



AGENDA

BRUNSWICK COUNTY

PLANNING BOARD

6:00 P.M. Monday
January 11, 2016

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

- 1) Call to Order.
- 2) Invocation.
- 3) Pledge of Allegiance.
- 4) Roll Call.
- 5) Consideration of the Minutes of the December 14, 2015 Meeting.
- 6) Agenda Amendments.
- 7) Public Comment.
- 8) Public Hearings.
 - I. Rezoning Z-733 – Robert S. Ray

Proposed rezoning of approximately 3.8 acres located at 2992 Southport-Supply Road (NC 211) near Bolivia from R-7500 (Medium Density Residential) to CLD (Commercial Low Density) for Tax Parcel 20300003.
 - II. Rezoning Z-734CZ – W.J. McLamb Enterprise LP

Proposed rezoning of approximately 0.2 acres (8,734 square feet) located at 1211 Ash-Little River Road near Ash from R-7500 (Medium Density Residential) to RR-CZ (Rural Low Density Residential Conditional Zoning) for a portion of Tax Parcel 2250000503.
 - III. Rezoning Z-735 – Kevin Peake

Proposed rezoning of approximately 1.04 acres located at 1283 Mt. Pisgah Road (SR 1130) near Supply from NC (Neighborhood Commercial) to CLD (Commercial Low Density) for Tax Parcel 1990012403.

LAND USE PLAN MAP AMENDMENT LUM-735:
Request to amend approximately 1.04 acres located at 1283 Mt. Pisgah Road (SR 1130) near Supply from LDR (Low Density Residential) to Commercial for Tax Parcel 1990012403.
- 10) Other Business.
 - A. 2015 Annual Report - Administrative Adjustment Requests
 - B. Credit Union Membership Eligibility
 - C. UDO Refinements
- 11) Adjournment.

MINUTES
PLANNING BOARD
BRUNSWICK COUNTY, NC

6:00 P.M. Monday
December 14, 2015

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

MEMBERS PRESENT

Eric Dunham, Chair
Cynthia Henry
Chris Stanley
Randy Ward

MEMBERS ABSENT

Michael Polychrones
Joy Easley, Vice Chair
Troy Price

STAFF PRESENT

Michael Hargett, Director
Connie Marlowe, Admin. Asst.
Marc Pages, Land Planner

OTHERS PRESENT

John Hankins
Lewis Dozier

Phil Norris

I. CALL TO ORDER.

The Chair called the meeting to order at 6:05 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. Michael Polychrones, Ms. Joy Easley, and Mr. Troy Price were absent.

IV. CONSIDERATION OF MINUTES OF THE 12-OCT-15 MEETING.

Mrs. Henry made a motion to approve the minutes as written and the motion was unanimously carried.

V. AGENDA AMENDMENTS.

Mr. Hargett asked that the 2016 Brunswick County Major Subdivision and Planned Development Project Submittal Deadlines Schedule (provided to Board at the meeting) and an update regarding future UDO refinements be considered under Other Business.

VI. PUBLIC COMMENT.

There were none.

VII. PUBLIC HEARINGS.

A. PLANNED DEVELOPMENT CONCEPTUAL PLAN APPROVAL (PD-6).

Name: Ploof Road Apartments Planned Development
Applicant: Phil Norris
Tax Parcel(s): 04700039 and 0470004302
Location: Located on Ploof Road SE (SR 1566) near Leland, NC
Description: The proposed Planned Development consists of 240 multi-family units on a gross site of 15.19 acres creating an overall density of 15.83 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 indicating that the applicant is proposing 1, 2 and 3 bedroom apartments. He said there will be 2 entrances onto Ploof Road SE (SR 1566) and no entrance is proposed off US 17 as it is a controlled access corridor. 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
- Verification of Energy Star ratings shall be required prior to the issuance of a certificate of occupancy.

The Chair asked staff what Leland's C-2 is zoning. Mr. Pages said it is the general business district for Leland, which is similar to the County's C-LD zoning. The Chair asked staff if the housing development across the street is located on Sand Pebble Drive SE. Mr. Pages said the housing development (Birch Creek) across the street is on Birch Creek Drive SE, but there is another housing development (Arbors at Westgate) on Sand Pebble Drive SE that is further down the street from the subject property.

Mr. Pages said, after conferring with Mr. Norris, staff would like to revise Condition #3 to say, "Verification of Energy Star ratings will be required before issuance of a building permit". The Chair asked staff if an energy star certification will be required, which requires a design review and an after construction review? Mr. Hargett said the energy star rating relates to appliances and installation. He further stated that verification should be done upfront rather at the certificate of

occupancy to alleviate any potential problems and the applicant is in agreement with verification of Energy Star ratings being required prior to the issuance of a building permit.

Mrs. Henry asked staff to elaborate on the superior architectural design. Mr. Pages said the applicant has indicated that they are utilizing brick, hardy plank, gables, painted porches, balconies, vinyl cedar, and the articulation in the building profile as indicated in the photos displayed on the screen.

Mrs. Henry made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Phil Norris, Norris, Tunstall Consulting Engineers, addressed the Board. Mr. Norris said there is drainage way along one of the property lines from US 17 and it transverses the site and proceed out of the other side of the property. He said this drainage way provided an opportunity to leave a greenway appearance through the property. Mr. Norris said this particular layout allowed for them to have an additional building on the site. He further stated that they exceed the minimum buffer requirements. He said it became apparent that this site lends itself to higher density. He reiterated that they exceed the minimum requirements for open space and recreational space as outlined in the Staff Report. Mr. Norris said public water and sewer will be available to the site. He said they will also exceed the minimum requirements for stormwater retention. He concluded they have worked closely with staff in creating this project and he made himself available for any technical questions regarding the proposed project.

The Chair asked about the parking spaces near US 17 that are designated differently than the other proposed parking spaces. Mr. Norris said those parking spaces are garages. The Chair asked the total number of proposed parking spaces for the project? Mr. Pages replied, 425 parking spaces, which equates to 1.77 parking spaces per unit.

Mrs. Henry asked if the apartments are smaller in size because of the higher density. Mr. Norris said they are standard size apartments with a mixture of 1, 2 and 3 bedrooms. Mrs. Henry asked the rental cost per unit? Mr. Norris said he was unsure, but felt it will be comparable to the market in this particular area. Mr. Hargett said staff offered the workforce housing option to the developer which would indicate a lower than market value, but they opted not to incorporate such in this project. He agreed that it appeared the rental cost would be market rate.

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

Mrs. Henry made a motion to approve Ploof Road Planned Development with the noted conditions by staff as amended (Condition #3: Verification of Energy Star ratings shall be required prior to the issuance of a building permit) and the motion was unanimously carried.

VIII. OTHER BUSINESS.

A. Proposed Text Amendment – Performance Guarantee Percentage

Mr. Hargett addressed the Board. He stated that the proposed text amendment (attached) decreases the percentage of performance bonds from 150% to 125% of the estimated cost. Mr. Hargett said, as a part of the revisions to the Brunswick County Unified Development Ordinance (UDO), the Board recommended to the Board of Commissioners that bonding be eliminated with the exception of minor items (i.e., landscaping, utilities, and the second lift of asphalt on roads). Mr. Hargett said legislature passed an amendment to the General Statutes that specifically set the limit of performance bonds to 125%. He said the County needs to make this adjustment in the

UDO to comply with the legislation. Mr. Hargett said staff has been in discussions with the Engineering Department regarding eliminating the provision for the second lift of asphalt on roads and require the roads be fully installed as part of a refinement to the UDO.

The Chair asked staff about platting approval not being allowed until all issues have been resolved. Mr. Hargett said the final plat cannot be recorded until all infrastructure has been installed and approved. He said the Board did include a provision to allow the construction of up to 2 models prior to completion of infrastructure with adequate roads being in place for emergency vehicles. He further stated that lots cannot be conveyed or models cannot be sold until the final plat has been recorded.

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

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

Mrs. Henry asked staff if this is a local decision or does every county or city have to adopt this requirement. Mr. Hargett said each jurisdiction makes the determination whether or not they will allow bonding.

Mrs. Henry made a motion to recommend to the Board of Commissioners to approve the proposed text amendment and the motion was unanimously carried.

B. 2016 Brunswick County Major Subdivision and Planning Development Project Submittal Deadlines Schedule

The Chair stated that the 2015 Planning Board Schedule included the 11-Jan-16 meeting and deadlines for submission of application(s). The Chair said he spoke with staff prior to the meeting and there appears to be no conflicts with holidays on the proposed schedule.

With no further comments, Mr. Stanley made a motion to approve the 2016 Brunswick County Major Subdivision and Planned Development Project Submittal Deadlines Schedule and the motion was unanimously carried.

C. UDO Refinements Update

Mr. Hargett reported that staff is embarking on further refinements to the UDO via clarifications and minor changes (e.g., not requiring the second lift of asphalt on roads). He stated that staff is reviewing the potential refinements as a group and changes will be presented at the February 2016 meeting for the Board's review and approval. He encouraged the Board to provide any changes they deem necessary to staff as soon as possible to be incorporated with staff's recommended refinements to the UDO. The Chair asked that staff notify the Board members to provide their comments/suggestions to staff at their earliest convenience.

IX. ADJOURNMENT.

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

REZONING STAFF REPORT



Date: January 11, 2016
 Case#: Z-733
 Tax Parcel(s): 20300003
 Location: Off Southport-Supply Rd near Bolivia NC
 Acreage: 3.8
 Applicant(s): Robert S. Ray

APPLICATION OVERVIEW:

The applicant is seeking to rezone Tax Parcel 20300003 to CLD. The owners and adjacent owners have been notified of the proposed rezoning via first class mail.

ZONING ANALYSIS

Proposed Zoning Request:

From: R-7500 (Medium Density Residential)

To: CLD (Commercial Low Density)

"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."

SURROUNDING AREA ZONING DESIGNATIONS:

North: R-7500

South: OK-CLD

East: R-7500

West: R-7500

PROJECT BOUNDARY BUFFERS: NO CHANGE

MINIMUM REQUIRED PROJECT BOUNDARY BUFFER*				
Required Opacity	Alternative 1	Alternative 2	Alternative 3 Plantings + 6-Foot Fence	Alternative 4 Plantings + 6-Foot Wall
0.2	10 feet 1 canopy 1 understory 7 shrubs	10 feet 1 canopy 2 understory 3 shrubs	Not available	Not available
0.4	20 feet 2 canopy 4 understory 25 shrubs	20 feet 2 canopy 6 understory 9 shrubs	15 feet 0 canopy 3 understory 3 shrubs	10 feet 0 canopy 3 understory 3 shrubs
0.6	30 feet 3 canopy 6 understory 34 shrubs	30 feet 3 canopy 8 understory 13 shrubs	20 feet 0 canopy 3 understory 3 shrubs	15 feet 0 canopy 3 understory 3 shrubs
0.8	50 feet 5 canopy 7 understory 43 shrubs	50 feet 4 canopy 10 understory 17 shrubs	35 feet 0 canopy 5 understory 7 shrubs	25 feet 0 canopy 5 understory 7 shrubs
1.0	80 feet 5 canopy 8 understory 49 shrubs	80 feet 4 canopy 11 understory 19 shrubs	60 feet 0 canopy 5 understory 7 shrubs	40 feet 0 canopy 5 understory 7 shrubs

* Buffer Depths and Plants Required Per 100 Linear Feet

LAND USE ANALYSIS

Current Surrounding Area Land Use(s):

- Agricultural/Conservation/Forestry Lands Vacant/Undeveloped Property
 Residential Commercial Industrial Institutional Utility

Brunswick County CAMA Land Use Plan Land Use Classification: Commercial

- Consistent with the Land Use Plan Map Not Consistent with Land Use Plan Map

Brunswick County CAMA Land Use Plan policies affecting this rezoning:

- 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.
- P.112 states that Brunswick County will encourages industrial and commercial development in areas with existing infrastructure that does not infringe on existing medium density residential areas.

Capital Improvement Plan (CIP):

- CIP Projects No CIP Projects

CIP Project(s)	Scheduled
Hwy 211 County Site Water Main Extension	FY 2019
211 Water Plant Improvements	FY 2019
NC 211/Gilbert Road Water Improvements	FY 2017
NC 211 R-5021 NCDOT Utility Relocation	FY 2016 & 2017
Lockwood Folly Park Renovation	FY 2016
Lockwood Folly Community Building	FY 2019

Future Surrounding Areas Land Use(s):

The area surrounding this rezoning site has been experiencing growth based upon recent land development activities submitted to the Brunswick County Planning Department. Olde Georgetown PUD, Palmetto Creek of the Carolinas PUD, Timber Creek Plantation, Avalon PUD, Paramount (formally Avalon II) have been approved in the area totally 2,649 units. *Currently the rezoning site contains a commercial business (Moving Company).*

INFRASTRUCTURE AND SERVICE IMPACTS

SCHOOL CAPACITY:

<i>Elementary School:</i> <u>Virginia Williamson</u>	<i>Middle School:</i> <u>Cedar Grove</u>	<i>High School:</i> <u>South Brunswick</u>
<input checked="" type="checkbox"/> Adequate Capacity	<input checked="" type="checkbox"/> Adequate Capacity	<input type="checkbox"/> Adequate Capacity
<input type="checkbox"/> Two-Year Capacity Warning	<input type="checkbox"/> Two-Year Capacity Warning	<input type="checkbox"/> Two-Year Capacity Warning
<input type="checkbox"/> Out-of-Capacity	<input type="checkbox"/> Out-of-Capacity	<input checked="" type="checkbox"/> Out-of-Capacity

MAJOR ROADWAY IMPACTS:

ROAD ACCESS AND CAPACITY: **Wilmington MPO** **Grand Strand MPO**

Roads	Capacity Deficiencies
Southport-Supply Road (NC 211)	Near*

* Other areas along NC 211 are over capacity

NCDOT PROJECTS AND STUDIES: **NONE**

Project	Project Type	Project Description	Status
R-5021	STIP	Widen NC 211 from Midway Road (SR 1500) to NC 87	Right-Of-Way In Progress Completion Anticipated 2020

UTILITIES:

CURRENT WATER AND SEWER AVAILABILITY

WATER: **Not Available** **Available**

PROVIDER:

- Brunswick County Utilities
- Brunswick Regional Water & Sewer District (H₂GO)
- Southeast Brunswick Sanitary District

SIZE OF WATER LINE: 16-inch line
LOCATION: Southport-Supply Rd (NC 211)

SEWER: **Not Available** **Available**

PROVIDER:

- Brunswick County Utilities
- Brunswick Regional Water & Sewer District (H₂GO)
- Southeast Brunswick Sanitary District

SIZE OF WATER LINE: 16- inch line
LOCATION: Southport-Supply Rd (NC 211)

It is the developer's responsibility to connect to the water and sewer system.

ENVIRONMENTAL IMPACTS

- Located within a FEMA Flood Hazard Zone.
- Located near a watercourse/water body.
- Located in the Lockwood Folly Watershed and in the area of the Lockwood Folly River Water Quality Study. The Brunswick County Board of Commissioners have accepted the Lockwood Folly River Roundtable Strategy report.
- Located in a Significant Natural Heritage Area.
- A significant portion of the rezoning site located with a Biodiversity & Wildlife Habitat Assessment Area scoring 6 out of 10 (10 is the highest conservation value) due to wetlands located at the rear of the parcel.

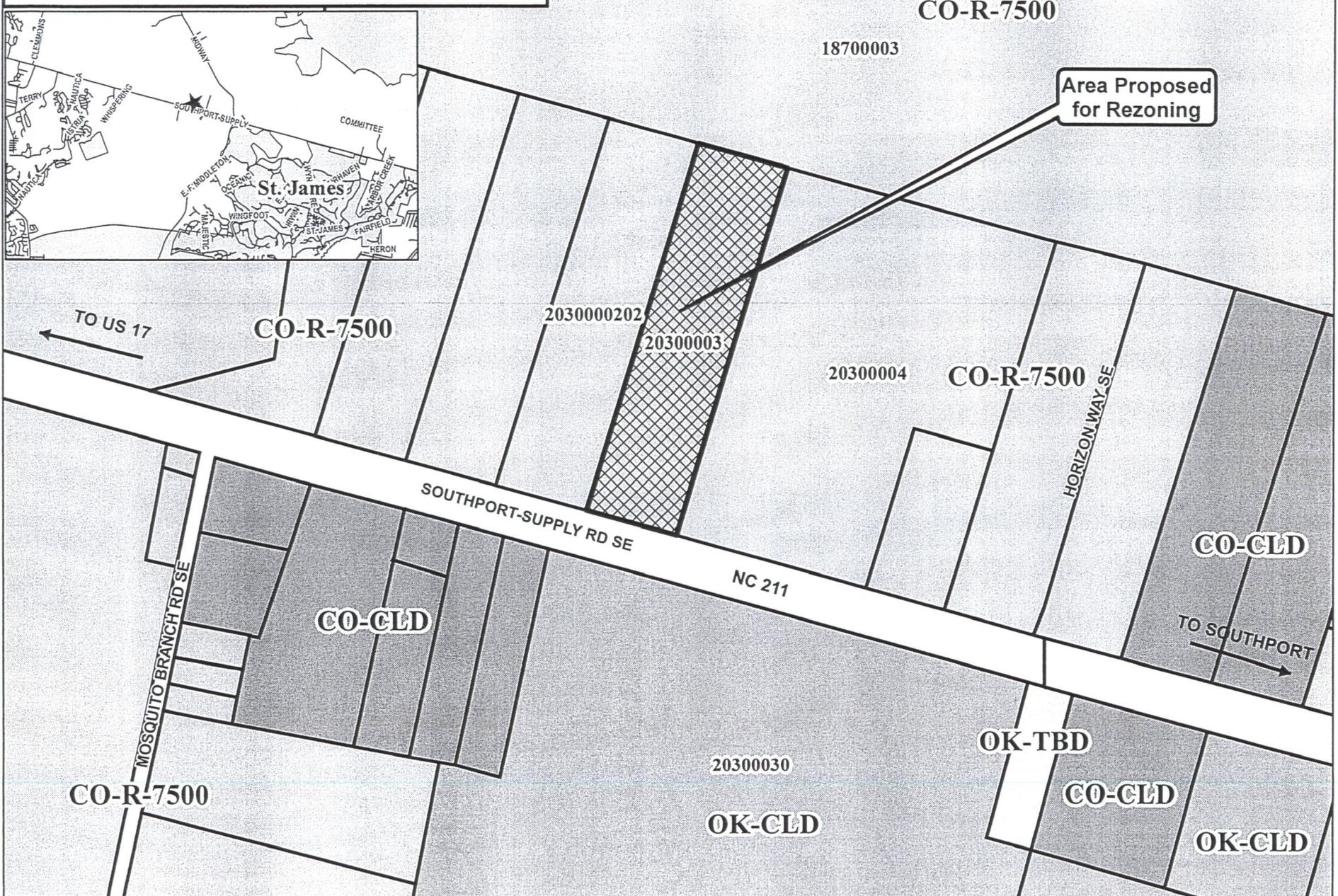
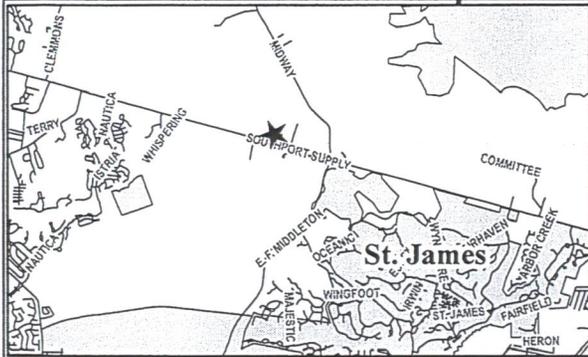
OTHER SITE CONSIDERATIONS

- Will correct a split zoning on a parcel(s).
- Potentially could create a *spot zoning*.
- Located near commercially zoned property.
- Located in an Overlay Zoning District.
- Located near other property designated as Commercial in the *Brunswick County CAMA Land Use Plan*.
- Located within a growth corridor.
- Classified as a Bona Fide Farm.
- Located within a Fire District (St. James).
- Located within 1/2 mile of a Voluntary Agricultural District (VAD)
- Cemetery known to be located on or near the rezoning.
- Historic Site(s) known to be located on or near the rezoning.

STAFF RECOMMENDATION SUMMARY

Staff recommends **APPROVAL TO CLD FOR TAX PARCEL 20300003 BASED** upon information provided, surrounding area, current uses, the Brunswick County CAMA CORE Land Use Plan, and other adopted Brunswick County plans and policies.

Rezoning Case Z-733 R-7500 to CLD



Area Proposed
for Rezoning

CO-R-7500

18700003

CO-R-7500

20300002

20300003

20300004

CO-R-7500

HORIZON WAY SE

CO-CLD

SOUTHPORT-SUPPLY RD SE

NC 211

CO-CLD

TO SOUTHPORT

MOSQUITO BRANCH RD SE

CO-R-7500

20300030

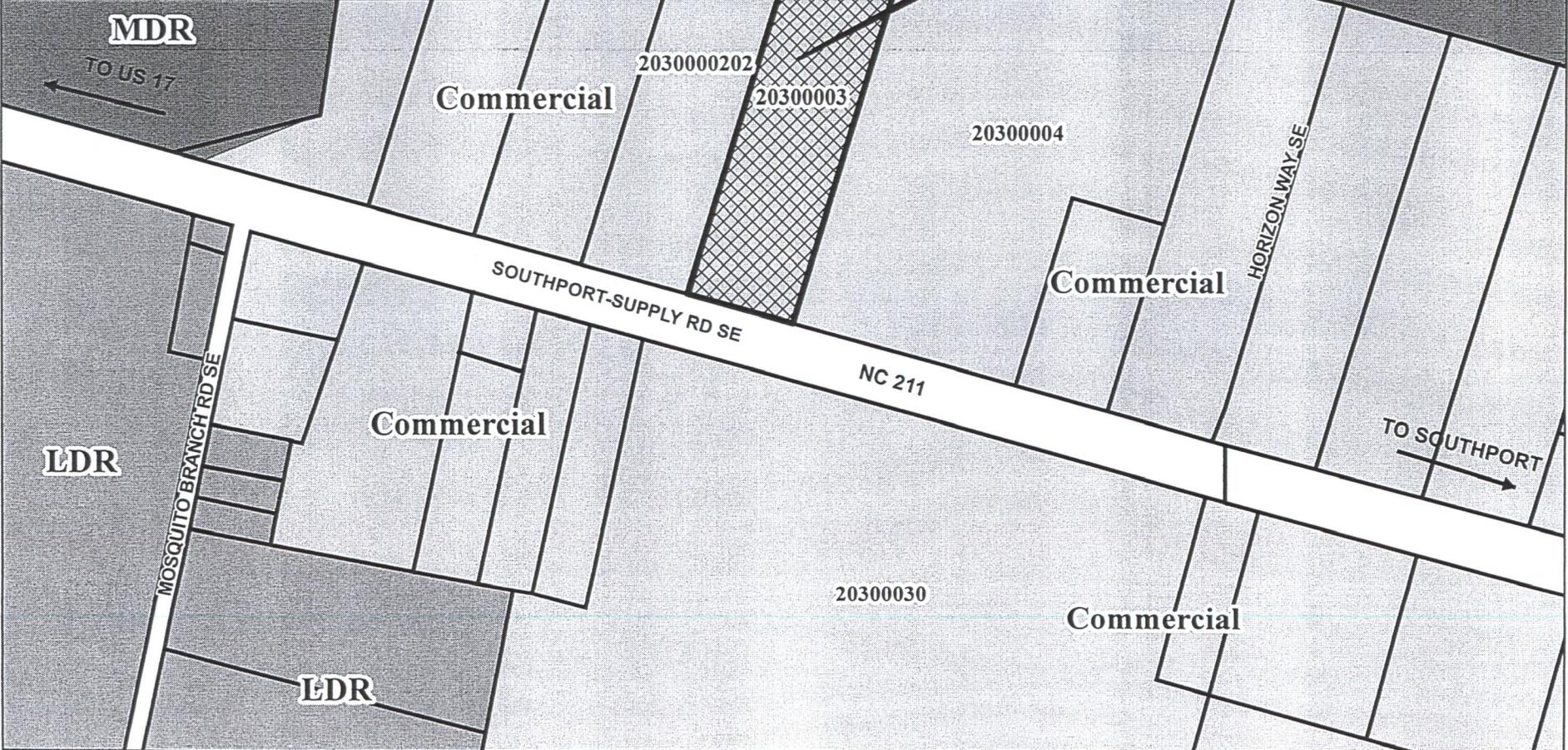
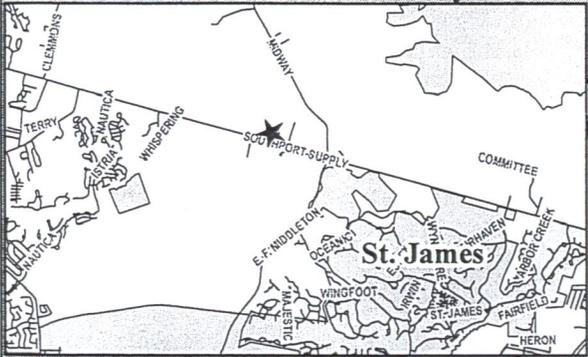
OK-TBD

OK-CLD

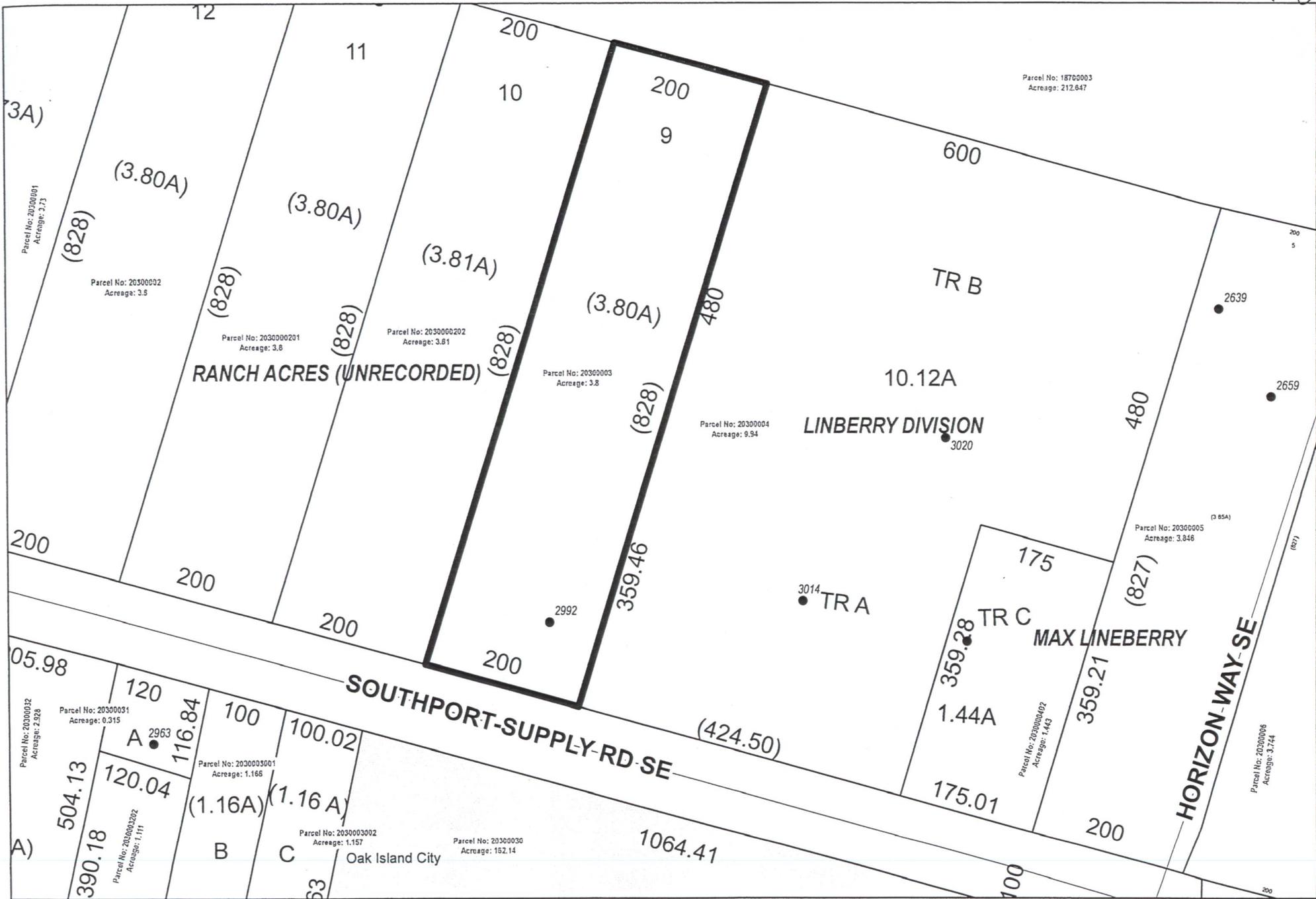
CO-CLD

OK-CLD

Rezoning Case Z-733 Future Land Use Map



Boys



BRUNSWICK COUNTY PLANNING DEPT
NOVEMBER 17, 2015

**Acreage is calculated by our software
and is based upon tax records has not
been verified by a Professional Land Surveyor.**

1 inch = 160 feet



Brunswick County assumes no legal responsibility for the nature of, contents of, or accuracy of any information contained on this map. This map may not be accurate or up to date. All map information must be verified by recipient. Grid based on NC State Plane Coordinates, NAD 83 Datum, feet.

CASE Z-733

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
18700003	ARCHWAY HOMES INC	PO BOX 14	WINNABOW	NC	28479
20300004	LINEBERRY RUBY	3014 SOUTHPORT SI	BOLIVIA	NC	28422
2030000202	HARBOR HOUSE ENTERPRISE LLC	606 RHEIMS WAY	WILMINGTON	NC	28412
20300030	FIRST CITIZEN BANK & TRUST COMPANY	PO BOX 27131-RWN	RALEIGH	NC	27611

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
20300003	RAY ROBERT STEVEN	307 W YACHT DR	OAK ISLAND	NC	28465

APPLICANT(S)

PARCEL ID	NAME	C/O	ADDRESS	CITY	STATE	ZIP
20300003	RAY ROBERT STEVEN		307 W YACHT DR	OAK ISLAND	NC	28465

Project # 300150

For Office Use Only
File# 2-783

BRUNSWICK COUNTY PLANNING AND COMMUNITY DEVELOPMENT
PO BOX 249
BOLIVIA NC 28422
910-253-2025/1-800-621-0609/910-253-2437(fax)

REZONING APPLICATION FORM

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.

Leave blank - to be completed by Planning Department staff

DATE RECEIVED: 11-17-15

CASE: Z-733

NOV 17 2015 RECEIVED

RECEIPT #: 013470

- FEE: \$300 (<5.00 acres)
- \$500 (5.00 to 49.99 acres)
- \$750 (50.00 to 99.99 acres)
- \$1,000 (>100 acres)

\$200 (Land Use Amendment Request)

LAND USE PLAN CONSISTENCY:

- Consistent with Future Land Use Plan
- NOT Consistent with Land Use Plan and a Land Use Amendment is Required

Current Land Use Classification: Commercial

Requested Land Use Classification: _____

RECEIVED
NOV 17 2015

Contact Information:

Applicant/Agent: Robert S. RAY
(This person will be the contact person and will receive all mailings)

Address: 307 West Yacht Dr. OAK ISLAND NC 285165

Phone: 910-278-3950 Fax: 910-278-3949

Email: OKAC2004@YAHOO.COM

Property Owner(s): SAME AS ABOVE
(If the owner is different than the applicant)

Address: _____

Phone: _____ Fax: _____

Email: _____

Property Information:

Property Location/Address(es): 2992 Southport Supply Rd

Tax Parcel Identification Number(s): 20300003

Current Use of Property(ies): Rental; Moving Co. Current Tenant

Acreage to be Rezoned: 3.8 ACRES

Zoning Information:

Current Zoning District(s): RURAL R-7500

Requested Zoning District(s): Commercial CLD

Purpose of Zoning Change (optional): _____

Spot Zoning Statement:

In the space below, please indicate whether the proposed rezoning will or will not constitute a spot zoning and explain why the proposed rezoning will or will not constitute a spot zoning (For more information on spot zoning, refer to the attachment on spot zoning).

The property located on the south side of Hwy. 211 directly across the road from my property is zoned commercial. The property west of my property is zoned commercial as well.

BRUNSWICK COUNTY CAMA LAND USE PLAN CONSISTENCY

All rezoning requests must be consistent with the Brunswick County CAMA Land Use Map

Current Land Use Classification(s): ~~RURAL~~ Commercial

- This rezoning request is: Consistent with the CAMA Land Use Map.
 NOT consistent with the CAMA Land Use Map.

IF THE REZONING REQUEST IS NOT CONSISTENT WITH THE CAMA LAND USE MAP:

A Land Use Map Amendment is *REQUIRED*. All rezoning requests **MUST BE CONSISTENT** with the Brunswick County CAMA Land Use Map and/or the Brunswick County CAMA Land Use Plan. All Land Use Amendments must be consistent with one or more of the adopted Land Use Plan Policies located within the Brunswick County CAMA Land Use Plan Update document and/or demonstrate a change in the character of the area that warrants a departure from the adopted Land Use Plan. In the space below, please explain why the proposed Land Use Amendment will be consistent with the Brunswick County CAMA Land Use Plan and how the character of the area has changed (A copy of the Brunswick County CAMA Land Use Plan and Map can be obtained online at www.brunswickcountync.gov).

Requested Land Use Classification(s): _____

With my signature, I certify that I have read the application guidelines below and I have submitted 15 folded copies of a recent plat or survey of the property(ies) and/or area requested to be rezoned. I UNDERSTAND THAT MY REZONING REQUEST MUST BE CONSISTENT WITH THE LAND USE PLAN MAP AND/OR CAMA LAND USE PLAN. I also understand that incomplete applications will result in a delayed review of the application and rezoning process.

Robert A. Ray 11-12-15
Applicant Signature Date

Robert A. Ray 11-12-15
Owner Signature Date

APPLICATION GUIDELINES

1. All applications must be submitted with:
 - A. A non-refundable application fee; and
 - B. One (1) folded copy of a recent plat of survey or other map showing the location and dimensions of the subject property. All property lines and dimensions must be visible.
2. All rezoning requests MUST BE CONSISTENT with the Future Land Use Map and/or the CAMA Land Use Plan. If the application is not consistent, the applicant should seek an amendment to the Future Land Use Map and/or CAMA Land Use Plan prior to moving forward with the rezoning request.
3. All rezoning requests for rezoning must be received in the Planning Department office per the Rezoning Deadline Schedule. **DUE TO GROWTH-RELATED ACTIVITY, FINAL SCHEDULING OF REQUESTS WILL BE MADE FOLLOWING THE SUBMITTAL OF THE REQUEST.**
4. Rezoning Review Process:
 - A. Rezoning requests are first reviewed by the Brunswick County Planning Department for consistency with Future Land Use Map and/or the CAMA Land Use Plan. The Planning Department will then make a recommendation to the Brunswick County Planning Board.
 - B. The Brunswick County Planning Board then reviews the request and holds a public hearing for public comment. The Planning Board makes a recommendation to the Board of Commissioners. The Planning Board may recommend the request be approved as submitted, approved with conditions, denied, or deferred to a later meeting.
 - C. The Brunswick County Board of Commissioners then reviews the request and determines whether to conduct their own public hearing on the request. A public hearing is then conducted. The Board of Commissioners have the final determination. The request may be approved as submitted, approved with conditions, denied, or deferred to a later meeting.
5. Planning Board meetings are normally held the second Monday of the month at 6:00 P.M. in the Commissioners' Chambers at the Brunswick County Government Center.
6. Brunswick County Planning Board policy requires attendance of the applicant (or his/her representative) at the Planning Board public hearing.
7. The Brunswick County Board of Commissioners normally hear rezoning cases the third Monday of the month at 6:00P.M. in the Commissioners' Chambers at the Brunswick County Government Center.

REZONING STAFF REPORT

Date: January 11, 2016

Case#: Z-734CZ

Tax Parcel(s): 2250000503 (a portion of)

Location: Off Ash-Little River Rd near Ash NC

Acreage: 0.2 acres (8,734 square feet)

Applicant(s): W. J. McLamb Enterprise LP



APPLICATION OVERVIEW:

The applicant is seeking to rezone a portion of Tax Parcel 2250000503 to RR Conditional Zoning. The conditional zoning is proposed to limit the uses to Residential/Personal/Non-Commercial Storage Structure, Single Family Detached Residential, and Mobile Home Class A. The applicant held a neighborhood meeting on December 21, 2015. The owners and adjacent owners have been notified of the proposed rezoning via first class mail. Several conditions have been proposed and agreed upon by the owners. The Conditional Zoning Provision requires that the owner agree with any conditions included with the approval.

ZONING ANALYSIS

Proposed Zoning Request:

From: R-7500 (Medium Density Residential)

To: RR-CZ (Rural Low Density Conditional Zoning)

"This District is intended to accommodate nonresidential agricultural uses and low density residential development, as well as limited nonresidential uses that are supportive of the County's traditional agricultural orientation including farming, silviculture operations and related activities. Development in this District should rely predominantly on individual wells and septic tank systems for domestic water supply and sewage disposal, respectively, although clustered residential development served by public water and wastewater systems may be allowed."

"The Conditional Zoning Overlay is established to offer flexibility to meet project needs that are not accommodated by conventional zoning districts. These overlay districts are approved with individualized development standards adopted as part of the rezoning. Property is rezoned to these districts in response to and consistent with a petition filed by the property's owner. The petition includes a site plan, a specification of the actual use planned, and any rules, regulations, or conditions that would govern development of the site. The petitioner must conduct at least one community meeting on the proposal prior to the official hearing on the rezoning. These districts are potentially available in conjunction with any of the conventional zoning classifications the site."

SURROUNDING AREA ZONING DESIGNATIONS:

North: R-7500

South: R-7500 and CLD

East: R-7500

West: R-7500

PROJECT BOUNDARY BUFFERS: NO CHANGE

MINIMUM REQUIRED PROJECT BOUNDARY BUFFER*				
Required Opacity	Alternative 1	Alternative 2	Alternative 3 Plantings + 6-Foot Fence	Alternative 4 Plantings + 6-Foot Wall
0.2	10 feet 1 canopy 1 understory 7 shrubs	10 feet 1 canopy 2 understory 3 shrubs	Not available	Not available
0.4	20 feet 2 canopy 4 understory 25 shrubs	20 feet 2 canopy 6 understory 9 shrubs	15 feet 0 canopy 3 understory 3 shrubs	10 feet 0 canopy 3 understory 3 shrubs
0.6	30 feet 3 canopy 6 understory 34 shrubs	30 feet 3 canopy 8 understory 13 shrubs	20 feet 0 canopy 3 understory 3 shrubs	15 feet 0 canopy 3 understory 3 shrubs
0.8	50 feet 5 canopy 7 understory 43 shrubs	50 feet 4 canopy 10 understory 17 shrubs	35 feet 0 canopy 5 understory 7 shrubs	0 canopy 5 understory 7 shrubs
1.0	80 feet 5 canopy 8 understory 49 shrubs	80 feet 4 canopy 11 understory 19 shrubs	60 feet 0 canopy 5 understory 7 shrubs	40 feet 0 canopy 5 understory 7 shrubs

* Buffer Depths and Plants Required Per 100 Linear Feet

LAND USE ANALYSIS

Current Surrounding Area Land Use(s):

- Agricultural/Conservation/Forestry Lands
 Vacant/Undeveloped Property
 Residential
 Commercial
 Industrial
 Institutional
 Utility

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

- Consistent with the Land Use Plan Map
 Not Consistent with Land Use Plan Map

Brunswick County CAMA Land Use Plan policies affecting this rezoning:

- 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.

Capital Improvement Plan (CIP):

- CIP Projects
 No CIP Projects

CIP Project(s)	Scheduled
Shalotte Park (potential relocation)	FY 2018
Waccamaw Park Expansion & Renovation	FY 2016

Future Surrounding Areas Land Use(s):

The area surrounding this rezoning site has been experiencing growth based upon recent land development activities submitted to the Brunswick County Planning Department. Meadowlands PUD, Farmstead PUD, Crow Creek PUD, Calabash Station PUD, and Brunswick Plantation have been approved in the area totally 6,963 units. *Currently the rezoning site is vacant.*

INFRASTRUCTURE AND SERVICE IMPACTS

SCHOOL CAPACITY:

Elementary School:
Jessie Mae Monroe

- Adequate Capacity
- Two-Year Capacity Warning
- Out-of-Capacity

Middle School:
Waccamaw

- Adequate Capacity
- Two-Year Capacity Warning
- Out-of-Capacity

High School:
West Brunswick

- Adequate Capacity
- Two-Year Capacity Warning
- Out-of-Capacity

MAJOR ROADWAY IMPACTS:

ROAD ACCESS AND CAPACITY: **Wilmington MPO** **Grand Strand MPO**

Roads	Capacity Deficiencies
Ash-Little River Road (SR 1300)	None
Hickman Road (SR 1303)	None

NCDOT PROJECTS AND STUDIES: **NONE**

Project	Project Type	Project Description	Status

UTILITIES:

CURRENT WATER AND SEWER AVAILABILITY

WATER: Not Available Available

PROVIDER:

- Brunswick County Utilities
- Brunswick Regional Water & Sewer District (H2GO)
- Southeast Brunswick Sanitary District

SIZE OF WATER LINE: 12-inch line
LOCATION: Ash-Little River Rd

SEWER: Not Available Available

PROVIDER:

- Brunswick County Utilities
- Brunswick Regional Water & Sewer District (H2GO)
- Southeast Brunswick Sanitary District

SIZE OF WATER LINE: 8- inch line
LOCATION: Ash-Little River Rd

It is the developer's responsibility to connect to the water and sewer system.

ENVIRONMENTAL IMPACTS

- Located within a FEMA Flood Hazard Zone.
- Located near a watercourse/water body.
- Located in the Lockwood Folly Watershed and in the area of the Lockwood Folly River Water Quality Study. The Brunswick County Board of Commissioners have accepted the Lockwood Folly River Roundtable Strategy report.
- Located in a Significant Natural Heritage Area.
- Is identified as a *Biodiversity & Wildlife Habitat Assessment Area*.

OTHER SITE CONSIDERATIONS

- | | |
|---|--|
| <input type="checkbox"/> Will correct a split zoning on a parcel(s). | <input type="checkbox"/> Located within a growth corridor. |
| <input checked="" type="checkbox"/> Potentially could create a <i>spot zoning</i> . | <input type="checkbox"/> Classified as a Bona Fide Farm. |
| <input checked="" type="checkbox"/> Located near commercially zoned property. | <input checked="" type="checkbox"/> Located within a Fire District (Calabash). |
| <input type="checkbox"/> Located in an Overlay Zoning District. | <input checked="" type="checkbox"/> Located within 1/2 mile of a Voluntary Agricultural District (VAD) |
| <input checked="" type="checkbox"/> Located near other property designated as LDR in the <i>Brunswick County CAMA Land Use Plan</i> . | <input type="checkbox"/> Cemetery known to be located on or near the rezoning. |
| | <input type="checkbox"/> Historic Site(s) known to be located on or near the rezoning. |

STAFF RECOMMENDATION SUMMARY

Staff recommends ***APPROVAL TO RR-GZ IN CONJUNCTION WITH THE LIST OF CONDITIONS AND PERMITTED USES FOR TAX PARCEL 2250000503 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:

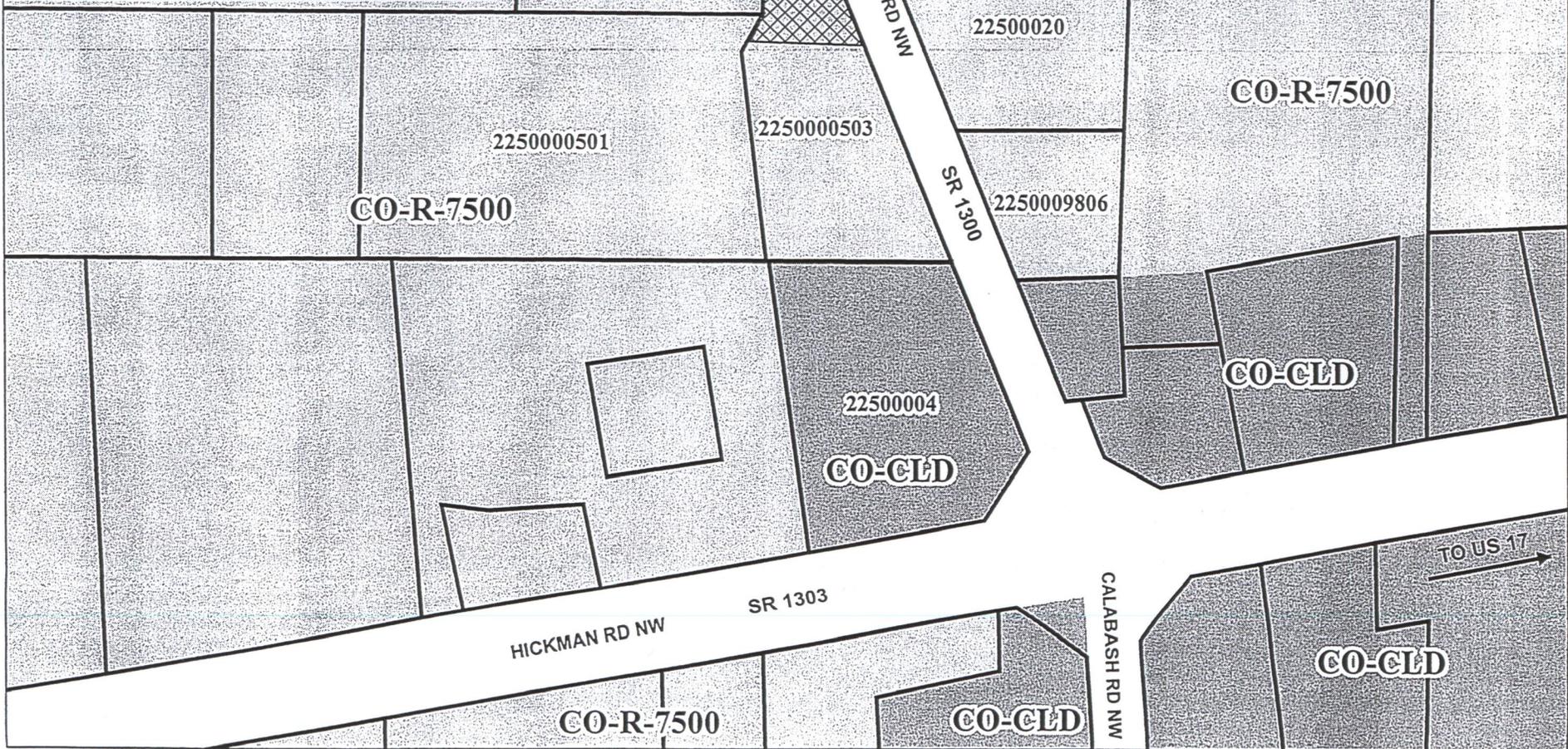
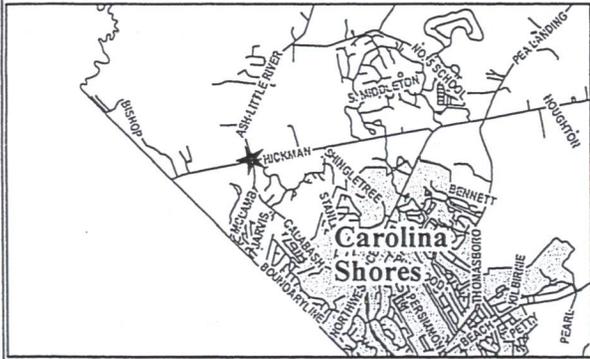
1. Residential/Personal/Non-Commercial Storage Structure
2. Single Family Detached Residential
3. Mobile Home, Class A

Conditions

1. Setbacks for the primary structure shall be as follows: Front yard - 22 feet, Rear yard - 9 feet, Side yard - 5 feet, Street side - 15 feet.
2. The lot shall be oriented so the front yard will face Ash-Little River Road.
3. Building height maximum of 25 feet.
4. The lot shall be a minimum of 8,000 square feet.
5. Native vegetation within the setbacks should be preserved wherever possible. Existing Vegetation within the front 15 feet of the 22 foot front setback shall be maintained.

Rezoning Case Z-734CZ

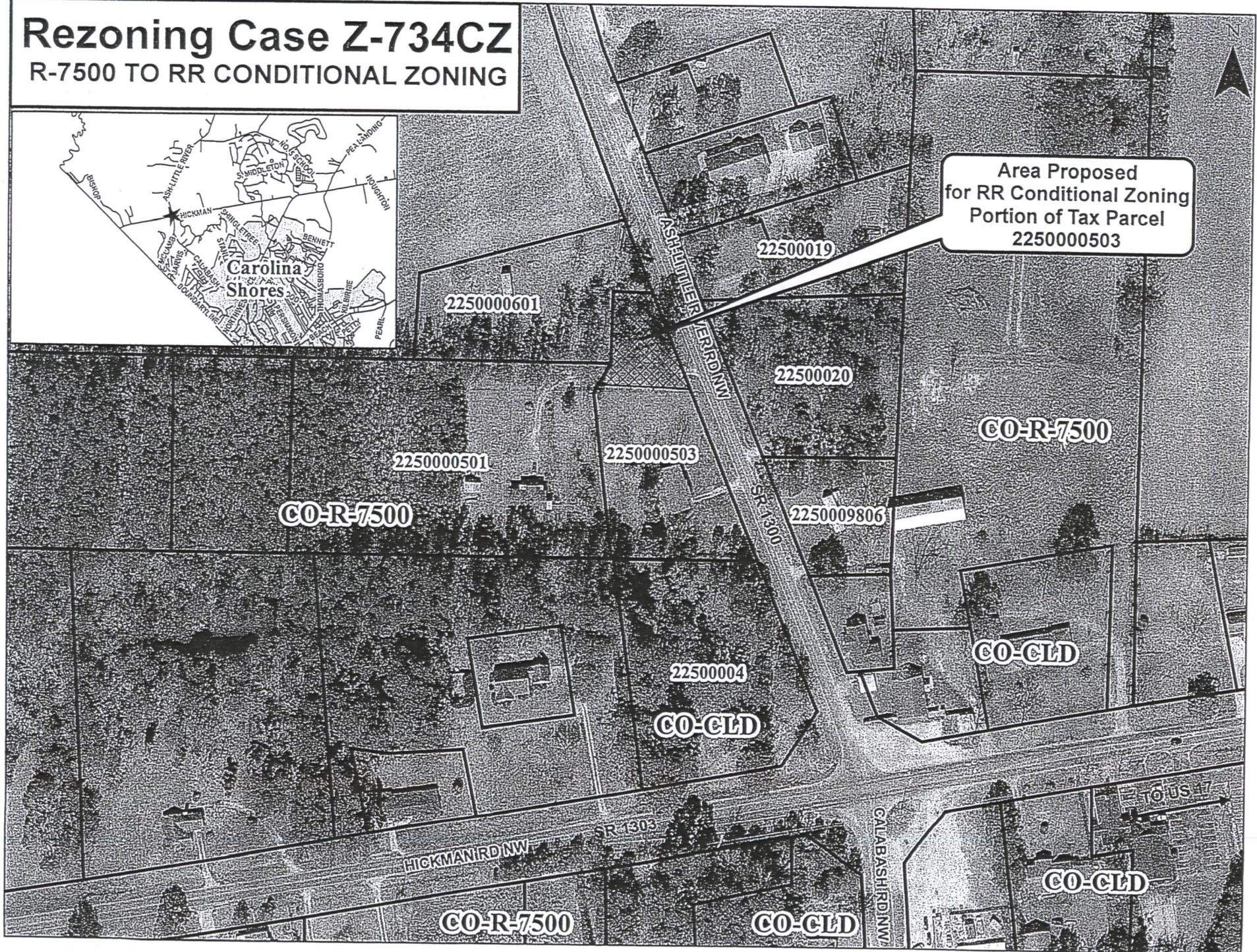
R-7500 TO RR CONDITIONAL ZONING



Area Proposed
for RR Conditional Zoning
Portion of Tax Parcel
225000503

Rezoning Case Z-734CZ

R-7500 TO RR CONDITIONAL ZONING

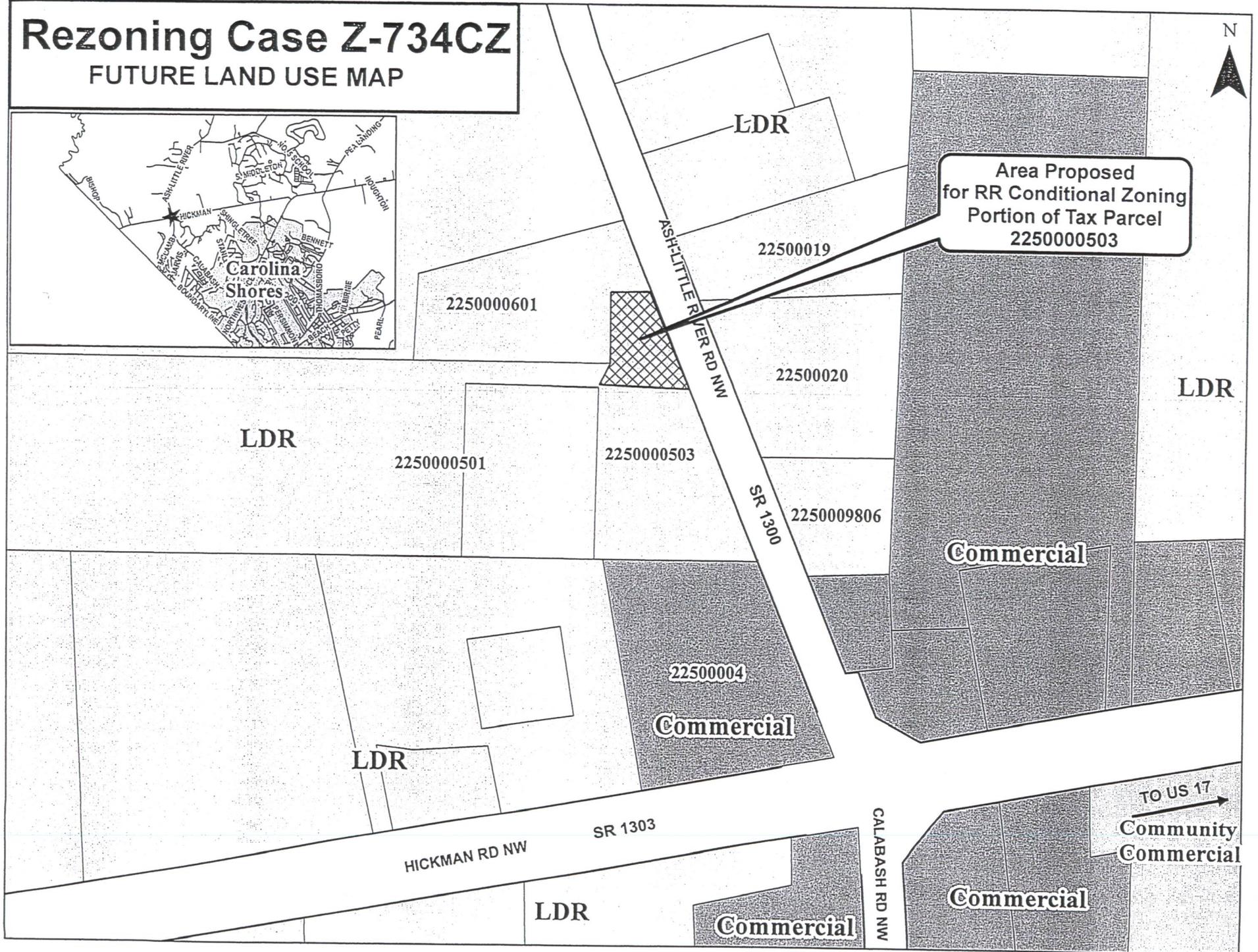
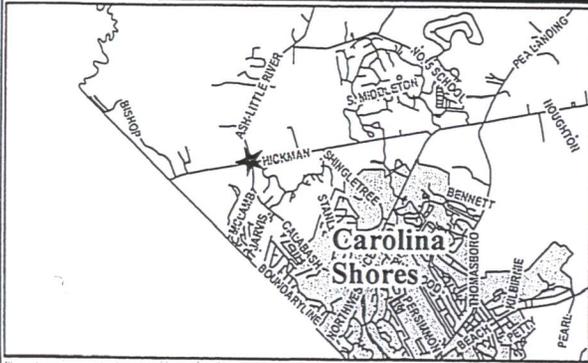


Area Proposed
for RR Conditional Zoning
Portion of Tax Parcel
2250000503

Rezoning Case Z-734CZ

FUTURE LAND USE MAP

N



Area Proposed
for RR Conditional Zoning
Portion of Tax Parcel
2250000503

TO US 17
Community
Commercial

CASE Z-734CZ

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
22500019	JENRETTE STELLA H	1144 ASH LITTLE RVR RD NW	ASH	NC	28420
22500020	HICKMAN J MARVIN	6233 TROUBLE CREEK DR	NEWPORT RICHEY	FL	34653
2250009806	HICKMAN WALLACE ET (LT)	7806 CLARA CHASE DR	OOTEWAH	TN	37363
2250000601	JOHNSON PATRICIA ANN	914 EAST FAIRFIELD ROAD	HIGH POINT	NC	27263
22500004	MCLAMB GAIL ET VIR JIMMY A	450 DUNLEITH STREET	CALABASH	NC	28467
2250000501	MURDEN LOUIS D ET CAROLYN	1131 ASH LITTLE RIV RD NW	ASH	NC	28420

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
2250000503	W J MCLAMB ENTERPRISE L P	P O BOX 4640	CALABASH	NC	28467

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
	SHEILA MCLAMB	PO BOX 3168	SHALLOTTE	NC	28459

W.J. McLAMB ENTERPRISE, L.P.

Permitted Uses:

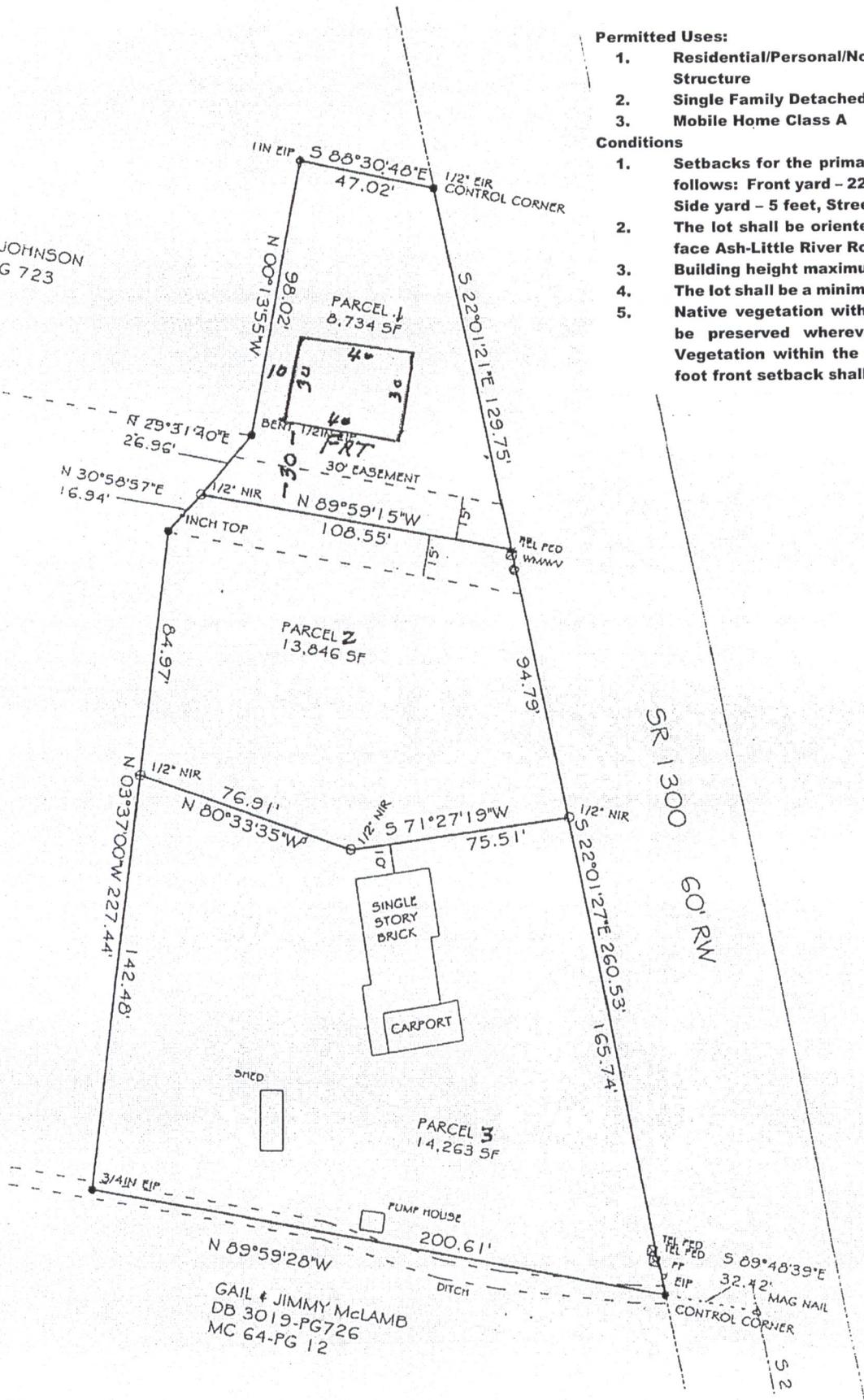
1. Residential/Personal/Non-Commercial Storage Structure
2. Single Family Detached Residential
3. Mobile Home Class A

Conditions

1. Setbacks for the primary structure shall be as follows: Front yard - 22 feet, Rear yard - 9 feet, Side yard - 5 feet, Street side - 15 feet.
2. The lot shall be oriented so the front yard will face Ash-Little River Road.
3. Building height maximum of 25 feet.
4. The lot shall be a minimum of 8,000 square feet.
5. Native vegetation within the setbacks should be preserved wherever possible. Existing Vegetation within the front 15 feet of the 22 foot front setback shall be maintained.

PATRICIA JOHNSON
DB 694-PG 723

MURDEN
S 64
PG 857



GAIL & JIMMY McLAMB
DB 3019-PG726
MC 64-PG 12

RECEIVED
JAN 07 2016

BRUNSWICK COUNTY PLANNING AND COMMUNITY DEVELOPMENT
P.O. BOX 249
BOLIVIA NC 28422
910-253-2025/1-800-621-0609/910-253-2437(fax)

REZONING APPLICATION FORM

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.

Leave blank - to be completed by Planning Department staff

DATE RECEIVED: 12-1-15

CASE: Z-734CZ

RECEIPT #: 013480

- FEE: \$300 (<5.00 acres)
 \$500 (5.00 to 49.99 acres)
 \$750 (50.00 to 99.99 acres)
 \$1,000 (>100 acres)
 \$200 (Land Use Amendment Request)

LAND USE PLAN CONSISTENCY:

- Consistent with Future Land Use Plan
 NOT Consistent with Land Use Plan and a Land Use Amendment is Required

Current Land Use Classification: _____

Requested Land Use Classification: _____

Contact Information:

Applicant/Agent: Sheila K. McLamb

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

Address: PO Bx 3168, Charlotte, NC 28459

Phone: 910-287-7529 Fax: 910-287-7528

Email: mclambblaw@atmc.net

Property Owner(s): WJ McLamb Enterprise LP

(If the owner is different than the applicant)

Address: PO BX 4640 Calabash, NC 28467

Phone: 910-287-7529 Fax: 910-287-7528

Email: wjmcLamb@gmail.com

Property Information:

Property Location/Address(es): 1121 NW Ash Little River Rd

Tax Parcel Identification Number(s): 2250000503

Current Use of Property(ies): residential

Acreage to be Rezoned: 8.734 SF Parcel 1

Zoning Information:

Current Zoning District(s): R-7500

Requested Zoning District(s): RR

Purpose of Zoning Change (optional): _____

Spot Zoning Statement:

In the space below, please indicate whether the proposed rezoning will or will not constitute a spot zoning and explain why the proposed rezoning will or will not constitute a spot zoning (For more information on spot zoning, refer to the attachment on spot zoning).

This does not constitute spot zoning.
The current use is residential
and proposed use will be
residential.

BRUNSWICK COUNTY CAMA LAND USE PLAN CONSISTENCY

All rezoning requests must be consistent with the Brunswick County CAMA Land Use Map

Current Land Use Classification(s): LDR

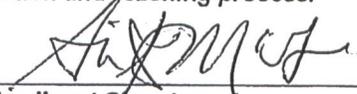
This rezoning request is: Consistent with the CAMA Land Use Map.
 NOT consistent with the CAMA Land Use Map.

IF THE REZONING REQUEST IS NOT CONSISTENT WITH THE CAMA LAND USE MAP:

A Land Use Map Amendment is *REQUIRED*. All rezoning requests **MUST BE CONSISTENT** with the Brunswick County CAMA Land Use Map and/or the Brunswick County CAMA Land Use Plan. All Land Use Amendments must be consistent with one or more of the adopted Land Use Plan Policies located within the Brunswick County CAMA Land Use Plan Update document and/or demonstrate a change in the character of the area that warrants a departure from the adopted Land Use Plan. In the space below, please explain why the proposed Land Use Amendment will be consistent with the Brunswick County CAMA Land Use Plan and how the character of the area has changed (A copy of the Brunswick County CAMA Land Use Plan and Map can be obtained online at www.brunswickcountync.gov).

Requested Land Use Classification(s): _____

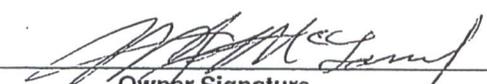
With my signature, I certify that I have read the application guidelines below and I have submitted 15 folded copies of a recent plat or survey of the property(ies) and/or area requested to be rezoned. I UNDERSTAND THAT MY REZONING REQUEST MUST BE CONSISTENT WITH THE LAND USE PLAN MAP AND/OR CAMA LAND USE PLAN. I also understand that incomplete applications will result in a delayed review of the application and rezoning process.



Applicant Signature

12-1-15

Date



Owner Signature

12-1-15

Date

APPLICATION GUIDELINES

1. All applications must be submitted with:
 - A. A non-refundable application fee; and
 - B. One (1) folded copy of a recent plat of survey or other map showing the location and dimensions of the subject property. All property lines and dimensions must be visible.
2. All rezoning requests MUST BE CONSISTENT with the Future Land Use Map and/or the CAMA Land Use Plan. If the application is not consistent, the applicant should seek an amendment to the Future Land Use Map and/or CAMA Land Use Plan prior to moving forward with the rezoning request.
3. All rezoning requests for rezoning must be received in the Planning Department office per the Rezoning Deadline Schedule. DUE TO GROWTH-RELATED ACTIVITY, FINAL SCHEDULING OF REQUESTS WILL BE MADE FOLLOWING THE SUBMITTAL OF THE REQUEST.
4. Rezoning Review Process:
 - A. Rezoning requests are first reviewed by the Brunswick County Planning Department for consistency with Future Land Use Map and/or the CAMA Land Use Plan. The Planning Department will then make a recommendation to the Brunswick County Planning Board.
 - B. The Brunswick County Planning Board then reviews the request and holds a public hearing for public comment. The Planning Board makes a recommendation to the Board of Commissioners. The Planning Board may recommend the request be approved as submitted, approved with conditions, denied, or deferred to a later meeting.
 - C. The Brunswick County Board of Commissioners then reviews the request and determines whether to conduct their own public hearing on the request. A public hearing is then conducted. The Board of Commissioners have the final determination. The request may be approved as submitted, approved with conditions, denied, or deferred to a later meeting.
5. Planning Board meetings are normally held the second Monday of the month at 6:00 P.M. in the Commissioners' Chambers at the Brunswick County Government Center.
6. Brunswick County Planning Board policy requires attendance of the applicant (or his/her representative) at the Planning Board public hearing.
7. The Brunswick County Board of Commissioners normally hear rezoning cases the third Monday of the month at 6:00P.M. in the Commissioners' Chambers at the Brunswick County Government Center.

REZONING STAFF REPORT



Date: January 11, 2016
 Case#: Z-735
 Tax Parcel(s): 1990012403
 Acreage: 1.04
 Applicant: Kevin Peake

APPLICATION OVERVIEW:

The applicant is seeking to rezone Tax Parcel 1990012403 along Mt. Pisgah Rd to be rezoned to CLD (Commercial Low Density) and change the Land Use Plan Map to Commercial. The owners and adjacent owners have been notified of the proposed rezoning via first class mail.

ZONING ANALYSIS

Proposed Zoning Request:
 From: NC (Neighborhood Commercial)
 To: CLD (Commercial Low Density)

"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."

SURROUNDING AREA ZONING DESIGNATIONS:

North: R-7500 (A recently approved Planned Development (Empire Place) has designated a 10 acre commercial area immediately to the north of the subject property).
South: RR **East:** RR and NC **West:** R-7500

PROJECT BOUNDARY BUFFERS: NO CHANGE

MINIMUM REQUIRED PROJECT BOUNDARY BUFFER*				
Required Opacity	Alternative 1	Alternative 2	Alternative 3 Plantings + 6-Foot Fence	Alternative 4 Plantings + 6-Foot Wall
0.2	10 feet 1 canopy 1 understory 7 shrubs	10 feet 1 canopy 2 understory 3 shrubs	Not available	Not available
0.4	20 feet 2 canopy 4 understory 25 shrubs	20 feet 2 canopy 6 understory 9 shrubs	Not available	Not available
0.6	30 feet 3 canopy 6 understory 34 shrubs	30 feet 3 canopy 8 understory 13 shrubs	20 feet 0 canopy 3 understory 3 shrubs	15 feet 0 canopy 3 understory 3 shrubs
0.8	50 feet 5 canopy 7 understory 43 shrubs	50 feet 4 canopy 10 understory 17 shrubs	35 feet 0 canopy 5 understory 7 shrubs	25 feet 0 canopy 5 understory 7 shrubs
1.0	80 feet 5 canopy 8 understory 49 shrubs	80 feet 4 canopy 11 understory 19 shrubs	60 feet 0 canopy 5 understory 7 shrubs	40 feet 5 canopy 0 understory 9 shrubs

* Buffer Depths and Plants Required Per 100 Linear Feet

LAND USE ANALYSIS

Current Surrounding Area Land Use(s):

- Agricultural/Conservation/Forestry Lands Vacant/Undeveloped Property
 Residential Commercial Industrial Institutional Utility

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

- Consistent with the Land Use Plan Map Not Consistent with Land Use Plan Map

Brunswick County CAMA Land Use Plan policies affecting this rezoning:

- 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.
- P.112 states that Brunswick County will encourages industrial and commercial development in areas with existing infrastructure that does not infringe on existing medium density residential areas.

Capital Improvement Plan (CIP):

- CIP Projects No CIP Projects

CIP Project(s)	Scheduled
Vocational High School	FY 2018 & 2019
Cedar Grove Park Phase 2	FY 2018 & 2019

Future Surrounding Areas Land Use(s):

The area surrounding this rezoning request has been experiencing growth based upon recent land development activities submitted to the Brunswick County Planning Department. Cobblestone Cove Major Subdivision, Ibis Bay PUD and Empire Place PD is located nearby and totaling 2,638 residential units and 10 acres of commercial use. *Currently the rezoning site contains a commercial building (former screen printing shop).*

INFRASTRUCTURE AND SERVICE IMPACTS

SCHOOL CAPACITY:

<i>Elementary School: Supply</i>	<i>Middle School: Cedar Grove</i>	<i>High School: West Brunswick</i>
<input checked="" type="checkbox"/> Adequate Capacity	<input checked="" type="checkbox"/> Adequate Capacity	<input type="checkbox"/> Adequate Capacity
<input type="checkbox"/> Two-Year Capacity Warning	<input type="checkbox"/> Two-Year Capacity Warning	<input type="checkbox"/> Two-Year Capacity Warning
<input type="checkbox"/> Out-of-Capacity	<input type="checkbox"/> Out-of-Capacity	<input checked="" type="checkbox"/> Out-of-Capacity

MAJOR ROADWAY IMPACTS:

ROAD ACCESS AND CAPACITY: Wilmington MPO Grand Strand MPO

Roads	Capacity Deficiencies
Mt. Pisgah Road (SR 1133)	None
Empire Road (SR 1130)	None

NCDOT PROJECTS AND STUDIES: NONE

UTILITIES:

CURRENT WATER AND SEWER AVAILABILITY

WATER: Not Available Available

PROVIDER:

- Brunswick County Utilities
- Brunswick Regional Water & Sewer District (H₂GO)
- Southeast Brunswick Sanitary District

SIZE OF WATER LINE: 12-inch main
LOCATION: Empire Rd & Mt. Pisgah Rd

SEWER: Not Available Available

PROVIDER:

- Brunswick County Utilities
- Brunswick Regional Water & Sewer District (H₂GO)
- Southeast Brunswick Sanitary District

SIZE OF WATER LINE: 20-inch force main
LOCATION: Mt. Pisgah Rd

It is the developer's responsibility to connect to the water and sewer systems.

ENVIRONMENTAL IMPACTS

- Located within a FEMA Flood Hazard Zone.
- Located near a watercourse/water body.
- Located in the Lockwood Folly Watershed and in the area of the Lockwood Folly River Water Quality Study. The Brunswick County Board of Commissioners have accepted the Lockwood Folly River Roundtable Strategy report.
- Located in a Significant Natural Heritage Area.
- Is identified as a Biodiversity & Wildlife Habitat Assessment Area. The majority of Tax Parcel 2990012403 scored 1 out of 10 (10 is the highest conservation value).

OTHER SITE CONSIDERATIONS

- Will correct a split zoning on a parcel(s).
- Potentially could create a *spot zoning*.
- Located near commercially zoned property.
- Located in an Overlay Zoning District.
- Located near other property designated LDR in the Brunswick County CAMA Land Use Plan.
- Located within a growth corridor.
- Classified as a Bona Fide Farm.
- Located within a Fire District (Civietown).
- Located within 1/2 mile of a Voluntary Agricultural District (VAD)
- Cemetery known to be located near the rezoning.
- Historic Site(s) known to be located near the rezoning.

STAFF RECOMMENDATION SUMMARY

Staff recommends APPROVAL TO CLD IN CONJUNCTION WITH A LAND USE PLAN AMENDMENT TO COMMERCIAL FOR TAX PARCEL 1990012403 based upon information provided, surrounding area, current uses, the Brunswick County CAMA CORE Land Use Plan, and other adopted Brunswick County plans and policies.

Rezoning Case Z-735 NC to CLD

Area Designated for
Commercial Use by
Recent Planned Development
(PD-2) Approval

Area Proposed
for Rezoning



CO-R-7500

19900127

CO-RR

SR 1130

MT. PISGAH RD SW

TO US 17

CO-RR

19900103

1990012403

CO-RR

19900124

1990012402
CO-NC

CEDAR GROVE RD SW
SR 1125

CO-RR

TO HOLDEN BEACH

LAND USE PLAN AMENDMENT FROM
LDR (LOW DENSITY RESIDENTIAL) TO COMMERCIAL
FOR TAX PARCEL 1990012403



Rezoning Case Z-735 NC to CLD

Area Designated for Commercial Use by Recent Planned Development (PD-2) Approval

Area Proposed for Rezoning

CO-R-7500

19900127

CO-RR

CO-RR

1990012403

19900103

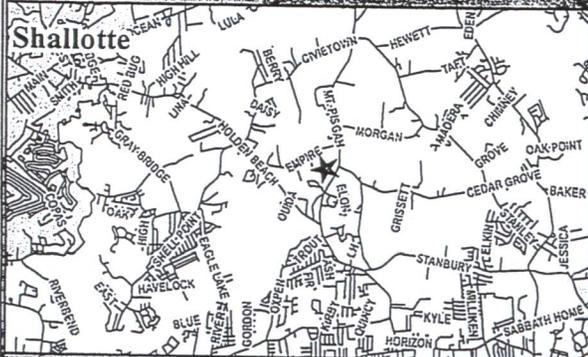
CO-RR

19900124

1990012402

CO-NC

CO-RR



LAND USE PLAN AMENDMENT FROM
LDR (LOW DENSITY RESIDENTIAL) TO COMMERCIAL
FOR TAX PARCEL 1990012403

Rezoning Case Z-735 Future Land Use Map

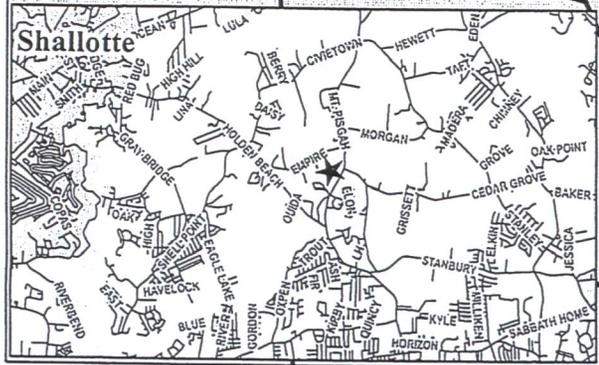
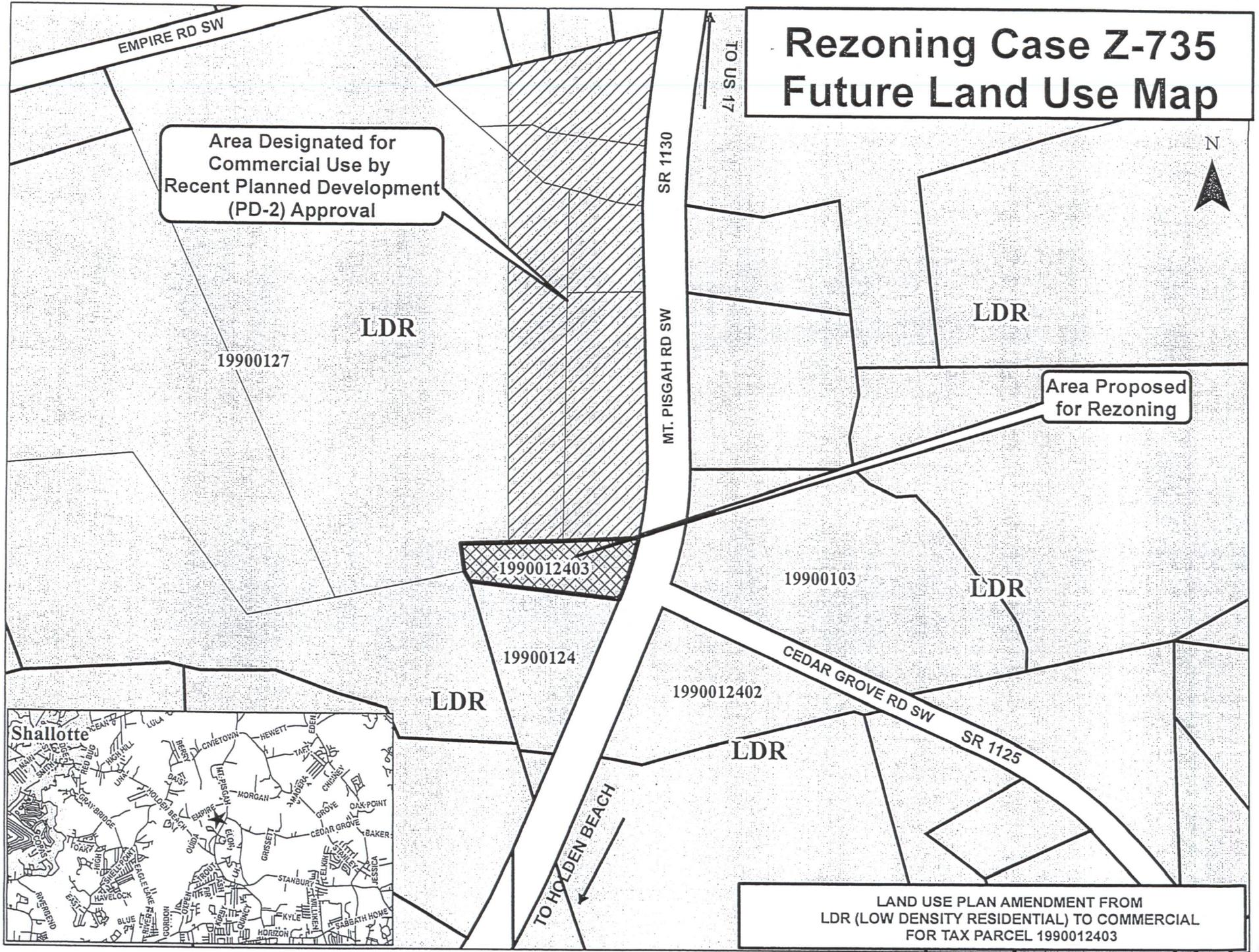
N



Area Designated for
Commercial Use by
Recent Planned Development
(PD-2) Approval

Area Proposed
for Rezoning

LAND USE PLAN AMENDMENT FROM
LDR (LOW DENSITY RESIDENTIAL) TO COMMERCIAL
FOR TAX PARCEL 1990012403



CASE Z-735

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
19900103	BELLAMY THEODORE	1630 CEDAR GROVE R SUPPLY		NC	28462
19900124	HEWETT PERVIS W ET	765 CEDAR GROVE RD SUPPLY		NC	28462
1990012402	DOUCET THEODORE	2419 SUNFISH ST SW SUPPLY		NC	28462
19900127	GORE DAVID L JR & BRENDA B	107 FARMINGTON BL\ HAMPTON		VA	23666

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
1990012403	ISLAND CART RENTALS LLC	2264 DAL STREET	SUPPLY	NC	28462

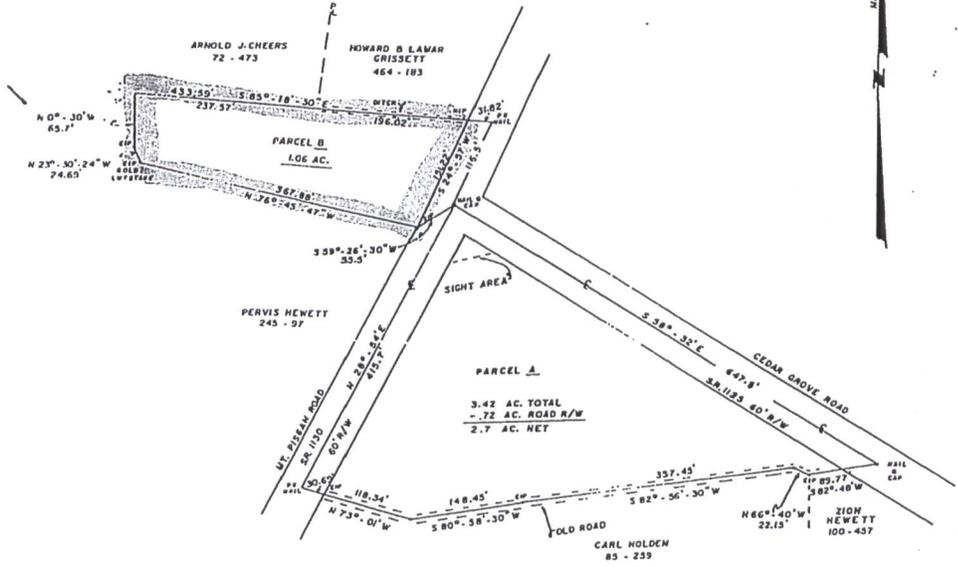
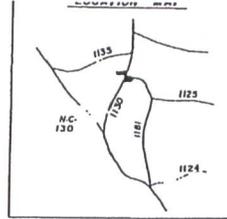
APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
	KEVIN PEAKE	PO BOX 2013	ELIZABETHTOWN	NC	28337

WITHIN THE SUBDIVISION REGULATION AND JURISDICTION OF BRUNSWICK COUNTY AND THAT THIS PLAY ALLOTMENT IS MY FREE ACT AND DEED.

Handwritten signature
OWNER'S SIGNATURE

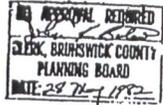
NO FLOOD INFORMATION AVAILABLE



STATE OF NORTH CAROLINA
Brunswick County
The Forgoing Certificate of Tosh
Osborne, Notary Public

Is certified to be correct.
Recorded at 11:25 o'clock A M.
This the 28th day of May, 1982
Cabinet N Page 21

Robert J. Robinson, Registrar of Deeds
Robert J. Robinson



LAND SURVEYED FOR: ANNIE J. HEWETT

LOCKWOOD FOLLY TOWNSHIP SCALE 1" = 100'
NORTH CAROLINA, BRUNSWICK COUNTY, I BOBBY M. LONG CERTIFY THAT THIS MAP WAS DRAWN BY ME FROM AN ACTUAL SURVEY MADE BY ME: DEED DESCRIPTION RECORDED IN BOOK 493 PAGE 423; THAT THE ERROR OF CLOSURE AS CALCULATED, BY LATITUDES AND DEPARTURES IS 1: 5000'; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G. S. 47-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS 25th DAY OF MARCH, 1982.



Bobby M. Long
REG. NO 1265
SMALLOTTE, N.C.



SUBSCRIBED AND SWORN BEFORE ME THIS 25th DAY OF MARCH
Tosh Osborne
BY COMMISSION EXPIRES 7-15-85

Map Cabinet N, Page 21 #13:50pd 5-28-82 11:25 AM

BRUNSWICK COUNTY PLANNING AND COMMUNITY DEVELOPMENT

PO BOX 249
BOLIVIA NC 28422
910-253-2025/1-800-621-0609/910-253-2437(fax)

REZONING APPLICATION FORM

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.

Leave blank - to be completed by Planning Department staff

DATE RECEIVED: 12-3-2015

CASE: Z- 735

RECEIPT #: 013483

FEE: \$300 (<5.00 acres)

\$500 (5.00 to 49.99 acres)

\$750 (50.00 to 99.99 acres)

\$1,000 (>100 acres)

\$200 (Land Use Amendment Request)

LAND USE PLAN CONSISTENCY:

Consistent with Future Land Use Plan

NOT Consistent with Land Use Plan and a Land Use Amendment is Required

Current Land Use Classification: LDR

Requested Land Use Classification: _____

Contact Information:

Applicant/Agent: Kevin Peake

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

Address: Po Box 2013, Elizabethtown NC 28337

Phone: 910-876-2123 Fax: 910-872-0752

Email: Riverwood-Realty@earthlink.net

Property Owner(s): Island Cart Rentals, LLC (Donna Wilkerson-owner)
(If the owner is different than the applicant)

Address: Po Box 2013, Elizabethtown NC 28337

Phone: 910-712-0212 Fax: 910-842-8954

Email: Island Cart Rentals @ earthlink.net

Property Information:

Property Location/Address(es): 1283 Mt. Pisgah Rd SW
Supply, NC 28462

Tax Parcel Identification Number(s): 1990012403

Current Use of Property(ies): Commercial

Acres to be Rezoned: 1.04 Acres

Zoning Information:

Current Zoning District(s): Neighborhood Commercial - NC

Requested Zoning District(s): Commercial Low Density - CLD

Purpose of Zoning Change (optional): New Business

Spot Zoning Statement:

In the space below, please indicate whether the proposed rezoning *will* or *will not* constitute a spot zoning and explain *why* the proposed rezoning *will* or *will not* constitute a spot zoning (For more information on spot zoning, refer to the attachment on spot zoning).

Does Not Constitute Spot Zoning - The Adjoining
Property was Recently Approved for > (Greater)
Than 10 Acres of Commercial Use

BRUNSWICK COUNTY CAMA LAND USE PLAN CONSISTENCY

All rezoning requests must be consistent with the *Brunswick County CAMA Land Use Map*

Current Land Use Classification(s): _____

- This rezoning request is: Consistent with the CAMA Land Use Map.
 NOT consistent with the CAMA Land Use Map.

IF THE REZONING REQUEST IS NOT CONSISTENT WITH THE CAMA LAND USE MAP:

A Land Use Map Amendment is *REQUIRED*. All rezoning requests MUST BE CONSISTENT with the *Brunswick County CAMA Land Use Map and/or the Brunswick County CAMA Land Use Plan*. All Land Use Amendments must be consistent with one or more of the adopted Land Use Plan Policies located within the Brunswick County CAMA Land Use Plan Update document and/or demonstrate a change in the character of the area that warrants a departure from the adopted Land Use Plan. In the space below, please explain why the proposed Land Use Amendment will be consistent with the Brunswick County CAMA Land Use Plan and how the character of the area has changed (A copy of the Brunswick County CAMA Land Use Plan and Map can be obtained online at www.brunswickcountync.gov).

Requested Land Use Classification(s): _____

With my signature, I certify that I have read the application guidelines below and I have submitted 15 folded copies of a recent plat or survey of the property(ies) and/or area requested to be rezoned. I UNDERSTAND THAT MY REZONING REQUEST MUST BE CONSISTENT WITH THE LAND USE PLAN MAP AND/OR CAMA LAND USE PLAN. I also understand that incomplete applications will result in a delayed review of the application and rezoning process.

<u>Kevin Peake Ken Peake</u>	<u>12/1/15</u>
Applicant Signature	Date
<u>Norma Williamson</u>	<u>12/1/15</u>
Owner Signature	Date

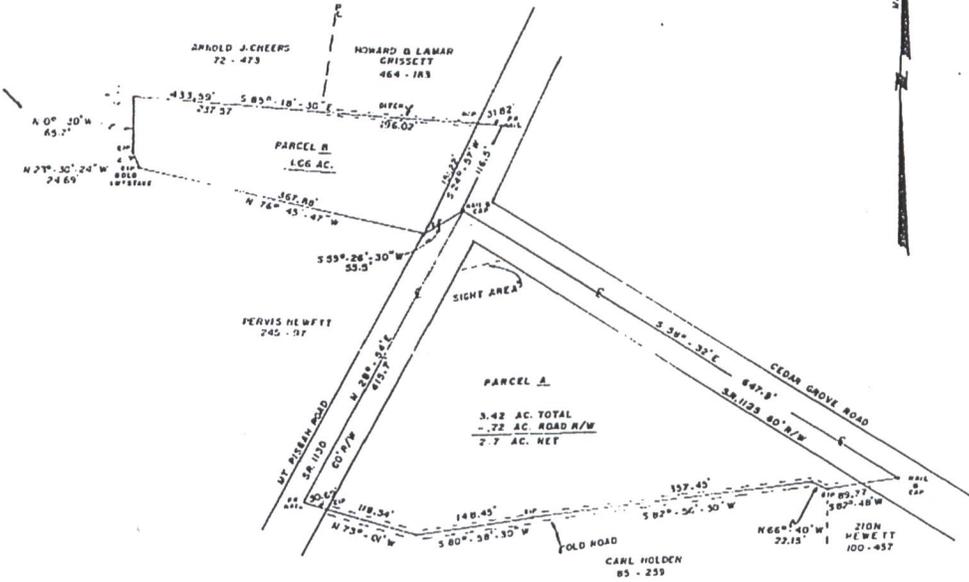
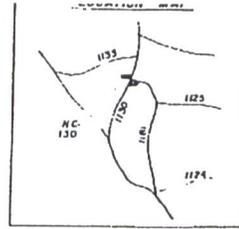
APPLICATION GUIDELINES

1. All applications must be submitted with:
 - A. A **non-refundable** application fee; and
 - B. **Fifteen (15) folded copies** of a recent plat of survey or other map showing the location and dimensions of the subject property. All property lines and dimensions must be visible.
2. All rezoning requests **MUST BE CONSISTENT** with the Future Land Use Map and/or the CAMA Land Use Plan. If the application is not consistent, the applicant should seek an amendment to the Future Land Use Map and/or CAMA Land Use Plan prior to moving forward with the rezoning request.
3. All rezoning requests for rezoning must be received in the Planning Department office per the Rezoning Deadline Schedule. **DUE TO GROWTH-RELATED ACTIVITY, FINAL SCHEDULING OF REQUESTS WILL BE MADE FOLLOWING THE SUBMITTAL OF THE REQUEST.**
4. Rezoning Review Process:
 - A. Rezoning requests are first reviewed by the Brunswick County Planning Department for consistency with Future Land Use Map and/or the CAMA Land Use Plan. The Planning Department will then make a recommendation to the Brunswick County Planning Board.
 - B. The Brunswick County Planning Board then reviews the request and holds a public hearing for public comment. The Planning Board makes a recommendation to the Board of Commissioners. The Planning Board may recommend the request be approved as submitted, approved with conditions, denied, or deferred to a later meeting.
 - C. The Brunswick County Board of Commissioners then reviews the request and determines whether to conduct their own public hearing on the request. A public hearing is then conducted. The Board of Commissioners have the final determination. The request may be approved as submitted, approved with conditions, denied, or deferred to a later meeting.
5. Planning Board meetings are normally held the second Monday of the month at 6:30 P.M. in the Commissioners' Chambers at the Brunswick County Government Center.
6. Brunswick County Planning Board policy requires attendance of the applicant (or his/her representative) at the Planning Board public hearing.
7. The Brunswick County Board of Commissioners normally hear rezoning cases the first Monday of the month at 6:30P.M. in the Commissioners' Chambers at the Brunswick County Government Center.

WITHIN THE SUBDIVISION REGULATION AND JURISDICTION OF BRUNSWICK COUNTY AND THAT THIS PLAT ALLOTMENT IS MY FREE ACT AND DEED.

Teah Osborne
OWNER'S SIGNATURE

NO FLOOD INFORMATION AVAILABLE



MAY AUG 1980

STATE OF NORTH CAROLINA
Brunswick County
The Forgoing Certificate of Teah
Osborne, Notary Public.

is certified to be correct
Recorded at 11:22 o'clock A.M.
This the 28th day of May 1982
Caption H Page 21

Robert J. Robinson, Register of Deeds
Robert J. Robinson

NO APPROVAL REQUIRED
Teah Osborne
CLERK, BRUNSWICK COUNTY
PLANNING BOARD
DATE: 28 MAY 1982

LAND SURVEYED FOR: ANNIE J. HEWETT

LOCKWOOD FOLLY TOWNSHIP SCALE 1" = 100'

NORTH CAROLINA, BRUNSWICK COUNTY, I BOBBY M. LONG CERTIFY THAT THIS MAP WAS DRAWN BY ME FROM AN ACTUAL SURVEY MADE BY ME; DEED DESCRIPTION RECORDED IN BOOK 493 PAGE 423; THAT THE ERROR OF CLOSURE AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:5000; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY HAND AND SEAL THIS 25th DAY OF MARCH, 1982.

TEAH OSBORNE
NOTARY
PUBLIC
SUBSCRIBED AND SWORN BEFORE ME THIS 25th DAY OF MARCH 1982
BY COMMISSION EXPIRES 7-15-85

Bobby M. Long
REG. NO. 1263
N.C. REG. 1263
CHARLOTTE, N.C.

NORTH CAROLINA
Bobby M. Long
1982

Map Cabinet N, Page 21 113.50pd 5-28-82 11:25 AM



Brunswick County Planning & Community Development

P. O. Box 249 Bolivia, NC 28422 Phone 910.253.2025

DATE: January 4, 2016

TO: Planning Board Members
Ann B. Hardy, County Manager

FROM: Mike Hargett, Director of Planning & Community Development

RE: Annual Report – 2015 Administrative Adjustments

As part of the revisions approved in 2015, Section 9.6.5. of the Unified Development Ordinance stipulates that an annual written report outlining the requests for Administrative Adjustment and associated findings for the preceding year be provided to the Planning Board and to the County Manager. In practice, requests that are inconsistent with the purpose of the Administrative Adjustment provision are discouraged and other solutions such as site plan revision, variance, rezoning, etc. are suggested.

The Administrative Adjustment requests for 2015 are as follows:

4485 Oak Crest Drive SE

Requested a fence up to six-feet in height in the front yard. Approved based on existing fences of similar height on the property.

1717 Stone Chimney Road SW

Requested that the front door of single-wide mobile home be allowed to face to the west rather than facing the street. Approved based on conflict with meeting the dimensional requirements for on-site wastewater system.

4253 Cherry Laurel Drive

Requested a 2.29 front-yard setback in order to fit a proposed home on an odd shaped lot. Approved based on the adjustment was less than 10% of the required setback and does not affect adjoining properties.

281 Rourks Landing Road

Requested front yard setback reduction in order to provide adequate depth for a proposed deck addition. Approved based on adjustment was within 10 % of setback requirement and does not affect adjoining properties.

2330 N. Boonesboro Road

Requested a one-foot front yard setback reduction. Approved based on adjustment being within 10% of required setback and no adverse impact on adjoining land use.

463 Woody Trail

Requested a 2.3-foot adjustment to the rear setback requirement in order to provide adequate width and depth to house. Approved based on being within 10% of the required setback and that it is virtually unnoticeable. Additionally, the lot is somewhat unique in that it has a double frontage.

1730 E. Moore Street - ADM Expansion

Requested adjustment to allow structure to be 85 feet in height rather than 75 feet. Approved based on there being a number of existing structures well in excess of 75 feet and the proposed structure will be a considerable distance from adjoining properties.

705 Cypress Lakes Drive SE

Requested adjustment to install a wall up to 8 feet in height along the rear property line. Approved based on Sunset Harbor Zion Hill VFD providing a letter as adjoining property owner expressing their agreement with the proposed wall height; and, the proposed wall is a continuation of an existing wall that is suitable in appearance.

2773 Loretta Street SW

Requested adjustment to construct a home 4.5 feet from the side yard property lines. Approved based on being within the 10% of the required setback and will not adversely affect adjoining land uses.

8470 River Road SE - Duke Energy Nuclear Facility Cell Tower

Requested adjustment to install a 360-foot replacement cell tower to serve Duke Energy nuclear power facility. Approved based on the existing tower height of 360 feet and the necessity of the equipment to the operation of the power generating facility.

391 Chestnut Drive SW

Requested 2.5 foot reduction in front yard setback to construct an addition to existing home. Approved based on being within 10% of required setback and no adverse impact on adjoining land uses.

7236 Joe Brooks Drive SW

Requested a 2 foot reduction in front yard setback to construct home. Approved based on being within 10% of required setback and no adverse impact on adjoining land uses.

1931 Oakland Drive SW

Requested adjustment to allow installation of a fence up to 8 feet in height to remain along the rear and side property lines and to accept the finish of the surface of the fence facing off-site. Approved based on the fence will screen the debris in the adjoining unmaintained parcel, the proposed fence is comparable to existing fences in the area and is suitable in appearance, and with the condition that the fence may not exceed 4 feet in height within the front yard area of the property.

4786 Pine Drive SW

Requested a 0.2 foot reduction in side yard setback to place a home on the property. Approved based on being within 10% of the required setback and not adversely impacting adjoining land uses.

Please let me know if there are questions or if I can provide additional information regarding this Annual Report.