



AGENDA BRUNSWICK COUNTY PLANNING BOARD

**6:00 P.M. Monday
March 12, 2018**

**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 the Minutes of the February 12, 2018 Meeting.
- 6) Agenda Amendments.
- 7) Public Comment.
- 8) Public Hearings.

A. Rezoning Z-760 – East Coast Engineering

Proposed rezoning of approximately 2.67 acres located off Ocean Highway East (US 17) and Kelly Road near Winnabow from RR (Rural Residential) to CLD (Commercial Low Density) for Tax Parcels 084BA001, 084BA002, 084BA003, 084BA014, 084BA015, 084BA016 and 084BA017.

LAND USE PLAN MAP AMENDMENT LUM-760:

Request to amend Tax Parcels 084BA001, 084BA002, 084BA003, 084BA014, 084BA015, 084BA016 and 084BA017 located off Ocean Highway East (US 17) and Kelly Road near Winnabow from LDR (Low Density Residential) to Commercial.

B. Rezoning Z-761 – Angela Renee D. Light Whitby

Proposed rezoning of approximately 75.56 acres located off Red Bug Road (SR 1136) near Shallotte from R-7500 (Medium Density Residential) and R-6000 (High Density Residential) to R-6000 (High Density Residential) for Tax Parcels 18200108, 1820010802, 1820010803, 1820010804, 1820010805, 1820010806, 1820010807, 1820010808, 18200109 and a portion of 18200098.

LAND USE PLAN MAP AMENDMENT LUM-761:

Request to amend Tax Parcels 18200108, 1820010802, 1820010803, 1820010804, 1820010805, 1820010806, 1820010807, 1820010808, 18200109 and a portion of 18200098 located off Red Bug Road (SR 1136) near Shallotte from LDR (Low Density Residential) and to MDR (Medium Density Residential).

C. Rezoning Z-762 – East Coast Engineering

Proposed rezoning of approximately 12.94 acres located at 5841 Ocean Highway West (US 17) from R-7500 (Medium Density Residential) and CLD (Commercial Low Density) to CLD (Commercial Low Density) for Tax Parcel 2120002302.

LAND USE PLAN MAP AMENDMENT LUM-762:

Request to amend Tax Parcel 2120002302 located at 5841 Ocean Highway West (US 17) from LDR (Low Density Residential) to Commercial.

9) Other Business.

A. Recognition of Helen Bunch on receiving the 2017 Outstanding Local Government Planner Award from the Cape Fear Council of Government.

B. Setback Inspections.

C. Planning Board Cases Update.

10) Adjournment.

MINUTES
PLANNING BOARD
BRUNSWICK COUNTY, NC

6:00 P.M. Monday
February 12, 2018

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

MEMBERS PRESENT

Eric Dunham, Chair
Joy Easley, Vice Chair
Richard Leary
Ron Medlin
Troy Price
Tom Simmons
Randy Ward

MEMBERS ABSENT

None

STAFF PRESENT

Kirstie Dixon, Director
Helen Bunch, Zoning Admin.
Connie Marlowe, Admin. Asst. II
Marc Pages, Senior Planner
Bryan Batton, Asst. County Attorney

OTHERS PRESENT

Sammy Varnam
John Hankins
William Bittenbender, Alternate
Michael Caison
Frank Braxton

Terry Pope, State Port Pilot
Lewis Dozier
Brian Slattery, Brunswick Beacon
Ronnie Clemmons

I. CALL TO ORDER.

The Chair called the meeting to order at 6:00 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.

There were no members absent.

IV. CONSIDERATION OF MINUTES OF THE 08-JAN-18 MEETING.

Mr. Leary made a motion to approve the minutes as written and the motion was unanimously carried.

V. AGENDA AMENDMENTS.

Mr. Pages added Case Updates and Planning Board Training under Other Business.

VI. PUBLIC COMMENT.

There were none.

VII. PUBLIC HEARINGS.

A. Rezoning Z-759 – Sammy Varnam

Request to rezone approximately 67.34 acres located off Holden Beach Road SW (NC 130) near Holden Beach from R-6000 (High Density Residential) and C-LD (Commercial Low Density) to C-LD (Commercial Low Density) for Tax Parcels 21500063, 21500061, 2150006106 and 2310004110.

Land Use Plan Map Amendment LUM-759:

Request to amend Tax Parcels 21500063, 21500061, 2150006106 and 2310004110 located off Holden Beach Road SW (NC 130) near Holden Beach from LDR (Low Density Residential) and MDR (Medium Density Residential) to Commercial.

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

Mr. Pages said staff recommends approval from R-6000 (High Density Residential) and C-LD (Commercial Low Density) to C-LD (Commercial Low Density) for Tax Parcels 21500063, 21500061, 2150006106 and 2310004110 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map for Tax Parcels 21500063, 21500061, 2150006106 and 2310004110 located off Holden Beach Road SW (NC 130) near Holden Beach from LDR (Low Density Residential) and MDR (Medium Density Residential) to Commercial.

Mr. Dunham asked staff when the adjoining property (Tax Parcel 2150006103) was rezoned to C-LD? Mr. Pages said that particular parcel was split-zoned R-6000 and C-LD and the property was rezoned to C-LD on 01-Nov-10. Mr. Dunham asked staff if a Land Use Plan amendment was done at that time? Mr. Pages said the land classification was MDR (Medium Density Residential) and the land classification was changed to Commercial.

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

Mr. Sammy Varnam addressed the Board. He stated that Mr. Benny Ludlum owns 2 of the properties (Tax Parcels 21500061 and 2150006106) requested for a zoning change because he wanted his property to be zoned commercial rather than split-zoned R-6000 and C-LD. Mr. Pages interjected that Mr. Ludlum signed the application for his properties to be included in the zoning change.

Mr. Dunham asked if the 60' strip off Boonesneck Road SW (SR 1137) is a right-of-way? Mr. Varnam replied, yes.

Mr. Ronnie Clemmons addressed the Board. Mr. Clemmons said he jointly owns Tax Parcel 2150006307 with Mr. Michael Caison and he asked what the right-of-way will be used for off Quincy Street SW? Mr. Varnam said he purchased that easement from Mr. Alphonzo Roach and it is a non-exclusive easement for the adjoining property owners to use for ingress and egress to their property. Mr. Varnam said he will also continue use that easement for ingress and egress purposes. Mr. Clemmons said they are concerned with traffic in the area. Mr. Varnam said he would like to put a gate up to deter potential trespassers in the area and Mr. Clemmons was in favor of such happening.

Mr. Michael Caison addressed the Board. Mr. Caison asked if their taxes (joint owner of Tax Parcel 2150006307) will be increased if the subject property is zoned commercial. Mr. Dunham said their taxes should not be affected because their property is not being requested for a zoning change.

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

The Board discussed the worksheet and concluded the following:

- I. Will the uses permitted by the rezoning be appropriate for the area? Yes No

There is similar zoning nearby and the change will correct a split-zoning issue.

- II. Does adequate public facilities and services (schools, utilities, roads) exist, are planned, or can be reasonably provided to serve the needs of uses likely to be constructed because of this rezoning change? Yes No

There are no school capacity deficiencies at this time. Water and sewer is available from Brunswick County along Holden Beach Road SW (NC 130). However, water and sewer connection will require developer responsibility to connect to the water and sewer systems.

- III. Is the rezoning consistent with the adopted Land Use Plan or other land use documents? Yes No

It is not consistent with the CAMA Land Use Plan. However, an amendment has been requested from LDR (Low Density Residential) and MDR (Medium Density Residential) to Commercial.

IV. Is the rezoning reasonable and in the public interest? Yes No

There were no objections to the zoning change and there is C-LD zoning nearby.

Mr. Ward made a motion to recommend to the Board of Commissioners to approve Tax Parcels 21500063, 21500061, 2150006106 and 2310004110 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map for Tax Parcels 21500063, 21500061, 2150006106 and 2310004110 located off Holden Beach Road SW (NC 130) near Holden Beach from LDR (Low Density Residential) and MDR (Medium Density Residential) to Commercial and the motion was unanimously carried.

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

APPROVAL – The proposed zoning amendment is APPROVED

- Is the proposed change consistent with the CAMA Land Use Plan or any other adopted land use document? Yes No

The proposed zoning amendment is not consistent with the CAMA Land Use Plan. However, an amendment has been requested from LDR (Low Density Residential) and MDR (Medium Density Residential) to Commercial. There are portions of some parcels currently classified as commercial.

- Is the proposed amendment reasonable and in the public interest? Yes No

There were no objections to the zoning change and there are portions of some parcels currently zoned commercial and this will correct a split-zoning issue. There is also like zoning in the immediate area.

B. Planned Development Conceptual Plan Approval – PD-16.

Name: Sunrise Terrace (Revision)
Applicant: D.R. Horton
Tax Parcels: 029KA001, 029KA007 and 029KA00701
Location: Located on Village Road NE (SR 1472) near Leland
Description: The developer of Sunrise Terrace is proposing to add an additional 7 single family lots to the existing planned development which will result in a total of 97 residential lots on a gross site of 26.38 acres creating an overall density of 3.67 dwelling units per acre.

Mr. Pages addressed the Board. Mr. Pages read the Staff Report (attached). Mr. Pages identified the proposed area on a visual map and provided drone footage of the site.

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; and
- Prior to recording any additional lots, record a survey indicating the area in Leland's jurisdiction as common area/open space.

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

Mr. Frank Braxton, Coastal Land Design, addressed the Board on behalf of D.R. Horton. Mr. Braxton said the project was purchased from another developer and property was added that is in the Town of Leland. Mr. Braxton said they restructured the stormwater to accommodate 1 large stormwater pond rather than 2 stormwater ponds as originally proposed. As a result, they were able to create 7 additional lots for development. Mr. Braxton said water and sewer will be provided by Brunswick Regional Water and Sewer H2GO (H2GO). He further stated that they are working with the North Carolina Department of Transportation (NCDOT) to secure the driveway permit. Mr. Braxton said they are trying to tie the sidewalks to the park area and the mail kiosk area as well as a greenway trail along Village Road NE (SR 1472).

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

Mr. Dunham asked staff about the portion of the project that is in the Town of Leland? Mr. Pages said that portion of the project has been in the Town of Leland since the County implemented zoning in 1994. Ms. Dixon interjected that portion of the project is in the Town's city limits because they do not have an extraterritorial jurisdiction (ETJ). Mr. Dunham clarified that the project will have slightly less open space, but more of the open space will be recreational open space and Mr. Pages concurred.

With no further discussions, Mr. Price made a motion to approve Sunrise Terrace (Revision) Planned Development with the noted conditions by staff and the motion was unanimously carried.

- C. Proposed Revisions to Solar Farm requirements in the Brunswick County Unified Development Ordinance.

Ms. Dixon addressed the Board. She discussed a memo (attached) previously provided to the Board regarding the proposed revisions to solar farm requirements. Ms. Dixon discussed the proposed amendments (attached) to Solar Farm requirements.

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

With no further comments, Ms. Easley made a motion to close the Public Hearing.

Mr. Leary made a motion to recommend to the Board of Commissioners to approve the proposed revisions to Solar Farm requirements and the motion was unanimously carried.

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the TEXT AMENDMENT be recommended to the Board of Commissioners for

APPROVAL – The proposed text amendment is APPROVED

- Is the proposed change consistent with the CAMA Land Use Plan or any other adopted land use document? Yes No

The proposed text amendment only changes requirements for 1 use, thus creating no major impact.

- Is the proposed amendment reasonable and in the public interest? Yes No

The proposed text amendment addresses public concerns and gives property owners discretion in using their property. The proposed use is further reviewed by the Board of Adjustment and additional conditions can be imposed prior to approval.

D. Proposed Revisions to Temporary Use Permit requirements in the Brunswick County Unified Development Ordinance.

Ms. Bunch addressed the Board. She discussed a memo (attached) previously provided to the Board regarding Temporary Use Permits for Large Events (1,000 guests or more). Ms. Bunch discussed the proposed amendments (attached) to Temporary Use Permits for Large Events (1,000 guests or more). Ms. Bunch said the appropriate departments (Code Administration – Fire/Structures, Emergency Services, Environmental Health and the Sheriff’s Office) as well as the County Attorney’s office were involved in drafting the proposed revisions to address local and State regulations.

Mr. Dunham asked staff if large events held at a public park will be treated differently? Ms. Bunch said such uses would not likely occur at a County park, but the County does comply with ordinance requirements to the fullest extent possible. Mr. Dunham asked staff the type of events that would be defined as large events? Ms. Bunch said a music festival or any open event with 1,000 people or more. Mr. Dunham asked staff if any such events have previously occurred in the County? Ms. Bunch said there has been interest, but nothing has occurred thus far.

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

With no further comments, Mr. Simmons made a motion to close the Public Hearing.

Mr. Simmons made a motion to recommend to the Board of Commissioners to approve the proposed revisions to the Temporary Use Permit requirements and the motion was unanimously carried.

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the TEXT AMENDMENT be recommended to the Board of Commissioners for

APPROVAL – The proposed text amendment is APPROVED

- Is the proposed change consistent with the CAMA Land Use Plan or any other adopted land use document? Yes No

The proposed text amendment is a modification to existing language to clarify large events of 1,000 guests or more.

- Is the proposed amendment reasonable and in the public interest? Yes No

The proposed text amendment provides regulations to ensure the public's safety, health and welfare is protected.

VIII. OTHER BUSINESS.

- Planning Board Cases Update

Ms. Dixon addressed the Board. She stated that there are no zoning cases for consideration to the Board of Commissioners at their 19-Feb-18 meeting.

- Planning Board Training

Ms. Dixon addressed the Board. She stated that staff has sought outside assistance for Board training that will include videos and/or a workshop. She said staff will send a survey to the Board with dates to schedule the training session and a date will be provided at a later date as well as items for discussion.

IX. ADJOURNMENT.

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

REZONING STAFF REPORT



Prepared by Helen Bunch, Zoning Administrator

Rezoning Case#: Z-760

March 12, 2018

APPLICATION SUMMARY

The applicant requests to rezone Tax Parcels 084BA001, 084BA002, 084BA003, 084BA014, 084BA015, 084BA016 and 084BA017 from RR (Rural Residential) to CLD (Commercial Low Density). 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
Kelly Road and Ocean Hwy E (US 17)

Tax Parcels
084BA001, 084BA002, 084BA003,
084BA014, 084BA015, 084BA016,
084BA017

Current Zoning
RR

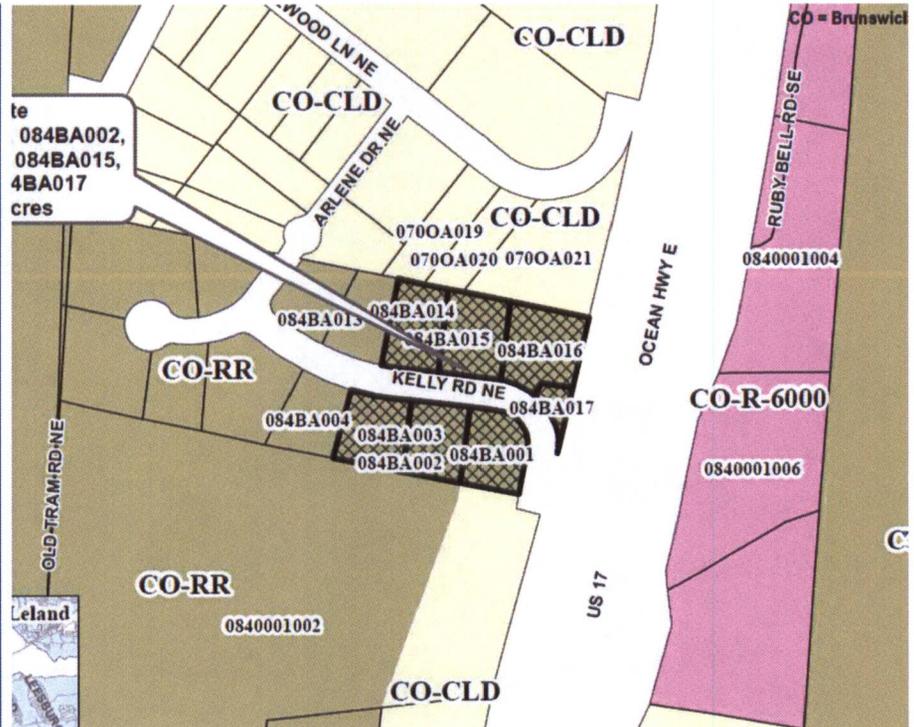
Proposed Zoning
CLD

Surrounding Zoning
RR, CLD, R-6000

Current Use
Vacant

Surrounding Land Uses
Residential, Commercial, Vacant
Lands

Size
2.67 acres



SITE CONSIDERATIONS

Zoning History: There are not any known zoning changes to the rezoning site since introduction of zoning in 1994. A number of nearby parcels have experienced zoning changes. Tax Parcels 0700A004-0700A015 and 0700A023-0700A028 to the northwest were rezoned to CLD as part of Rezoning Case Z-357 on April 7, 2003.

Buffers: If rezoned to CLD, all non-residential uses will require a 0.6 (vacant) or 0.8 (developed) opacity buffer to properties zoned RR. A buffer is not required for non-residential uses zoned CLD unless there is existing residential. When adjacent to a residential use, a 0.4 opacity buffer will be required.

Traffic: The average annual daily traffic count for this section of Ocean Hwy East (US 17) is 28,000 vehicle trips per day.

Utilities: Water is available from Brunswick County along Ocean Hwy East. Sewer availability is limited to a Brunswick County force main. Water and sewer connections will require developer responsibility to connect to the system.

Schools: Town Creek Elementary School is currently out of capacity.

CIP Projects in Area: New Town Creek Middle School (FY 2019).

NCDOT Road Improvements in Area: Convert US 17 & NC 211 intersection to interchange (Project U-5932) – Design Phase (Anticipated Construction 2024).

Environmental Impacts: Biodiversity & Wildlife Habitat Assessment Score: Small portions of the rezoning site score a 5 out of 10 due to wetlands classified as substantial.

ANALYSIS

"This District is intended primarily to be used in outlying areas, adjacent to major thoroughfares, with yards and other provisions for reducing conflicts with adjacent residential uses, and with substantial setbacks to reduce marginal friction on adjacent major thoroughfares. Commercial uses in this District will serve the needs of residential neighborhoods for auto-dependent commercial facilities; and serve the needs of highway oriented tourist business."

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

- Proposed Zoning is not consistent with CAMA Land Use Plan.
- Associated Land Use Plan Amendment (LUM-760):
Request to amend Tax Parcels 084BA001, 084BA002, 084BA003, 084BA014, 084BA015, 084BA016 and 084BA017 from LDR to Commercial.

Applicable CAMA Land Use Policies:

- P.16 states that Brunswick County strongly supports commercial nodes, including town or village centers, and the prohibition of strip commercialization.
- 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 CLD IN CONJUNCTION WITH A LAND USE PLAN AMENDMENT TO COMMERCIAL FOR TAX PARCELS 084BA001, 084BA002, 084BA003, 084BA014, 084BA015, 084BA016 AND 084BA017** **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-760



THE BRUNSWICK COUNTY PLANNING BOARD RECOMMENDATION

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the ZONING AMENDMENT be recommended to the Board of Commissioners for

APPROVAL – 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 Planning Board further finds that the proposed zoning amendment *is reasonable and in the public interest* for the following reasons: _____

APPROVAL – 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 interest* for the following reasons: _____

DENIAL– 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 interest 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.

Excerpt from N.C.G.S. § 153A-341:

Zoning regulations shall be designed to promote the public health, safety, and general welfare. To that end, the regulations may address, among other things, the following public purposes: to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to lessen congestion in the streets; to secure safety from fire, panic, and dangers; and to facilitate the efficient and adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. The regulations shall be made with reasonable consideration as to, among other things, the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the county. In addition, the regulations shall be made with reasonable consideration to expansion and development of any cities within the county, so as to provide for their orderly growth and development.



REZONING APPLICATION

For Office Use Only

Planning Project #: 301133
 Rezoning Case Z- 760

Brunswick County Planning • PO Box 249, Bolivia, NC 28422 • Phone: (910) 253-2025/1-800-621-0609 • Fax: (910) 754-2740
 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): East Coast Engineering & Surveying, P.C.	
Mailing Address: P.O. Box 2469, Shallotte, NC 29459	
Phone: 910-754-8029	Email: alewis@eces.biz
PROPERTY OWNER INFORMATION (If different from above)	
Owner Name(s): George G. Irving Jr Revocable Trust and Rinda Prince Irving Revocable Trust	
Mailing Address: 160 Green Hill Road, NE Winnabow, NC 28479	
Phone: 910-297-5623	Email: vacationmangeorge@gmail.com
PROPERTY INFORMATION	
Property Address and/or Description of Location: 11 Kelly Rd, NE, 19 Kelly Rd, NE, 25 Kelly Rd, NE 24 Kelly Rd, NE, 18 Kelly Rd, NE & 6601 Ocean Highway, W (small parcel not addressed)	
Parcel Tax ID #(s): See Attached	Total Site Acreage: See Attached
Current Zoning District(s): RR	Proposed Zoning District(s): CLD
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>	
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 requested rezoning is consistent with the character of the area and will match the existing zoning of adjacent parcels along Ocean Highway West

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:

Subject parcels are adjacent to property designated as future commercial. This rezoning abuts US 17.

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: 2/5/2018

Owner Signature: [Signature]

Date: 2/5/2018

Owner Signature: [Signature]

Date: 2-5-18

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

OFFICE USE ONLY

DATE RECEIVED: _____

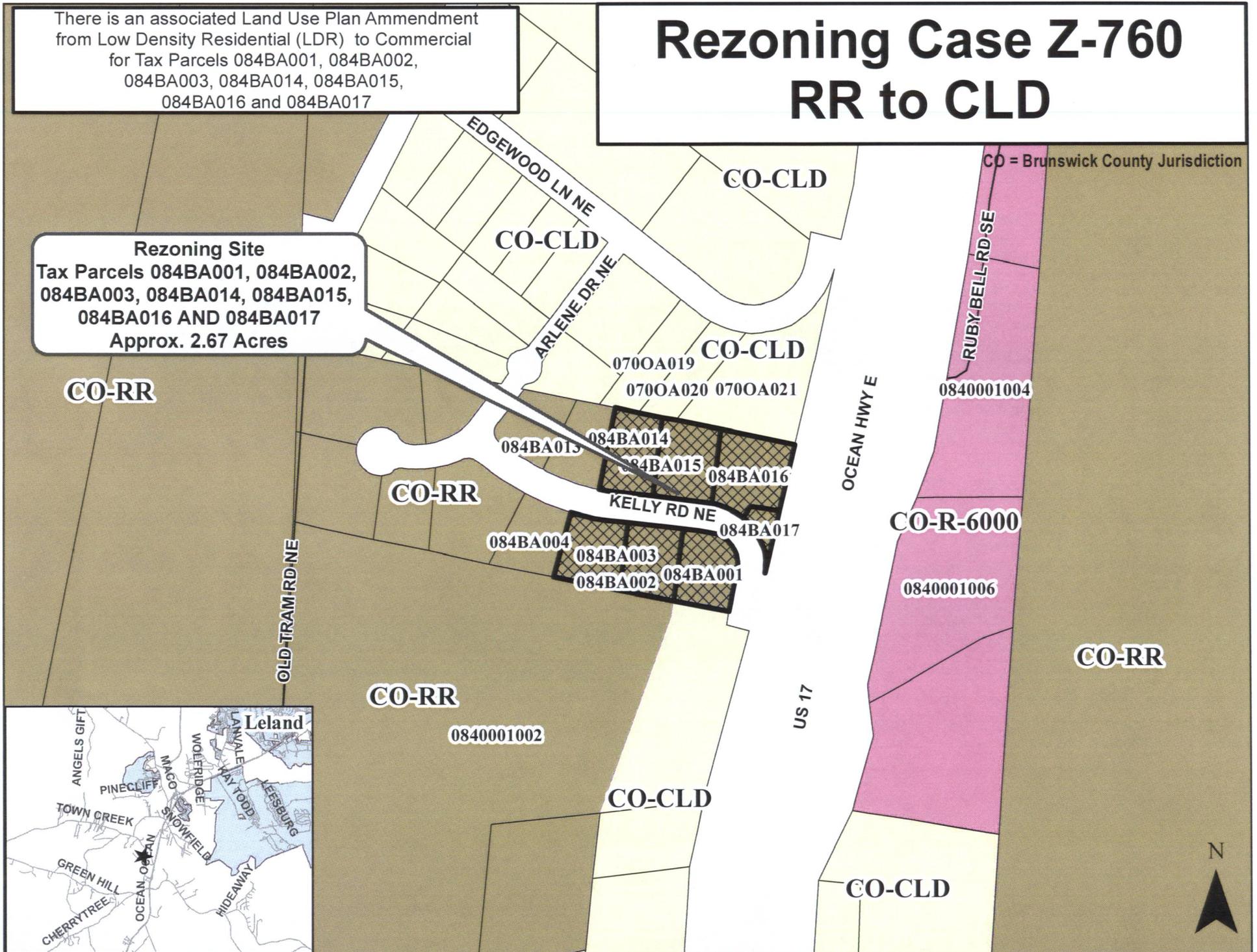
RECEIPT #: _____

- <5.00 acres (\$300)
- 5.00 to 49.99 acres (\$500)
- 50.00 to 99.99 acres (\$750)
- >100 acres (\$1,000)
- Land Use Plan Amendment
- Conditional Zoning

There is an associated Land Use Plan Amendment from Low Density Residential (LDR) to Commercial for Tax Parcels 084BA001, 084BA002, 084BA003, 084BA014, 084BA015, 084BA016 and 084BA017

Rezoning Case Z-760 RR to CLD

Rezoning Site
Tax Parcels 084BA001, 084BA002, 084BA003, 084BA014, 084BA015, 084BA016 AND 084BA017
Approx. 2.67 Acres



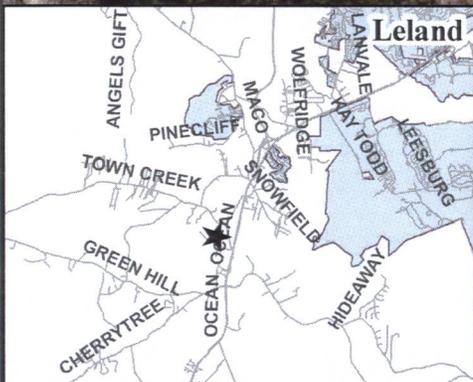
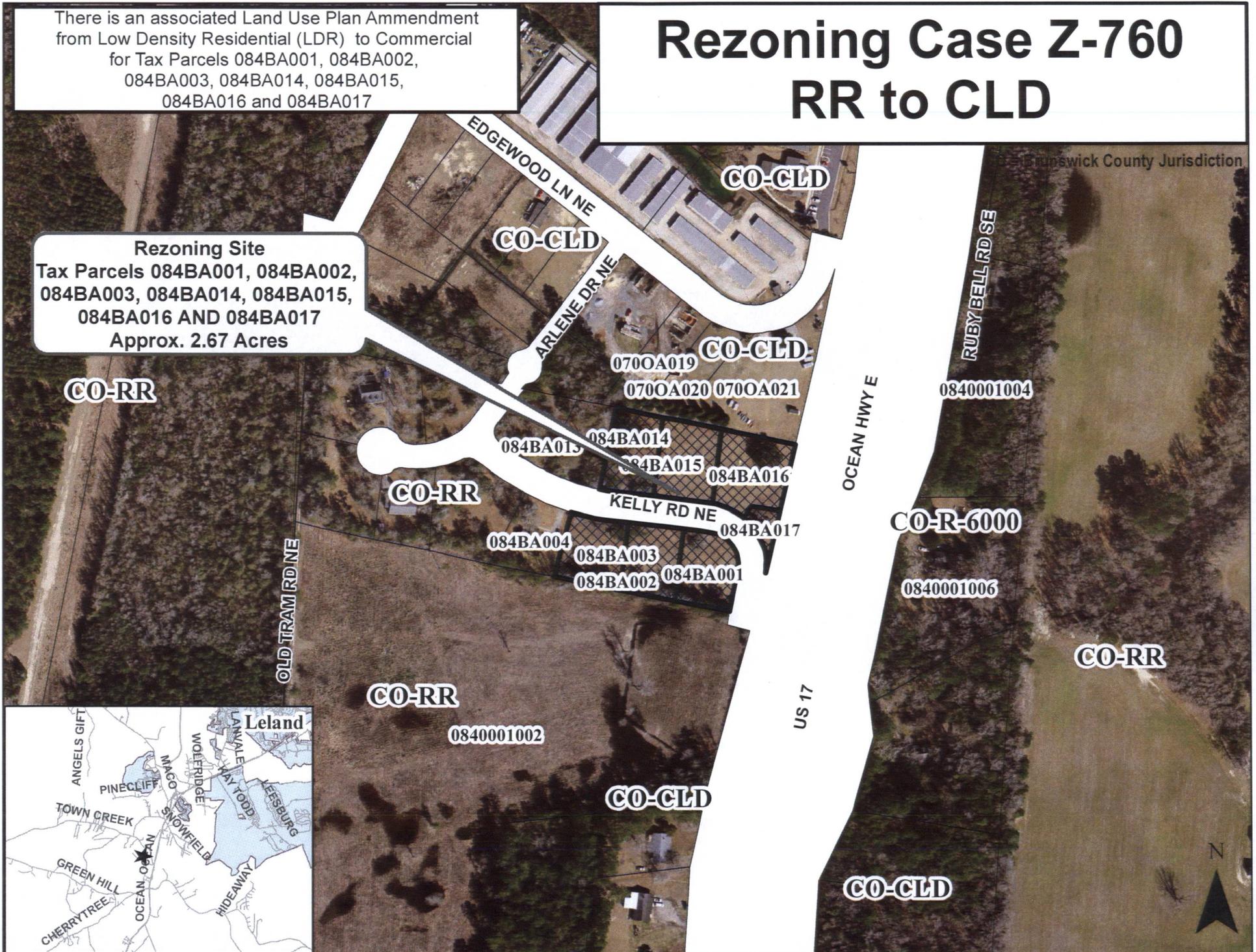
CO = Brunswick County Jurisdiction

N

There is an associated Land Use Plan Amendment from Low Density Residential (LDR) to Commercial for Tax Parcels 084BA001, 084BA002, 084BA003, 084BA014, 084BA015, 084BA016 and 084BA017

Rezoning Case Z-760 RR to CLD

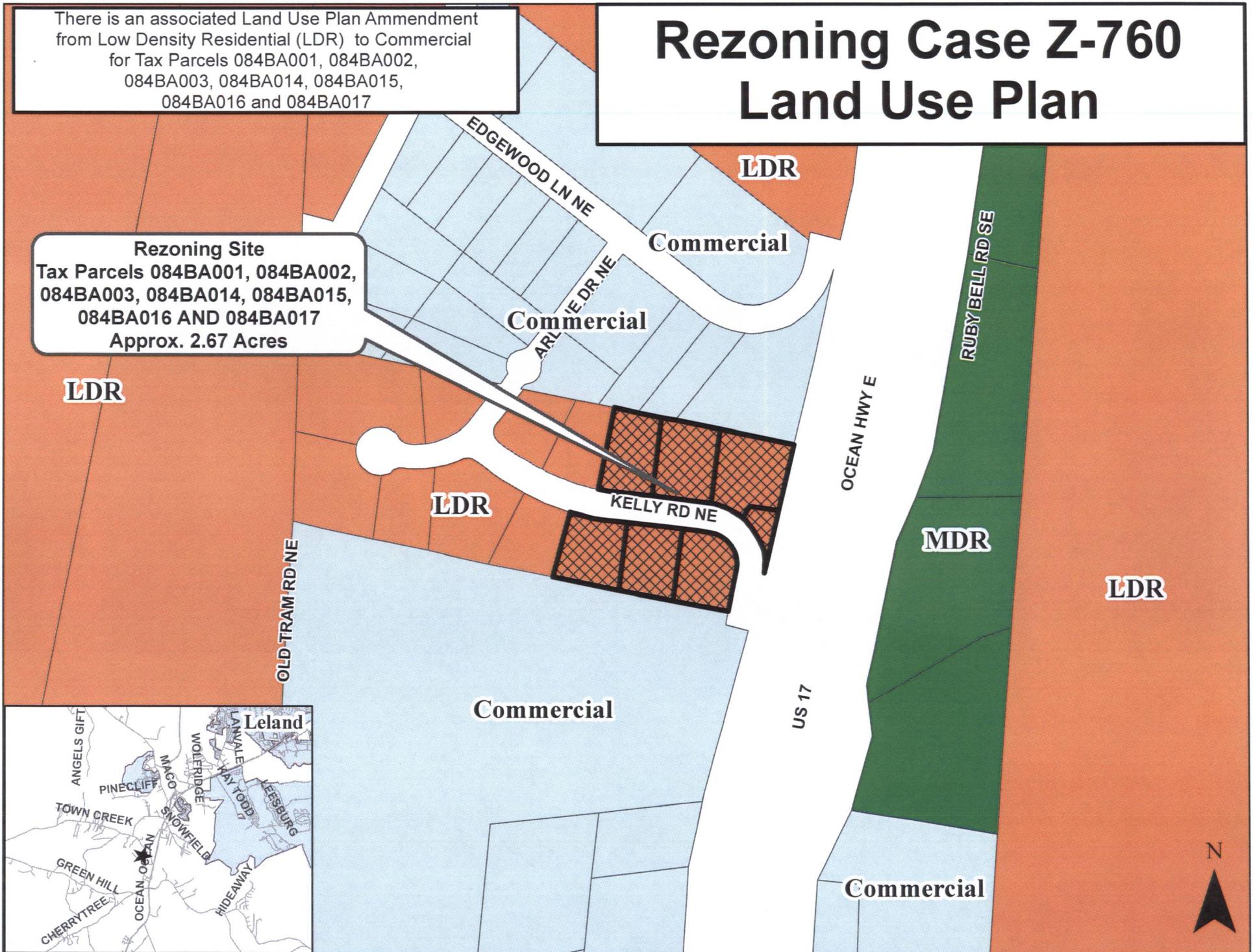
Rezoning Site
Tax Parcels 084BA001, 084BA002, 084BA003, 084BA014, 084BA015, 084BA016 AND 084BA017
Approx. 2.67 Acres



There is an associated Land Use Plan Amendment from Low Density Residential (LDR) to Commercial for Tax Parcels 084BA001, 084BA002, 084BA003, 084BA014, 084BA015, 084BA016 and 084BA017

Rezoning Case Z-760 Land Use Plan

Rezoning Site
Tax Parcels 084BA001, 084BA002, 084BA003, 084BA014, 084BA015, 084BA016 AND 084BA017
Approx. 2.67 Acres



LDR

LDR

Commercial

Commercial

LDR

KELLY RD NE

OCEAN HWY E

RUBY BELL RD SE

MDR

LDR

Commercial

US 17

Commercial

N

CASE Z-760

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
840001004	SATTERWHITE LORRAINE	90 RUBY BELL RD	WINNABOW	NC	28479
840001006	BECK JOHNNY BRUCE	P O BOX 193	WINNABOW	NC	28479
0700A021	MGK II LLC	PO BOX 360	WINNABOW	NC	28479
0700A019	MGK II LLC	PO BOX 360	WINNABOW	NC	28479
0700A020	MGK II LLC	PO BOX 360	WINNABOW	NC	28479
084BA004	GEORGE G IRVING JR REVOCABLE TRUST AND	160 GREEN HILL RD NE	WINNABOW	NC	28479
084BA013	GEORGE G IRVING JR REVOCABLE TRUST AND	160 GREEN HILL RD NE	WINNABOW	NC	28479
840001002	RABON DORIS A	76 MACO ROAD NE	LELAND	NC	28451

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
084BA001	GEORGE G IRVING JR REVOCABLE TRUST AND	160 GREEN HILL RD NE	WINNABOW	NC	28479
084BA002	GEORGE G IRVING JR REVOCABLE TRUST AND	160 GREEN HILL RD NE	WINNABOW	NC	28479
084BA003	GEORGE G IRVING JR REVOCABLE TRUST AND	160 GREEN HILL RD NE	WINNABOW	NC	28479
084BA015	GEORGE G IRVING JR REVOCABLE TRUST AND	160 GREEN HILL RD NE	WINNABOW	NC	28479
084BA017	GEORGE G IRVING JR REVOCABLE TRUST AND	160 GREEN HILL RD NE	WINNABOW	NC	28479
084BA016	GEORGE G IRVING JR REVOCABLE TRUST AND	160 GREEN HILL RD NE	WINNABOW	NC	28479
084BA014	GEORGE G IRVING JR REVOCABLE TRUST AND	160 GREEN HILL RD NE	WINNABOW	NC	28479

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
---	EAST COAST ENGINEERING	PO BOX 2469	SHALLOTTE	NC	28459

REZONING STAFF REPORT



Prepared by Marc Pages, Senior Planner

Rezoning Case#: Z-761

March 12, 2018

APPLICATION SUMMARY

The applicant requests to rezone Tax Parcels 18200108, 1820010802, 1820010803, 1820010804, 1820010805, 1820010806, 1820010807, 1820010808, 18200109 and a portion of 18200098 from R-7500 (Medium Density Residential) and R-6000 (High Density Residential) to R-6000 (High 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

Red Bug Road (SR 1136)

Tax Parcel(s)

18200108, 1820010802,
1820010803, 1820010804,
1820010805, 1820010806,
1820010807, 1820010808,
18200109 and a portion of
18200098

Current Zoning

R-7500 & R-6000

Proposed Zoning

R-6000

Surrounding Zoning

R-7500, CLD, R-6000

Current Use

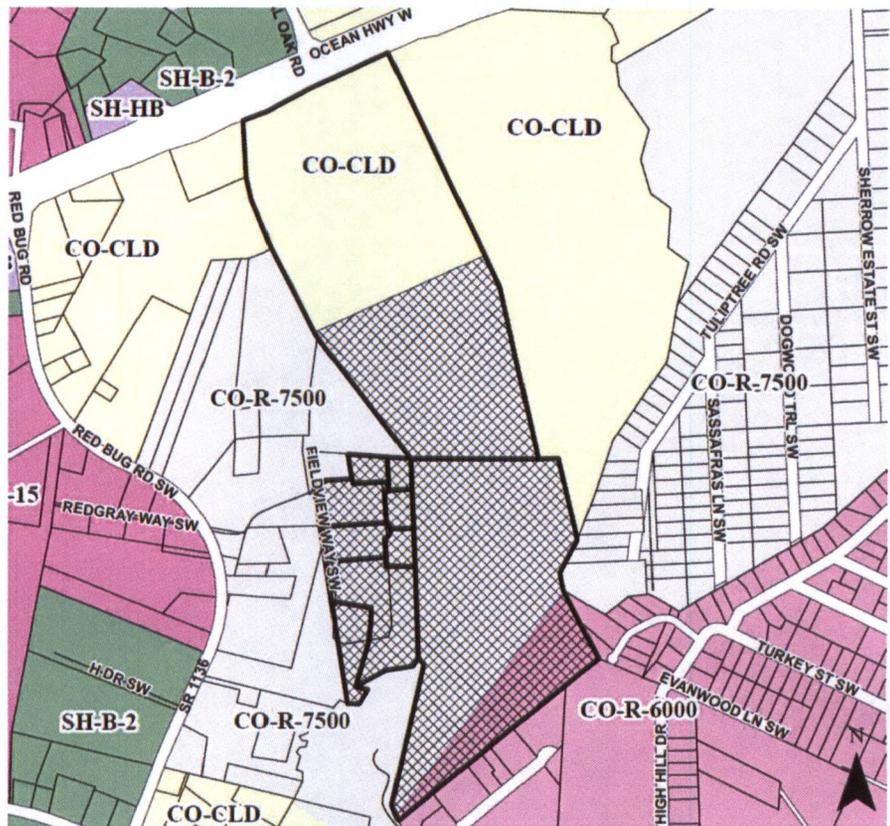
Residential & Vacant Lands

Surrounding Land Uses

Residential, Vacant Lands

Size

75.56 acres



SITE CONSIDERATIONS

Zoning History: There are not any known zoning changes to the rezoning site since introduction of zoning in 1994. One adjacent parcel has experienced a zoning change. Adjacent Tax Parcel 18200097 to the east was rezoned to CLD as part of Rezoning Case Z-660 on August 2, 2010.

Buffers: If rezoned to R-6000, project boundary buffers shall be a 0.2 (vacant) or 0.6 (developed) opacity buffer adjacent to CLD areas. A buffer is not required for residential uses adjacent to R-6000 or R-7500 areas. If non-residential uses are proposed adjacent to R-6000 or R-7500 areas then a 0.4 opacity buffer will be required.

Traffic: The average annual daily traffic count for this section of Red Bug Road is 2,800 vehicle trips per day. Many of the parcels are accessed via Fieldview Way SW, an unimproved road.

Utilities: Water is available from Brunswick County along Red Bug Road and Ocean Hwy West. Sewer is available on Ocean Hwy West. Water & Sewer connection will require developer responsibility to connect to the water and sewer system.

Schools: There are not any vicinity school capacity deficiencies at this time.

CIP Projects in Area: West Brunswick Classroom Addition (FY 2019), and Brunswick County Waterway Park (FY 2018 & 2019).

NCDOT Road Improvements in Area: Convert US 17 & NC 211 intersection to interchange (Project U-5932) – Design Phase (Anticipated Construction 2024).

Environmental Impacts: Biodiversity & Wildlife Habitat Assessment Score: Small southern portions of the rezoning site score a 7 or 8 out of 10 due to wetlands classified as substantial.

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 **not** consistent with CAMA Land Use Plan.
- Associated Land Use Plan Amendment (LUM-761):
Request to amend Tax Parcels 18200108, 1820010802, 1820010803, 1820010804, 1820010805, 1820010806, 1820010807, 1820010808, 18200109 and a portion of 18200098 from LDR to MDR

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-600 IN CONJUNCTION WITH A LAND USE PLAN AMENDMENT TO MDR FOR TAX PARCELS 18200108, 1820010802, 1820010803, 1820010804, 1820010805, 1820010806, 1820010807, 1820010808, 18200109 AND A PORTION OF 18200098** 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: 2-761



THE BRUNSWICK COUNTY PLANNING BOARD RECOMMENDATION

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the ZONING AMENDMENT be recommended to the Board of Commissioners for

APPROVAL – 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 Planning Board further finds that the proposed zoning amendment *is reasonable and in the public interest* for the following reasons: _____

APPROVAL – 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 interest* for the following reasons: _____

DENIAL– 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 interest 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.

Excerpt from N.C.G.S. § 153A-341:

Zoning regulations shall be designed to promote the public health, safety, and general welfare. To that end, the regulations may address, among other things, the following public purposes: to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to lessen congestion in the streets; to secure safety from fire, panic, and dangers; and to facilitate the efficient and adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. The regulations shall be made with reasonable consideration as to, among other things, the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the county. In addition, the regulations shall be made with reasonable consideration to expansion and development of any cities within the county, so as to provide for their orderly growth and development.



REZONING APPLICATION

For Office Use Only
 Planning Project #: 301120
 Rezoning Case Z- 761

Brunswick County Planning • PO Box 249, Bolivia, NC 28422 • Phone: (910) 253-2025/1-800-621-0609 • Fax: (910) 754-2740

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):

Angela Renee Danford Light Whitby

Mailing Address:

PO Box 701 Shallotte NC 28459

Phone:

910 520 7521

Email:

renee.whitby@gmail.com

PROPERTY OWNER INFORMATION (If different from above)

Owner Name(s):

See attached

Mailing Address:

See attached

Phone:

Email:

PROPERTY INFORMATION

Property Address and/or Description of Location:

Parcel Tax ID #(s):

See attached + ^{Staff Added} TAX Parcel 18200107 and a portion of 1820098

^{KD 2-11-18} Total Site Acreage:

12.282 + 63.28 (Staff Added) = 75.56

KD 2-19-18

Current Zoning District(s):

R7500

Proposed Zoning District(s):

R6000

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:

Consistent with the character of the area

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:

Consistent with the character of the area

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: Angela Renee D. Light Whitby Date: 2-6-18

Owner Signature: Charles Cameron Whitby - husband Date: 2-6-18

Owner Signature: Angela Renee D. Light Whitby Date: 2-6-18

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

OFFICE USE ONLY

DATE RECEIVED: _____ RECEIPT #: _____

- <5.00 acres (\$300)
- 5.00 to 49.99 acres (\$500)
(12.282 AC)
- >100 acres (\$1,000)
- Land Use Plan Amendment
- 50.00 to 99.99 acres (\$750)
- Conditional Zoning

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:

Consistent with the character of the area

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:

Consistent with the character of the area

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

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Applicant Signature: James P. [Signature]

Date: _____

Owner Signature: James P. [Signature]

Date: _____

Owner Signature: [Signature]

Date: 2/8/18

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

OFFICE USE ONLY

DATE RECEIVED: _____

RECEIPT #: _____

- <5.00 acres (\$300)
- 5.00 to 49.99 acres (\$500)
- 50.00 to 99.99 acres (\$750)
- >100 acres (\$1,000)
- Land Use Plan Amendment
- Conditional Zoning

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:

Consistent with the character of the area

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:

Consistent with the character of the area

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

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Applicant Signature: [Signature] Date: 2/8/18
Owner Signature: [Signature] Date: 2/8/18
Owner Signature: [Signature] Date: 2/8/18

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

OFFICE USE ONLY

DATE RECEIVED: _____ RECEIPT #: _____

- <5.00 acres (\$300)
- 5.00 to 49.99 acres (\$500)
- 50.00 to 99.99 acres (\$750)
- >100 acres (\$1,000)
- Land Use Plan Amendment
- Conditional Zoning

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:

Consistent with the character of the area

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:

Consistent with the character of the area

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: 2-8-18

Owner Signature: [Signature]

Date: 2-8-18

Owner Signature: Lisa 2 Sanford

Date: 2-8-18

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

OFFICE USE ONLY

DATE RECEIVED: _____

RECEIPT #: _____

- <5.00 acres (\$300)
- 5.00 to 49.99 acres (\$500)
- 50.00 to 99.99 acres (\$750)
- >100 acres (\$1,000)
- Land Use Plan Amendment
- Conditional Zoning

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:

Consistent with the character of the area

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:

Consistent with the character of the area

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.

X Applicant Signature: Eddie Danford

Date: 2-9-18

X Owner Signature: Eddie Danford

Date: 2-9-18

Owner Signature: _____

Date: _____

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

OFFICE USE ONLY

DATE RECEIVED: _____

RECEIPT #: _____

<5.00 acres (\$300)

5.00 to 49.99 acres (\$500)

50.00 to 99.99 acres (\$750)

>100 acres (\$1,000)

Land Use Plan Amendment

Conditional Zoning

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:

Consistent with character of the area

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:

Consistent with character of the land

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: Marsha Milessee

Date: 2-7-18

Owner Signature: _____

Date: _____

Owner Signature: _____

Date: _____

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

OFFICE USE ONLY

DATE RECEIVED: _____

RECEIPT #: _____

- <5.00 acres (\$300)
- 5.00 to 49.99 acres (\$500)
- 50.00 to 99.99 acres (\$750)
- >100 acres (\$1,000)
- Land Use Plan Amendment
- Conditional Zoning

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

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: [Signature] 18200109 + portion of 18200098 (cf. 13) Date: 2/9/18

Owner Signature: [Signature] Date: _____

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

OFFICE USE ONLY

DATE RECEIVED: _____ RECEIPT #: _____

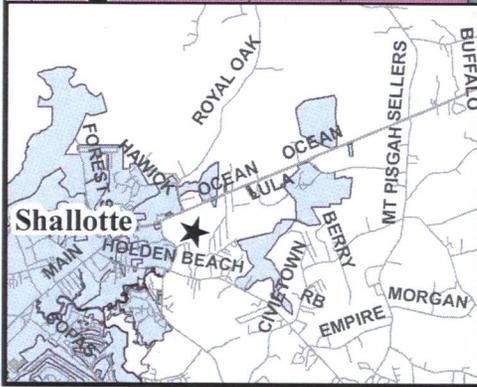
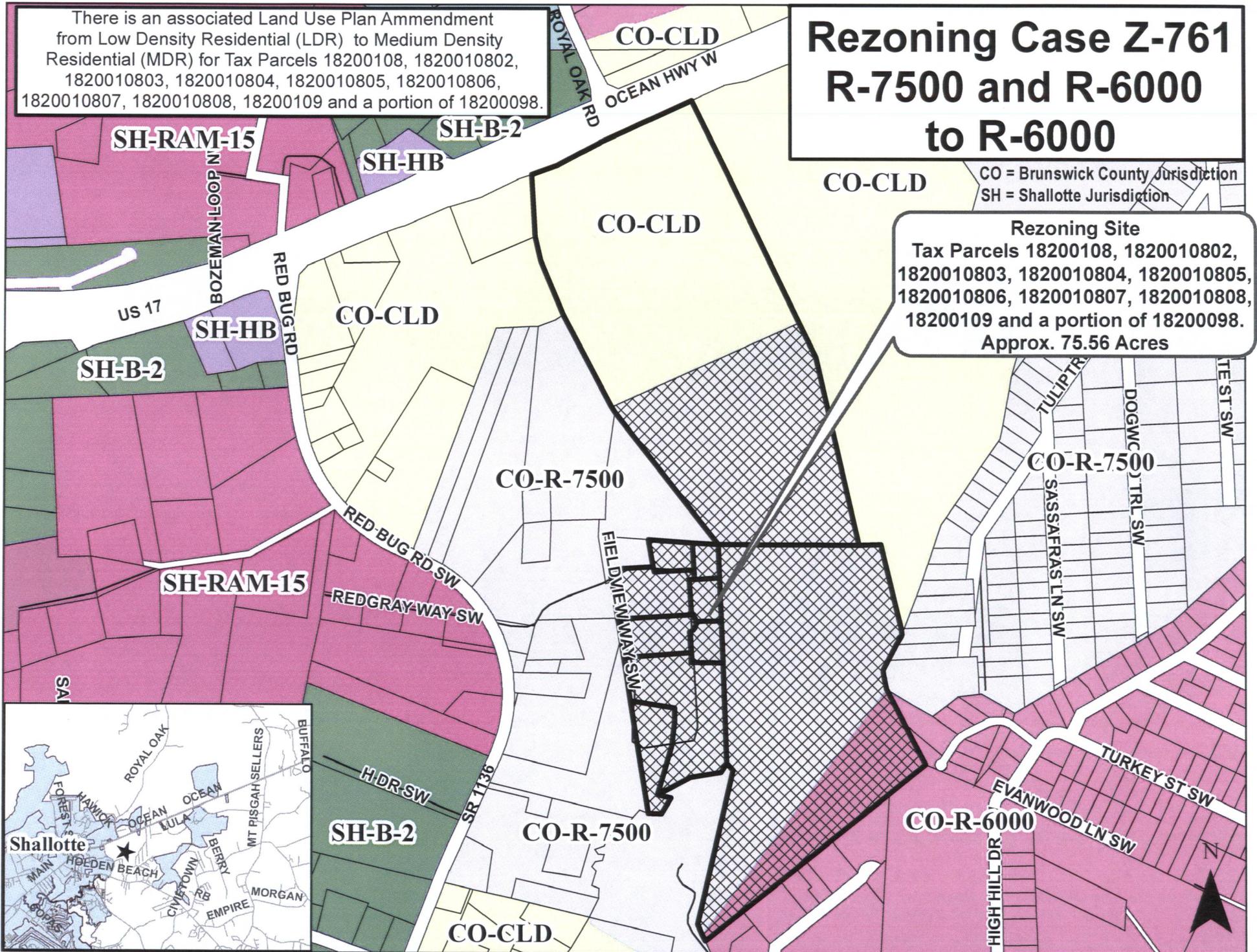
- | | | |
|-----------------------------------------------|------------------------------------------------------|-------------------------------------------------------|
| <input type="checkbox"/> <5.00 acres (\$300) | <input type="checkbox"/> 5.00 to 49.99 acres (\$500) | <input type="checkbox"/> 50.00 to 99.99 acres (\$750) |
| <input type="checkbox"/> >100 acres (\$1,000) | <input type="checkbox"/> Land Use Plan Amendment | <input type="checkbox"/> Conditional Zoning |

There is an associated Land Use Plan Ammendment from Low Density Residential (LDR) to Medium Density Residential (MDR) for Tax Parcels 18200108, 1820010802, 1820010803, 1820010804, 1820010805, 1820010806, 1820010807, 1820010808, 18200109 and a portion of 18200098.

Rezoning Case Z-761 R-7500 and R-6000 to R-6000

CO = Brunswick County Jurisdiction
SH = Shallotte Jurisdiction

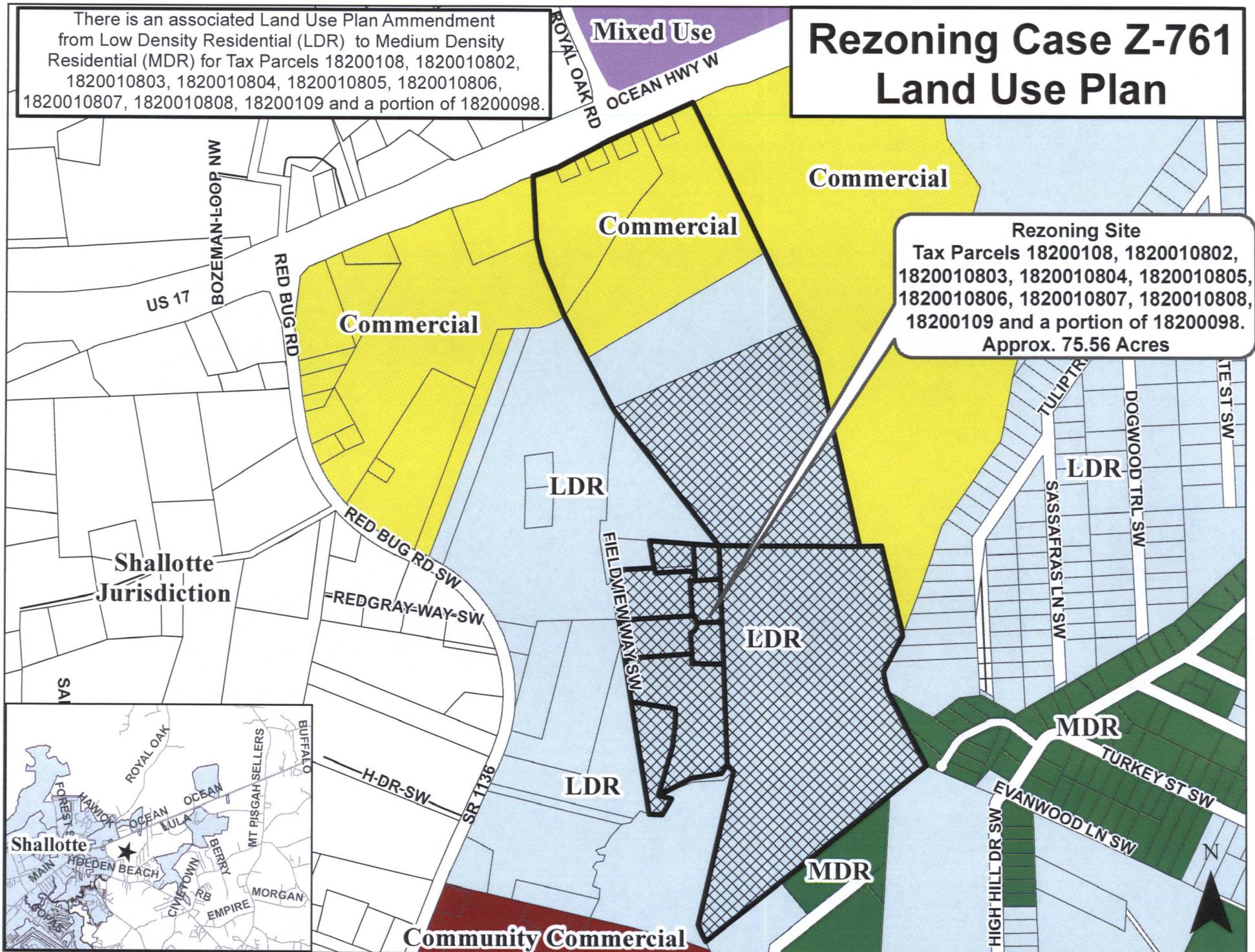
Rezoning Site
Tax Parcels 18200108, 1820010802, 1820010803, 1820010804, 1820010805, 1820010806, 1820010807, 1820010808, 18200109 and a portion of 18200098.
Approx. 75.56 Acres



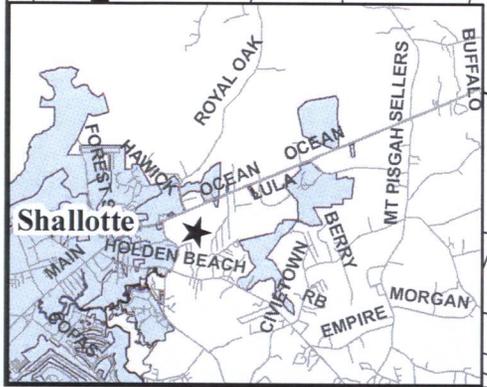
There is an associated Land Use Plan Amendment from Low Density Residential (LDR) to Medium Density Residential (MDR) for Tax Parcels 18200108, 1820010802, 1820010803, 1820010804, 1820010805, 1820010806, 1820010807, 1820010808, 18200109 and a portion of 18200098.

Rezoning Case Z-761 Land Use Plan

Rezoning Site
Tax Parcels 18200108, 1820010802, 1820010803, 1820010804, 1820010805, 1820010806, 1820010807, 1820010808, 18200109 and a portion of 18200098.
Approx. 75.56 Acres



Shalotte
Jurisdiction



CASE Z-761

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
1980004316	MOSCA MELISSA	605 HIGHLANDS GLEN DR	SHALLOTTE	NC	28470
1980004313	ALLOWAY NORMAN ET DOREEN	395 PARADISE LANE SW	SHALLOTTE	NC	28470
1980004312	ALLOWAY NORMAN ET DOREEN	395 PARADISE LANE SW	SHALLOTTE	NC	28470
1820011004	CHEERS DARRELL KEITH	3063 OAK DR SW	SHALLOTTE	NC	28470
1820007402	LONG MARVIN	2620 OCEAN HWY W	SHALLOTTE	NC	28470-5945
19800040	SULLIVAN J L ETUX	563 HOLDEN BEACH RD	SHALLOTTE	NC	28470
19800046	MCLAMB ROBERT JERRY ET MONNIE ETALS	240 HICKMAN RD NW	CALABASH	NC	28467
1980004308	HALLMAN D RICHARD ET ARLENE	362 PARADISE LN SW	SHALLOTTE	NC	28470
1980004314	MOSCA ANTHONY M ETUX LISA M	364 EAST 1ST STREET	OCEAN ISLE BEACH	NC	28469
1980004315	SMITH ALAN M ETUX AUDREY A	371 PARADISE LANE SW	SHALLOTTE	NC	28470
1820009901	BLANTON LARRY G ETUX GLORIA H	2629 OCEAN HIGHWAY WEST	SHALLOTTE	NC	28470
18200099	BLANTON LARRY G ETUX GLORIA H	2629 OCEAN HIGHWAY WEST	SHALLOTTE	NC	28470
1820010801	DORA PROPERTIES LLC	PO BOX 7	SHALLOTTE	NC	28459
182MB02502	CHEERS PHILLIP WAYNE	P O BOX 224	SHALLOTTE	NC	28459
1820011006	HEWETT LINDA HEWETT	1507 HOLDEN BEACH ROAD SW	SUPPLY	NC	28462
1820011305	GRAY JAMES R	219 TREDWELL AVE	ST JAMES	NY	11780
1820009802	ARNOLD MICHAEL J ET LINDA N	5012 NORTHSIDE DR	SHALLOTTE	NC	28470
1820009809	ROYAL OAK LLC	16 ROYAL OAK RD NW	SHALLOTTE	NC	28470
1820011203	EVANS GEORGE K ET LETHA	BOX 32	SHALLOTTE	NC	28459
18200107	HARDISTER PAMELA DANFORD ETALS	4225 WHITEHURST DR	WILMINGTON	NC	28409-4857
18200097	BLUEWATER PROPERTY INVESTMENTS LLC	1887 OAKTON CHURCH ROAD	FAIRMONT	NC	28340
182MB025	CARLYLE LOTS LLC	5725 OLEANDER DR STE C-3	WILMINGTON	NC	28403
182MB02501	CARLYLE LOTS LLC	5725 OLEANDER DR STE C-3	WILMINGTON	NC	28403
182MA02510	WHITE TIM ETUX	PO BOX 738	BACLIFF	TX	77518-0738
182MA02512	WHITE TIM ETUX	PO BOX 738	BACLIFF	TX	77518-0738

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
1820010802	RAWLINGS YOLANDA N ETVIR	2616 FIELD VIEW WAY	SHALLOTTE	NC	28470
18200098	WHITE R D III	P O BOX 40	SHALLOTTE	NC	28459
1820010808	DANFORD RICHARD EUGENE & ETALS	P O BOX 3011	SHALLOTTE	NC	28459
1820010806	DANFORD EDDIE	720 VILLAGE RD SW	SHALLOTTE	NC	28470-3412
1820010807	WHITBY ANGELA RENEE D LIGHT	PO BOX 701	SHALLOTTE	NC	28459-0701
1820010804	DANFORD JAMES DAVID	1055 SIRWOOD PL SW	SUNSET BEACH	NC	28468-4805
1820010805	GILLESPIE MARSH LYNN D COLEMAN	PO BOX 2943	SHALLOTTE	NC	28459-2943
18200108	DANFORD RICHARD EUGENE	PO BOX 3011	SHALLOTTE	NC	28459-3011
1820010803	DANFORD RICHARD EUGENE	PO BOX 3011	SHALLOTTE	NC	28459-3011
18200109	WHITE R D III ETUX JEAN W	884 COPAS ROAD SW	SHALLOTTE	NC	28470

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
---	ANGELA RENEE D. LIGHT WHITBY	PO BOX 701	SHALLOTTE	NC	28459

REZONING STAFF REPORT



Prepared by Marc Pages, Senior Planner

Rezoning Case#: Z-762

March 12, 2018

APPLICATION SUMMARY

The applicant requests to rezone Tax Parcel 2120002302 from R-7500 (Medium Density Residential) and CLD (Commercial Low Density) to CLD (Commercial Low Density). 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

5841 Ocean Hwy West (US 17)

Tax Parcel

2120002302

Current Zoning

R-7500 & CLD

Proposed Zoning

CLD

Surrounding Zoning

R-7500, CLD, SH-HB (Shallotte Jurisdiction)

Current Use

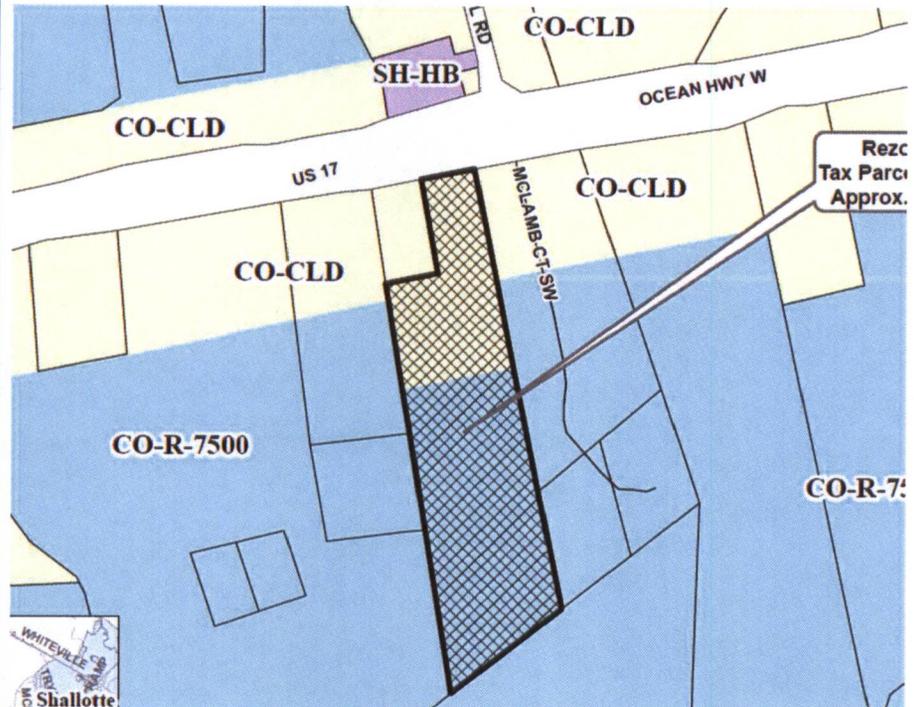
Commercial (RV & Boat Storage)

Surrounding Land Uses

Residential, Commercial, Vacant Lands

Size

12.94 acres



SITE CONSIDERATIONS

Zoning History: In July 2005 a 2.89-acre portion of the subject parcel (Tax Parcel 2120002302) was rezoned from R-7500 to CLD. No other recent rezoning activity has taken place in the vicinity.

Buffers: If rezoned to CLD, all non-residential uses will require a 0.4 (vacant) or 0.6 (developed) opacity buffer to R-7500 areas. A buffer is not required for non-residential uses zoned CLD unless there is existing residential then a 0.4 opacity buffer will be required.

Traffic: The average annual daily traffic count for this section of Ocean Hwy West (US 17) is 23,000 vehicle trips per day.

Utilities: Water & Sewer is available from Brunswick County along Ocean Hwy West. Water & Sewer connection will require developer responsibility to connect to the water and sewer system.

Schools: There are not any vicinity school capacity deficiencies at this time.

CIP Projects in Area: West Brunswick Classroom Addition (FY 2019), and Brunswick County Waterway Park (FY 2018 & 2019).

NCDOT Road Improvements in Area: Convert US 17 & NC 211 intersection to interchange (Project U-5932) – Design Phase (Anticipated Construction 2024).

Environmental Impacts: Biodiversity & Wildlife Habitat Assessment Score: No portion of the subject site ranks on the Biodiversity and Wildlife Habitat Assessment scale map.

ANALYSIS

"This District is intended primarily to be used in outlying areas, adjacent to major thoroughfares, with yards and other provisions for reducing conflicts with adjacent residential uses, and with substantial setbacks to reduce marginal friction on adjacent major thoroughfares. Commercial uses in this District will serve the needs of residential neighborhoods for auto-dependent commercial facilities; and serve the needs of highway oriented tourist business."

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

- Proposed Zoning is not consistent with CAMA Land Use Plan.
- Associated Land Use Plan Amendment (LUM-762):
Request to amend Tax Parcels 2120002302 from LDR to Commercial.

Applicable CAMA Land Use Policies:

- P.16 states that Brunswick County strongly supports commercial nodes, including town or village centers, and the prohibition of strip commercialization.
- P.17 states that Brunswick County encourages/supports commercial development (nodes) at the intersections of major roads consistent with the County's future land use map.
- 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 CLD IN CONJUNCTION WITH A LAND USE PLAN AMENDMENT TO COMMERCIAL FOR TAX PARCELS 2120002302 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-762



THE BRUNSWICK COUNTY PLANNING BOARD RECOMMENDATION

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the ZONING AMENDMENT be recommended to the Board of Commissioners for

APPROVAL – 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 Planning Board further finds that the proposed zoning amendment *is reasonable and in the public interest* for the following reasons: _____

APPROVAL – 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 interest* for the following reasons: _____

DENIAL– 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 interest 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.

Excerpt from N.C.G.S. § 153A-341:

Zoning regulations shall be designed to promote the public health, safety, and general welfare. To that end, the regulations may address, among other things, the following public purposes: to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to lessen congestion in the streets; to secure safety from fire, panic, and dangers; and to facilitate the efficient and adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. The regulations shall be made with reasonable consideration as to, among other things, the character of the district and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the county. In addition, the regulations shall be made with reasonable consideration to expansion and development of any cities within the county, so as to provide for their orderly growth and development.



REZONING APPLICATION

For Office Use Only

Planning Project #: 301132
 Rezoning Case Z- 762

Brunswick County Planning • PO Box 249, Bolivia, NC 28422 • Phone: (910) 253-2025/1-800-621-0609 • Fax: (910) 754-2740
 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): East Coast Engineering & Surveying, PC	
Mailing Address: Post Office Box 2469, Shallotte, NC 28459	
Phone: 910-754-8029	Email: alewis@eces.biz and/or cstanley@eces.biz
PROPERTY OWNER INFORMATION (If different from above)	
Owner Name(s): Carolyn B. McLamb	
Mailing Address: 5849 Ocean Highway West, Ocean Isle Beach, NC 28469	
Phone: <u>910 579-2599</u>	Email: <u>NONE</u>
PROPERTY INFORMATION	
Property Address and/or Description of Location: 5841 Ocean Highway West	
Parcel Tax ID #(s): 2120002302	Total Site Acreage: <u>12.94 Per recorded map</u> <u>12.70 acres</u>
Current Zoning District(s): C-LD & R-7500	Proposed Zoning District(s): C-LD
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>	
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:

US 17 corridor from Shallotte west is in transition phase. This parcel is currently split-zoned with the front portion C-LD and rear portion as R-7500. Area within the R-7500 area has been used as commercial for more than 20 years. Rezoning will correct the split-zone and will be more consistent with the character of the area.

LAND USE COMPATIBILITY

Future Land Use Map Classification: Low Density Residential

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

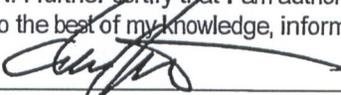
If not consistent, please explain the change in conditions of the community which justify amending the Land Use Plan Map:

Property has been used for commercial for over 20 years. There are commercial zones and uses in the area.

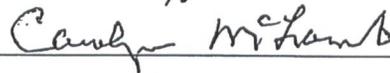
NOTE: The future Land Use Map Classification comes from the Brunswick Co. CAMA CORE Land Use Plan. If a rezoning request is not consistent then an amendment is required. Planning Staff can assist with this determination.

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: 

Date: 2/5/18

Owner Signature: 

Date: 2-5-18

Owner Signature: _____

Date: _____

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

OFFICE USE ONLY

DATE RECEIVED: _____

RECEIPT #: _____

<5.00 acres (\$300)

5.00 to 49.99 acres (\$500)

50.00 to 99.99 acres (\$750)

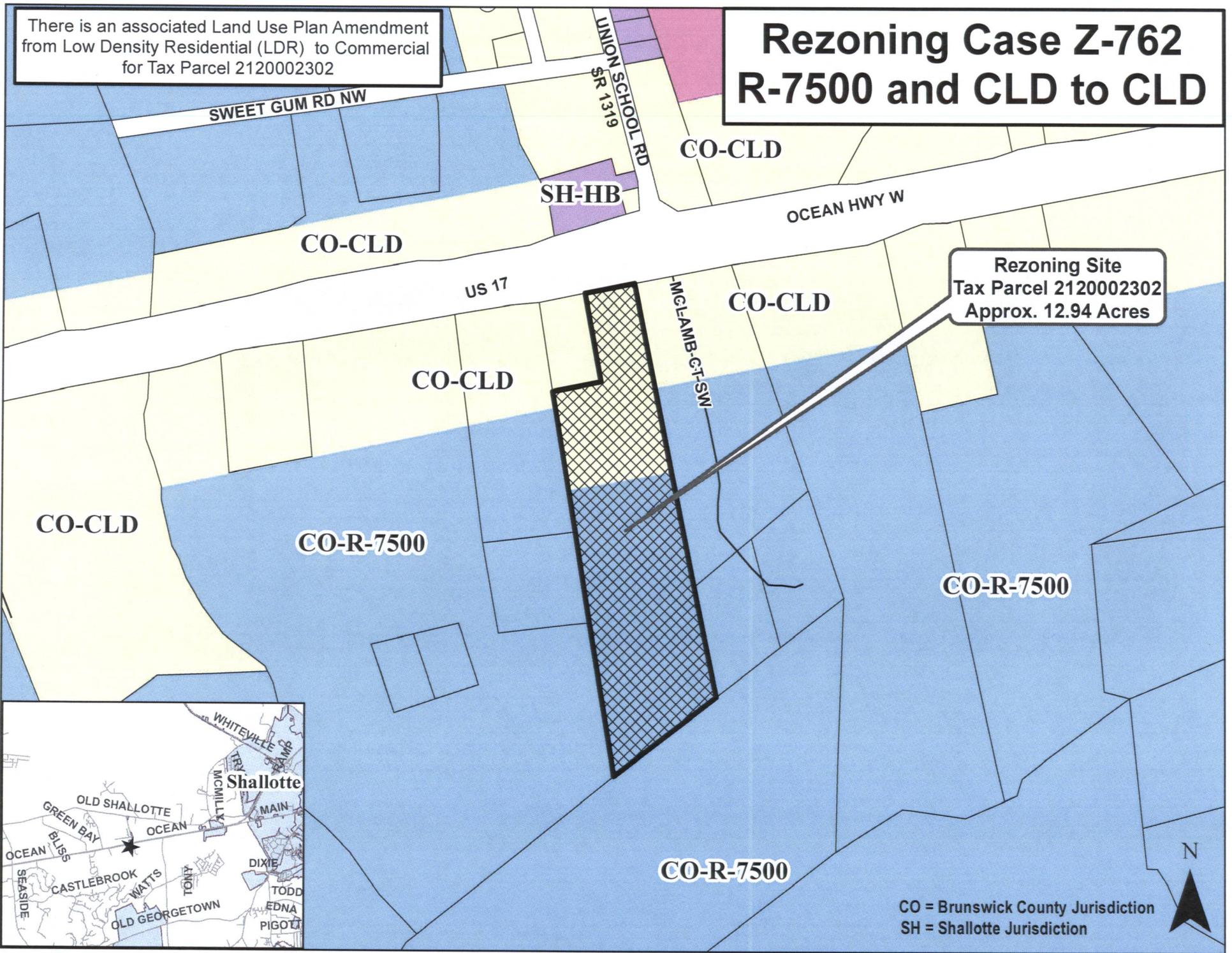
>100 acres (\$1,000)

Land Use Plan Amendment

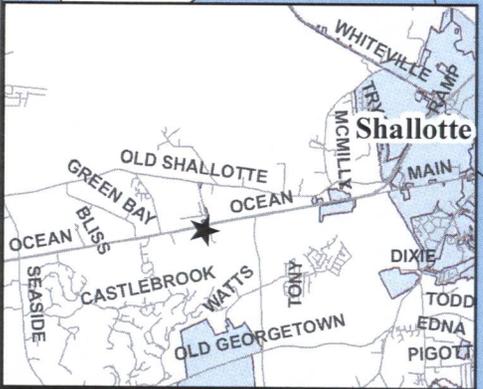
Conditional Zoning

There is an associated Land Use Plan Amendment from Low Density Residential (LDR) to Commercial for Tax Parcel 2120002302

Rezoning Case Z-762 R-7500 and CLD to CLD



Rezoning Site
Tax Parcel 2120002302
Approx. 12.94 Acres

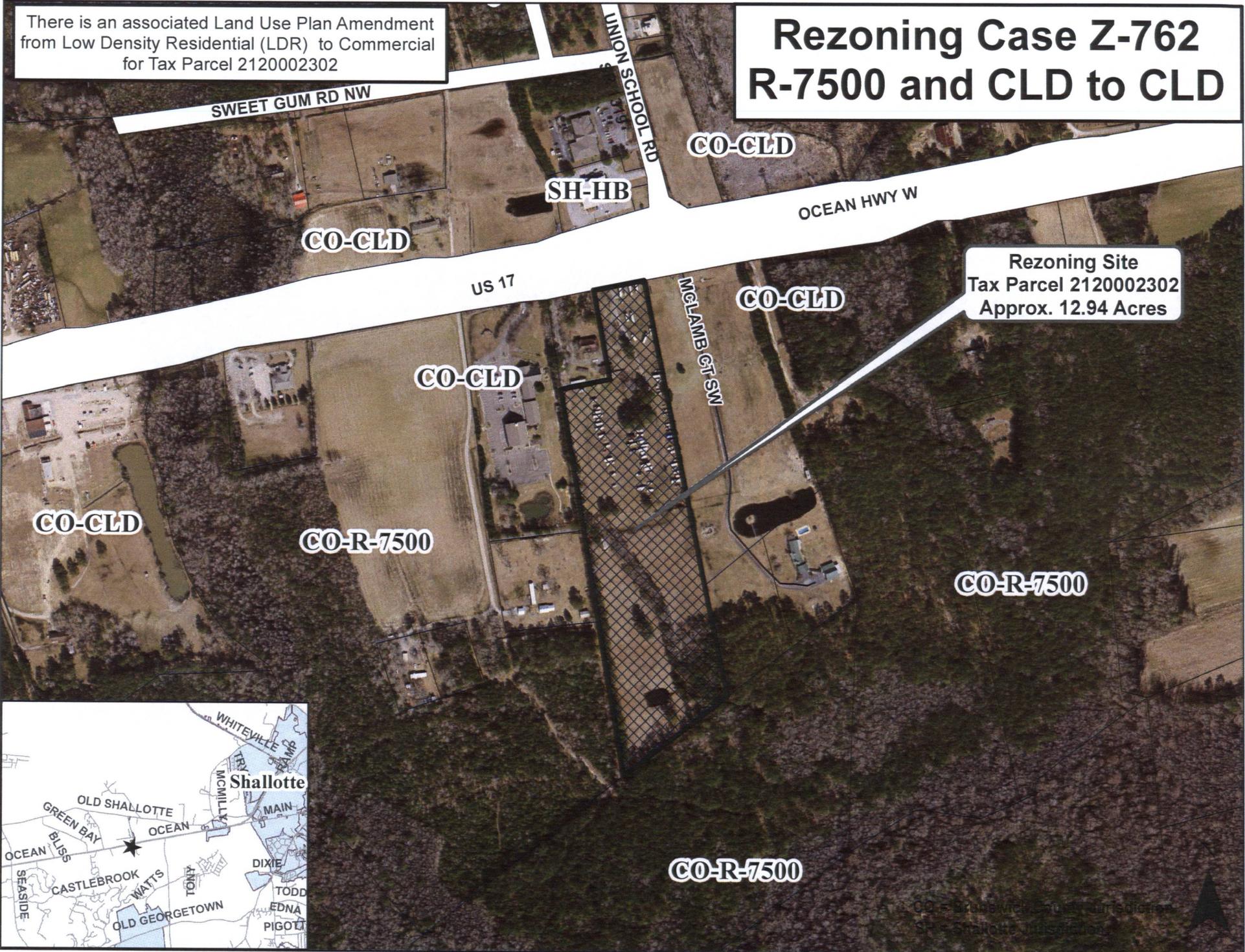


CO = Brunswick County Jurisdiction
SH = Shallotte Jurisdiction

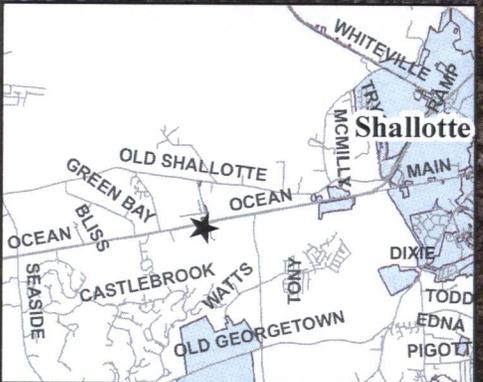


There is an associated Land Use Plan Amendment from Low Density Residential (LDR) to Commercial for Tax Parcel 2120002302

Rezoning Case Z-762 R-7500 and CLD to CLD



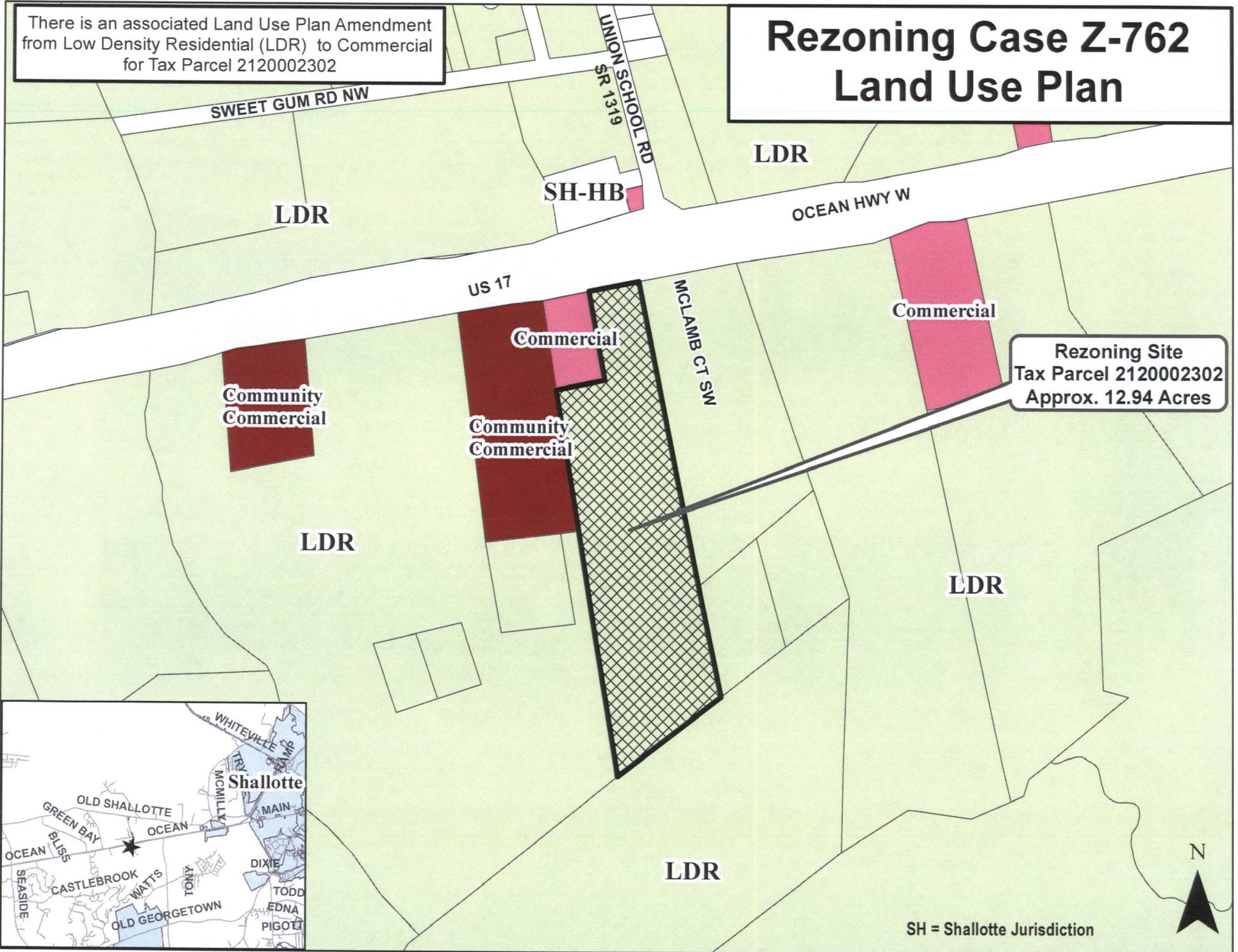
Rezoning Site
Tax Parcel 2120002302
Approx. 12.94 Acres



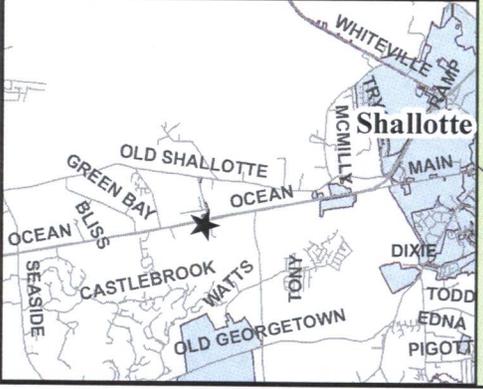
CO = Brunswick County jurisdiction
SH = Shallotte jurisdiction

There is an associated Land Use Plan Amendment from Low Density Residential (LDR) to Commercial for Tax Parcel 2120002302

Rezoning Case Z-762 Land Use Plan



Rezoning Site
Tax Parcel 2120002302
Approx. 12.94 Acres



SH = Shallotte Jurisdiction

CASE Z-762

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
2120002301	MCLAMB CAROLYN B	5849 OCEAN HWY W	OCEAN ISLE BEACH	NC	28469
21200024	FULWOOD EULALIA A	5886 OCEAN HWY W	SHALLOTTE	NC	28459
2120002401	A & K FRESH LLC	5850 OCEAN HWY W	OCEAN ISL BCH	NC	28469-3510
21200023	MCLAMB TERRY D ETALS	730 MCLAMB RD NW	CALABASH	NC	28467-1731
2280001003	MAS PROPERTIES LLC	131 OCEAN BLVD WEST	HOLDEN BEACH	NC	28462
2120002304	MCLAMB TERRY D	730 MCLAMB ROAD NW	CALABASH	NC	28467
2120002405	ST LUKE EVANGELICAL LUTHERAN CH	5869 OCEAN HIGHWAY WEST	OCEAN ISLE BEACH	NC	28469
2120002407	GREEN ANGELA M ETVIR	PO BOX 152	SHALLOTTE	NC	28459

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
2120002301	MCLAMB CAROLYN B	5849 OCEAN HWY W	OCEAN ISLE BEACH	NC	28469

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
---	EAST COAST ENGINEERING	PO BOX 2469	SHALLOTTE	NC	28459



Brunswick County Planning

P.O. Box 249

75 Courthouse Drive N.E., Bldg I

Bolivia, NC 28422

(910) 253-2025

MEMORANDUM

DATE: March 1, 2018

TO: Planning Board Members

FROM: Kirstie Dixon, Planning Director

RE: **2017 Outstanding Local Government Planner Award – Helen Bunch**

I am pleased to share with you that on February 22, 2018, the Cape Fear Council of Government presented Helen Bunch with the 2017 Outstanding Local Government Planner Award for her contributions to planning in the Cape Fear Region.

Helen has been a dedicated employee in Brunswick County Planning Department for almost 19 years, accepting the position of Zoning Administrator back in the summer of 1999 and since that time has been on the forefront of planning in Brunswick County. Helen has witness tremendous changes during her tenure in Brunswick County and has assisted through periods of rapid growth and development. Helen's roles and responsibilities have been vast and include the administration of zoning, dealing with zoning compliance, reviewing commercial development, and facilitating Zoning Board of Adjustment. Helen has assisted with the adoption and implementation of numerous plan and ordinances including the Brunswick County Unified Development Ordinance and the Brunswick County CAMA CORE Land Use Plan. Helen is a Certified Zoning Official and a Member of the North Carolina Association of Zoning Officials (NCAZO), where she served on the Board of Directors.

Helen brought her passion for transportation planning to Brunswick County, where she leads transportation planning efforts. She facilitates transportation project prioritization for Brunswick County and coordinates a large number of stakeholders. Helen represents Brunswick County on the Wilmington Metropolitan Planning Organization Technical Coordinating Committee (MPO-TCC) and the Cape Fear Rural Planning Organization (RPO). Helen has served on the Brunswick Transit System Board and is currently the President of the Brunswick Transit System.

If you have any questions, please feel free to contact me by email at kirstie.dixon@brunswickcountync.gov or by phone at 910/253-2027.



Brunswick County Planning

P.O. Box 249

75 Courthouse Drive N.E., Bldg I

Bolivia, NC 28422

(910) 253-2025

MEMORANDUM

DATE: March 1, 2018

TO: Planning Board Members

FROM: Kirstie Dixon, Planning Director

RE: **Zoning Compliance Inspections**

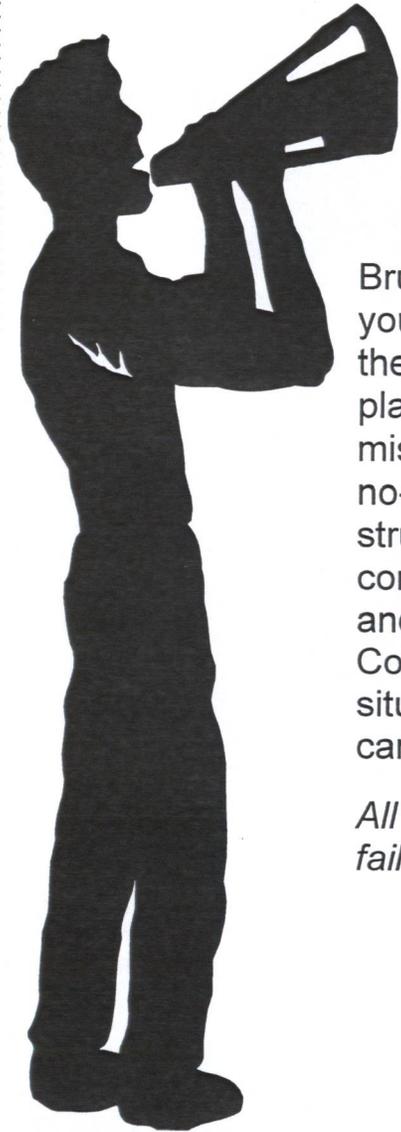
For a limited-time, Brunswick County will provide complementary *Zoning Compliance Inspections* for residential projects to confirm that residential projects are in compliance with their approved site plan. This includes the placement of structures and setback requirements instead of the Building Inspectors monitoring compliance. These valuable inspections are being provided to help prevent costly placement mistakes and are a great affordable alternative to requiring applicants to submit surveys. These no-cost inspections will be automatically scheduled with the first inspection for any residential structure, accessory building or mechanical change-out. All Zoning Inspections will be conducted by the Brunswick County Enforcement Unit that oversees compliance with zoning and solid waste. Applicants will be required to mark their property lines. *In situations where compliance with structure placement and required setbacks and /or separation cannot be determined, a survey will be required.*

Attached is a copy of a flyer announcing the complementary Zoning Compliance Inspections. If you have any questions, please feel free to contact me by email at kirstie.dixon@brunswickcountync.gov or by phone at 910/253-2027.

For A Limited-Time Only.....

Complementary Zoning Compliance Inspections

***Reduces Your Cost & Risk of Mistakes
& Ensures Zoning Compliance***



Brunswick County now provides *Complementary Zoning Compliance Inspections* to confirm that your residential projects are in compliance with their approved site plan including placement of the structure and setback requirements instead of the Building Inspectors monitoring the placement. These valuable inspections are being provided to help prevent costly placement mistakes and are a great alternative to requiring all residential projects to submit surveys. This no-cost inspection will be automatically scheduled with the first inspection for any residential structure, accessory building or mechanical change-out. Zoning Compliance Inspections will be conducted by the Brunswick County Enforcement Unit that oversees compliance with zoning and solid waste ordinances. Please do not proceed with your project until your Zoning Compliance Inspection has been completed and approved. Proceed at your own risk. In situations where compliance with structure placement and required setbacks and /or separation cannot be determined, a survey will be required.

All property lines must be marked property lines. Failure to mark property lines will result in a failed inspection.



For more information or questions regarding Zoning or Zoning Compliance Inspections, please contact the Brunswick County Planning Department at 910-253-2035.