (Rural) to CI as part of the mass rezonings in 2007.

**Buffers:** The site plan denotes a 20' 0.6 opacity peripheral buffer.

**Traffic:** There are no capacity deficiencies for this section of Mt. Misery Road (SR 1426). A NCDOT driveway permit will be required. A TIA will not be required.

**Utilities:** Water and Sewer is available from Brunswick County Utilities along Mt. Misery Road. Utility connection will require developer responsibility to connect to the water and sewer system.

**Exceptional Design:** Elements to be included in the project are as follows:

1. The stormwater system shall be designed to meet the 25-year storm event.

**Design Flexibility:** Elements requested for the project are as follows:

1. Reduction in lot width.
2. Reduction in front setbacks.

**Schools:** Lincoln Elementary School, Leland Middle School and North Brunswick High School have adequate capacity.

**CIP Projects in Area:** New Early College High School (FY 2022).

**NCDOT Road Improvements in Area:** Lanvale Road and Old Fayetteville Road Intersection Improvements – Recently Completed.

**Environmental Impacts:**

- No portions of the site lay within a Flood Hazard Zone.
- Biodiversity & Wildlife Habitat Assessment Score: The site scores a 0 out of 10 due to no substantial wetlands on the site.
- The rezoning site does not lay within a half mile of a Voluntary Agricultural District.

## ANALYSIS

The base zoning district for the conditional rezoning will be R-7500 because the proposed uses most closely aligns with this district. The R-7500 district allows a maximum of 5.8 dwelling units per acre.

Conditional Zoning is established to offer flexibility to meet project and community needs that are not accommodated by conventional zoning districts. These districts allow approval with individualized development standards adopted as part of the rezoning. Property is rezoned to these districts in response to and consistent with the applicant's submitted site plan, list of uses, list of conditions, and any rules or regulations, that would govern development of the site. The property owner and Brunswick County must agree to all conditions. The applicant must hold at least one neighborhood meeting on the proposal prior to the Planning Board's public hearing. These districts are potentially available in conjunction with any of the conventional zoning classifications the site.

*"The R-7500, R-6000, and SBR-6000 districts are established to provide for orderly suburban residential development. A limited number of commercial and civic uses are allowed, subject to the restrictions necessary to preserve and protect the residential character of the neighborhood. A special permit process for higher intensity development is also allowed, using discretion to balance issues of higher density with improved amenities. Due to the higher intensity developments contained in this district, it is intended to be applied to properties served by public sewer and water systems."*

**CAMA Land Use Plan Classification:** LDR (Low Density Residential)

- Proposed Zoning is consistent with CAMA Land Use Plan

**Applicable CAMA Land Use Policies:**

- P.15 states that Brunswick County supports greater residential densities in areas that are accessible to water and sewer service(s). Agricultural and low-density residential land uses should be located in areas that do not have central water or sewer service.
- P.49 states that Brunswick County supports directing more intensive land uses to areas that have existing or planned infrastructure.

# **STAFF RECOMMENDATION SUMMARY**

Staff recommends **APPROVAL TO R-7500CZ IN ACCORDANCE WITH THE SITE PLAN, THE LIST OF CONDITIONS AND LIST OF PERMITTED USES FOR TAX PARCEL 01700003 BASED** upon information provided, surrounding area, current uses, the Brunswick County CAMA CORE Land Use Plan, and other adopted Brunswick County plans and policies.

## **Permitted Uses:**

- 1. Single Family Detached**
- 2. Planned Development with 40 Detached Single Family Homes**
- 3. Accessory Structures**
- 4. All Home Occupation**

## **Conditions:**

- 1. All development shall comply with all applicable federal, state, and local requirements and with the Brunswick County Unified Development Ordinance (UDO) and shall conform to the site plan, the list of permitted uses (subject to all limited standards imposed by the UDO), and all design features as submitted, and approved as part of this conditional rezoning as kept on file by the Brunswick County Planning Department.**
- 2. All applicable County and State Stormwater Permits must be obtained prior to any development. No natural drainage areas will be cut off or disturbed before obtaining the permits**
- 3. All conditions listed have been agreed upon by the owner at this time and must be followed. If any these conditions are violated the owner of the property will be in violation of the Brunswick County Unified Development Ordinance (UDO) and all permits shall be subject to revocation and any other enforcement actions available by law.**
- 4. Conditional Zoning approval does not constitute an authorization to construct. All applicable federal, state and county requirements will be necessary to obtain building permits. This includes any requirements deemed essential by local Emergency Services.**
- 5. The stormwater system for the project must be designed and constructed to meet the 25-year storm event.**

**REVISED 4/4/2022**

# CONSISTENCY STATEMENT

## FOR BRUNSWICK COUNTY PLANNING BOARD

ZONING AMENDMENT DESCRIPTION: Z-840CZ (CI to R-7500CZ)



**THE BRUNSWICK COUNTY PLANNING BOARD HEREBY ORDER, on the basis of  
be all the foregoing, that the UNIFIED DEVELOPMENT ORDINANCE ZONING AMENDMENT**

**APPROVED – CONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment *is consistent with the CAMA Land Use Plan (Comprehensive Plan)* for the following reasons: \_\_\_\_\_  
\_\_\_\_\_

**ALTERNATIVE RECOMMENDATION:** \_\_\_\_\_

- The Planning Board further finds that the proposed zoning amendment *is reasonable and in the public's interest* for the following reasons: \_\_\_\_\_  
\_\_\_\_\_

**APPROVED – NOT CONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment *is NOT consistent* with the CAMA Land Use Plan (Comprehensive Plan) for the following reasons: \_\_\_\_\_  
\_\_\_\_\_
- The Planning Board further finds that the approval of the proposed zoning amendment will amend the CAMA Land Use Plan (Comprehensive Plan) and the following changes have been considered to meet the needs of the community: \_\_\_\_\_  
\_\_\_\_\_
- The Planning Board further finds that the proposed zoning amendment *is reasonable and in the public's interests* for the following reasons: \_\_\_\_\_  
\_\_\_\_\_

**DENIED – INCONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment  **is**  **is not** consistent with the CAMA Land Use Plan (Comprehensive Plan) and  **is**  **is not** in the public interests for the following reasons: \_\_\_\_\_  
\_\_\_\_\_

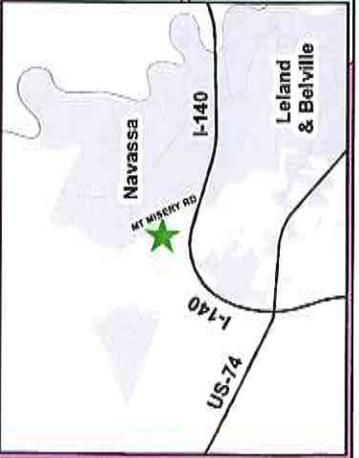
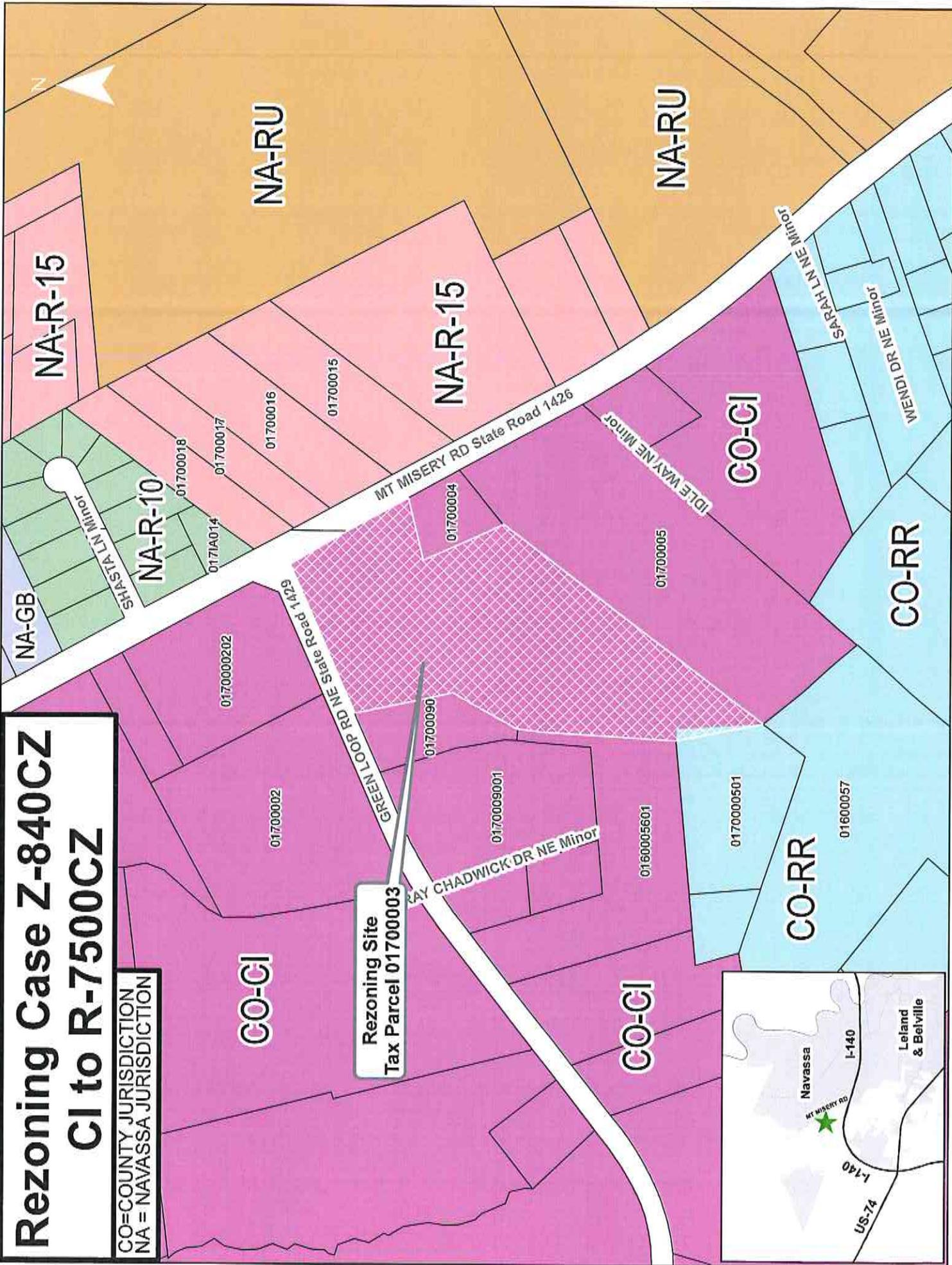
**TABLED**

- The Planning Board TABLES the proposed zoning amendment to  **Next Planning Board Meeting**  **A Future Planning Board Meeting in \_\_\_\_\_ months.**

# Rezoning Case Z-840CZ CI to R-7500CZ

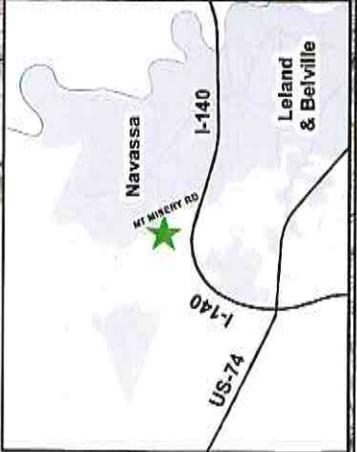
CO=COUNTY JURISDICTION  
NA = NAVASSA JURISDICTION

Rezoning Site  
Tax Parcel 01700003



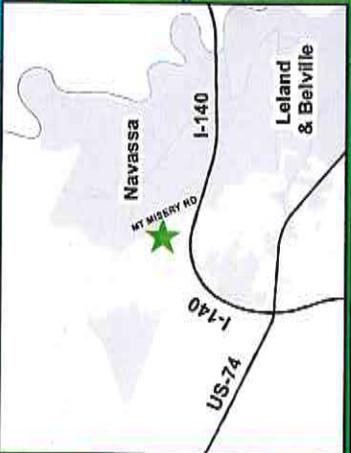
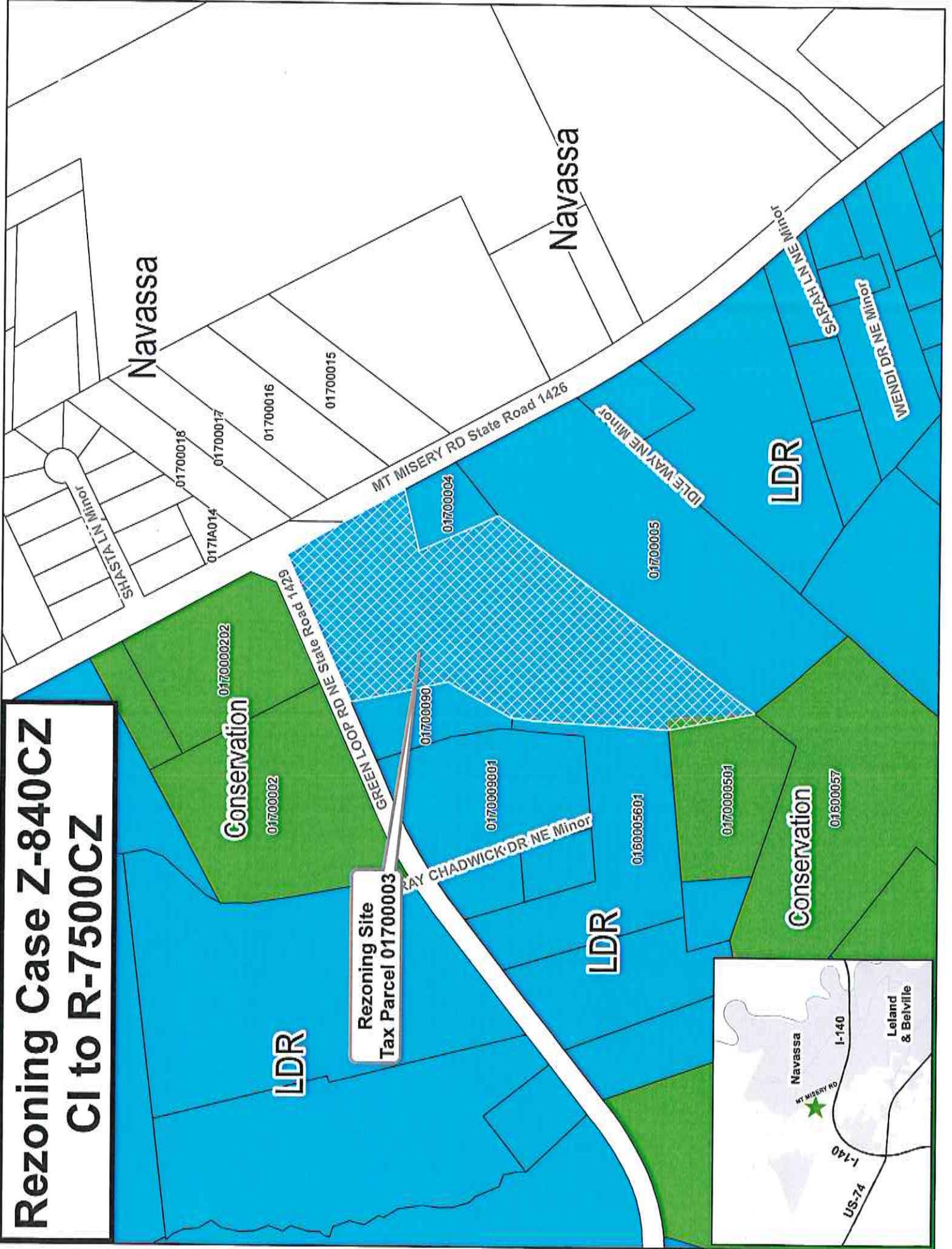
# Rezoning Case Z-840CZ CI to R-7500CZ

Rezoning Site  
Tax Parcel 01700003



# Rezoning Case Z-840CZ CI to R-7500CZ

Rezoning Site  
Tax Parcel 01700003







# REZONING APPLICATION

*For Office Use Only*

Rezoning Case Z- 840CZ Invoice # 526231  
 Date Received 2/18/22  
 Northwest Jurisdiction  YES  NO

Brunswick County Planning • PO Box 249, Bolivia, NC 28422 • Phone: (910) 253-2025/1-800-621-0609 • Fax: (910) 253-2437  
 Complete the following application. This form must be completely filled out. Incomplete applications will result in a delay of this application and slow down the rezoning process.

<b>APPLICANT INFORMATION</b> (This person will be the contact person and will receive all mailings)	
Applicant Name(s): J & S Land Development, LLC	
Mailing Address: 8620 River Road Wilmington, NC 28412	
Phone: 719-499-1373	Email: steve@steveshuttleworth.com
<b>PROPERTY OWNER INFORMATION</b> (If different from above)	
Owner Name(s): J & S Land Development, LLC	
Mailing Address: 8620 River Road Wilmington, NC 28412	
Phone: 719-499-1373	Email: steve@steveshuttleworth.com
<b>PROPERTY INFORMATION</b>	
Property Address and/or Description of Location: The address of the site is 2583 Mt. Misery Road.	
Parcel Tax ID #(s): 00170003 01700003	Total Site Acreage: 11.78 AC
Current Zoning District(s): CO-CI	Proposed Zoning District(s): <del>R-6000</del> R-7500CZ
Conditional Zoning Request <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <u>40 S/F Lots</u>	
<i>Conditional Zoning have additional submittal requirements such as Conceptual Site Plan, Proposed Conditions, Proposed Uses, and the holding of a neighborhood meeting. Please include the additional information as an attachment to this application.</i>	
<b>NOTE:</b> If multiple parcels are being proposed for rezoning then write "see attached" and attach the list of the parcels. Make sure to include the Tax Parcel ID #, owner name(s)/address, and acreage information.	

## STATEMENT OF REASONABLENESS

Please explain why the proposed zoning is reasonable for the area. Possible reasons could be the rezoning is consistent with the character of the area, the rezoning will match the surrounding zoning, or the rezoning is consistent with the Land Use Plan:

The requested Zoning to R6000 is in keeping with current market trends in the general area. Specifically we see much greater demand for moderately priced housing than commercial or industrial uses. There are multiple residential neighborhoods both existing and recently approved within the Mt Misery corridor. The site will be able to utilize existing county infrastructure along Mt Misery. Working with County engineering it has been determined that sewer capacity and access is available at Shasta Court. Granting this zoning allows us to preserve the existing single family residence on the site.

## LAND USE COMPATIBILITY

Future Land Use Map Classification: LDR

Is the proposed rezoning consistent with the Land Use Plan?  YES  NO

If not consistent, please explain the change in conditions of the community which justify amending the Land Use Plan Map:

NOTE: The future Land Use Map Classification comes from the Brunswick Co. CAMA CORE Land Use Plan. If a rezoning request is not consistent then an amendment is required. Planning Staff can assist with this determination.

## APPLICANT/OWNER SIGNATURE

In signing of this Rezoning Application, I certify that I have understand the application guidelines and that incomplete applications will delay my application and my rezoning. I ALSO UNDERSTAND THAT MY REZONING REQUEST MUST BE CONSISTENT WITH THE LAND USE PLAN. I further certify that I am authorized to submit this application and that all the information presented in this application is accurate to the best of my knowledge, information, and belief.

Applicant Signature: Steve Shuttleworth

Date: 2-14-22

Owner Signature: Steve Shuttleworth

Date: 2-14-22

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

NOTE: If there are multiple owners that need to sign have them sign under the owner signature or attached additional sheets.

### Brunswick County Jurisdiction Fees

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> <1.0 acres (\$350)      | <input type="checkbox"/> 1.0 to <5 acres (\$400) | <input checked="" type="checkbox"/> 5.0 to <25 acres (\$450)       |
| <input type="checkbox"/> 25 to <50 acres (\$600) | <input type="checkbox"/> 50+ acres (\$1,200)     | <input checked="" type="checkbox"/> Conditional Zoning (Add \$200) |

### City of Northwest Jurisdiction Fees

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> <1.0 acres (\$1,650)      | <input type="checkbox"/> 1.0 to <5 acres (\$1,760) | <input type="checkbox"/> 5.0 to <25 acres (\$1,870)     |
| <input type="checkbox"/> 25 to <50 acres (\$2,090) | <input type="checkbox"/> 50+ acres (\$2,200)       | <input type="checkbox"/> Conditional Zoning (Add \$550) |

Please note that any continuance request after initial advertising will incur and additional \$500 fee for Brunswick County Jurisdiction and \$550 for City of Northwest Jurisdiction.



## BRUNSWICK COUNTY PLANNING DEPARTMENT

75 Government Drive, Building I • P.O. Box 249 • Bolivia, NC 28422

[www.brunswickcountync.gov/planning](http://www.brunswickcountync.gov/planning) • (910)253-2025

March 9, 2022

Steve Shuttleworth  
8620 River Road  
Wilmington, NC 28412

**RE: Cherry Tree Place Conditional Zoning  
File # Z-840CZ**

Dear Mr. Shuttleworth,

The Technical Review Committee (TRC) at their March 8, 2022 meeting reviewed the preliminary plans for the above referenced project.

Please find below comments with regards to the review of the project.

### Comments from Planning:

Marc Pages – 910-253-2056 – [marc.pages@brunswickcountync.gov](mailto:marc.pages@brunswickcountync.gov)

- Please note that the peripheral buffer will be 0.6 visual opacity.
- Please note the 20' street buffer.
- Please note that there will be a minimum of 2 driveway parking spaces per lot.
- Please change the zoning note to "Rezone to R-7500CZ".
- Please note the size and specify use of the recreation area behind the mail kiosk.
- Please note that lot #40 shall be served by a septic system.
- Please provide street names.
- Please note that a neighborhood meeting is required per UDO Section 9.2.

### Comments from Stormwater

Brigit Flora – 910-253-2405 – [brigit.flora@brunswickcountync.gov](mailto:brigit.flora@brunswickcountync.gov)

- State and County Stormwater Permits will be required.
- A State Erosion Control Permit is required before any land disturbance including clearing and/or grading occurs.
- We recommend that the proposed stormwater pond be designed to the 25-year 24-hour storm in addition to the required 1 and 10-year 24-hour storms.

### Comments from Engineering

Amy Aycock – 910-253-2047 – [amy.aycock@brunswickcountync.gov](mailto:amy.aycock@brunswickcountync.gov)

- Existing 12" watermain for connection on Mt. Misery.
- Fire hydrant required at subdivision entrance and every 800'.
- Double water meter boxes required.
- End of hammerhead & cul-de-sac to be 'Post Flushing Hydrants'.



## BRUNSWICK COUNTY PLANNING DEPARTMENT

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- Would have to add a run of gravity sewer in hammerhead for Lots 17 & 18.
- Existing manhole on Shasta Ln ~9.5' deep for connection.
- If public sewer for Lot 40, would have to add gravity main along Mt. Misery to serve – services cannot cross lots; or lot can be septic.
- 3-party NCDOT Encroachment would be required.
- If NCDOT will allow gravity sewer running parallel to the road in the ROW, we will allow as well.

### Comments from Fire Code Official

Brad Babson – 910-253-2043 – [brad.babson@brunswickcountync.gov](mailto:brad.babson@brunswickcountync.gov)

- Need to submit fire development application at the following <https://forms.brunswickcountync.gov/Forms/fireapplication>.
- This project shall comply with requirements of the Brunswick County fire marshal in conjunction with the current edition of the 2018 North Carolina Fire Prevention Code and the Brunswick County Fire Prevention Ordinance.
- At time of construction/Fire plan review. Will need to provide building construction type, square footage per floor and any fire protection systems to be installed.
- Will need fire hydrant flow data to be provided at time of construction.

Please provide a digital set of revised plans to the Brunswick County Planning Department by 5:00 p.m. on March 18, 2022.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Marc A. Pages".

Marc A. Pages  
Brunswick County Principal Planner

# CASE Z-840CZ

## ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
170009001	CHADWICK RICHARD R	PO BOX 487	LELAND	NC	28451
160005601	CHADWICK CHRISTOPHER BRYAN	PO BOX 444	LELAND	NC	28451
17000005	TUCKER JOSEPH REV	90 HARRIMAN AVE	HEMPSTEAD	NY	11550
17000090	CHADWICK CHRIS B	PO BOX 444	LELAND	NC	28451
17000015	ROBBINS HENRY B	PO BOX 1928	LELAND	NC	28451
17000017	ROBBINS HENRY B	PO BOX 1928	LELAND	NC	28451
170000202	BLAIR ENTERPRISES	2046 SPANISH WELLS DR	WILMINGTON	NC	28405-4283
17000002	BLAIR ENTERPRISES	2046 SPANISH WELLS DR	WILMINGTON	NC	28405-4283
17000004	BALLOON WILLIAM H ET BALLOON BEVERLY	1133 LEXINGTON AVE NE	LELAND	NC	28451-8337
170000501	ROBBINS LILLIE M	4821 KINGS DR	WILMINGTON	NC	28405-1412
17000018	EVERETTE HENRY ET EVERETTE JULIA	2602 MT MISERY RD NE	LELAND	NC	28451
16000057	SHAW FLORENCE E	P O BOX 705	LELAND	NC	28451
17000016	SHIBLI AISSAR ETALS	418 LONGMEADOW DR	WILMINGTON	NC	28412-7393
0171A014	SHOREPARK LLC	6832 MAIN ST U-322	WILMINGTON	NC	28405-4167

## OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
01700003	J & S LAND DEVELOPMENT LLC	8620 RIVER RD	WILMINGTON	NC	28412

## APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
	J & S LAND DEVELOPMENT LLC	8620 RIVER RD	WILMINGTON	NC	28412

# REZONING STAFF REPORT

Prepared by Marc Pages, Principal Planner  
Rezoning Case#: Z-842  
April 11, 2022



## APPLICATION SUMMARY

The applicant, Jeffrey B. Malpass, requests to rezone Tax Parcel 111000601 from RR (Rural Residential) to R-7500 (Medium Density Residential). This rezoning request is conventional, therefore no conditions or site plans are proposed. All owners and adjacent owners have been notified via first class mail.

### Location

Corner of Ocean Hwy East (US 17)  
and Mill Creek Road (SR 1514)

### Tax Parcel

111000601

### Current Zoning

RR (Rural Residential)

### Proposed Zoning

R-7500 (Medium Density  
Residential)

### Surrounding Zoning

RR (Rural Residential), R-7500, CLD  
(Commercial Low Density), and  
BO-C-3 (Bolivia Jurisdiction)

### Current Use

Vacant Lands

### Surrounding Land Uses

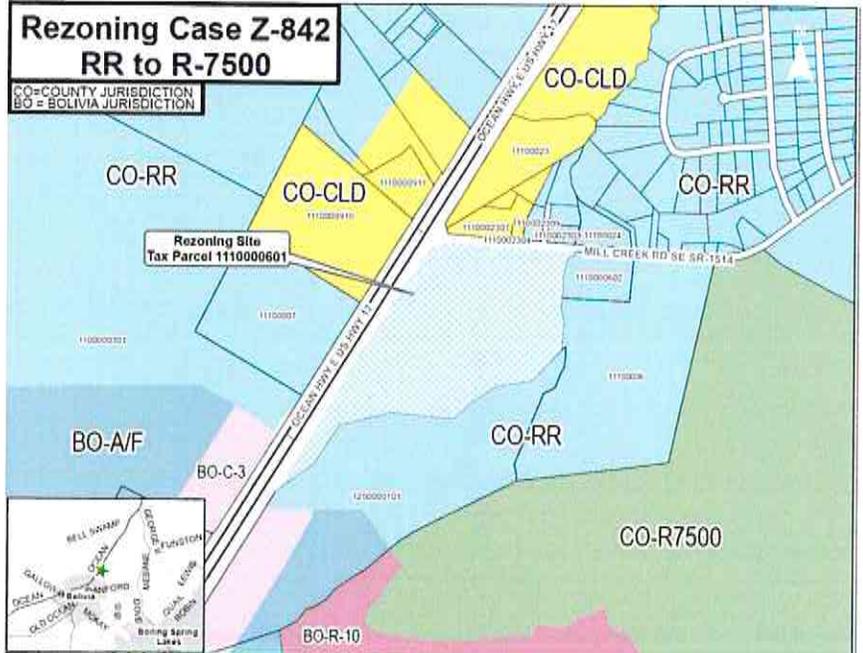
Residential, Agricultural and  
Vacant Lands

### Size

48.48 Acres

### Rezoning Case Z-842 RR to R-7500

CO=COUNTY JURISDICTION  
BO = BOLIVIA JURISDICTION



## SITE CONSIDERATIONS

**Zoning History:** The zoning designation on this property has remained unchanged since County Zoning was adopted in 1994.

**Density and Intensity:** If rezoned to R-7500, the maximum permitted residential density with water and sewer will increase from 2.9 dwelling units per acre to 5.8 dwelling units per acre.

**Buffers:** If rezoned to R-7500, all uses will require a 0.2 opacity buffer adjacent to RR areas.

**Traffic:** There are no capacity deficiencies for this section of Ocean Highway East or Mill Creek Road.

**Utilities:** Water and Sewer is available from Brunswick County Utilities along Ocean Highway East. Utility connection will require developer responsibility to connect to the water and sewer system.

**Schools:** The Bolivia Elementary School, South Brunswick Middle School and South Brunswick High School have adequate capacity.

**CIP Projects in Area:** New Early College High School (FY 2022).

**NCDOT Road Improvements in Area:**

- None in the area.

**Environmental Impacts:**

- No portions of the site lay within a Flood Hazard Zone.
- Biodiversity & Wildlife Habitat Assessment Score: Portions of the site score a 5 out of 10 due to substantial wetlands on the site.
- The rezoning site lies within a half mile of a Voluntary Agricultural District.

## ANALYSIS

*"The R-7500, R-6000, and SBR-6000 districts are established to provide for orderly suburban residential development. A limited number of commercial and civic uses are allowed, subject to the restrictions necessary to preserve and protect the residential character of the neighborhood. A special permit process for higher intensity development is also allowed, using discretion to balance issues of higher density with improved amenities. Due to the higher intensity developments contained in this district, it is intended to be applied to properties served by public sewer and water systems."*

**CAMA Land Use Plan Classification:** LDR (Low Density Residential)

- Proposed Zoning is consistent with CAMA Land Use Plan.

**Applicable CAMA Land Use Policies:**

- P.15 states that Brunswick County supports greater residential densities in areas that are accessible to water and sewer service(s). Agricultural and low-density residential land uses should be located in areas that do not have central water or sewer service.
- P.49 states that Brunswick County supports directing more intensive land uses to areas that have existing or planned infrastructure.

## STAFF RECOMMENDATION SUMMARY

Staff recommends APPROVAL TO R-7500 FOR TAX PARCEL 111000601 based upon information provided, surrounding area, current uses, the Brunswick County CAMA CORE Land Use Plan, and other adopted Brunswick County plans and policies.

# CONSISTENCY STATEMENT

## FOR BRUNSWICK COUNTY PLANNING BOARD

ZONING AMENDMENT DESCRIPTION: Z-842 (RR to R-7500)



**THE BRUNSWICK COUNTY PLANNING BOARD HEREBY ORDER, on the basis of  
be all the foregoing, that the UNIFIED DEVELOPMENT ORDINANCE ZONING AMENDMENT**

**APPROVED – CONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment *is consistent with the CAMA Land Use Plan (Comprehensive Plan)* for the following reasons: \_\_\_\_\_

**ALTERNATIVE RECOMMENDATION:** \_\_\_\_\_

- The Planning Board further finds that the proposed zoning amendment *is reasonable and in the public's interest* for the following reasons: \_\_\_\_\_

**APPROVED – NOT CONSISTENT WITH COMPREHENSIVE PLAN**

- The Planning Board finds that the proposed zoning amendment *is NOT consistent* with the CAMA Land Use Plan (Comprehensive Plan) for the following reasons: \_\_\_\_\_
- The Planning Board further finds that the approval of the proposed zoning amendment will amend the CAMA Land Use Plan (Comprehensive Plan) and the following changes have been considered to meet the needs of the community: \_\_\_\_\_
- The Planning Board further finds that the proposed zoning amendment *is reasonable and in the public's interests* for the following reasons: \_\_\_\_\_

**DENIED – INCONSISTENT WITH COMPREHENSIVE PLAN**

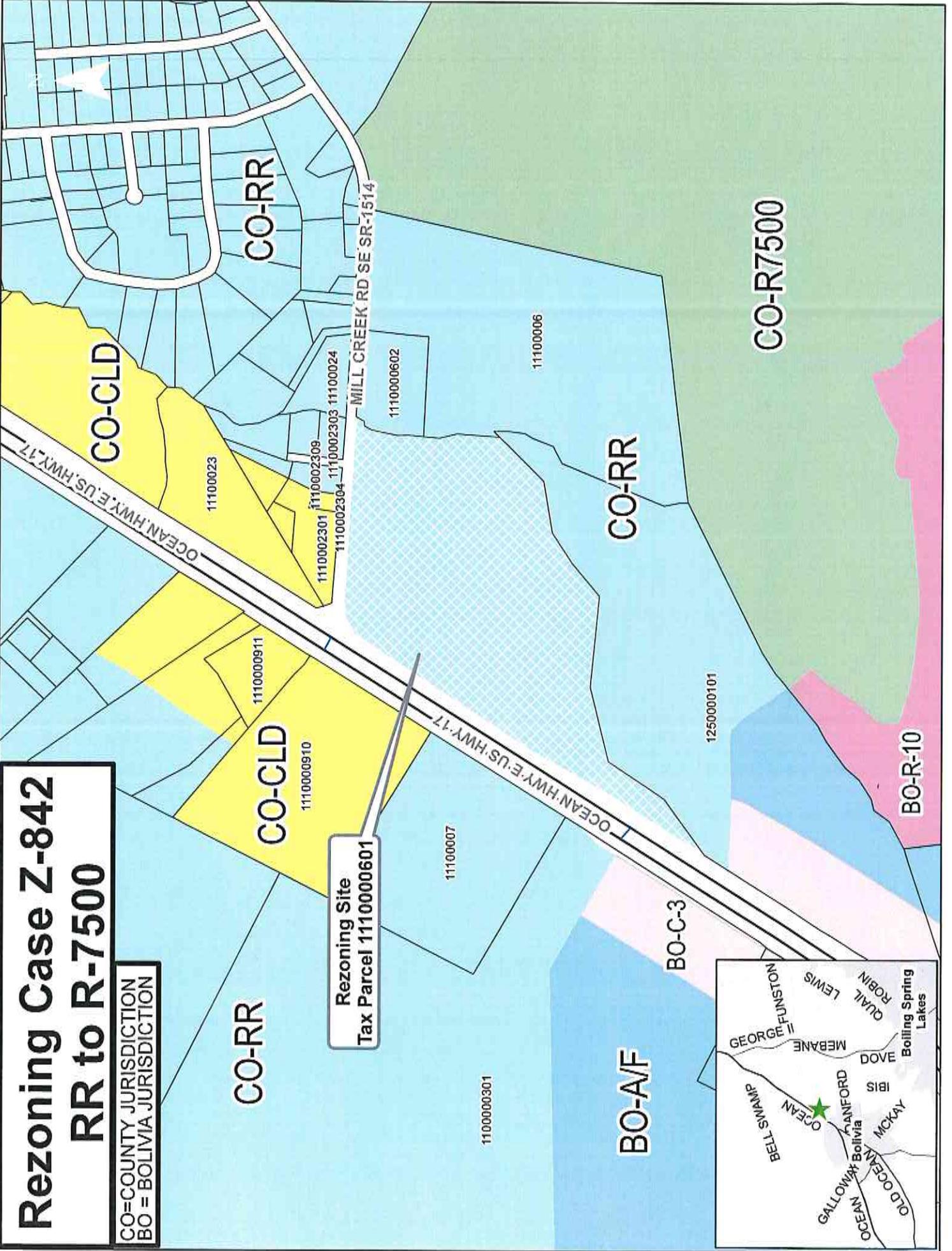
- The Planning Board finds that the proposed zoning amendment  *is*  *is not* consistent with the CAMA Land Use Plan (Comprehensive Plan) and  *is*  *is not* in the public interests for the following reasons: \_\_\_\_\_

**TABLED**

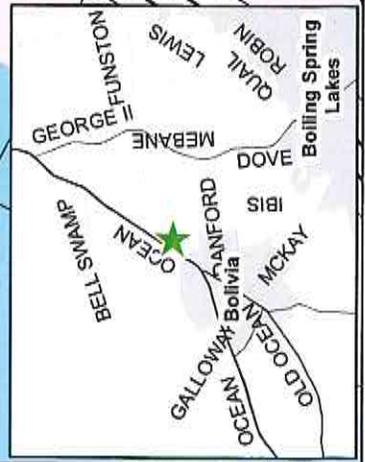
- The Planning Board TABLES the proposed zoning amendment to  **Next Planning Board Meeting**  **A Future Planning Board Meeting** in \_\_\_\_\_ months.

# Rezoning Case Z-842 RR to R-7500

CO=COUNTY JURISDICTION  
BO = BOLIVIA JURISDICTION

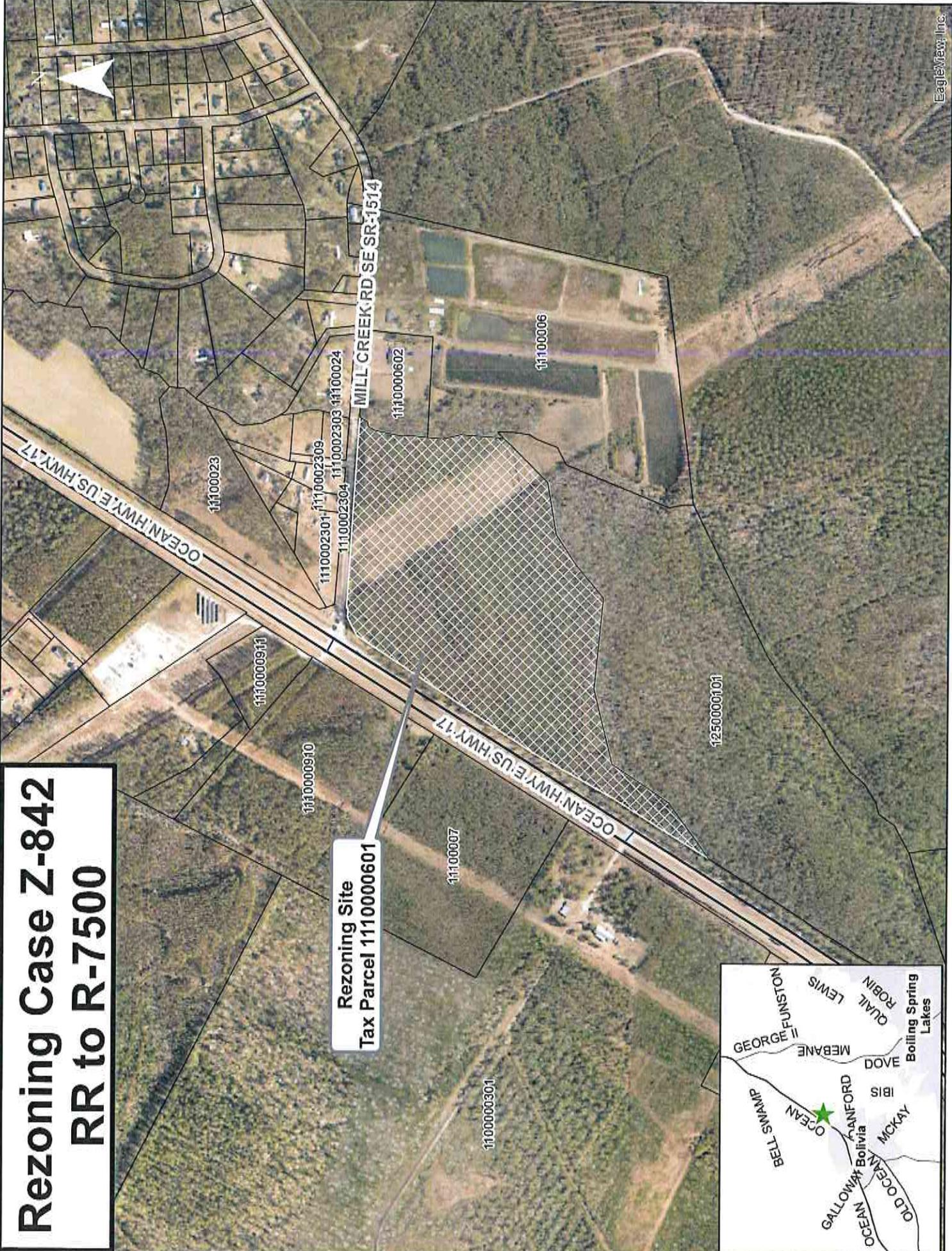


Rezoning Site  
Tax Parcel 1110000601



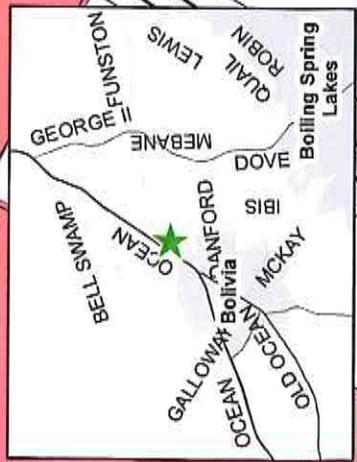
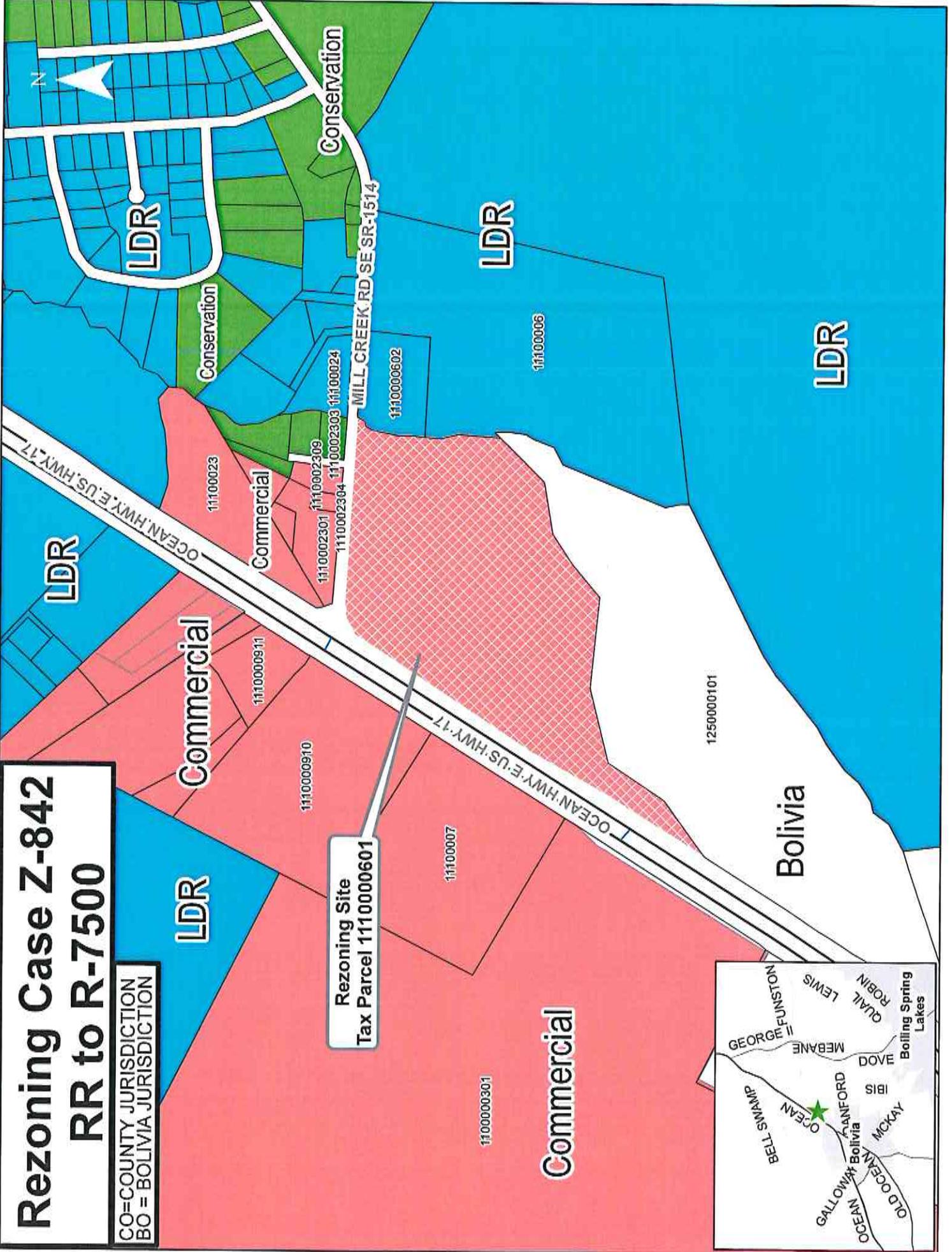
# Rezoning Case Z-842 RR to R-7500

Rezoning Site  
Tax Parcel 1110000601



# Rezoning Case Z-842 RR to R-7500

CO=COUNTY JURISDICTION  
BO = BOLIVIA JURISDICTION





# REZONING APPLICATION

<i>For Office Use Only</i>	
Rezoning Case Z- <u>842</u>	Invoice # <u>8631732022</u>
Date Received <u>2 Feb 22</u>	Project # <u>525903</u>
Northwest Jurisdiction <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

Brunswick County Planning • PO Box 249, Bolivia, NC 28422 • Phone: (910) 253-2025/1-800-621-0609 • Fax: (910) 253-2437  
 Complete the following application. This form must be completely filled out. Incomplete applications will result in a delay of this application and slow down the rezoning process.

**APPLICANT INFORMATION** (This person will be the contact person and will receive all mailings)

Applicant Name(s): Jeffrey B. Malpass

Mailing Address: 1134 Shipyard Blvd, Wilmington, NC 28412

Phone: 910-392-5243      Email: jeffmalpass@bizec.rr.com

**PROPERTY OWNER INFORMATION** (If different from above)

Owner Name(s): D.L. Mercer, Jr. and wife, Julia

Mailing Address: 22439 Hwy 210, Rocky Point, NC 28457

Phone: \_\_\_\_\_      Email: \_\_\_\_\_

**PROPERTY INFORMATION**

Property Address and/or Description of Location:  
Southeast corner of US 17 (Ocean Hwy E) and SR 1514 (Mill Creek Rd SE) intersection

Parcel Tax ID #(s): 1110000601      Total Site Acreage: 48.48 (approx.)

Current Zoning District(s): RR      Proposed Zoning District(s): R-7500

Conditional Zoning Request  YES  NO

*Conditional Zoning have additional submittal requirements such as Conceptual Site Plan, Proposed Conditions, Proposed Uses, and the holding of a neighborhood meeting. Please include the additional information as an attachment to this application.*

**NOTE: If multiple parcels are being proposed for rezoning then write "see attached" and attach the list of the parcels. Make sure to include the Tax Parcel ID #, owner name(s)/address, and acreage information.**

## STATEMENT OF REASONABLENESS

Please explain why the proposed zoning is reasonable for the area. Possible reasons could be the rezoning is consistent with the character of the area, the rezoning will match the surrounding zoning, or the rezoning is consistent with the Land Use Plan:

The proposed rezoning from RR to R-7500 is reasonable for the area because the site has frontage along US 17 (Ocean Hwy E), some of the properties across SR 1514 (Mill Creek Rd SE) from the site are zoned CLD, some of the properties across US 17 are zoned CLD, and a property approximately 0.25 miles east along Mill Creek Rd is zoned R-7500.

## LAND USE COMPATIBILITY

Future Land Use Map Classification: Commercial

Is the proposed rezoning consistent with the Land Use Plan?  YES  NO

If not consistent, please explain the change in conditions of the community which justify amending the Land Use Plan Map:

NOTE: The future Land Use Map Classification comes from the Brunswick Co. CAMA CORE Land Use Plan. If a rezoning request is not consistent then an amendment is required. Planning Staff can assist with this determination.

## APPLICANT/OWNER SIGNATURE

In signing of this Rezoning Application, I certify that I have understand the application guidelines and that incomplete applications will delay my application and my rezoning. I ALSO UNDERSTAND THAT MY REZONING REQUEST MUST BE CONSISTENT WITH THE LAND USE PLAN. I further certify that I am authorized to submit this application and that all the information presented in this application is accurate to the best of my knowledge, information, and belief.

Applicant Signature: Jeff B. Mapane

Date: 2-18-2022

Owner Signature: Mary M. Godbey POA

Date: 2-18-2022

Owner Signature: \_\_\_\_\_

Date: \_\_\_\_\_

NOTE: If there are multiple owners that need to sign have them sign under the owner signature or attached additional sheets.

### Brunswick County Jurisdiction Fees

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> <1.0 acres (\$350)                 | <input type="checkbox"/> 1.0 to <5 acres (\$400) | <input type="checkbox"/> 5.0 to <25 acres (\$450)       |
| <input checked="" type="checkbox"/> 25 to <50 acres (\$600) | <input type="checkbox"/> 50+ acres (\$1,200)     | <input type="checkbox"/> Conditional Zoning (Add \$200) |

### City of Northwest Jurisdiction Fees

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> <1.0 acres (\$1,650)      | <input type="checkbox"/> 1.0 to <5 acres (\$1,760) | <input type="checkbox"/> 5.0 to <25 acres (\$1,870)     |
| <input type="checkbox"/> 25 to <50 acres (\$2,090) | <input type="checkbox"/> 50+ acres (\$2,200)       | <input type="checkbox"/> Conditional Zoning (Add \$550) |

Please note that any continuance request after initial advertising will incur and additional \$500 fee for Brunswick County Jurisdiction and \$550 for City of Northwest Jurisdiction.

# CASE Z-842

## ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
11100006	POTTER MARIE S	135 MILL CREEK RD SE	BOLIVIA	NC	28422
1100000301	REATA REAL ESTATE INVESTMENTS LLC	131 OCEAN BLVD WEST	HOLDEN BEACH	NC	28462
11100023	LEWIS JUDY B	1023 BONHAM AVE	WILMINGTON	NC	28403
11100024	HOWARD DOROTHY D (LT)	108 MILL CREEK RD SE	BOLIVIA	NC	28422-8624
1110000910	NASSERI FEREDOUN ETUX MASSERI ROGHIEH	4101 OLEANDER DR	WILMINGTON	NC	28403-6821
11100007	KAY D MERCER IRREVOCABLE TRUST	326 CARMICHAEL CIR	CANTON	GA	30115-6863
1110002309	LEWIS GARY H	PO BOX 272	WINNABOW	NC	28479-0272
1110002304	LEWIS GARY H	PO BOX 272	WINNABOW	NC	28479-0272
1110002303	LEWIS GARY H	PO BOX 272	WINNABOW	NC	28479-0272
1110002301	LEWIS GARY H	PO BOX 272	WINNABOW	NC	28479-0272
1110000911	GHOBRIAL SHAWKY M AND GHOBRIAL AMAL Z TRUSTEE	17725 VANOWEN STREET	RESEDA	CA	91335
1250000101	ROBERTS MYRON DEAN ETALS C/O ROBERTS ORVA LEE	171 MONTICELLO RD	WEAVERVILLE	NC	28787-9323
1110000602	CAPPS STEPHANIE AND JENKINS JOHNNY LEE	119 MILL CREEK RD SE	BOLIVIA	NC	28422-8625

## OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
1110000601	MERCER D L JR	22439 HWY 210	ROCKY POINT	NC	28457

## APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
	JEFFREY B. MALPASS	1134 SHIPYARD BLVD	WILMINGTON	NC	28412

**BRUNSWICK COUNTY  
STAFF REPORT AND RECOMMENDATION**

Application No. PD-73

Applicant: Withers and Ravenel

Project Name: Stone Chimney Tract Planned Development

Property Location: Stone Chimney Road (SR 1115) and Southport-Supply Road (NC 211)

Parcel Number: 16800006

Proposed Use: Stone Chimney Tract is a proposed planned development to consist of 190 single family lots on 95.68 acres creating an overall density of 1.99 dwelling units per acre.

Zoning District: R-7500 (Medium Density Residential)

**R-7500 Density Maximum – 5.8 Dwelling Units per Acre**

*"The R-7500, R-6000, and SBR-6000 districts are established to provide for orderly suburban residential development. A limited number of commercial and civic uses are allowed, subject to the restrictions necessary to preserve and protect the residential character of the neighborhood. A special permit process for higher intensity development is also allowed, using discretion to balance issues of higher density with improved amenities. Due to the higher intensity developments contained in this district, it is intended to be applied to properties served by public sewer and water systems."*

Surrounding Zoning **North:** CLD (Commercial Low Density) and R-7500  
**South:** RR (Rural Residential) and R-7500  
**East:** RR and R-7500  
**West:** R-7500

**Approval Criteria**

- The majority of surrounding uses consists of single family residential, commercial and vacant land.
- The Future Land Use Map denotes this area as LDR (Low Density Residential) and is in the process of being updated through the Blueprint Brunswick Project.
- Parking will be off street with a minimum of 2 driveway parking spaces per lot.
- Proposed infrastructure:
  1. **Water** and **Sewer** will be provided by Brunswick County.
  2. **Roads** will be private.
- The proposed development will have a 30-foot, 0.6 opacity peripheral buffer using existing vegetation to satisfy the requirement. Supplemental landscaping will be installed where necessary.
- The required Open Space for the development is approximately 19.1 acres. The developer is proposing 46.0 acres of dedicated open space. The developer is also proposing 6.11 acres of recreation space of which 2.87 acres are required.
- The proposed project will generate approximately 1,818 vehicle trips per 24-hour weekday volume. A Traffic Impact Analysis and driveway permit from NCDOT will be required prior to the recording of the individual lots.

- The Exceptional Design elements to be included in the project are as follows:
  1. The developer is proposing 46.0 acres of open space whereas 19.1 acres are required.
  2. The developer is proposing 6.11 acres of recreation space whereas 2.87 acres are required.
  3. The stormwater system shall be designed to meet the 25-year storm event.
  4. All lots are to be located outside of the 100-year flood zone.
  5. All internal roads shall be wide enough to accommodate parking on one side of street.
- The design flexibility elements requested for the project are as follows:
  1. Reduction in lot dimensions.
  2. Reduction in setbacks.
- Adjacent property owners were notified via US mail and a notification sign was posted on the subject property.
- A neighborhood meeting was held on Wednesday March 30, 2022.
- TRC was held on February 1, 2022.

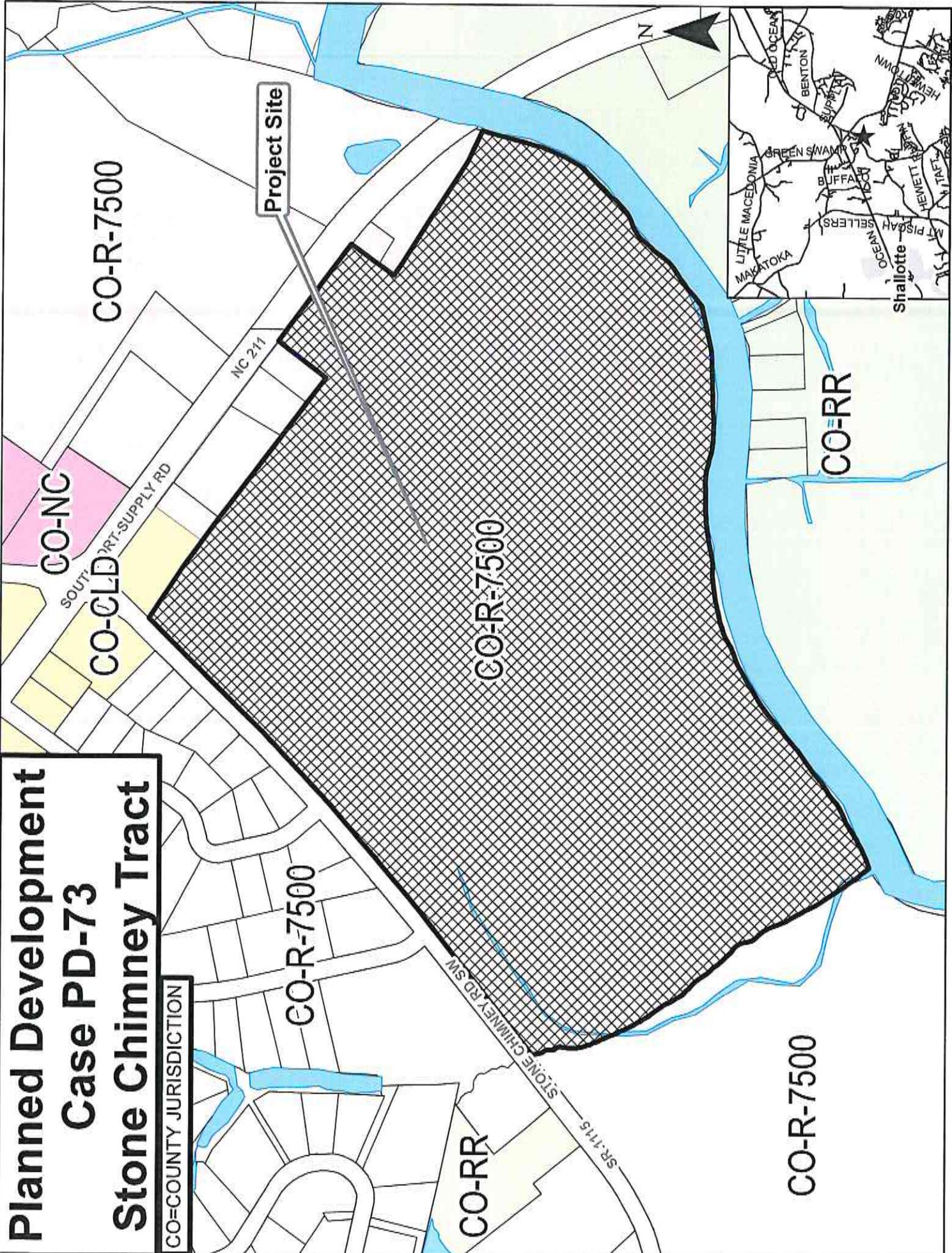
If approved, this development shall have a vested right for a period of three years. A two-year extension may be requested by the applicant to the Brunswick County Planning Department.

Staff recommends approval based on the following conditions:

1. That the development shall proceed in conformity with all plans and design features submitted as part of the planned development application and kept on file by the Brunswick County Planning Department.
2. That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.
3. Planned Development approval does not constitute an authorization to construct. All applicable Federal, State and County approvals/permits will be necessary to obtain final plat approvals and building permits. This includes Stormwater, Utilities, and Fire Marshal requirements.
4. Place a note on the site plan that the stormwater system shall be designed to accommodate the 25-year storm event.
5. All lots fronting on Stone Chimney Road shall be served internally and not have direct access to Stone Chimney Road.

# Planned Development Case PD-73 Stone Chimney Tract

CO=COUNTY JURISDICTION



Project Site

CO-R-7500

CO-NC

CO-CLD

CO-R-7500

CO-RR

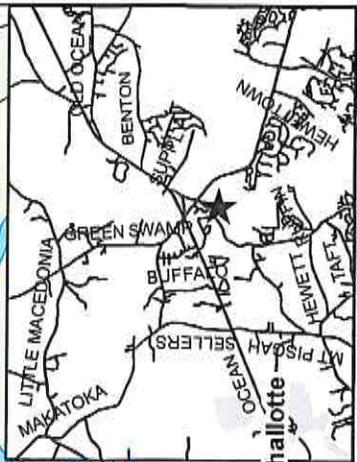
CO-R-7500

CO-RR

CO-R-7500

N

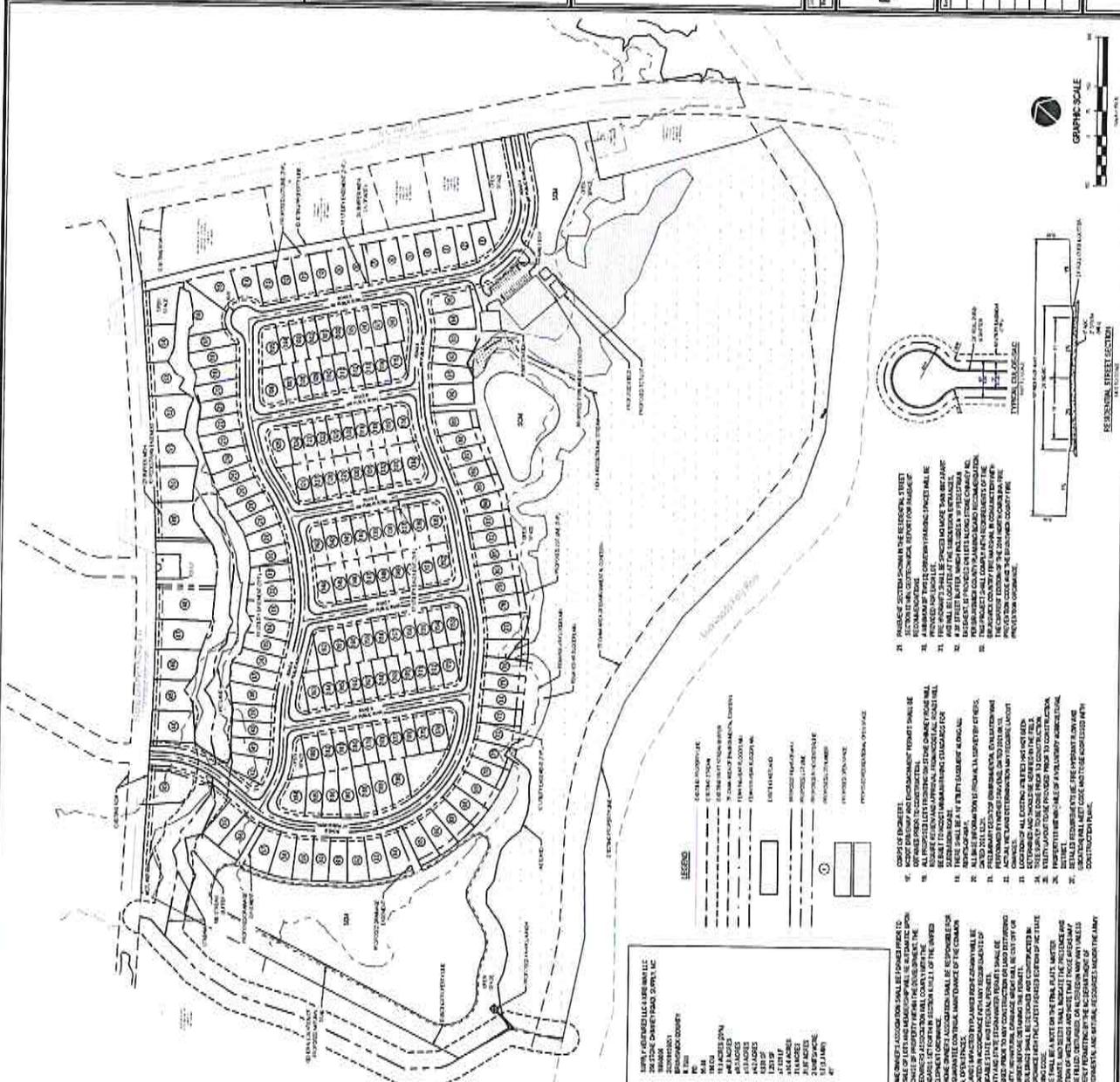
Charlotte



# Planned Development Case PD-73 Stone Chimney Tract

CO=COUNTY JURISDICTION





**PARCEL AREA TABLE**

PARCEL #	AREA
1	1.0000
2	1.0000
3	1.0000
4	1.0000
5	1.0000
6	1.0000
7	1.0000
8	1.0000
9	1.0000
10	1.0000
11	1.0000
12	1.0000
13	1.0000
14	1.0000
15	1.0000
16	1.0000
17	1.0000
18	1.0000
19	1.0000
20	1.0000
21	1.0000
22	1.0000
23	1.0000
24	1.0000
25	1.0000

**GENERAL NOTES:**

1. THE PLANS SUBMITTED TO THE COUNTY ENGINEER SHALL BE THE FINAL PLANS FOR THE PROJECT. ANY CHANGES TO THE PLANS SHALL BE MADE BY THE ENGINEER'S OFFICE.
2. THE ENGINEER'S OFFICE SHALL BE RESPONSIBLE FOR THE DESIGN OF THE PROJECT AND SHALL BE RESPONSIBLE FOR THE OBTAINING OF ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. THE ENGINEER'S OFFICE SHALL BE RESPONSIBLE FOR THE OBTAINING OF ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
4. THE ENGINEER'S OFFICE SHALL BE RESPONSIBLE FOR THE OBTAINING OF ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
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7. THE ENGINEER'S OFFICE SHALL BE RESPONSIBLE FOR THE OBTAINING OF ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
8. THE ENGINEER'S OFFICE SHALL BE RESPONSIBLE FOR THE OBTAINING OF ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
9. THE ENGINEER'S OFFICE SHALL BE RESPONSIBLE FOR THE OBTAINING OF ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
10. THE ENGINEER'S OFFICE SHALL BE RESPONSIBLE FOR THE OBTAINING OF ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

**LEGEND**

- GENERAL PROPERTY LINE
- EXISTING DRIVEWAY
- PROPOSED DRIVEWAY

DATE: 10/15/2024  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
SCALE: AS SHOWN



## BRUNSWICK COUNTY PLANNING DEPARTMENT

75 Government Drive, Building I • P.O. Box 249 • Bolivia, NC 28422  
www.brunswickcountync.gov/planning • (910)253-2025

February 2, 2022

Withers Ravenel Engineering  
c/o Brian Lussier  
115 MacKenan Dr.  
Cary, NC 27511

**RE: Stone Chimney Tract Planned Development  
File # PD-73**

Dear Mr. Lussier,

The Technical Review Committee (TRC) at their February 1, 2022 meeting reviewed the preliminary plans for the above referenced project.

Please find below comments with regards to the review of the project.

Comments from Planning:

Marc Pages – 910-253-2056 – [marc.pages@brunswickcountync.gov](mailto:marc.pages@brunswickcountync.gov)

- Due to the proximity of the significant flood zones adjacent to the Lockwood Folly River, staff strongly recommends over engineering the stormwater system to at least the 25-year storm event and if possible, up to the 100-year storm event.
- Please indicate the peripheral buffer will be 30' wide with a 0.6 opacity.
- Please indicate the 20' street buffer along Stone Chimney Rd and Southport-Supply Rd. In addition, please indicate a 10' wide pedestrian easement within the buffer for a future greenway.
- Please revise the site plan so all lots will be accessed internally and will not have direct access onto Stone Chimney Rd.
- Please indicate the minimum lot width.
- Please consider including walking trails around the stormwater pond(s).
- Please note the kayak/canoe launch on the site plan.
- Please note that a minimum of 2 driveway parking spaces per lot will be provided.
- Please note the required and provided recreation space.
- Please note that a TIA will be required.
- Please show the cul-de-sac radius to the edge of pavement.
- Please note on the plan that this property is within a ½ mile of a Voluntary Agricultural District.
- Please note that a neighborhood meeting is highly recommended per UDO Section 9.2.

Comments from Stormwater

Brigit Flora – 910-253-2405 – [brigit.flora@brunswickcountync.gov](mailto:brigit.flora@brunswickcountync.gov)

- A State Erosion Control Permit will be required for clearing and/or grading.
- State and County Stormwater Permits are required before any construction.
- The County is requesting that additional attenuation of up to the 25-year 24-hour storm to be designed, if feasible, in addition to the normal 1-year and 10-year 24-hour storms.

Comments from Engineering

Amy Aycock – 910-253-2047 – [amy.aycock@brunswickcountync.gov](mailto:amy.aycock@brunswickcountync.gov)



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- No proposed utilities shown on plan – all water and sewer must meet the Design Standards, Details and Specifications for Brunswick County.
- Existing 12" watermain on Stone Chimney Rd & Southport-Supply Rd for connection
- Fire hydrants required every 800' and at subdivision entrances.
- Existing Brunswick County Pump Station on Stone Chimney Rd for possible connection.
- Existing 8" sewer forcemain on Stone chimney Rd & 18" sewer forcemain on Southport-Supply Rd for connection.
- NCDOT Encroachment required for water and sewer connections.
- We do not require the pool (for draining or backwashing) to be connected to the sewer system.

Comments from Flood Plain Administrator

James Paggioli – 910-253-2043 – [james.paggioli@brunswickcountync.gov](mailto:james.paggioli@brunswickcountync.gov)

- Please remove the lots from the AE Flood zone.

Comments from Fire Code Official

Brad Babson – 910-253-2043 – [brad.babson@brunswickcountync.gov](mailto:brad.babson@brunswickcountync.gov)

- Need to submit fire application at the following <https://forms.brunswickcountync.gov/Forms/fireapplication> . Need to also provide the following documents with the fire permit application. Construction documents (site plan, utility plan, building plan, appendix B code summary, life safety plan, and emergency responder radio coverage plan) when obtaining permits for construction. All new commercial buildings will require a separate permit application.
- This project shall comply with requirements of the Brunswick County fire marshal in conjunction with the current edition of the 2018 North Carolina Fire Prevention Code and the Brunswick County Fire Prevention Ordinance.
- At time of construction/Fire plan review. Will need to provide building construction type, square footage per floor and any fire protection systems to be installed.
- Will need fire hydrant flow data to be provided at time of construction.

Please provide a digital set of revised plans to the Brunswick County Planning Department by 5:00 p.m. on February 18, 2022.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Marc A. Pages".

Marc A. Pages  
Brunswick County Principal Planner

# CASE PD-73

## ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
1680002301	WOOTEN EDGAR RAY	291 STONE CHIMNEY RD SW	SUPPLY	NC	28462
168GA020	HEWETT BENJAMIN	190 COUNTRYSIDE ST SW	SUPPLY	NC	28462
168GA019	HEWETT BENJAMIN	190 COUNTRYSIDE ST SW	SUPPLY	NC	28462
168GA018	JANEDA MARY ANN	193 COUNTRYSIDE ST SW	SUPPLY	NC	28462
168GA002	HEWETT DOROTHY MARIE	189 STONE CHIMNEY RD SW	SUPPLY	NC	28462
1680000201	GORE CRYSTAL H AND	4321 JONES STTREET	SHALLOTTE	NC	28470
1680000111	TODD SONJA ETVIR	PO BOX 215	SUPPLY	NC	28462-0215
168000003	LEWIS LOUIE SR	207 SOUTHPORT SUPPLY RD	SUPPLY	NC	28462
168GB063	WOOTEN KELLY REID ETUX	199 QUILT RD SW	SUPPLY	NC	28462-3342
1680000105	SMYRL BETTY S	37 COLONIAL LAKE DRIVE	CAMDEN	SC	29020
1680000104	SMYRL BETTY S	37 COLONIAL LAKE DRIVE	CAMDEN	SC	29020
1680010601	RIZZO JOSEPH TRUSTEE ETALS	6131 DORSETT PL	WILMINGTON	NC	28403-0128
168000005	CONCORD METHODIST CHURCH	1408 WHISPERWOOD CT SE	BOLIVIA	NC	28422-8099
1680000106	LARRIMORE MARVIN LEE	595 GUNSMOKE LN	WHITEVILLE	NC	28472-2342
168000004	BRAINARD TODD ETUX	46 NOHOKAI STREET	KIHEI	HI	96753
168GA008	STONE CHIMNEY LLC	15733 BALLANTYNE COUNTRY CLU CHARLOTTE	SUPPLY	NC	28277-1407
168GA005	BOONE KENNETH L AND	171 STONE CHIMNEY ROAD	SUPPLY	NC	28462
168GA003	LONG CODY A	183 STONE CHIMNEY RD SW	SUPPLY	NC	28462-3377
168GB001	HOLDEN CLEMIT ALLISON ETUX	198 QUILT RD SW	SUPPLY	NC	28462-3341
168000007	HOLDEN CLEMIT ALLISON	198 QUILT RD SW	SUPPLY	NC	28462-3341
1680000401	BRAINARD TODD WILLIAM ETUX	46 NOHOKAI ST	KIHEI	HI	96753-5261
1680000202	HEWETT ELDER B	3394 LONGWOOD RD NW	ASH	NC	28420-3110
168GA004	KAUFMAN FRANCES ELIZABETH TRUSTEE	1114 WILLOW POND LN	LELAND	NC	28451-7450
1680000108	LOUIS A LEWIS REVOCABLE LIVING TRUST	237 OCEAN HWY E	SUPPLY	NC	28462-3359
168000001	LOUIS A LEWIS REVOCABLE LIVING TRUST	237 OCEAN HWY E	SUPPLY	NC	28462-3359
168GA001	ANDREWS MEREDITH ANN	174 COUNTRYSIDE ST SW	SUPPLY	NC	28462-3300

## OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
168000006	SUPPLY VENTURES LLC & KIRB WAY LLC	PO BOX 1355	WILMINGTON	NC	28402

## APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
	WITHERS AND RAVENEL	219 STATION ROAD	WILMINGTON	NC	28405

# CASE PD-73

## ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
1680002301	WOOTEN EDGAR RAY	291 STONE CHIMNEY RD SW	SUPPLY	NC	28462
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1680000111	TODD SONJA ETVIR	PO BOX 215	SUPPLY	NC	28462-0215
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1680000106	LARRIMORE MARVIN LEE	595 GUNSMOKE LN	WHITEVILLE	NC	28472-2342
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168GA003	LONG CODY A	183 STONE CHIMNEY RD SW	SUPPLY	NC	28462-3377
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16800007	HOLDEN CLEMIT ALLISON	198 QUILT RD SW	SUPPLY	NC	28462-3341
1680000401	BRAINARD TODD WILLIAM ETUX	46 NOHOKAI ST	KIHEI	HI	96753-5261
1680000202	HEWETT ELDER B	3394 LONGWOOD RD NW	ASH	NC	28420-3110
168GA004	KAUFMAN FRANCES ELIZABETH TRUSTEE	1114 WILLOW POND LN	LELAND	NC	28451-7450
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16800001	LOUIS A LEWIS REVOCABLE LIVING TRUST	237 OCEAN HWY E	SUPPLY	NC	28462-3359
168GA001	ANDREWS MEREDITH ANN	174 COUNTRYSIDE ST SW	SUPPLY	NC	28462-3300

## OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
16800006	SUPPLY VENTURES LLC & KIRB WAY LLC	PO BOX 1355	WILMINGTON	NC	28402

## APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
	WITHERS AND RAVENEL	219 STATION ROAD	WILMINGTON	NC	28405

**BRUNSWICK COUNTY  
STAFF REPORT AND RECOMMENDATION**

Application No. PD-74  
Applicant: Norris and Tunstall  
Project Name: Norris Tract Planned Development  
Property Location: Green Swamp Road (NC 211)  
Parcel Number: 15200037  
Proposed Use: Norris Tract is a proposed planned development to consist of 117 single family lots on 30.65 acres creating an overall density of 3.8 dwelling units per acre.  
Zoning District: R-6000 (High Density Residential)

**R-6000 Density Maximum – 7.3 Dwelling Units per Acre**

*"The R-7500, R-6000, and SBR-6000 districts are established to provide for orderly suburban residential development. A limited number of commercial and civic uses are allowed, subject to the restrictions necessary to preserve and protect the residential character of the neighborhood. A special permit process for higher intensity development is also allowed, using discretion to balance issues of higher density with improved amenities. Due to the higher intensity developments contained in this district, it is intended to be applied to properties served by public sewer and water systems."*

Surrounding Zoning **North:** RR (Rural Residential)  
**South:** RR  
**East:** CLD (Commercial Low Density)  
**West:** RR

**Approval Criteria**

- The majority of surrounding uses consists of single family residential and vacant land.
- The Future Land Use Map denotes this area as Mixed Use and is in the process of being updated through the Blueprint Brunswick Project.
- Parking will be off street with a minimum of 2 driveway parking spaces per lot.
- Proposed infrastructure:
  1. **Water** and **Sewer** will be provided by Brunswick County.
  2. **Roads** will be private.
- The proposed development will have a 30-foot, 0.6 opacity peripheral buffer using existing vegetation to satisfy the requirement. Supplemental landscaping will be installed where necessary.
- The required Open Space for the development is approximately 6.13 acres. The developer is proposing 9.07 acres of dedicated open space. The developer is also proposing 1.96 acres of recreation space of which .91 acres are required.
- The proposed project will generate approximately 1,119 vehicle trips per 24-hour weekday volume. A Traffic Impact Analysis and driveway permit from NCDOT will be required prior to the recording of the individual lots.

- The Exceptional Design elements to be included in the project are as follows:
  1. The developer is proposing 9.07 acres of open space whereas 6.13 acres are required.
  2. The developer is proposing 1.96 acres of recreation space whereas .91 acres are required.
  3. The stormwater system shall be designed to meet the 100-year storm event.
  4. All internal roads shall be wide enough to accommodate parking on one side of street.
- The design flexibility elements requested for the project are as follows:
  1. Reduction in lot dimensions.
  2. Reduction in setbacks.
- Adjacent property owners were notified via US mail and a notification sign was posted on the subject property.
- A neighborhood meeting was held on Tuesday, March 29, 2022.
- TRC was held on March 8, 2022.

If approved, this development shall have a vested right for a period of three years. A two-year extension may be requested by the applicant to the Brunswick County Planning Department.

Staff recommends approval based on the following conditions:

1. That the development shall proceed in conformity with all plans and design features submitted as part of the planned development application and kept on file by the Brunswick County Planning Department.
2. That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.
3. Planned Development approval does not constitute an authorization to construct. All applicable Federal, State and County approvals/permits will be necessary to obtain final plat approvals and building permits. This includes Stormwater, Utilities, and Fire Marshal requirements.

# Planned Development Case PD-74 Norris Tract

CO-COUNTY JURISDICTION

CO-RR

GREY WATER RD NE

Project Site

CO-R-6000

CO-CLD

CO-RR

CO-RR

CO-RR

BIG MACEDONIA RD NW

CO-R-6000

FORT CHARLES DR NW







NT21134 / 22010



# Planned Development (PD)

## Application and Checklist

Fee: \$500 (Brunswick County Jurisdiction)  
 \$880 (City of Northwest Jurisdiction)

Brunswick County Planning Dept. 910-253-2025

For Office Use Only	
File # <u>PD-74</u>	Invoice # <u>525110</u>
Date Received: <u>2/7/22</u>	
Northwest Jurisdiction <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

This application is a request to construct a Planned Development consistent with a submitted master site plan that identifies permitted land uses, densities, building setbacks, heights, lot layout, buffers, off-street parking and street widths. This application should only be used if the proposed development is requesting flexibility in zoning requirements in order to achieve a development as an alternative to a conventional zoning design standards. Please reference Section 4.3.1. of the Unified Development Ordinance (UDO) for requirements regarding Planned Developments (PD's).

Please fill out form completely, supplying all necessary information and documentation to support your request.

Property Owner	Name	Erma Norris H. Trustee / Attn: Erin Elizabeth Catucci	Phone	910-477-3105
	Address	7159 River Road,	Fax	
	City, St, Zip	Southport, NC 28461	Email	erin.catucci@gmail.com & catucc24@yahoo.com

Applicant or Representative	Name	J. Phillip Norris, P.E. / Norris & Tunstall Consulting Engineers, P.C.	Phone	910-287-5900
	Address	1429 Ash- Little River Rd.	Fax	910-287-5902
	City, St, Zip	Ash, NC 28420	Email	pnorris@ntengineers.com

Property Information	Address	NC211 / Green Swamp Rd. Supply	
	Tax Parcel(s)	15200037	
	Acreage	30.49	
	Current Zoning	R6000	
	Public Utilities Available?	Water	Sewer

Project Information	Project Name	Norris Tract PUD	
	Modification or Expansion Of Existing PD?	Yes	No
	Single Family Acres	Lots	
	Multi-Family Acres	Units	
	Commercial Acres	0	

Authorization	Property Owner Signature	<u>Erin Elizabeth Catucci</u>	dotloop verified 02/04/22 2:32 PM AEST LKWA-42JR-GGLS-X94A	Date	<u>02/03/2022</u>
	Applicant/Representative Signature			Date	<u>02/02/2022</u>

Please submit three folded copies and one electronic copy of the site plan with application.



## BRUNSWICK COUNTY PLANNING DEPARTMENT

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March 9, 2022

Norris and Tunstall Consulting Engineers

Attn: Phil Norris

1429 Ash-Little River Road

Ash, NC 28420

**RE: Norris Tract Planned Development  
File # PD-74**

Dear Mr. Norris,

The Technical Review Committee (TRC) at their March 8, 2022 meeting reviewed the preliminary plans for the above referenced project.

Please find below comments with regards to the review of the project.

Comments from Planning:

Marc Pages – 910-253-2056 – [marc.pages@brunswickcountync.gov](mailto:marc.pages@brunswickcountync.gov)

- Please note the 20' street buffer.
- Please relocate mail kiosk to the area south of the pump station.
- If intended to have parking on one side of the street, please note on plan.
- Please provide the minimum and average lot size.
- Please provide the minimum lot width.
- Please revise the open space minimum required to indicate 25% and amend the calculations accordingly.
- Please indicate and note the walking trail. In addition connect the walking trail to the road in between lots 87 and 88.
- Please indicate all common areas.
- Please note the pump station will be screened per UDO Section 6.4.
- Please provide street names.
- Please note that a neighborhood meeting is encouraged per UDO Section 9.2.

Comments from Stormwater

Brigit Flora – 910-253-2405 – [brigit.flora@brunswickcountync.gov](mailto:brigit.flora@brunswickcountync.gov)

- Project will require both state and county stormwater permits.
- A State Erosion Control Permit is required before any land disturbance including clearing and/or grading occurs.
- Drainage easements are minimum 20 feet. Please update the plan.



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### Comments from Engineering

Amy Aycock – 910-253-2047 – [amy.aycock@brunswickcountync.gov](mailto:amy.aycock@brunswickcountync.gov)

- Existing 12" watermain for connection.
- Would prefer end of line with an 8" with fire hydrant for future connections near lot 29.
- Fire hydrant required at subdivision entrance and every 800'.
- Double water meter boxes required.
- Existing 24" high pressure forcemain available for connection.
- On site pump station needs to be mirrored and would require odor control.
- 3-party NCDOT Encroachment would be required.

### Comments from Fire Code Official

Brad Babson – 910-253-2043 – [brad.babson@brunswickcountync.gov](mailto:brad.babson@brunswickcountync.gov)

- Need to submit fire development application at the following <https://forms.brunswickcountync.gov/Forms/fireapplication> .
- This project shall comply with requirements of the Brunswick County fire marshal in conjunction with the current edition of the 2018 North Carolina Fire Prevention Code and the Brunswick County Fire Prevention Ordinance.
- At time of construction/Fire plan review. Will need to provide building construction type, square footage per floor and any fire protection systems to be installed.
- Will need fire hydrant flow data to be provided at time of construction.

Please provide a digital set of revised plans to the Brunswick County Planning Department by 5:00 p.m. on March 18, 2022.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Marc A. Pages".

Marc A. Pages  
Brunswick County Senior Planner

# CASE PD-74

## ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
1520003403	BRUNSWICK ELECTRIC MEMBERSHIP CORP	PO BOX 826	SHALLOTTE	NC	28459
1520000411	ATLANTIC TELEPHONE MEMBERSHIP CORP	P O BOX 3198	SHALLOTTE	NC	28459
1680007102	MASON CAROL DEAN	611 STONE CHIMNEY RD SW	SUPPLY	NC	28462
15200034	COUNTY OF BRUNSWICK	PO BOX 249	BOLIVIA	NC	28422
1520000701	GALLOWAY HENRY HEIRS	PO BOX 1194	ZEBULON	NC	27597-1194
15200006	CASTEEN RAYMOND C ET	3449 SCUPPER RUN SE	SOUTHPORT	NC	28461
16800071	THE GALLOWAY 4 LLC	671 MARBELLA CT NW	CALABASH	NC	28467-1769
1520000401	THE GALLOWAY 4 LLC	671 MARBELLA CT NW	CALABASH	NC	28467-1769
16800072	THE GALLOWAY 4 LLC	671 MARBELLA CT NW	CALABASH	NC	28467-1769
15200005	CASTEEN TIFFANY JOYCE	249 GREENSWAMP RD	BOLIVIA	NC	28422

## OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
15200037	CATUCCI ERIN E	7159 RIVER RD	SOUTHPORT	NC	28461-8937

## APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
	NORRIS AND TUNSTALL	1429 ASH LITTLE RIVER RD	ASH	NC	28420

**BRUNSWICK COUNTY  
STAFF REPORT AND RECOMMENDATION**

Application No. PD-75  
Applicant: Norris and Tunstall  
Project Name: Doe Creek on Stone Chimney Planned Development  
Property Location: Stone Chimney Road (SR 1115)  
Parcel Number: 16800002101  
Proposed Use: Doe Creek on Stone Chimney is a proposed planned development to consist of 121 single family lots on 33.21 acres creating an overall density of 3.64 dwelling units per acre.  
Zoning District: R-7500 (Medium Density Residential)

**R-7500 Density Maximum – 5.8 Dwelling Units per Acre**

*"The R-7500, R-6000, and SBR-6000 districts are established to provide for orderly suburban residential development. A limited number of commercial and civic uses are allowed, subject to the restrictions necessary to preserve and protect the residential character of the neighborhood. A special permit process for higher intensity development is also allowed, using discretion to balance issues of higher density with improved amenities. Due to the higher intensity developments contained in this district, it is intended to be applied to properties served by public sewer and water systems."*

Surrounding Zoning **North:** CLD (Commercial Low Density) and R-7500  
**South:** R-7500  
**East:** R-7500  
**West:** RR

Proposed Use: Doe Creek on Stone Chimney is a proposed planned development to consist of 121 single family lots on 33.21 acres creating an overall density of 3.64 dwelling units per acre.

**Approval Criteria**

- The majority of surrounding uses consists of single family residential and vacant land.
- The Future Land Use Map denotes this area as LDR (Low Density Residential) and is in the process of being updated through the Blueprint Brunswick Project.
- Parking will be off street with a minimum of 2 driveway parking spaces per lot.
- Proposed infrastructure:
  1. **Water** and **Sewer** will be provided by Brunswick County.
  2. **Roads** will be private.
- The proposed development will have a 30-foot, 0.6 opacity peripheral buffer using existing vegetation to satisfy the requirement. Supplemental landscaping will be installed where necessary.
- The required Open Space for the development is approximately 6.64 acres. The developer is proposing 10.03 acres of dedicated open space. The developer is also proposing 3.09 acres of recreation space of which 1.5 acres are required.

- The proposed project will generate approximately 1,158 vehicle trips per 24-hour weekday volume. A Traffic Impact Analysis and driveway permit from NCDOT will be required prior to the recording of the individual lots.
- The Exceptional Design elements to be included in the project are as follows:
  1. The developer is proposing 10.03 acres of open space whereas 6.64 acres are required.
  2. The developer is proposing 3.09 acres of recreation space whereas 1.5 acres are required.
  3. The stormwater system shall be designed to meet the 100-year storm event.
  4. All internal roads shall be wide enough to accommodate parking on one side of street.
- The design flexibility elements requested for the project are as follows:
  1. Reduction in lot dimensions.
  2. Reduction in setbacks.
- Adjacent property owners were notified via US mail and a notification sign was posted on the subject property.
- A neighborhood meeting was held on Wednesday March 24, 2022.
- TRC was held on March 8, 2022.

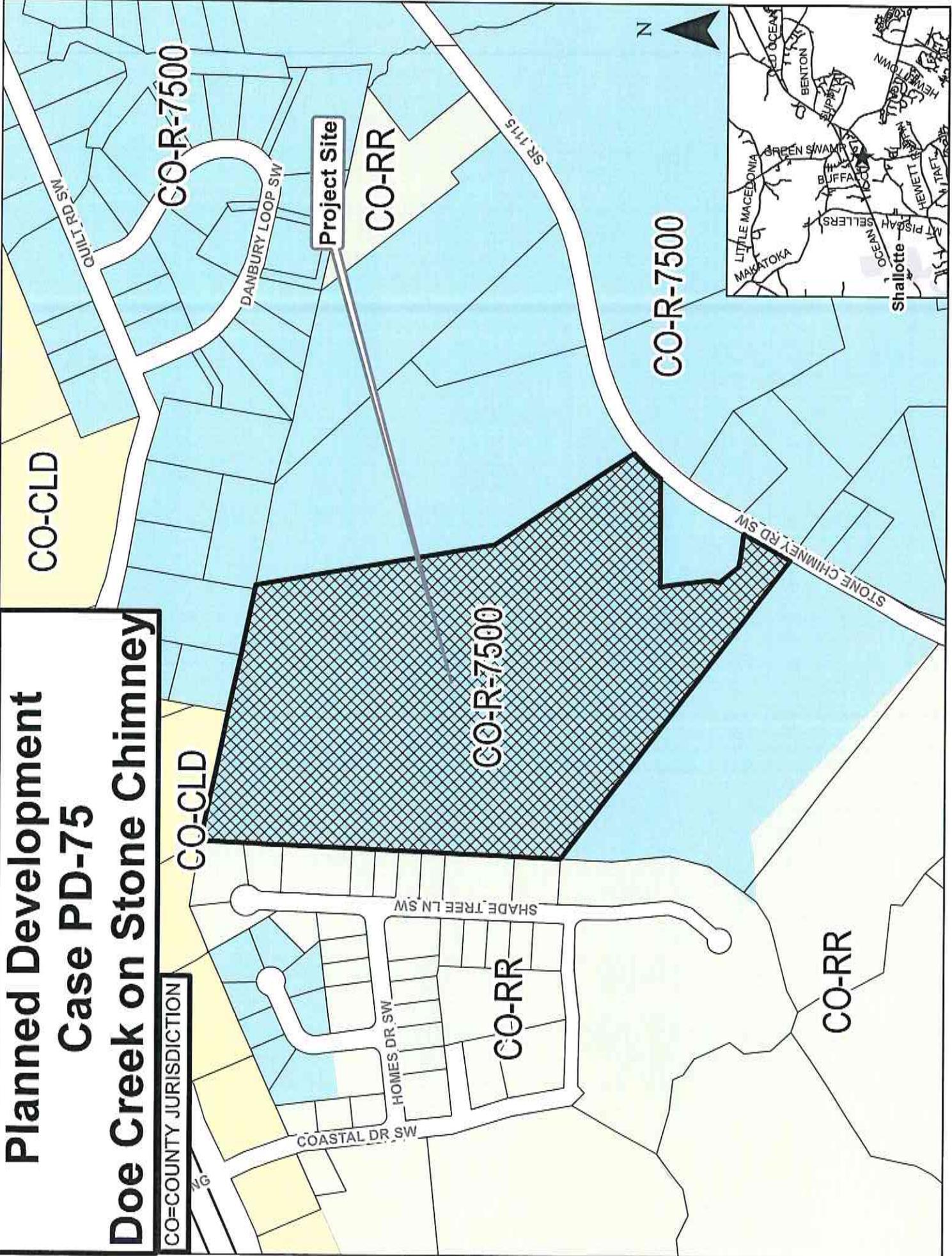
If approved, this development shall have a vested right for a period of three years. A two-year extension may be requested by the applicant to the Brunswick County Planning Department.

Staff recommends approval based on the following conditions:

1. That the development shall proceed in conformity with all plans and design features submitted as part of the planned development application and kept on file by the Brunswick County Planning Department.
2. That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.
3. Planned Development approval does not constitute an authorization to construct. All applicable Federal, State and County approvals/permits will be necessary to obtain final plat approvals and building permits. This includes Stormwater, Utilities, and Fire Marshal requirements.

# Planned Development Case PD-75 Doe Creek on Stone Chimney

CO-COUNTY JURISDICTION



Project Site

CO-CLD

CO-R-7500

CO-RR

CO-R-7500

CO-CLD

CO-R-7500

CO-RR

CO-RR

N

Shallotte

# Planned Development Case PD-75 Doe Creek on Stone Chimney

CO=COUNTY JURISDICTION

CO-CLD

CO-R-7500

Project Site

CO-RR

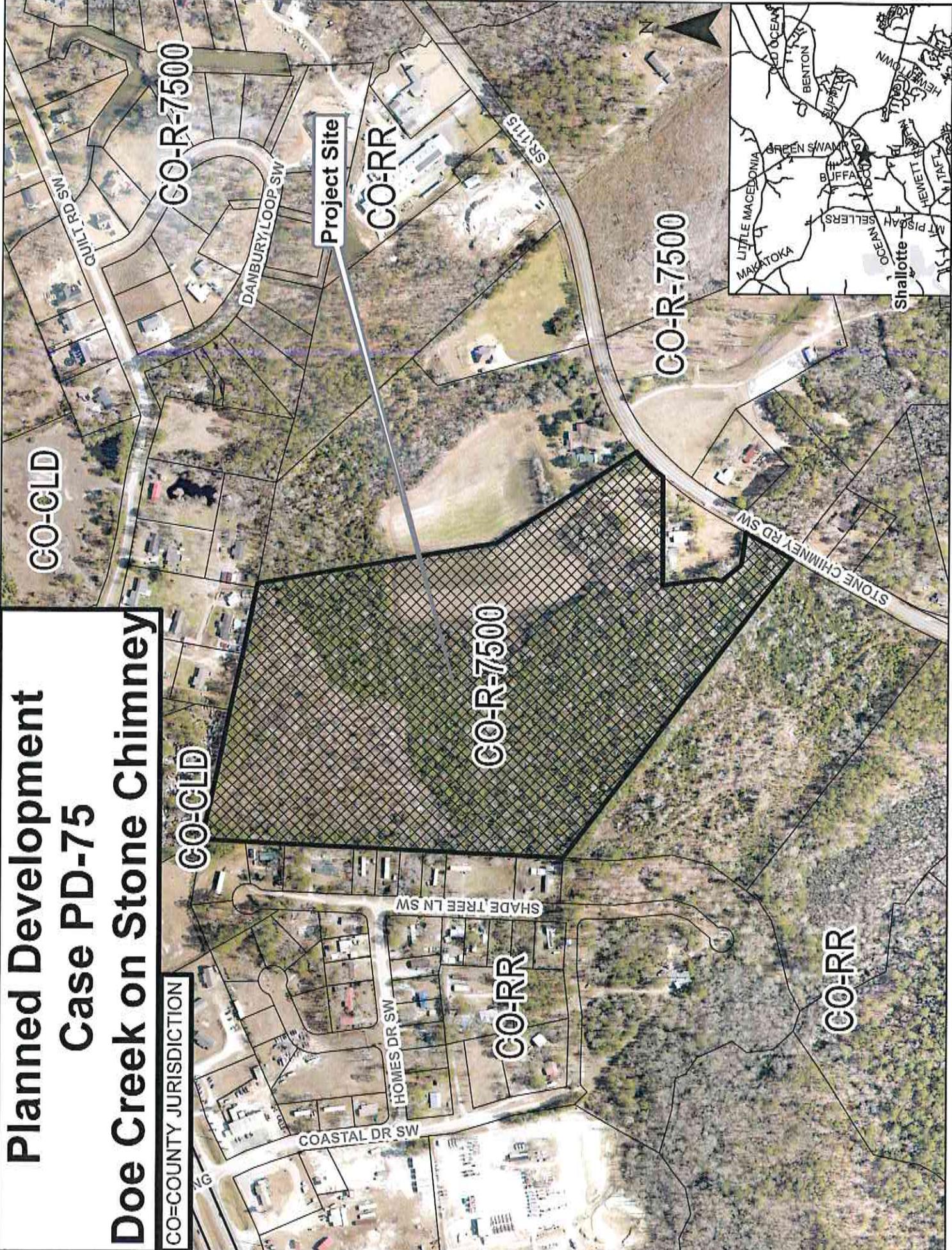
CO-R-7500

CO-CLD

CO-R-7500

CO-RR

CO-RR





NT 21207



# Planned Development (PD)

## Application and Checklist

Fee: \$500 (Brunswick County Jurisdiction)

\$880 (City of Northwest Jurisdiction)

Brunswick County Planning Dept. 910-253-2025

For Office Use Only	
File # <u>PD-75</u>	Invoice # <u>225107</u>
Date Received: <u>2/7/22</u>	
Northwest Jurisdiction <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

This application is a request to construct a Planned Development consistent with a submitted master site plan that identifies permitted land uses, densities, building setbacks, heights, lot layout, buffers, off-street parking and street widths. This application should only be used if the proposed development is requesting flexibility in zoning requirements in order to achieve a development as an alternative to a conventional zoning design standards. Please reference Section 4.3.1. of the Unified Development Ordinance (UDO) for requirements regarding Planned Developments (PD's).

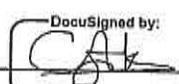
Please fill out form completely, supplying all necessary information and documentation to support your request.

Property Owner	Name	Christian Funk	Phone	(817)-707-4289
	Address	<del>4617</del> 4617 Wrenhall Dr	Fax	
	City, St, Zip	Fayetteville NC 28314	Email	christian.funk@wrenhall.com

Applicant or Representative	Name	Norris & Tunstall Consulting Engineers P.C. J. Phillip Norris, P.E.	Phone	910-287-5900
	Address	1429 Ash-Little River Rd. NW	Fax	910-287-5902
		Ash, NC 28420	Email	pnorris@ntengineers.com
	City, St, Zip			

Property Information	Address	Supply, NC
	Tax Parcel(s)	1680002101
	Acreage	33.21
	Current Zoning	R-7500
	Public Utilities Available?	Water Sewer

Project Information	Project Name	Stone Chimney PUD	
	Modification or Expansion Of Existing PD?	Yes	No
	Single Family Acres	33.21	Lots 121
	Multi-Family Acres	0	Units 0
	Commercial Acres	0	

Authorization	Property Owner Signature	 DocuSigned by: C10169349AE94C7...	Date	1/19/2022
	Applicant/Representative Signature		Date	02/01/2022

Please submit three folded copies and one electronic copy of the site plan with application.



## BRUNSWICK COUNTY PLANNING DEPARTMENT

75 Government Drive, Building I • P.O. Box 249 • Bolivia, NC 28422

[www.brunswickcountync.gov/planning](http://www.brunswickcountync.gov/planning) • (910)253-2025

March 9, 2022

Norris and Tunstall Consulting Engineers

Attn: Phil Norris

1429 Ash-Little River Road

Ash, NC 28420

**RE: Stone Chimney Tract Planned Development  
File # PD-75**

Dear Mr. Norris,

The Technical Review Committee (TRC) at their March 8, 2022 meeting reviewed the preliminary plans for the above referenced project.

Please find below comments with regards to the review of the project.

Comments from Planning:

Marc Pages – 910-253-2056 – [marc.pages@brunswickcountync.gov](mailto:marc.pages@brunswickcountync.gov)

- Please change the name of the planned development since there is another proposed development in the vicinity with an identical name.
- Please note the 20' street buffer.
- Please relocate mail kiosk to the area just north of the pump station.
- If intended to have parking on one side of the street, please note on plan.
- Please provide the minimum and average lot size.
- Please provide the minimum lot width.
- Please label the walking trail.
- Please indicate all common areas.
- Please note the pump station will be screened per UDO Section 6.4.
- Please provide street names.
- Please note that a neighborhood meeting is encouraged per UDO Section 9.2.

Comments from Stormwater

Brigit Flora – 910-253-2405 – [brigit.flora@brunswickcountync.gov](mailto:brigit.flora@brunswickcountync.gov)

- Project will require both state and county stormwater permits.
- A State Erosion Control Permit is required before any land disturbance including clearing and/or grading occurs.



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### Comments from Engineering

Amy Aycock – 910-253-2047 – [amy.aycock@brunswickcountync.gov](mailto:amy.aycock@brunswickcountync.gov)

- No proposed utilities shown, Pump station site proposed in front of neighborhood.
- Existing 12" watermain for connection.
- Fire hydrant required at subdivision entrance and every 800'.
- Double water meter boxes required.
- Existing 8" high pressure forcemain available for connection.
- On site pump station required and may require odor control.
- 3-party NCDOT Encroachment would be required.

### Comments from Fire Code Official

Brad Babson – 910-253-2043 – [brad.babson@brunswickcountync.gov](mailto:brad.babson@brunswickcountync.gov)

- Need to submit fire development application at the following <https://forms.brunswickcountync.gov/Forms/fireapplication>.
- This project shall comply with requirements of the Brunswick County fire marshal in conjunction with the current edition of the 2018 North Carolina Fire Prevention Code and the Brunswick County Fire Prevention Ordinance.
- At time of construction/Fire plan review. Will need to provide building construction type, square footage per floor and any fire protection systems to be installed.
- Will need fire hydrant flow data to be provided at time of construction.

Please provide a digital set of revised plans to the Brunswick County Planning Department by 5:00 p.m. on March 18, 2022.

If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Marc A. Pages".

Marc A. Pages  
Brunswick County Senior Planner

# CASE PD-75

## ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
168000902	HOLDEN R SIDNEY (LT)	63 SOUTHPORT-SUPPLY RD	SUPPLY	NC	28462
16800033	CLEMMONS IOLA (LT)	59 QUILT RD SW	SUPPLY	NC	28462
1680003302	CLEMMONS IVFORD D	P O BOX 941	SHALLOTTE	NC	28459
16800039	LEWIS L A	237 OCEAN HWY 17	SUPPLY	NC	28462
168IA027	PROFITT RICHARD JR	102 SW SHADE TREE LN	SUPPLY	NC	28462
168IA026	RHODES DAVID R	2979 EMILINE ST SW	SUPPLY	NC	28462
1680003304	EVANS MANIEL WANE ETUX	29 QUILT ROAD SW	SUPPLY	NC	28462
16800035	CLEMMONS WILLIAM EDWARD JR	P O BOX 47	SUPPLY	NC	28462
168IA020	HEDRICK STEPHEN EARLE ETUX	54 SHADE TREE LN SW	SUPPLY	NC	28462-3322
168IA021	HEDRICK STEPHEN EARLE ETUX	54 SHADE TREE LN SW	SUPPLY	NC	28462-3322
16800020	SWANSON LUKE E	405 STONE CHIMNEY RD SW	SUPPLY	NC	28462-5819
1680000904	HOLDEN DANIEL LEO	402 STONE CHIMNEY RD SW	SUPPLY	NC	28462-5818
1680000901	HOLDEN DANIEL LEO	402 STONE CHIMNEY RD SW	SUPPLY	NC	28462-5818
168IA024	GARDNER MICHAEL ETUX	82 SHADE TREE LN SW	SUPPLY	NC	28462-3322
168IA028	PIGG PAUL ALLEN	PO BOX 1079	LELAND	NC	28451-1079
168IA029	SAUNDERS KENNETH A ETUX	114 SHADE TREE LANE	SUPPLY	NC	28462
16800021	SWANSON MATTHEW C ETUX	375 STONE CHIMNEY RD SW	SUPPLY	NC	28462-3289
1680001906	MCMILLAN VIRGINIA W HEIRS ETALS	3813 BRIAR PL APT 10	DAYTON	OH	45405-1808
168IA034	MESSER BOBBY LEE ETUX	142 SHADE TREE LN SW	SUPPLY	NC	28462-3320
168IA032	LOUIS A LEWIS REVOCABLE LIVING TRUST	237 OCEAN HWY E	SUPPLY	NC	28462-3359

## OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
1680002101	GRAY WILLIAM H ETALS	3631 ROUND OAK RD	CHARLOTTE	NC	28210

## APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
	NORRIS AND TUNSTALL	1429 ASH LITTLE RIVER RD	ASH	NC	28420