



AGENDA BRUNSWICK COUNTY PLANNING BOARD

6:00 P.M. Monday
August 8, 2016

Commissioners Chambers
David R. Sandifer Administration Bldg.
Brunswick 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 June 13, 2016 Meeting.
- 6) Agenda Amendments.
- 7) Public Comment.
- 8) Public Hearings.
 - A. Rezoning Z-741CZ – Solana, Theriault & Gross PLLC/Alan M. Solana
Proposed rezoning of approximately 4.58 acres located off Todd Road (SR 1147) near Shallotte from R-7500 (Medium Density Residential) to RRCZ (Rural Residential Conditional Zoning) for Tax Parcel 2290004409.
 - B. Rezoning Z-742 – East Coast Engineering and Surveying/Alan C. Lewis
Proposed rezoning of approximately 13.45 acres located off Todd Road (SR 1147) and Edna Way near Shallotte from IG (Industrial General) to NC (Neighborhood Commercial) for a portion of Tax Parcel 2290004503.

LAND USE PLAN MAP AMENDMENT LUM-742:
Request to amend approximately 13.45 acres located off Todd Road (SR 1147) and Edna Way near Shallotte from Industrial to Commercial for a portion of Tax Parcel 2290004503.

C. Rezoning Z-743 – Norris & Tunstall Engineers, P.C./Phil Norris

Proposed rezoning of approximately 5.69 acres located at 9601, 9617, 9621, and 9625 Blackwell Road (SR 1551) near Leland from R-6000 (High Density Residential to CLD (Commercial Low Density) for Tax Parcels 04700040, 0470004001, 04800001, 0480000202, 0480000203, and 0480000205.

LAND USE PLAN MAP AMENDMENT LUM-743:

Request to amend approximately 5.69 acres located at 9601, 9617, 9621, and 9625 Blackwell Road (SR 1551) near Leland from Industrial to Commercial for Tax Parcels 04700040, 0470004001, 04800001, 0480000202, 0480000203, and 0480000205.

D. Rezoning Z-744CZ – United Renewable Energy/Keith Herbs

Proposed rezoning of approximately 30 acres located at 3033 Albright Road (SR 1147) near Bolivia from R-7500 (Medium Density Residential) to RRCZ (Rural Residential Conditional Zoning) for Tax Parcel 15400025.

9) Other Business.

A. Planning Board Cases Update

10) Adjournment.

MINUTES
PLANNING BOARD
BRUNSWICK COUNTY, NC

6:00 P.M. Monday
June 13, 2016

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

MEMBERS PRESENT

Eric Dunham, Chair
Joy Easley, Vice Chair
Cynthia Henry
Michael Polychrones
Randy Ward

STAFF PRESENT

Kirstie Dixon, Planning Manager
Connie Marlowe, Admin. Asst.
Bob Shaver, County Attorney

OTHERS PRESENT

Elizabeth Baucom

MEMBERS ABSENT

Troy Price
Chris Stanley

John Hankins

I. CALL TO ORDER.

Mr. Dunham called the meeting to order at 6:02 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE.

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

III. ROLL CALL.

Mr. Chris Stanley and Mr. Troy Price were absent.

IV. CONSIDERATION OF MINUTES OF THE 09-MAY-16 MEETING.

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

V. AGENDA AMENDMENTS.

There were no agenda amendments.

VI. PUBLIC COMMENT.

There were none.

VII. PUBLIC HEARINGS.

A. Rezoning Z-739 – Brunswick County Economic Development and Planning Department

Request to rezone approximately 33.18 acres located off Tree Acres Circle (SR 1364) within the Meadowlands Development near Carolina Shores from Undesignated and R-7500 (Medium Density Residential) to R-7500 (Medium Density Residential) for Tax Parcel 22500098.

Ms. Dixon addressed the Board. She stated that an abbreviated Staff Report (attached) has been done because the subject property is undesignated and located within the Meadowlands Development. Ms. Dixon said the zoning designation will not have any impacts on how the property is developed. She further stated that the Town of Carolina Shores agreed to release the property back to the County's jurisdiction through an Interlocal Agreement (attached) between the Town of Carolina Shores and the County. The County has vested this portion of Meadowlands PUD that was approved by the Town of Carolina Shores. She identified the subject property and surrounding properties on a visual map.

Mr. Dixon said staff recommends approval from Undesignated and R-7500 (Medium Density Residential) to R-7500 (Medium Density Residential) for Tax Parcel 22500098.

Mr. Dunham asked staff if this zoning change is related to the House Bill to consolidate ETJs and Ms. Dixon said no. She said the Town of Carolina Shores and the developer agreed to release the property back to the County through an Interlocal Agreement between the Town of Carolina Shores and the County.

Mrs. Henry asked staff if the zoning designation is consistent with the CAMA Land Use Plan and Ms. Dixon said yes.

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

With no further comments, Mr. Polychrones 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 proposed change be appropriate for the area concerned?

Yes. There is similar zoning nearby.

- II. Does adequate public school facilities and other public services/services (i.e., water, wastewater, roads) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change?

There is no impact.

- III. Is the proposed change consistent with the CAMA Land Use Plan or any other adopted land use document?

Yes. The proposed change is consistent with the CAMA Land Use Plan.

- IV. Is the proposed amendment reasonable as it relates to the public interest?

Yes. This will correct a split-zoned parcel; there is an Interlocal Agreement between the Town of Carolina Shores and the County to release the property back to the County; and there were no objections from the public.

THEREFORE, on the basis of all the foregoing, Mr. Polychrones made a motion to recommend to the Board of Commissioners to approve from Undesignated and R-7500 (Medium Density Residential) to R-7500 (Medium Density Residential) for Tax Parcel 22500098. The motion was unanimously carried.

B. Rezoning Z-740 – Gene M. Evans

Request to rezone approximately 9.17 acres located at 2183 Retreat Street SE (SR1922) and off Sunset Harbor Road SE (SR 1112) near Supply, NC from R-6000 (High Density Residential), NC (Neighborhood Commercial), and C-LD (Commercial Low Density) to C-LD (Commercial Low Density) for Tax Parcels 20100049 and 20100052 (Added by Staff).

LAND USE PLAN MAP AMENDMENT (LUM -740)

Request to amend approximately 9.17 acres located at 2183 Retreat Street SE (SR 1922) and off Sunset Harbor Road SE (SR 1112) near Supply, NC from LDR (Low Density Residential) and CC (Community Commercial) to Commercial for Tax Parcels 20100049 and 20100052 (Added by Staff).

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

Ms. Dixon said staff recommends approval from R-6000 (High Density Residential), NC (Neighborhood Commercial), and C-LD (Commercial Low Density) to C-LD (Commercial Low Density) for Tax Parcels 20100049 and 20100052 (Added by Staff) in conjunction with a Land Use Plan Map Amendment to the Official Brunswick County CAMA Land Use Plan Map from LDR (Low Density Residential) and CC (Community Commercial) to Commercial for Tax Parcels 20100049 and 21000052 (Added by Staff).

Mr. Dunham asked staff about including Tax Parcel 2010001307. Ms. Dixon said she spoke with the property owner and he is in favor of the zoning change, but he did not express any concerns with a zoning change to his property at this time.

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

Ms. Elizabeth Baucom addressed the Board on behalf of Mr. Gene Evans. Ms. Baucom said the property will continue to be utilized for commercial purposes (storage building) as there is a need for the current use and the potential expansion of the current use of the property. Ms. Baucom concluded that the proposed zoning change would be the highest and best use of the property.

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

Mrs. Easley asked staff about the density allowed in the proposed zoning change versus the existing zoning designation? Ms. Dixon said the density could potentially be the same if the property is used for residential purposes.

The Board discussed the worksheet and concluded the following:

- I. Will the uses permitted by the proposed change be appropriate for the area concerned?

Yes. There is similar zoning nearby.

- II. Does adequate public school facilities and other public services/services (i.e., water, wastewater, roads) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change?

Yes. This rezoning request is located in the Virginia Williamson Elementary School District, which has adequate capacity; South Brunswick Middle School has adequate capacity; and South Brunswick High School District is out-of-capacity. The proposed use is not expected to generate a demand on schools.

This rezoning is located in the Sunset Harbor/Zion Hill Fire District.

Water is available by Brunswick County Utilities via an eight inch (8") line off Sunset Harbor Road SE (SR 1112). Sewer is available by Brunswick County Utilities via a twelve inch (12") line off Sunset Harbor Road SE (SR 1922). It is the developer's responsibility to connect to the water and sewer systems.

This rezoning has access off Sunset Harbor Road SE (SR 1112) and Retreat Street SE (SR 1922), which have no capacity deficiencies at this time; and Southport-Supply Road SE (NC 211), which is over capacity. There is one (1) North Carolina Department of Transportation (NCDOT) Transportation Improvement Program (TIP) Project in this area.

- R-5021 – Widening of NC 211 from Midway Road (SR 1500) to NC 87. The right-of-way is in progress and completion is anticipated in 2020.

III. Is the proposed change consistent with the CAMA Land Use Plan or any other adopted land use document?

No. However, a CAMA Land Use Plan Amendment has been requested.

IV. Is the proposed amendment reasonable as it relates to the public interest?

Yes. The area is in transition and the applicant intends to expand the existing use of the property.

THEREFORE, on the basis of all the foregoing, Mr. Polychrones made a motion to recommend to the Board of Commissioners to approve from R-6000 (High Density Residential), NC (Neighborhood Commercial), and C-LD (Commercial Low Density) to C-LD (Commercial Low Density) for Tax Parcels 20100049 and 20100052 (Added by Staff) in conjunction with a Land Use Plan Map Amendment to the Official Brunswick County CAMA Land Use Plan Map from LDR (Low Density Residential) and CC (Community Commercial) to Commercial for Tax Parcels 20100049 and 21000052 (Added by Staff). The motion was unanimously carried.

VIII. OTHER BUSINESS.

- Cape Fear Regional Bike Plan

Ms. Dixon addressed the Board. She briefly discussed the Bike Plan (attached) that is being done in conjunction with the North Carolina Department of Transportation (NCDOT) Division of Bicycle and Pedestrian Transportation, Cape Fear Council of Governments, Alta Planning and Design (Consultant), a Steering Committee of regional/local government representatives and stakeholders across the Cape Fear Region. She stated that a bike and pedestrian trail is planned for the entire Cape Fear region. She further stated that an email has been sent to County employees for comments regarding ideal areas for bike routes.

Mrs. Henry asked staff who will be funding the project? Ms. Dixon replied, NCDOT.

- Planning Board Cases Update

Ms. Dixon addressed the Board. She stated that the text amendment regarding farmers' markets/farm stands was considered at the Board of Commissioners June 6th meeting. The Board of Commissioners tabled the matter until their July 18th meeting and staff was instructed to revise the text amendment based on comments and concerns discussed at the June 6th meeting. Ms. Dixon further stated that there will likely not be a July Planning Board meeting as no cases have been submitted for consideration at this time.

IX. ADJOURNMENT.

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

REZONING STAFF REPORT

Date: August 8, 2016

Case#: Z-741CZ

Tax Parcel(s): 2290004409

Location: 4427 Todd Rd near Shallotte NC

Acreage: 4.58

Applicant(s): Solana, Theriault & Gross PLLC/Alan M. Solana



APPLICATION OVERVIEW:

The applicant is seeking to rezone Tax Parcel 2290004409 to RR Conditional Zoning. The conditional zoning is proposed to limit the uses to Outdoor Recreation (include water rescue and scuba diving training), Accessory Dwelling Units, Single Family Detached Residential, and Planned Development (this use is subject to approval by Planning Board per the Brunswick County Unified Development Ordinance). The applicant held a neighborhood meeting on March 9, 2016 and also met with nearby residents on April 9 and 13, 2016. 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 owner. 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 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."

"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. 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."

SURROUNDING AREA ZONING DESIGNATIONS

North: IG

South: IG

East: R-7500

West: R-7500

The rezoning site was rezoned from IG to R-7500 on February 16, 2015 as part of Rezoning Case Z-726.

PROJECT BOUNDARY BUFFERS:

The Site Plan reflects minimum 10-foot-wide landscaped buffer with a berm that includes 1 canopy tree, 2 understory trees, and 3 shrubs every 100 linear feet shall be located between the use and the adjacent Tax Parcel 2290004410 and a minimum 50-foot-wide landscaped street buffer that includes 4 canopy tree, 10 understory trees, and 17 shrubs every 100 linear feet shall be located between the use and the adjacent Tax Parcel 2290004503 as outlined in the approved plan.

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
New Town Creek Middle School	FY 2017/2018

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. Rezoning Case Z-742 is located nearby. *Currently the rezoning site has water related facilities (gazebo, floating dock, and boat launch) located on it.*

INFRASTRUCTURE AND SERVICE IMPACTS

SCHOOL CAPACITY:

<u>Elementary School:</u> <u>Union</u>	<u>Middle School:</u> <u>Shallotte</u>	<u>High School:</u> <u>West Brunswick</u>
<input type="checkbox"/> Adequate Capacity	<input checked="" type="checkbox"/> Adequate Capacity	<input checked="" type="checkbox"/> Adequate Capacity
<input checked="" 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 type="checkbox"/> Out-of-Capacity

MAJOR ROADWAY IMPACTS:

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

<u>Roads</u>	<u>Capacity Deficiencies</u>
Todd Road (SR 1147)	None

NCDOT PROJECTS AND STUDIES: **NONE**

UTILITIES:

CURRENT WATER AND SEWER AVAILABILITY

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

SIZE OF WATER LINE: 8-inch line
LOCATION: Todd Road

PROVIDER:

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

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

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

ENVIRONMENTAL IMPACTS

- Located within a FEMA Flood Hazard Zone.
- Located near a watercourse/water body (Lake Serene).
- 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.
- Most of the rezoning site is not located within a *Biodiversity & Wildlife Habitat Assessment Area*. However, a small portion of the rezoning site located with a *Biodiversity & Wildlife Habitat Assessment Area* scoring 1 out of 10 (10 is the highest conservation value) due to nearby surface waters including Lake Serene.

OTHER SITE CONSIDERATIONS

- | | |
|---|--|
| <input type="checkbox"/> Will correct a split zoning on a parcel(s). | <input type="checkbox"/> Located within a growth corridor. |
| <input 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 industrially zoned property. | <input checked="" type="checkbox"/> Located within a Fire District (Shallotte Point). |
| <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-CZ IN CONJUNCTION WITH THE LIST OF CONDITIONS AND PERMITTED USES FOR TAX PARCEL 2290004409 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. **Outdoor Recreation (include water rescue and scuba diving training)**
2. **Single-Family Detached Residential**
3. **Accessory Dwelling Units**
4. **Planned Development (Subject to approval from Planning Board per the Brunswick County Unified Development Ordinance)**

Conditions:

1. **Outdoor Recreation activities may be located on the parcel and subject to the following:**
 - a. **Outdoor Recreation activities that take place within the Lake Serene may not go beyond the parcel boundary. The water area used for outdoor recreation activities shall be designated with a rope and buoy system while in use.**
 - b. **A minimum 10-foot-wide landscaped buffer with a berm that includes 1 canopy tree, 2 understory trees, and 3 shrubs every 100 linear feet shall be located between the use and the adjacent Tax Parcel 2290004410 and a minimum 50-foot-wide landscaped street buffer that includes 4 canopy tree, 10 understory trees, and 17 shrubs every 100 linear feet shall be located between the use and the adjacent Tax Parcel 2290004503 as outlined in the approved plan.**
 - c. **Outdoor Recreation hours of operation shall be from dawn to dusk.**
2. **All structures shall be designed with a residential appearance or screened from view.**
3. **Uses other than the Outdoor Recreation activities are subject to the dimensional requirements (i.e., setbacks, minimum lot size, etc.) of the RR district; however, requirements for a Planned Development shall be based on the conceptual plan approval.**
4. **All parking and parking areas shall be at least 200 feet away from Lake Serene.**
5. **No Signage is allowed except for no trespassing signs and street number identification.**
6. **All development shall comply with the Brunswick County Unified Development Ordinance (UDO) and conform to the site plan, the list of permitted use(s), and all design features as submitted and approved as part of this conditional rezoning and as kept on file by the Brunswick County Economic Development and Planning Department.**
7. **All applicable County and State Stormwater Permits must be obtained prior to any development. No natural drainage areas will be cut off or disturbed before obtaining the permits.**
8. **Development must conform to all other applicable County, State, and Federal Guidelines.**
9. **All conditions listed have been agreed upon by the owner at this time and must be followed. If any these conditions are violated the owner of the property will be in violation of the Brunswick County Unified Development Ordinance (UDO) and all permits shall be subject to revocation and any other enforcement actions available by law.**

Case No. Z-741CZ

COUNTY OF BRUNSWICK

**REZONING REQUEST
FINDINGS
BOARD CONSIDERATION WORKSHEET**

Applicant: Alan Solana (%Solana, Theriault and Gross, PLLC)

Owner: Nesseri Properties, LLC

Property Location: 4427 Todd Road SW (SR 1147), Shallotte NC 28470

Tax Parcel #(s): 2290004409

I. Will the uses permitted by the proposed change be appropriate for the area concerned?

II. Does adequate public school facilities and other public facilities/services (i.e., water, wastewater, roads) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change?

III. Is the proposed change consistent with the CAMA Land Use Plan or any other adopted land use document?

IV. Is the proposed amendment reasonable as it relates to the public interest?

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

Planning Board recommends: Approval Denial

For Office Use Only
File# Z-741C2

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: JUNE 29, 2016

CASE: Z-741C2

RECEIVED

JUN 29 2016

RECEIPT #: 013579

- 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: Alan M. Solana, Agent (Solana, Theriault & Gross, PLLC)
(This person will be the contact person and will receive all mailings)

Address: 1650 Military Cutoff Road, Suite 200, Wilmington, NC 28403

Phone: (910)251-2273 Fax: (910)251-2203

Email: info@solanalaw.com

Property Owner(s): Nasseri Properties, LLC
(If the owner is different than the applicant)

Address: P. O. Box 1491, Wrightsville Beach, NC 28480

Phone: (910)352-0022 Fax: n/a

Email: Shawn.Nasseri@vjsus.com

Property Information:

Property Location/Address(es): 4427 Todd Road, Shallotte, NC 28470

Tax Parcel Identification Number(s): 2290004409

Current Use of Property(ies): boat ramp/dock and gazebo

Acreage to be Rezoned: 4.58

Zoning Information:

Current Zoning District(s): R-7500

Requested Zoning District(s): RR-CZ

Purpose of Zoning Change (optional): rural residential outdoor recreation

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 proposed rezoning will not constitute spot zoning because the proposed use is rural residential conditional zoning which imposes specific conditions upon the use of the use of the property constitent with its existing-rural residential character.

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): _____

NEIGHBORHOOD MEETING VERIFICATION FORM

DATE OF MEETING: 4/13/2016

CASE NUMBER: _____

LOCATION OF MEETING: 4427 Todd Road, Shallotte, NC 28470

ATTENDEES

NUMBER OF ATTENDEES: 4

LIST OF ATTENDEES:

- | | |
|--------------------------|-----------|
| 1. <u>Jeff Kocek</u> | 11. _____ |
| 2. <u>Paula Kocek</u> | 12. _____ |
| 3. <u>Shawn Nasserri</u> | 13. _____ |
| 4. <u>Alan M. Solana</u> | 14. _____ |
| 5. _____ | 15. _____ |
| 6. _____ | 16. _____ |
| 7. _____ | 17. _____ |
| 8. _____ | 18. _____ |
| 9. _____ | 19. _____ |
| 10. _____ | 20. _____ |

SUMMARY (INCLUDE ALL ATTENDEES COMMENTS & RESPONSES):

Jeff and Paula Kocek own Lot 2 next door to the subject property. they were supportive of the proposed rezoning and found it to be consistent with the existing rural residential character of the area. It was discussed that the proposed structure would be stick built and not a mobile home or doublewide. The Koceks requested that a small berm be created between the proposed structure and the common boundry line within the buffer zone to provide additional privacy.

STATEMENT OF REQUESTED USES AND CONDITIONS:

It is requested that all residential uses allowable under R-7500 be continued with the addition of the permitted use for outdoor recreation area for dive instruction and search and rescue training within the boundary of the subject property only.

It is requested that the following conditions be observed:

- only stick built structures allowed, mobile homes or doublewides not permitted.
- one story structure 1,600 square feet residential ranch style with two car detached garage.
- that a small berm be constructed within the buffer area between the proposed structure and the common boundary between Lot 2 to add additional privacy.
- that a security gate be installed to prevent trespassers from using the boat ramp.
- no signage allowed other than "no trespassing" and street number identification.
- parking only in designated areas no closer than 200 feet to Lake Serene.
- observe all applicable municipal noise ordinances.
- diving only allowed within the boundary of Lot 1.
- owner maintain commercial liability insurance in the amount of not less than \$1,000,000.00 per occurrence covering all instruction and training activities on the premises, listing any owners abutting Lake Serene as additional insureds upon request.

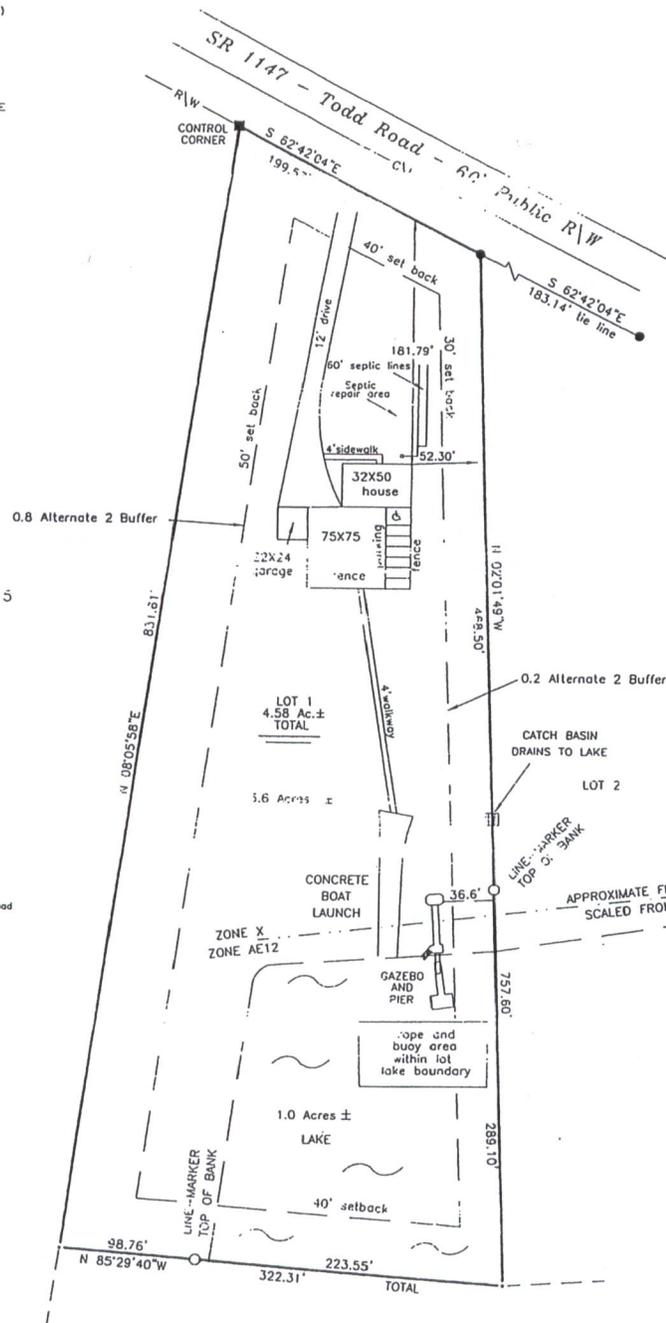
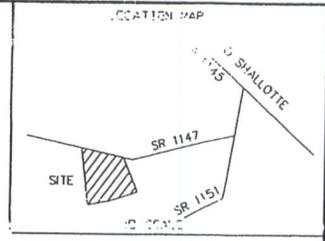
LIST OF ABUTTERS REQUIRED TO RECEIVE NOTICE:

1. Jeffrey Kocek and wife, Paula Kocek
23753 N. 200 East Road, Long Point, IL 61333
2. Kurt A. Kocek
521 Allen Street, Arroyo Grande, CA 93420
3. Scott Byrd and wife, Adrienne Byrd
10922 Cider Court, Bristow, VA 20136
4. Dennis & Thompson, Inc., Harriet Ivey Thompson, President
5818 Beach Drive SW, Shallotte, NC 28470

Survey done under my supervision from an actual survey made under my supervision (see description recorded in Book 3683, Page 526, etc.) (Other) see references; that the boundaries not surveyed are clearly indicated as drawn from information found as noted hereon; that the ratio of precision as calculated is 1:7500±; that this plot was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, license number and seal this 3rd day of November, A.D., 2015

PRELIMINARY - NOT FOR CONVEYANCE OR RECORDATION

Surveyor _____ License Number L-3027



N/F
BYRD
DB 3467 PG 1115
MC 30 PG 37
Zoning I-G

- NOTES**
- Area By Coordinates
 - Map and Map identifies parcel as being in Firm Zone K, AE12 Community Zone 370328 066 J, 6/02/06
 - Tax Parcel No. 22900044
 - Zoning - County - 7-1500
 - 32X50 Structure 1600 sq ft building, 1 story house / recreational facility.
 - Handicap parking space will be concrete or asphalt, to building code, the other 6 parking spaces will be 9X18 grass with road side stops. 7 parking spaces total.
 - 6' privacy fence.
 - County water available.

REFERENCES
Deed Book 3683 Page 526
Map Cabinet 90 Page 66

Lake Serene
N/F
LAKE SERENE, LLC
DB 2814 PG 992
MC 37 PG 3

Plot Plan Lot 1
Lake Serene
Nasseri Properties, LLC
Owner

Tax Parcel No. 22900044
Shallotte Township Brunswick County, N.C.



Graphic Scale - Feet
Scale 1" = 60'
November 3, 2015
Rev. December 1, 2015

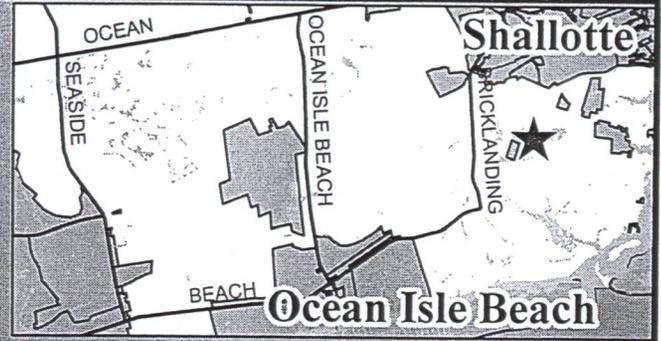
Dobby M. Long & Associates
P.O. Box 1117
Shallotte, N.C. 28459-1117
(910) 754-6300
(910) 754-5486 Fax

WE SURVEY THE EARTH AND EVERYTHING THEREON

- LEGEND**
- Existing Iron or Iron Pipe
 - New Iron Pipe Set
 - Existing Corner (Type Noted)
 - Computed point
 - Handicap Parking

Setbacks / R-R	Setbacks / R-7500
Front: 40'	Front: 25'
Rear: 40'	Rear: 9'
Side: 30'	Side: 5'
W Side: 50'	

CO=County Jurisdiction
SH=Shallotte Jurisdiction



CO-IG

CO-IG

TODD RD SW
SR1147

Area Proposed
for Rezoning

Rezoning Case
Z-742

2290004409

2290004410

21300065

CO-R-7500

2290004503

CO-IG

CO-NC

CO-R-7500

22900044

CO-R-7500

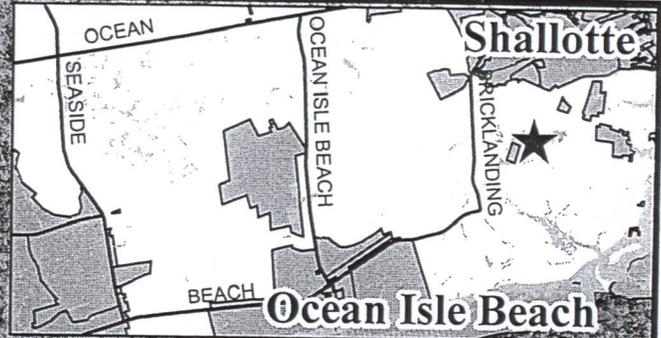
SH-MF-14

CO-IG

CO-R-6000

Rezoning Case Z-741
R7500 to RRCZ

CO=County Jurisdiction
SH=Shallotte Jurisdiction



CO-IG

CO-IG

Area Proposed
for Rezoning

Rezoning Case
Z-742

2290004409

2290004410

CO-R-7500

2290004503

CO-NC

CO-IG

CO-R-7500

22900044

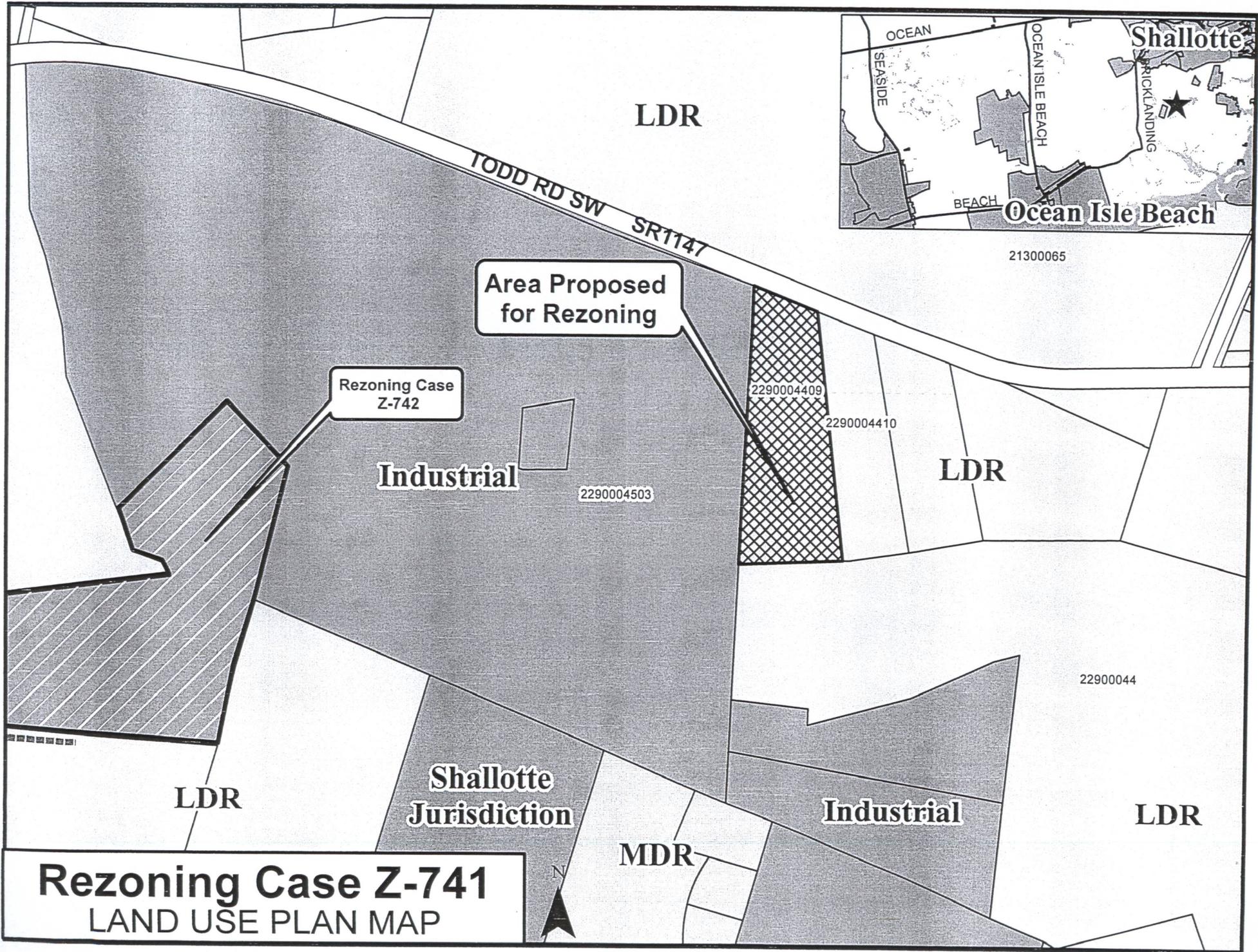
CO-R-7500

SH-MF-14

CO-IG

Rezoning Case Z-741
R7500 to RRCZ

CO-R-6000



LDR

TODD RD SW SRT1147

Area Proposed for Rezoning

Rezoning Case Z-742

Industrial

2290004503

2290004409

2290004410

LDR

22900044

Shallotte Jurisdiction

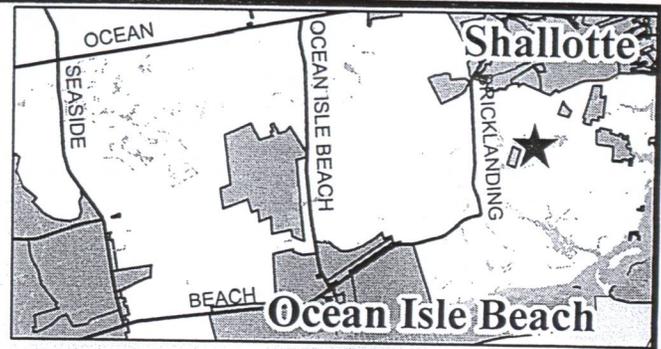
Industrial

LDR

MDR

LDR

Rezoning Case Z-741
LAND USE PLAN MAP



21300065



CASE Z-741 CZ

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
2290004412	LAKE SERENE LLC	4 BRIERWOOD ROAD	SHALLOTTE	NC	28470
2290004411	MCCALL ROBERT T TRUSTEE AND MCCALL MARY E TRUSTEE	11511 CHAPEL RD	CLIFTON	VA	20124
2290004410	KOCEK JEFFREY ETUX KOCEK PAULA	23753 N 200 EAST RD	LONG POINT	IL	61333
2290004406	PHELPS JERRY M ETALS	1368 SCOTT LANE	SHALLOTTE	NC	28470
2290004409	NASSERI PROPERTIES LLC	PO BOX 1491	WRIGHTSVILLE BEACH	NC	28480
2290004502	LUDLUM LEMZY L & ETALS TRUSTEES	1048 BRICKLANDING RD SW	SHALLOTTE	NC	28470
2290004503	BYRD SCOTT ETUX ADRIENNE	10922 CRIDER COURT	BRISTOW	VA	20136
21300065	DENNIS & THOMPSON INC	5818 BEACH DRIVE SW	SHALLOTTE	NC	28470
22900044	KOCEK KURT A	23753 N 200 EAST RD	LONG POINT	IL	61333-5041

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
2290004409	NASSERI PROPERTIES, LLC	P.O. BOX 1491	WRIGHTSVILLE BEACH	NC	28480

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
2290004409	ALAN M. SOLANA	1650 MILLITARY CUTOFF ROAD	WILMINGTON	NC	28403

OTHER INTERESTED PARTIES

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
---	ROBERT AND MARY McCALL	11511 CHAPEL RD	CLIFTON	VA	20124

REZONING STAFF REPORT

Date: August 8, 2016

Case#: Z-742

Tax Parcel: A Portion of 2290004503

Location: Off Todd Road near Shallotte

Acreage: 13.45

Applicant(s): Scott and Adrienne Byrd



APPLICATION OVERVIEW:

The applicant is seeking to rezone a portion of Tax Parcel 2290004503 to NC 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: IG (Industrial General)

To: NC (Neighborhood Commercial)

"This District is primarily intended to accommodate very low intensity office, retail and personal service uses within and adjoining residential areas. The district is established to provide convenient locations for businesses which serve the needs of surrounding residents, including low intensity office, retail, and personal service uses, without disrupting the character of the neighborhood. Compatibility with nearby residences is reflected in design standards for both site layout and buildings. In addition, uses in the N-C District will have minimal infrastructure demands."

SURROUNDING AREA ZONING DESIGNATIONS

North: IG

South: R-7500 (Medium Density Residential)

East: IG & R-7500

West: NC and 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: 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
New Middle School	FY 2017
New Elementary School	FY 2017

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. Rezoning Case Z-741CZ is located nearby. Currently the rezoning site has an abandoned mine on it.

INFRASTRUCTURE AND SERVICE IMPACTS

SCHOOL CAPACITY:

<u>Elementary School:</u> <u>Union</u>	<u>Middle School:</u> <u>Shalotte</u>	<u>High School:</u> <u>West Brunswick</u>
<input type="checkbox"/> Adequate Capacity	<input checked="" type="checkbox"/> Adequate Capacity	<input checked="" type="checkbox"/> Adequate Capacity
<input checked="" 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 type="checkbox"/> Out-of-Capacity

MAJOR ROADWAY IMPACTS:

ROAD ACCESS AND CAPACITY: Wilmington MPO Grand Strand MPO

Roads	Capacity Deficiencies
Todd Road (SR 10147)	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: 8-inch line

LOCATION: Todd Road

SEWER: Not Available Available

It is the developer's responsibility to connect to the water 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 small portion of the rezoning site located within a *Biodiversity & Wildlife Habitat Assessment Area* scoring 8 out of 10 (10 is the highest conservation value) due to nearby surface waters.

OTHER SITE CONSIDERATIONS

- Will correct a split zoning on a parcel(s).
- Potentially could create a *spot zoning*.
- Located near industrially zoned property.
- Located in an Overlay Zoning District.
- Located near other property designated as 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 (Shalotte Point).
- 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 NC FOR TAX PARCEL 2290004503 BASED upon information provided, surrounding area, current uses, the Brunswick County CAMA CORE Land Use Plan, and other adopted Brunswick County plans and policies.

Case No. Z-742

COUNTY OF BRUNSWICK
REZONING REQUEST
FINDINGS
BOARD CONSIDERATION WORKSHEET

Applicant: Alan C. Lewis (%East Coast Engineering and Surveying)

Owner: Scott and Adrienne Byrd

Property Location: Todd Road SW (SR 1147) and Edna Way SW, Shallotte NC 28470

Tax Parcel #(s): A portion of 2290004503

I. Will the uses permitted by the proposed change be appropriate for the area concerned?

II. Does adequate public school facilities and other public facilities/services (i.e., water, wastewater, roads) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change?

III. Is the proposed change consistent with the CAMA Land Use Plan or any other adopted land use document?

IV. Is the proposed amendment reasonable as it relates to the public interest?

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

Planning Board recommends: Approval Denial

For Office Use Only
File# 2742

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: 6-29-16

CASE: Z-742

RECEIVED
JUN 29 2016

RECEIPT #: 013580

- 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: Industrial
 Requested Land Use Classification: Commercial

Contact Information:

Applicant/Agent: Alan C. Lewis (East Coast Eng. and Surveying)
(This person will be the contact person and will receive all mailings)

Address: Post Office Box 2469, Shallotte, NC 28459

Phone: 910-754-8029 Fax: 910-754-8049

Email: alewis@eces.biz

Property Owner(s): Scott and Adrienne Byrd
(If the owner is different than the applicant)

Address: 10922 Crider Court, Bristow, VA 20136

Phone: 703-205-8010 Fax: 703-606-6170 mobile

Email: scott.a.byrd@bskb.com

Property Information:

Property Location/Address(es): Todd Road (SR 1147) & Edna Way

Tax Parcel Identification Number(s): 2290004503 (portion - see map)

Current Use of Property(ies): Vacant & Cell Tower

Acreeage to be Rezoned: 13.45

Zoning Information:

Current Zoning District(s): IG

Requested Zoning District(s): NC

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).

No.
Requert adjoins existing NC zoning and therefore should not be considered spot zoning.

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): Industrial #7/2/14

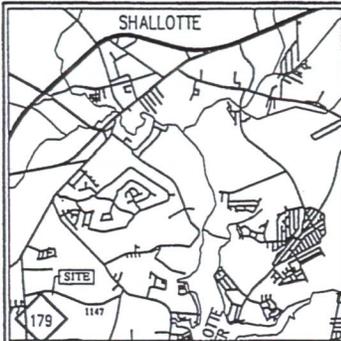
This rezoning request is: Consistent with the CAMA Land Use Map.
 NOT consistent with the CAMA Land Use Map.

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).

Area is experiencing transitional growth

Requested Land Use Classification(s): Commercial



VICINITY MAP
NO SCALE

GLOBAL POSITIONING SYSTEMS CERTIFICATE

I, CHRISTOPHER D. STANLEY, CERTIFY THAT THE GRID TIE TO THE BOUNDARY CORNER SHOWN WAS PERFORMED UNDER MY SUPERVISION FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THIS SURVEY:

CLASS OF SURVEY: A
 POSITIONAL ACCURACY: 0.022 METERS
 TYPE OF GPS FIELD PROCEDURE: 0615-6L
 DATE OF SURVEY: 09-11-2011
 DATUM/EPOCH: NAD 83
 PUBLISHED/FIXED CONTROL: RTN
 ODDD MODEL: 12A
 COMBINED GRID FACTOR: 1.00013789
 UNITS: US FEET

**TRACT 1: CURRENT ZONING: IG
 REQUESTED ZONING: NC**

SURVEYOR'S CERTIFICATE

I, CHRISTOPHER D. STANLEY, P.L.S., CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY DIRECT SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 3467, PAGE 1119); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN MAP CABINET W, PAGE 67; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 8TH DAY OF JUNE, 2016.

CHRISTOPHER D. STANLEY, P.L.S.



NC L-3387

LINE	BEARING	DISTANCE
L1	S13°29'11"W	62.75
L2	S13°29'51"W	306.13
L3	S12°00'07"W	229.67
L4	N02°42'24"E	226.43
L5	N03°47'27"W	49.30
L6	N68°24'43"W	67.66
L7	N01°04'39"W	164.20
L8	N01°00'00"W	392.32
L9	N04°48'16"W	321.01
L10	S64°19'14"E	102.99
L11	N48°20'08"E	113.61
L12	S48°34'17"E	90.46

- NOTES:
- ADJOINING DEED REFERENCES BASED ON CURRENT INFORMATION FOUND IN THE BRUNSWICK COUNTY TAX OFFICE.
 - ACCORDING TO CURRENT FEMA FLOOD MAP # J1701046001, THIS PARCEL APPEARS TO BE LOCATED IN THE FOLLOWING ZONES: X
 - THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, COVENANTS, RESTRICTIONS, RIGHT-OF-WAYS OF RECORD, GOVERNMENTAL ORDINANCES AND/OR REQUIREMENTS WHICH MAY LIMIT THE USE OF THIS PROPERTY.
 - THIS SURVEY DOES NOT CERTIFY LEGAL TITLE TO THE LAND ITSELF OR TO THE BOUNDARIES SHOWN. USERS OF THIS PLAT SHOULD OBTAIN AN ACCURATE LEGAL OPINION AS TO OWNERSHIP WITHIN THE BOUNDARIES OF THIS PLAT.
 - ALL BEARINGS ARE BASED ON NC GRID NORTH (NAD83-NSRS 2011); ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
 - COMBINED GRID FACTOR = 1.00013789
 - AREA BY COORDINATE METHOD.
 - TAX PARCEL NUMBERS: A PORTION OF 2290004501

LABEL	SYM.	DESCRIPTION
IP/SP	●	IRON PIPE/ROD FOUND
RS	○	5/8" REBAR SET
MAO	▲	MAG NAIL FOUND
CMF	■	CONC. MARK FOUND
MS	□	MAG NAIL SET
RRS	□	RAILROAD SPIKE
PNS	M	POINT NUT SET
R/W	—	RIGHT OF WAY
SQ FT		SQUARE FEET

BOBBY W. JOHNSON
 DEED BOOK 2368, PAGE 667
 MAP CABINET W, PAGE 184-185
 TAX PARCEL 229000899
 CURRENT ZONING: NC

SCOTT & ADRIENNE BYRD
 DEED BOOK 3467, PAGE 1115
 TAX PARCEL 2290004503
 CURRENT ZONING: IG

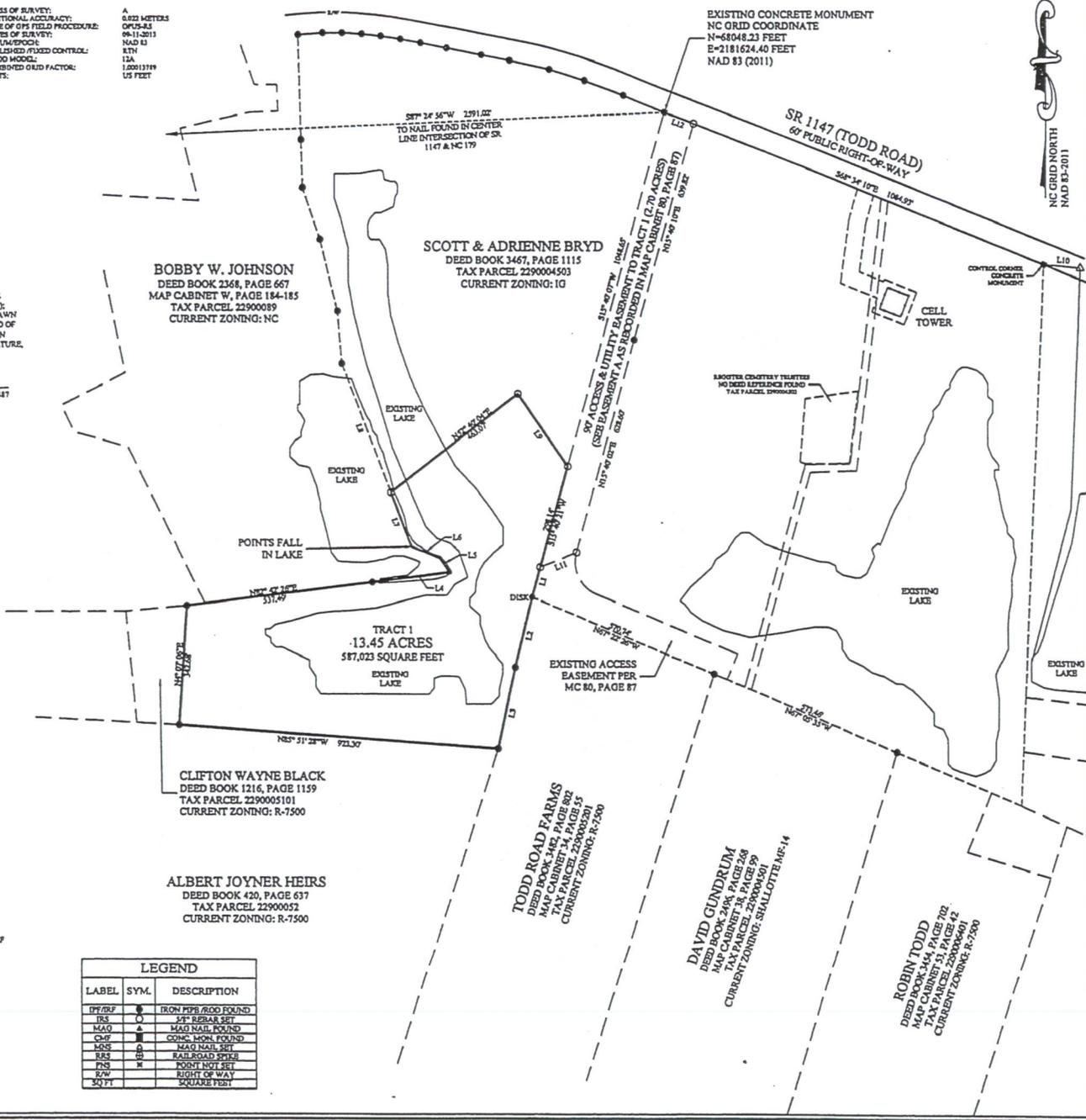
CLIFTON WAYNE BLACK
 DEED BOOK 1216, PAGE 1159
 TAX PARCEL 2290005101
 CURRENT ZONING: R-7500

ALBERT JOYNER HEIRS
 DEED BOOK 420, PAGE 637
 TAX PARCEL 22900052
 CURRENT ZONING: R-7500

TODD ROAD FARMS
 DEED BOOK 3462, PAGE 802
 MAP CABINET 24, PAGE 802
 TAX PARCEL 2290002201
 CURRENT ZONING: R-7500

DAVID GUNDRUM
 DEED BOOK 2495, PAGE 268
 MAP CABINET 18, PAGE 268
 TAX PARCEL 2290006501
 CURRENT ZONING: SHALLOTTE MAP 14

ROBIN TODD
 DEED BOOK 344, PAGE 782
 MAP CABINET 21, PAGE 42
 TAX PARCEL 2290004601
 CURRENT ZONING: R-7500



Revisors:

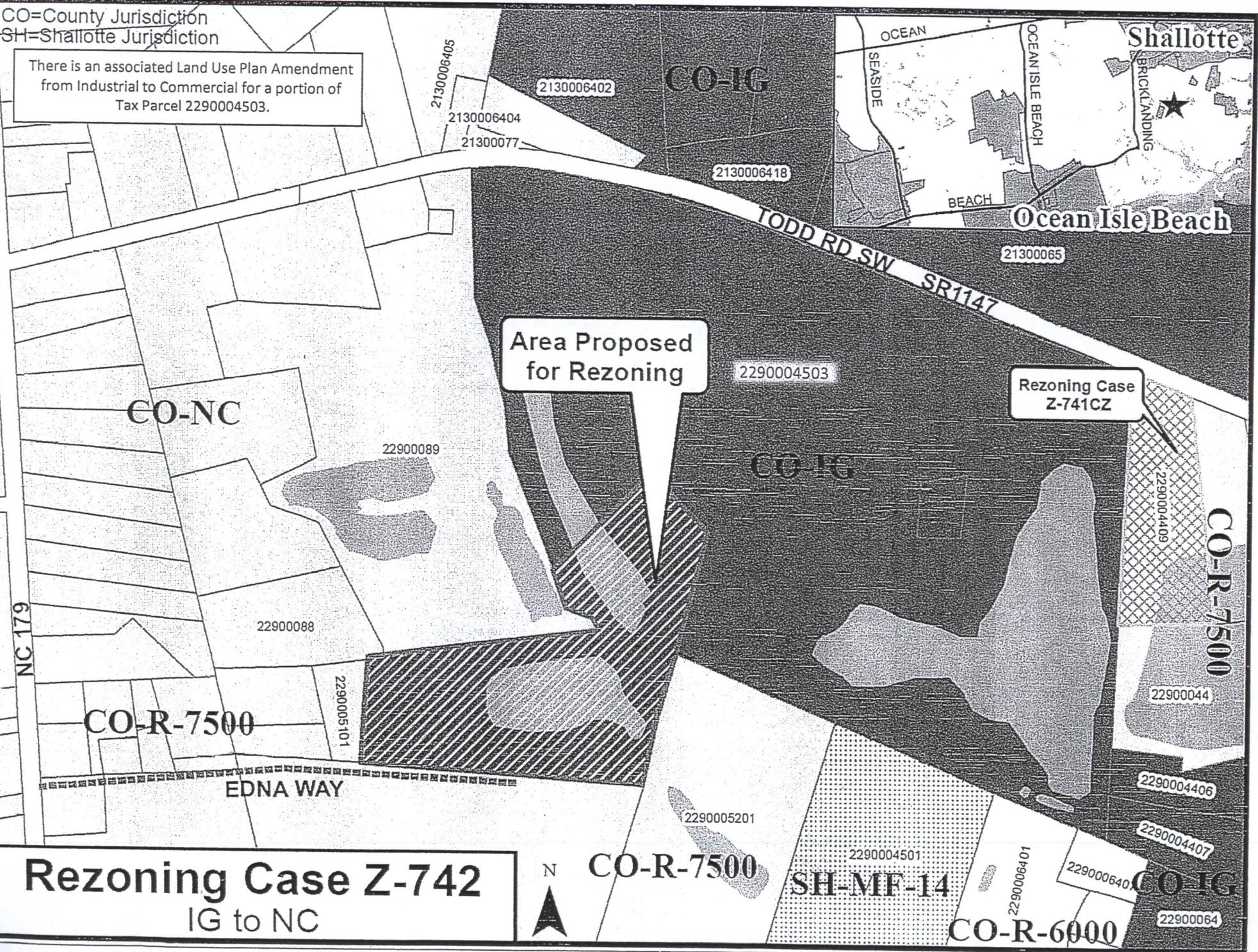
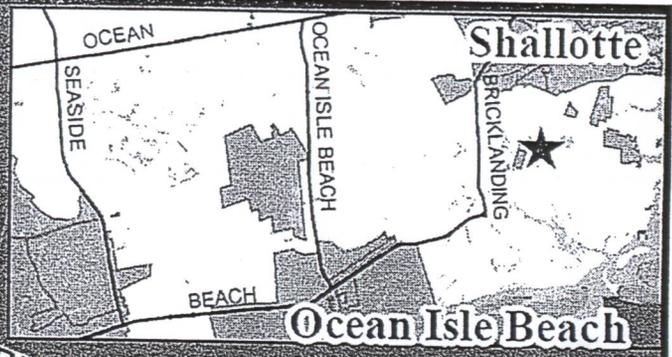
SCOTT & ADRIENNE BYRD
 A PORTION OF THE LANDS CLAIMED IN DEED BOOK 3467, PAGE 1115
 REPUTED OWNERS SCOTT & ADRIENNE BYRD

East Coast Engineering & Surveying, P.C.
 ENGINEERS-PLANNERS-SURVEYORS
 4915 Woodloch Lane 2649
 Shallotte, North Carolina 28459
 Phone: 810.724.4049
 Fax: 810.724.4049
 Firm License Number C-3014

PROJECT #:	13-1311
DATE:	06-08-2016
TOWNSHIP:	SHALLOTTE
COUNTY:	BRUNSWICK
SCALE:	AS SHOWN
CRAW:	KS, DT
FBPC:	FILE
TAX ID:	2290004503
DRAWN BY:	DAL

CO=County Jurisdiction
SH=Shallotte Jurisdiction

There is an associated Land Use Plan Amendment
from Industrial to Commercial for a portion of
Tax Parcel 2290004503.

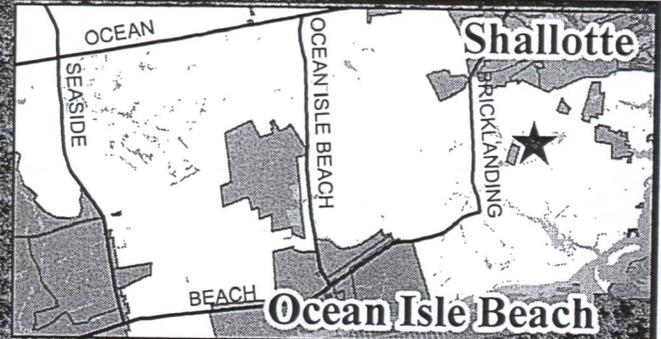


Rezoning Case Z-742
IG to NC



There is an associated Land Use Plan Amendment from Industrial to Commercial for a portion of Tax Parcel 2290004503.

CO=County Jurisdiction
SH=Shallotte Jurisdiction



CO-IG

Area Proposed for Rezoning

Rezoning Case Z-741CZ

CO-NC

CO-R-7500

CO-R-7500

CO-R-7500

SH-MF-14

CO-IG

CO-R-6000

Rezoning Case Z-742
IG to NC

2130006405

2130006402

2130006404

21300077

2130006418

21300065

TODD RD SW SR1147

22900089

2290004503

2290004409

22900088

2290005101

22900044

NC 179

EDNA WAY

2290005201

2290004406

2290004407

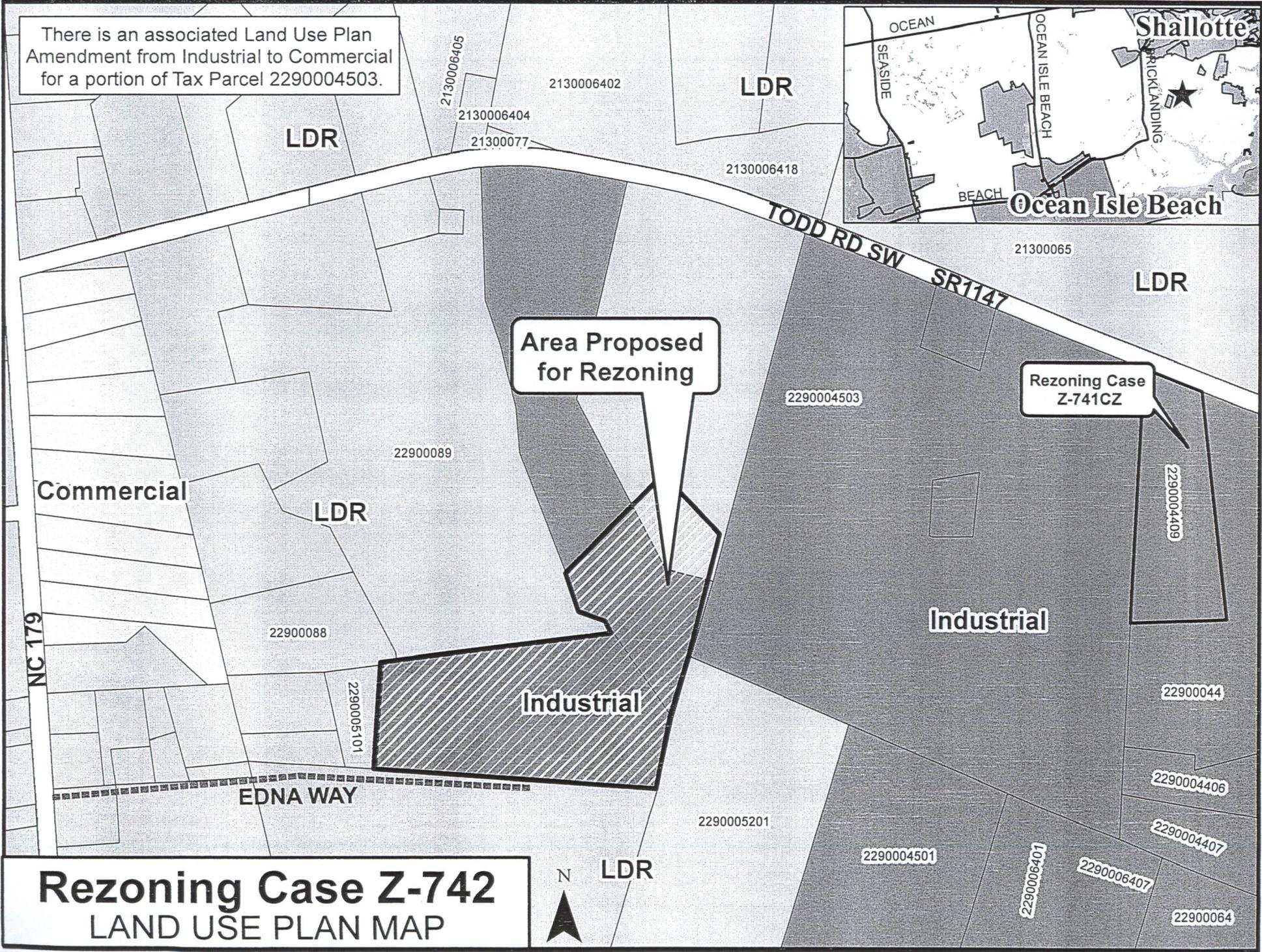
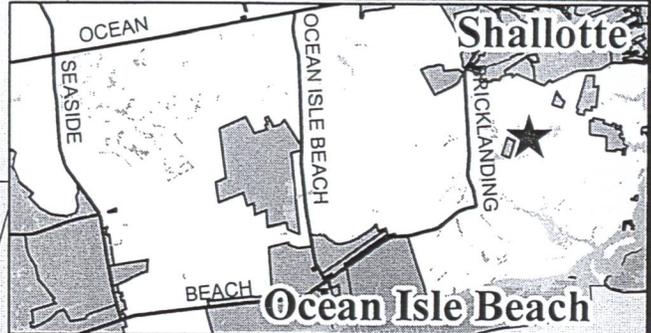
2290004501

2290006401

229000640

22900064

There is an associated Land Use Plan Amendment from Industrial to Commercial for a portion of Tax Parcel 2290004503.



Rezoning Case Z-742

LAND USE PLAN MAP



LDR

CASE Z-742

ADJACENT PROPERTY OWNER(S)

<u>PARCEL ID</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
22900044	KOCEK KURT A	23753 N 200 EAST RD	LONG POINT	IL	61333-5041
2290004406	PHELPS JERRY M ETALS	1368 SCOTT LANE	SHALLOTTE	NC	28470
2290004407	LONG HOLLY HEWETT TRUSTEE	1664 VILLAGE POINT RD SW	SHALLOTTE	NC	28470
2290004409	NASSERI PROPERTIES LLC	PO BOX 1491	WRIGHTSVILLE BEACH	NC	28480
2290006407	BUCKLEY FRANCIS X ETUX KIMBERLY A	1006 SHANNON STSW	SHALLOTTE	NC	28470
2290004502	LUDLUM LEMZY L & ETALS TRUSTEES	1048 BRICKLANDING RD SW	SHALLOTTE	NC	28470
2290006401	TODD ROBIN	485 SASSAFRAS RD	BLADENBORO	NC	28320
2290004503	BYRD SCOTT ETUX ADRIENNE	10922 CRIDER COURT	BRISTOW	VA	20136
2290004501	GUNDRUM DAVID R ETUX KAREN	5839 WATTS RD	OCEAN ILSE BEACH	NC	28469
2290005201	TODD ROAD FARMS LLC	1286 RIVERBEND DRIVE SW	SHALLOTTE	NC	28470
22900089	JOHNSON BOBBY W ETALS	4722 TODD RD SW	SHALLOTTE	NC	28470
2290005101	BLACK CLIFTON WAYNE	4780 EDNA WAY SW	SHALLOTTE	NC	28470
22900052	JOYNER ALBERT HRS	16548 NE HALSEY ST #108	PORTLAND	OR	97230-8612
21300065	DENNIS & THOMPSON INC	5818 BEACH DRIVE SW	SHALLOTTE	NC	28470
2130006418	WILLOUGHBY MECHELLE ETALS	65 TODD RD	BLADENBORO	NC	28320-5929
2130006402	WILLOUGHBY MECHELLE ETALS	65 TODD RD	BLADENBORO	NC	28320-5929
21300077	WILLOUGHBY MECHELLE ETALS	65 TODD RD	BLADENBORO	NC	28320-5929
2130006501	GORE TRISHA DAVIS ETALS	4673 TODD ROAD	SHALLOTTE	NC	28470
22900088	JOHNSON JAMES H	756 ETTA LANE NW	SUPPLY	NC	28462
2290005001	GORE JERRY ETUX ELIZABETH	P O BOX 1134	SHALLOTTE	NC	28459
2290005002	BLACK CLIFTON WAYNE	4780 EDNA WAY SW	SHALLOTTE	NC	28470

OWNER(S)

<u>PARCEL ID</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
2290004503	SCOTT AND ADRIENNE BYRD	10922 CRIDER COURT	BRISTOW	VA	20136

APPLICANT(S)

<u>PARCEL ID</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
	ALAN C. LEWIS	P.O. BOX 2469	SHALLOTTE	NC	28459

REZONING STAFF REPORT



Date: August 8, 2016

Case#: Z-743

Tax Parcel(s): 04700040, 0470004001, 04800001, 0480000202, 0480000203, and 0480000205

Location: Located at 9601, 9617, 9621, and 9625 Blackwell Road (SR 1551) near Leland NC

Acreage: 5.69

Applicant(s): Norris & Tunstall Engineers, P.C./Phil Norris

APPLICATION OVERVIEW:

The applicant is seeking to rezone Tax Parcels 04700040, 0470004001, 04800001, 0480000202, 0480000203, and 0480000205 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-6000 (High 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: CLD & Leland Jurisdiction (C-2)

South: CLD & IG

East: R-6000

West: CLD & Leland Jurisdiction (C-2)

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: Industrial

- 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
Town Creek Middle School	FY 2017 & 2018
Leland Senior Center	FY 2017
Leland Park Renovations	FY 2019 & 2020

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. The Hawthorne at Leland Apartments are currently under construction next to the rezoning area and will consist of 240 units. Many other residential and commercial developments are located in the area including The Arbors, Birch Creek, Waterford, New Point Shopping Center. *Currently, the rezoning area contains residential homes.*

INFRASTRUCTURE AND SERVICE IMPACTS

SCHOOL CAPACITY:

<i>Elementary School:</i> <u>Belville</u>	<i>Middle School:</i> <u>Leland</u>	<i>High School:</i> <u>North Brunswick</u>
<input type="checkbox"/> Adequate Capacity	<input checked="" type="checkbox"/> Adequate Capacity	<input type="checkbox"/> Adequate Capacity
<input checked="" 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
Blackwell Road (SR 1551)	None

NCDOT PROJECTS AND STUDIES: **NONE**

Project	Project Type	Project Description	Status
R-3601	STIP	Interchange at NC 133 & US 74/76/17	Under Construction Completion Anticipated 2016
R-3633	STIP	I-140 Wilmington Bypass. US 17 in Brunswick County to I-40 in New Hanover County	Under Construction Completion Anticipated 2025 <i>This project has been divided into many sections. Several sections of this project have been complete (A and C). Currently Section BA & BB are Under Construction.</i>
R-5862	STIP – Federal Bridge Project	Upgrade Village Road	Planning Stages Completion Anticipated 2019

UTILITIES:

<u>CURRENT WATER AND SEWER AVAILABILITY</u>	
<u>WATER:</u>	<input type="checkbox"/> Not Available <input checked="" type="checkbox"/> Available
<u>PROVIDER:</u>	SIZE OF WATER LINE: <u>n/a</u> LOCATION: <u>Blackwell Rd</u>
<input type="checkbox"/> Brunswick County Utilities	
<input checked="" type="checkbox"/> Brunswick Regional Water & Sewer District (H ₂ GO)	
<input type="checkbox"/> Southeast Brunswick Sanitary District	
<u>SEWER:</u>	<input type="checkbox"/> Not Available <input checked="" type="checkbox"/> Available
<u>PROVIDER:</u>	SIZE OF WATER LINE: <u>n/a</u> LOCATION: <u>Blackwell Rd</u>
<input type="checkbox"/> Brunswick County Utilities	
<input checked="" type="checkbox"/> Brunswick Regional Water & Sewer District (H ₂ GO)	
<input type="checkbox"/> Southeast Brunswick Sanitary District	
<i>It is the developer's responsibility to connect to the water and sewer system.</i>	

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.
- The rezoning site is not located within a *Biodiversity & Wildlife Habitat Assessment Area*.

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 and Industrial in the *Brunswick County CAMA Land Use Plan*.
- Located within a growth corridor.
- Classified as a Bona Fide Farm.
- Located within a Fire District (Leland).
- Located within 1/2 mile of a Voluntary Agricultural District (VAD)
- Cemetery known to be located near the rezoning (Small Cemete
- Historic Site(s) known to be located on or near the rezoning.

STAFF RECOMMENDATION SUMMARY

Staff recommends APPROVAL TO CLD FOR TAX PARCELS 04700040, 0470004001, 04800001, 0480000202, 0480000203, AND 0480000205 BASED upon information provided, surrounding area, current uses, the Brunswick County CAMA CORE Land Use Plan, and other adopted Brunswick County plans and policies.

Case No. Z-743

COUNTY OF BRUNSWICK
REZONING REQUEST
FINDINGS
BOARD CONSIDERATION WORKSHEET

Applicant: Phil Norris (%Norris & Tunstall Engineers, P.C.)

Owner: Sharon Gibbs, Theodore Gibbs, and Robert Harrison

Property Location: 9601, 9617, 9625, and 9621 Blackwell Road SE, Leland NC 28451

Tax Parcel #(s): 0470004001, 04700040, 0480000202, 0480000203, 04800001, and 0480000205

I. Will the uses permitted by the proposed change be appropriate for the area concerned?

II. Does adequate public school facilities and other public facilities/services (i.e., water, wastewater, roads) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change?

III. Is the proposed change consistent with the CAMA Land Use Plan or any other adopted land use document?

IV. Is the proposed amendment reasonable as it relates to the public interest?

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

Planning Board recommends: Approval Denial

For Office Use Only
File# 743

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 NT# 16087

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

RECEIVED
JUN 30 2016

DATE RECEIVED: 6-30-16

CASE: Z-743

RECEIPT #: 013586/171621

- 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: Industrial
 Requested Land Use Classification: _____

Contact Information:

Applicant/Agent: Phil Norris / Norris & Tunstall Engineers, P.C.
(This person will be the contact person and will receive all mailings)

Address: 1429 Ash-Little River Road, Ash, NC 28420

Phone: 910-287-5900 Fax: 910-287-5902

Email: pnorris@ntengineers.com

Property Owner(s): See Attached Sheet
(If the owner is different than the applicant)

Address: _____

Phone: _____ Fax: _____

Email: _____

Property Information:

Property Location/Address(es): 9601 Blackwell Rd, 9617 Blackwell Rd, 9625 Blackwell Rd, 9621 Blackwell Rd

Tax Parcel Identification Number(s): 047000401, 04700040, 0480000202, 0480000203, 04800001, 0480000205

Current Use of Property(ies): residential

Acreage to be Rezoned: 5.69

Zoning Information:

Current Zoning District(s): R-6000

Requested Zoning District(s): CO-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).

This will not constitute a spot zoning as the parcel adjacent to this property is currently zoned CO-CLD.

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): Industrial

This rezoning request is: ^{KSD} Consistent with the CAMA Land Use Map.

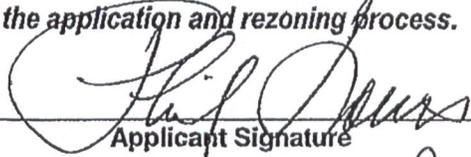
NOT consistent with the CAMA Land Use Map.

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): Commercial

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 6/30/16
Date

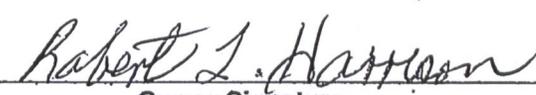

Owner Signature 7/5/16
Date

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.

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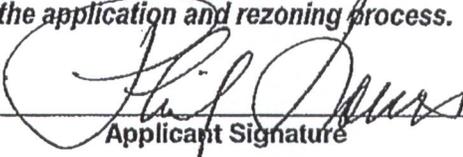

Applicant Signature 6/30/14
Date

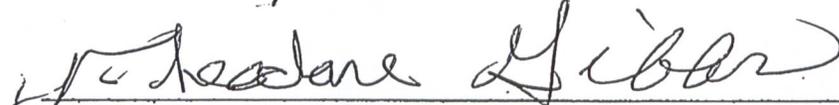

Owner Signature 7/5/14
Date

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Applicant Signature 6/30/16
Date


Owner Signature Date

APPLICATION GUIDELINES

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PROPERTY OWNERS ATTACHMENT

Parcel #	Current Owner	Address
04800001	Theodore Gibbs	9621 Blackwell Road SE Leland, NC 28451
04700040	Allen Plenty Heirs	C/o Diane Graham 805 Pine Valley Drive Leland, NC 28451
0480000202	Theodore Gibbs	9621 Blackwell Road SE Leland, NC 28451
0480000203	Sharon Denise Gibbs	9621 Blackwell Road SE Leland, NC 28451 1-910-228-5329
0470004001	Robert & Louise Harrison	9601 Blackwell Road SE Leland, NC 28451
0480000205	Theodore Gibbs	9621 Blackwell Road SE Leland, NC 28451

Rezoning Case Z-743

CO-R-6000 to CO-CLD

CO=Brunswick County Jurisdiction
LE=Leland Jurisdiction

Leland

LE-C-2

CO-CLD

LE-C-2

BLACKWELL RD SE

CHAPPELL LOOP RD

There is an associated Land Use Plan Amendment from Industrial to Commercial for Tax Parcels 04700040, 0470004001, 04800001, 0480000202, 0480000203, and 0480000205.

OLDE REGENT WAY

Waterford

CO-R-6000

Area Proposed for Rezoning

OCEAN HWY US 17

04800001

0480000205

0480000203

0470004001

04700040

0480000202

CO-IG

PLOOF RD SE

CO-CLD

Hawthorne at Leland



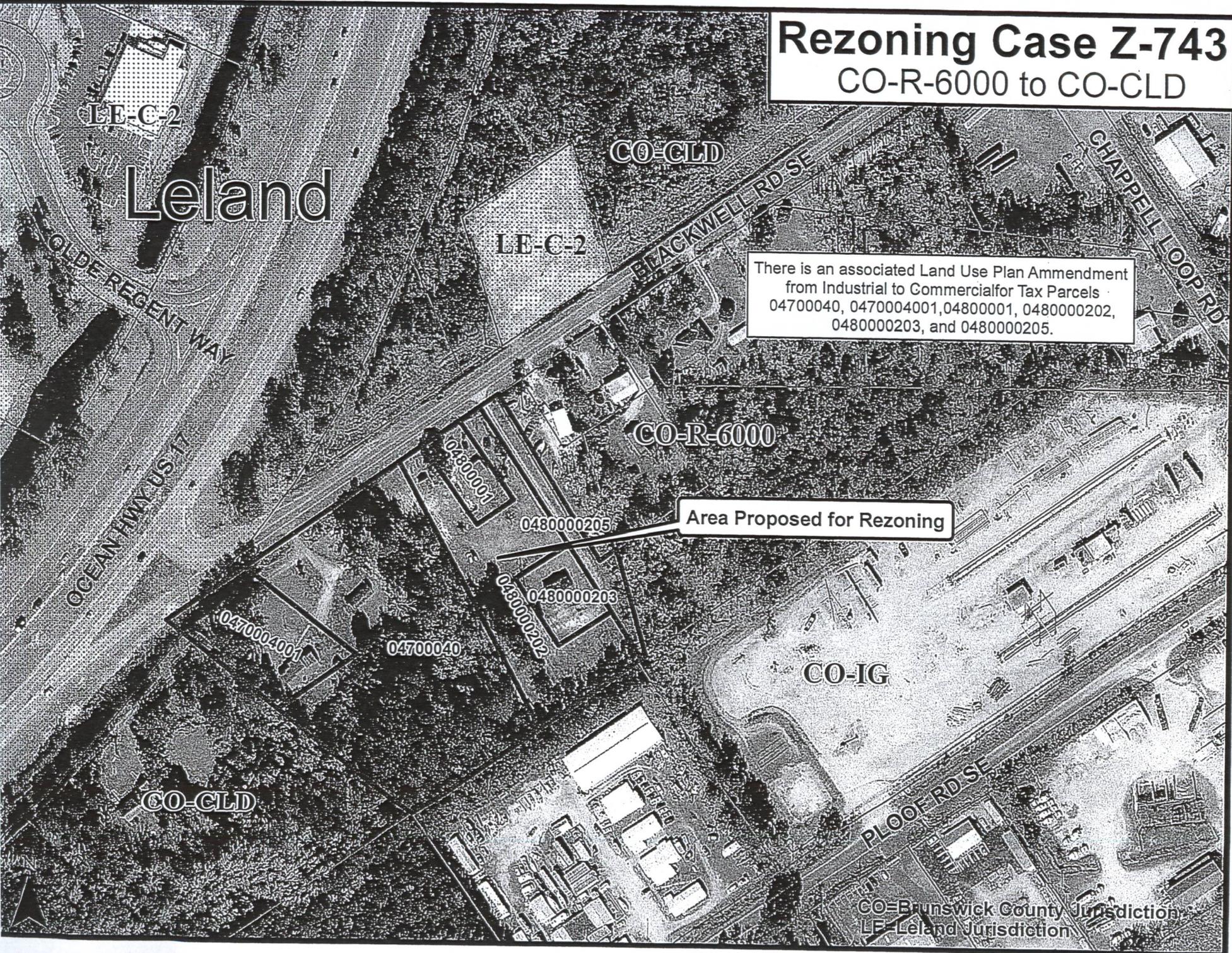
Rezoning Case Z-743

CO-R-6000 to CO-CLD

Leland

There is an associated Land Use Plan Ammdment from Industrial to Commercial for Tax Parcels 04700040, 0470004001, 04800001, 0480000202, 0480000203, and 0480000205.

Area Proposed for Rezoning



CO= Brunswick County Jurisdiction
LE= Leland Jurisdiction

Rezoning Case Z-743

LAND USE PLAN MAP

Commercial

Community Commercial

Waterford

Leland

BLACKWELL RD SE

There is an associated Land Use Plan Ammendment from Industrial to Commercial for Tax Parcels 04700040, 0470004001, 04800001, 0480000202, 0480000203, and 0480000205.

SR 1551

Area Proposed for Rezoning

Industrial

OCEAN HWY US 17

04800001

0480000205

0480000203

0480000202

0470004001

04700040

Hawthorne at Leland

Commercial



CASE Z-743

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
04800002	GIBBS JAMES	26720 SW 138TH AVE	HOMESTEAD	FL	33032
0480000201	MOORE LOTTIE SMALL	9629 BLACKWELL ROAD	LELAND	NC	28451
0380000202	PRINCE CHRISTIAN H	9633 BLACKWELL ROAD SE	LELAND	NC	28451
0480000204	PRINCE CHRISTIAN AND HUNT ALEXANDER	9633 BLACKWELL RD SE	LELAND	NC	28451
04800006	S & G PRESTRESS COMPANY	1200 URBAN CENTER DRIVE	BIRMINGHAM	AL	35242
04800013	MAAT HOLDINGS PLOOF ROAD LLC % PARCEL PLUS	3116 WEDDINGTON RD #900	MATTHEWS	NC	28105
03700054	ANDERSON DENNIS W	6324 SHINNCREEK LANE	WILMINGTON	NC	28409
04700039	HAWTHORNE AT LELAND APARTMENTS LLC ETALS	806 GREEN VALLEY RD S-311	GREENSBORO	NC	27108
0370005592	CAROLINA SHORES PROPERTIES LLC	1048 GOLDEN SANDS WAY	LELAND	NC	28451
0370005591	CORNING FEDERAL CREDIT UNION	PO BOX 1450	CORNING	NY	14830
0380000103	GANEY LENDON C	4905 OLEANDER DRIVE	WILMINGTON	NC	28403

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
04800001	GIBBS THEODORE	9621 BLACKWELL RD SE	LELAND	NC	28451
0480000205	GIBBS THEODORE	9621 BLACKWELL RD SE	LELAND	NC	28451
0480000203	GIBBS SHARON DENISE	9621 BLACKWELL RD	LELAND	NC	28451
0480000202	GIBBS THEODORE	9621 BLACKWELL RD SE	LELAND	NC	28451
04700040	PLENTY ALLEN HEIRS	805 PINE VALLEY DR	LELAND	NC	28451
0470004001	HARRISON ROBERT AND LOUISE	9601 BLACKWELL RD SE	LELAND	NC	28451

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
	PHIL NORRIS	1429 ASH-LITTLE RIVER ROAD	ASH	NC	28420

OTHER INTERESTED PARTIES

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
---	PAT MOORE, COASTWALK REAL ESTATE	4037 MASONBORO LOOP RD	WILMINGTON	NC	28409

REZONING STAFF REPORT

Date: August 8, 2016
 Case#: Z-744CZ
 Tax Parcel: 15400025
 Location: Off Albright Road (SR 1508) near Bolivia NC
 Acreage: 30 acres
 Applicant: United Renewable Energy/Keith Herbs



APPLICATION OVERVIEW:

The applicant is seeking to rezone Tax Parcel 15400025 to RR Conditional Zoning. The conditional zoning is proposed to limit the uses to Solar Farm, Bona-Fide Farm, Private Stables, Farmers Market, Farm Stand, Agricultural Tourism, Home Occupation, Day Care-In Home, Minor Utilities, Single Family Detached Residential and Planned Development. The applicant held a neighborhood meeting on July 11, 2016. 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
 East: R-7500 West: R-7500

PROJECT BOUNDARY BUFFERS:

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

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: MDR (Medium 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.21 states that Brunswick County will encourage /support the development of clean industries in locations where services can be provided, environmental impacts can be mitigated, surrounding land uses are compatible, and transportation systems can support the development.

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 very limited growth based upon recent land development activities submitted to the Brunswick County Planning Department. *Currently the rezoning site is farm land and in the Present Use Value Program.*

INFRASTRUCTURE AND SERVICE IMPACTS

SCHOOL CAPACITY:

Elementary School:

Bolivia

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

Middle School:

South Brunswick

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

High School:

South 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
Albright Road (SR 1508)	None
Midway Road (NC 906)	None

NCDOT PROJECTS AND STUDIES: NONE

Project	Project Type	Project Description	Status
B-5311	STIP	Replace Bridge over Middle Swamp	Planning & Design Phases Construction 2019
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

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

- 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 MDR in the *Brunswick County CAMA Land Use Plan*.
- Located within a growth corridor.
- Classified as a Bona Fide Farm.
- Located within a Fire District (Bolivia).
- 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 RR-CZ IN CONJUNCTION WITH THE LIST OF CONDITIONS AND PERMITTED USES FOR TAX PARCEL 15400025 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. Solar Farm
2. Bona-Fide Farm
3. Private Stables
4. Farmers Market
5. Farm Stand
6. Agricultural Tourism
7. Home Occupation
8. Day Care-In Home
9. Minor Utilities
10. Accessory Dwelling Unit
11. Single-Family Detached Residential
12. Planned Development (*Subject to approval from Planning Board per the Brunswick County Unified Development Ordinance*)

Conditions:

1. Solar Farm activities may be located on the subject property and are subject to the following
 - a. Existing vegetative buffers within the peripheral of the property of a minimum of 10 feet in width shall remain undisturbed and protected as outlined in the approved plan (applicable to solar farm use only).
 - b. A 20-foot-wide landscaped street buffer shall be located between the use and the street as outlined in the approved plan (applicable to solar farm use only).
 - c. Electric solar energy system components must have a UL listing and must be designed with anti-reflective coatings.
2. All other Uses than the Solar Farm activities are subject to the dimensional requirements (i.e., setbacks, minimum lot size, etc.) of the RR district; however, requirements for a Planned Development shall be based on the conceptual site plan approval.
3. All development shall comply with the Brunswick County Unified Development Ordinance (UDO) and conform to the site plan, the list of permitted uses (subject to all limited standards imposed by the UDO), and all design features as submitted and approved as part of this conditional rezoning and as kept on file by the Brunswick County Economic Development and Planning Department.
4. Applicable County and State Stormwater Permits must be obtained prior to any development. No natural drainage areas will be cut off or disturbed before obtaining the permits.
5. Development must conform to all other applicable County, State, and Federal Guidelines.
6. All conditions listed have been agreed upon by the owner at this time and must be followed. If any these conditions are violated the owner of the property will be in violation of the Brunswick County Unified Development Ordinance

Case No. Z-744CZ

COUNTY OF BRUNSWICK
REZONING REQUEST
FINDINGS
BOARD CONSIDERATION WORKSHEET

Applicant: Keith Herbs (%United Renewable Energy)

Owner: Stephen Wilson Harvell

Property Location: 3033 Albright Road SE, Bolivia NC 28422

Tax Parcel #(s): 15400025

I. Will the uses permitted by the proposed change be appropriate for the area concerned?

II. Does adequate public school facilities and other public facilities/services (i.e., water, wastewater, roads) exist, are planned, or can be reasonably provided to serve the needs of any permitted uses likely to be constructed as a result of such change?

III. Is the proposed change consistent with the CAMA Land Use Plan or any other adopted land use document?

IV. Is the proposed amendment reasonable as it relates to the public interest?

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

Planning Board recommends: Approval Denial

For Office Use Only
File# 2-744CZ

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: 7-5-16 CASE: Z- 744CZ RECEIVED
RECEIPT #: 013585 JUL 05 2016

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: R-7500 MOR
Requested Land Use Classification: GR

Contact Information:

Applicant/Agent: Keith Herbs / United Renewable Energy
(This person will be the contact person and will receive all mailings)
Address: 5895 Shiloh Road, Suite 104, Alpharetta, GA 30005
Phone: 704.807.4723 Fax: 888.649.0610
Email: Keith@u-renew.com

Property Owner(s): Stephen Wilson Harvell
(If the owner is different than the applicant)

Address: 320 Wheatsheaf Drive, New Castle, DE 19720
Phone: 302.897.6649 Fax: _____
Email: stephenharvell@aol.com

Property Information:

Property Location/Address(es): 3033 Albright Road SE, Bolivia, NC 28422
Tax Parcel Identification Number(s): 15400025
Current Use of Property(ies): Agricultural / Farming
Acreage to be Rezoned: +/- 30 acres

KH

Zoning Information:

Current Zoning District(s): R-7500

Requested Zoning District(s): RR-Rural Residential

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 proposed project will require spot zoning due to surrounding parcels holding a medium density (R-7500) classification, which does not accept solar projects.

Because this specific parcel is relatively close, XXX miles, to the Rural Residential zoning area, this spot zoning should have little impact on the current usage of the surrounding properties.

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): Medium Density Residential

- 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).

Conditional Rezoning Request

Requested Land Use Classification(s): Rural Residential

44

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.

Kath W. Hill 7-5-16
 Applicant Signature Date

Stephen Howell 7-6-16
 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.

HARVELL CONDITIONAL REZONING REQUIREMENTS

☐ A Neighborhood Meeting is required for all Conditional Rezoning. For information regarding the required neighborhood meeting see Section 9.2., Neighborhood Meeting of the Brunswick County Unified Development Ordinance (UDO). This section outlines the requirements for the neighborhood meeting. I will be happy to attend the meeting and if needed provide a space for you to hold the meeting – please make sure to notify me of the meeting too. If you cannot locate a venue for the meeting and want to hold it at the Brunswick County Complex just let me know.

- Preferred neighborhood meeting the week of July 11th, held at the Brunswick County Complex if available.
- All requirements of the neighborhood meeting including sign posting and notifying surrounding landowners will be completed per UDO outline.

☐ Please provide a list of proposed conditions. Note that Conditional Rezonings can have specific conditions. All conditions must be agreed upon by the property owner and Brunswick County.

- Agricultural uses as listed in Table 5.2.3 of Brunswick County UDO
- All permitted uses included in Rural Residential (RR) zoning standards
- Vegetative buffers and setbacks as required per Brunswick County UDO
- No mobile homes permitted

☐ Please provide a list of uses proposed for property. All uses for the property must be listed in order to be allowed to use that use later. Additionally all uses must be agreed upon by property owner and Brunswick County.

- Agricultural uses as listed in Table 5.2.3 of Brunswick County UDO
- All permitted uses included in Rural Residential (RR) zoning standards

Contacts:

Jakky Shanahan at 770-235-7829 jakky@u-renew.com

Keith Herbs at 704-807-4723 keith@u-renew.com

NEIGHBORHOOD MEETING VERIFICATION FORM

DATE OF MEETING: 7/14/16 CASE NUMBER: 300311

LOCATION OF MEETING: Brunswick County Government Complex - Building I

ATTENDEES

NUMBER OF ATTENDEES: 2

LIST OF ATTENDEES:

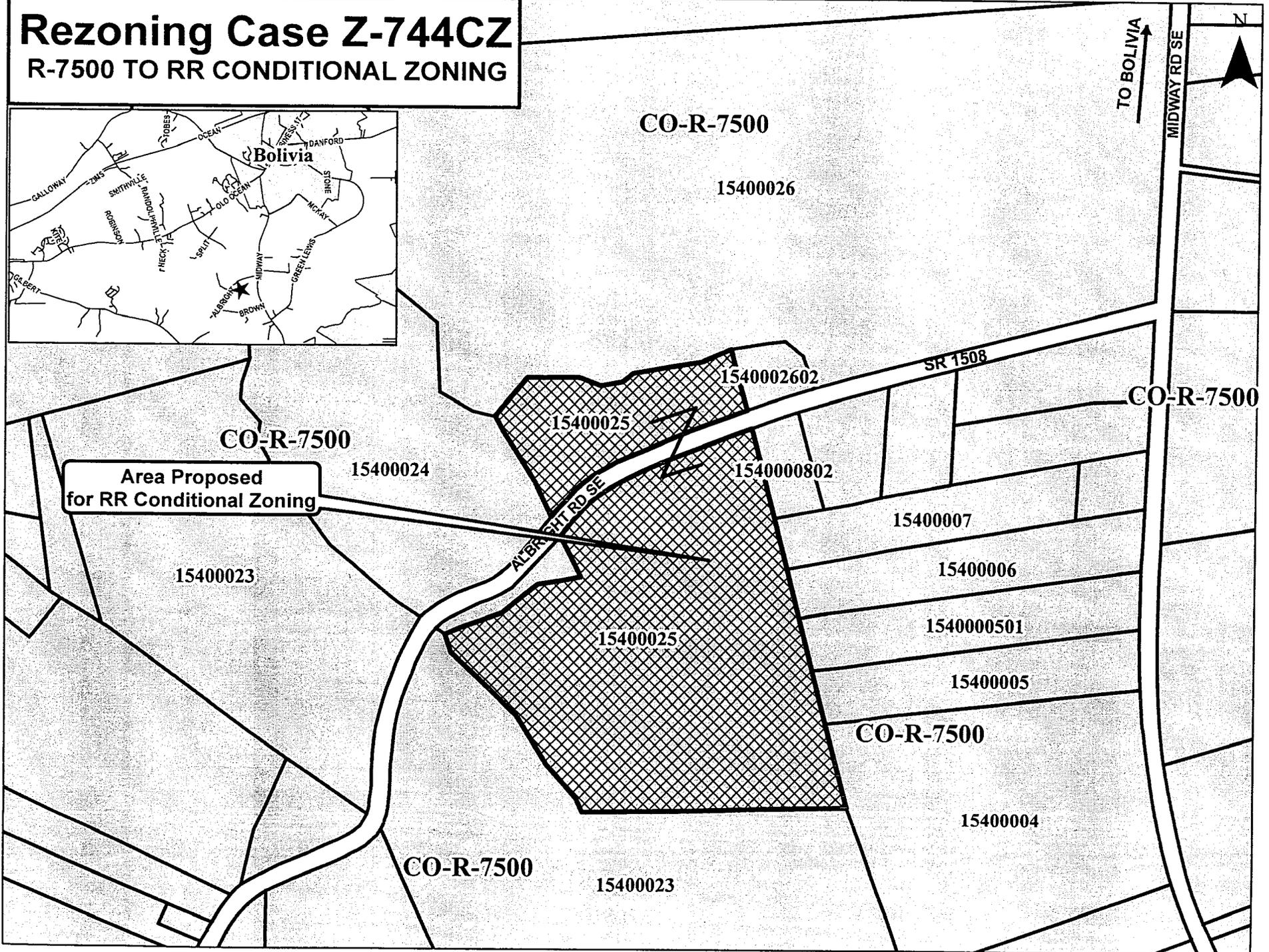
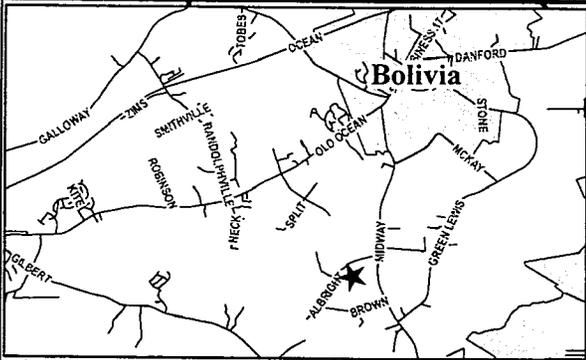
- | | |
|-------------------------|-----------|
| 1. <u>Cecil Franck</u> | 11. _____ |
| 2. <u>Robert Willis</u> | 12. _____ |
| 3. _____ | 13. _____ |
| 4. _____ | 14. _____ |
| 5. _____ | 15. _____ |
| 6. _____ | 16. _____ |
| 7. _____ | 17. _____ |
| 8. _____ | 18. _____ |
| 9. _____ | 19. _____ |
| 10. _____ | 20. _____ |

SUMMARY (INCLUDE ALL ATTENDEES COMMENTS & RESPONSES):

Willis - Will there be significant glare?
Willis - who is responsible for the removal of
all the equipment?
Willis - Will adjacent property values suffer?
Willis - Will high-velocity winds cause noise?
Willis - "I'm far enough away to where I don't
think you'll have an impact on my property"

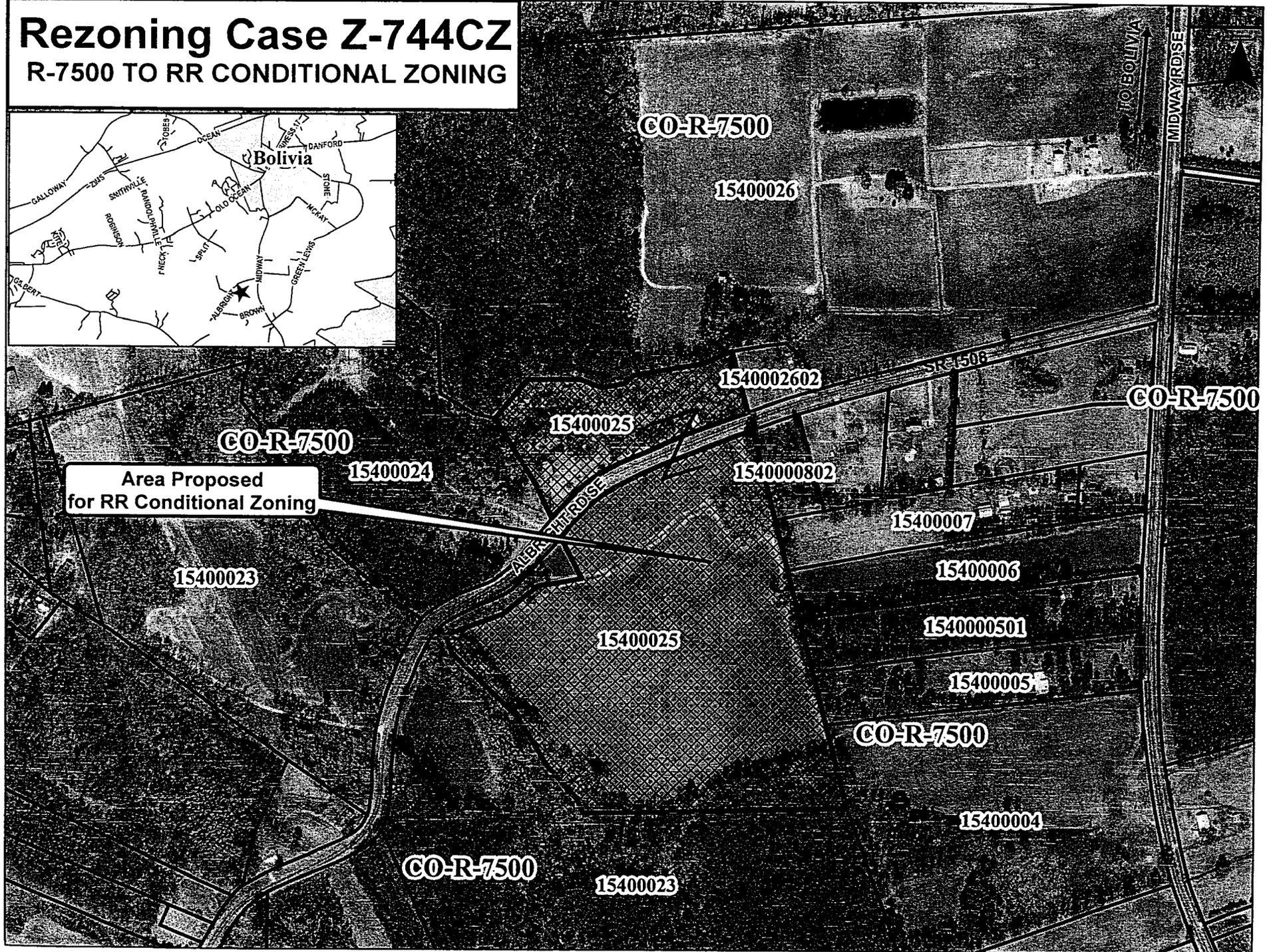
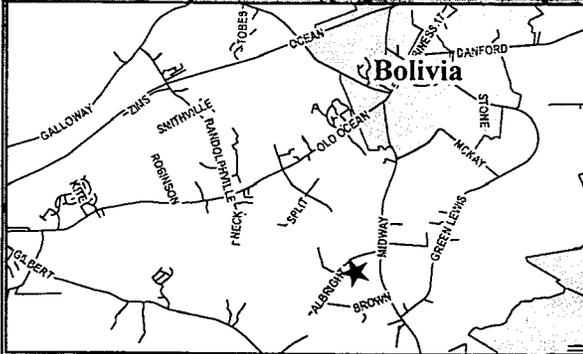
Rezoning Case Z-744CZ

R-7500 TO RR CONDITIONAL ZONING

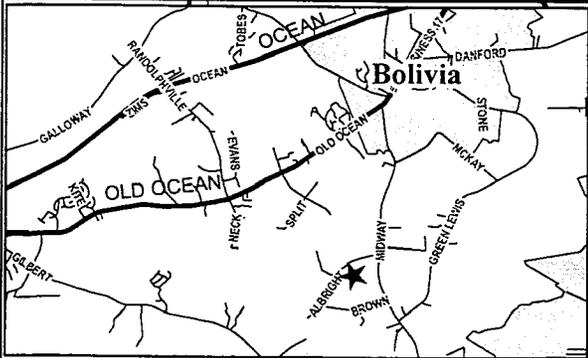


Rezoning Case Z-744CZ

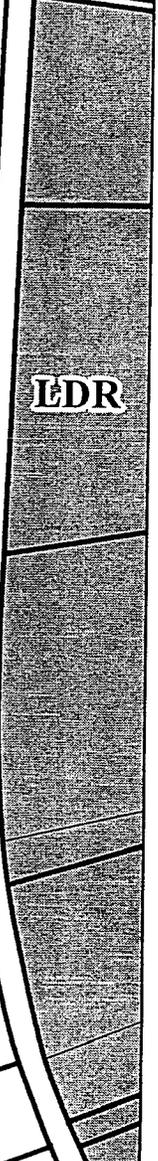
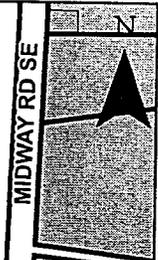
R-7500 TO RR CONDITIONAL ZONING



Rezoning Case Z-744CZ LAND USE PLAN MAP



TO BOLIVIA ↑



MDR

15400026

MDR

Area Proposed
for RR Conditional Zoning

15400024

15400023

1540002602

15400025

1540000802

SR 1508

EDR

15400007

15400006

1540000501

15400005

MDR

15400004

MDR

15400023

CASE Z-744 CZ

ADJACENT PROPERTY OWNER(S)

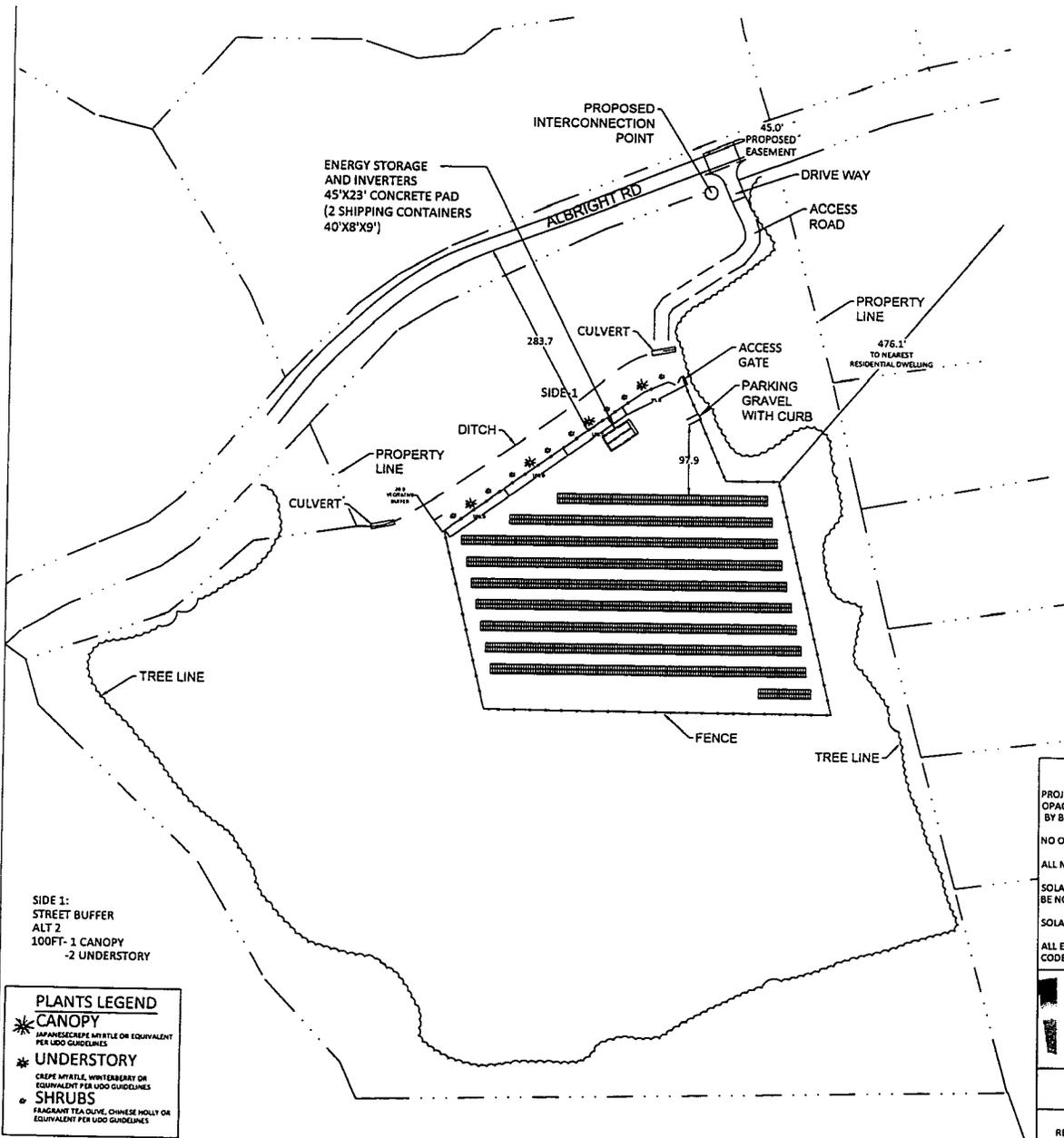
<u>PARCEL ID</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
1540000501	MOONEY MICHAEL DEAN ET ANNETTE	PO BOX 306	BOLIVIA	NC	28422
15400005	OLIVER CRAIG V ET RAELYN	811 MIDWAY ROAD SE	BOLIVIA	NC	28422
15400007	JOHNSON MILTON H JR	ALBRIGHT RD	BOLIVIA	NC	28422
15400006	SKIPPER JERRY RAY	1224 MAPLE TREE DR #308	LELAND	NC	28451
15400004	WILLIS ROBERT ET MARY JO	P O BOX 10341	SOUTHPORT	NC	28461
1540000803A	BROWN SHELBY	3200 ALBRIGHT RD	BOLIVIA	NC	28422
1540000803	GOODRICH TINA S TRUSTEE	6 REYNARD COURT	IRMO	SC	29063
1540002602	MAGGARD JAMES E (LT)	3180 ALBRIGHT ROAD SE	BOLIVIA	NC	28422
15400026	HARVELL JAMES RAY	669 MIDWAY RD SE	BOLIVIA	NC	28422
1540000802	JOHNSON M H JR	751 MIDWAY RD SE	BOLIVIA	NC	28422
15400023	MIDGETTE CHARLES K	49 HIGHLAND VIEW DR	SUTTON	MA	01590
15400024	MCLAMB JAMES R	PO BOX 474	MEADEVILLE	PA	16335

OWNER(S)

<u>PARCEL ID</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
15400025	HARVELL STEPHEN WILSON	320 WHEATSHEAF DRIVE	NEW CASTLE	DE	19720

APPLICANT(S)

<u>PARCEL ID</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>CITY</u>	<u>STATE</u>	<u>ZIP</u>
	KEITH HERBS	5895 SHILOH ROAD, SUITE 104	ALPHARETTA	GA	30005



REVISIONS

REV	DESCRIPTION	DATE	APPROVED
1	BRUNSWICK COUNTY COMMENTS	6-27-16	S.P.

PROJECT SUMMARY

- MINIMUM SETBACKS:
40' FRONT
40' REAR
30' MINIMUM EACH SIDE, TOTAL OF BOTH SIDE
YARD SETBACKS MUST EQUAL 80
- APPROXIMATE SYSTEM SIZE: 650kW DC
- APPROXIMATE # OF MODULES: 2,288
- FENCE TYPE:
PROPOSED SECURITY FENCE 6'
CHAIN-LINK WITH 1' OF 3 STRANDS
BARBED WIRE (TYP.) PER NEC 110.31
TOTAL FENCE LENGTH: 1,698.5FT
- VEGETATION:
VEGETATIVE BUFFER WILL MEET OR EXCEED THE
BRUNSWICK COUNTY BUFFER REQUIREMENTS
IDENTIFIED IN THE LAND USE ORDINANCE
EXISTING PERIPHERAL VEGETATION OF A MINIMUM OF
10' IN WIDTH WILL BE PRESERVED
- MAXIMUM HEIGHT FOR THIS SOLAR SYSTEM
IS 15FT ABOVE GROUND LEVEL.
- DRIVEWAY:
25' (TYP.) CONSTRUCTION ENTRANCE
DUSTLESS GRAVEL
- PARKING:
GRAVEL 1 PARKING SPACE ONLY.
- ENERGY STORAGE:
ENERGY STORAGE AND INVERTERS ON
CONCRETE PAD, TWO SHIPPING CONTAINER
(40'X8'X9')
- ACRES INSIDE THE FENCE: APPROX 3.97 ACRE
ACRES WITHIN THE BUFFER AREA: 4.37 ACRE

KEY MAP

PROJECT WILL UTILIZE EXISTING VEGETATION TO MEET ORDINANCE
OPACITY REQUIREMENTS WHENEVER POSSIBLE AND AS APPROVED
BY BRUNSWICK COUNTY

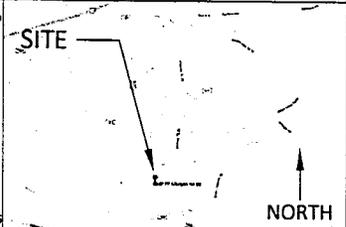
NO OUTDOOR LIGHTING

ALL MEASUREMENTS ARE ESTIMATED

SOLAR PANEL FROM THE GROUND TO THE TOP OF THE PANEL WILL
BE NO MORE THAN 15'

SOLAR COMPONENTS HAVE ANTI REFLECTIVE COATINGS

ALL EQUIPMENT WILL BE INSTALLED AS REQUIRED BY APPLICABLE
CODES, LOCAL UTILITY COMPANY AND LOCAL COUNTY REGULATIONS



SIDE 1:
STREET BUFFER
ALT 2
100FT- 1 CANOPY
-2 UNDERSTORY

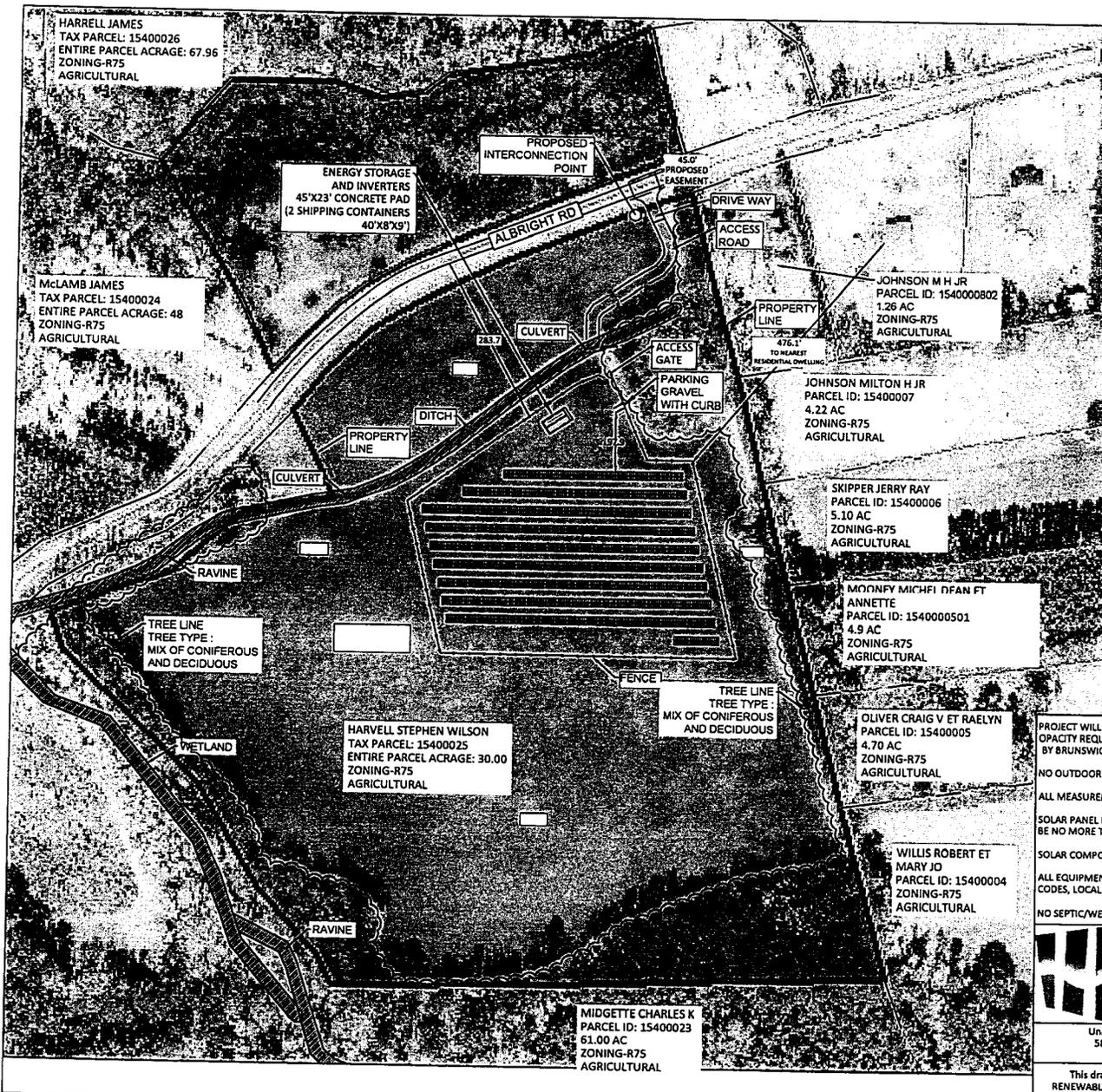
PLANTS LEGEND	
	CANOPY JAPANESE CRAPPE MYRTLE OR EQUIVALENT PER UDOO GUIDELINES
	UNDERSTORY CREPE MYRTLE, WHITE BERRY OR EQUIVALENT PER UDOO GUIDELINES
	SHRUBS FRAGRANT TEA OIL, CHINESE HOLLY OR EQUIVALENT PER UDOO GUIDELINES

United Renewable Energy, LLC
5895 Shiloh Road, Suite 104
Alpharetta, GA 30005

STEPHEN WILSON HARVELL
TAX PARCEL # 15400025
ALBRIGHT RD. SE
BRUNSWICK COUNTY NC
34.031881, -78.160430
OVERALL LANDSCAPE PLAN

This drawing is the property of UNITED
RENEWABLE ENERGY, LLC and cannot be used,
copied, or disclosed without permission.

OVERALL SITE PLAN (SHOWING ENTIRE PARCEL)
SCALE:
1"=150'
DATE: 7-29-16
DRAWN BY: S.P.
4 OF 5



REVISIONS			
REV	DESCRIPTION	DATE	APPROVED
1	BRUNSWICK COUNTY COMMENTS	6-27-16	S.P.

- PROJECT SUMMARY**
- MINIMUM SETBACKS:
40' FRONT
40' REAR
30' MINIMUM EACH SIDE, TOTAL OF BOTH SIDE
YARD SETBACKS MUST EQUAL 80
 - APPROXIMATE SYSTEM SIZE: 650kW DC
 - APPROXIMATE # OF MODULES: 2,288
 - FENCE TYPE:
PROPOSED SECURITY FENCE 6'
CHAIN-LINK WITH 1' OF 3 STRANDS
BARBED WIRE (TYP.) PER NEC 110.31
TOTAL FENCE LENGTH: 1,698.5FT
 - VEGETATION:
VEGETATIVE BUFFER WILL MEET OR EXCEED THE
BRUNSWICK COUNTY BUFFER REQUIREMENTS
IDENTIFIED IN THE LAND USE ORDINANCE
EXISTING PERIPHERAL VEGETATION OF A MINIMUM OF
10' IN WIDTH WILL BE PRESERVED
 - MAXIMUM HEIGHT FOR THIS SOLAR SYSTEM
IS 15FT ABOVE GROUND LEVEL
 - DRIVEWAY:
25' (TYP.) CONSTRUCTION ENTRANCE
DUSTLESS GRAVEL
 - PARKING:
GRAVEL 1 PARKING SPACE ONLY.
 - ENERGY STORAGE:
ENERGY STORAGE AND INVERTERS ON
CONCRETE PAD, TWO SHIPPING CONTAINER
(40'X8'X9')
 - ACRES INSIDE THE FENCE: APPROX 3.97 ACRE
ACRES WITHIN THE BUFFER AREA: 4.37 ACRE

PROJECT WILL UTILIZE EXISTING VEGETATION TO MEET ORDINANCE
OPACITY REQUIREMENTS WHENEVER POSSIBLE AND AS APPROVED
BY BRUNSWICK COUNTY

NO OUTDOOR LIGHTING

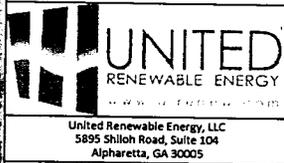
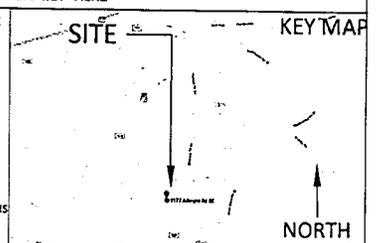
ALL MEASUREMENTS ARE ESTIMATED

SOLAR PANEL FROM THE GROUND TO THE TOP OF THE PANEL WILL
BE NO MORE THAN 15'

SOLAR COMPONENTS HAVE ANTI REFLECTIVE COATINGS

ALL EQUIPMENT WILL BE INSTALLED AS REQUIRED BY APPLICABLE
CODES, LOCAL UTILITY COMPANY AND LOCAL COUNTY REGULATIONS

NO SEPTIC/WELL OR WATER NEEDED ON SITE



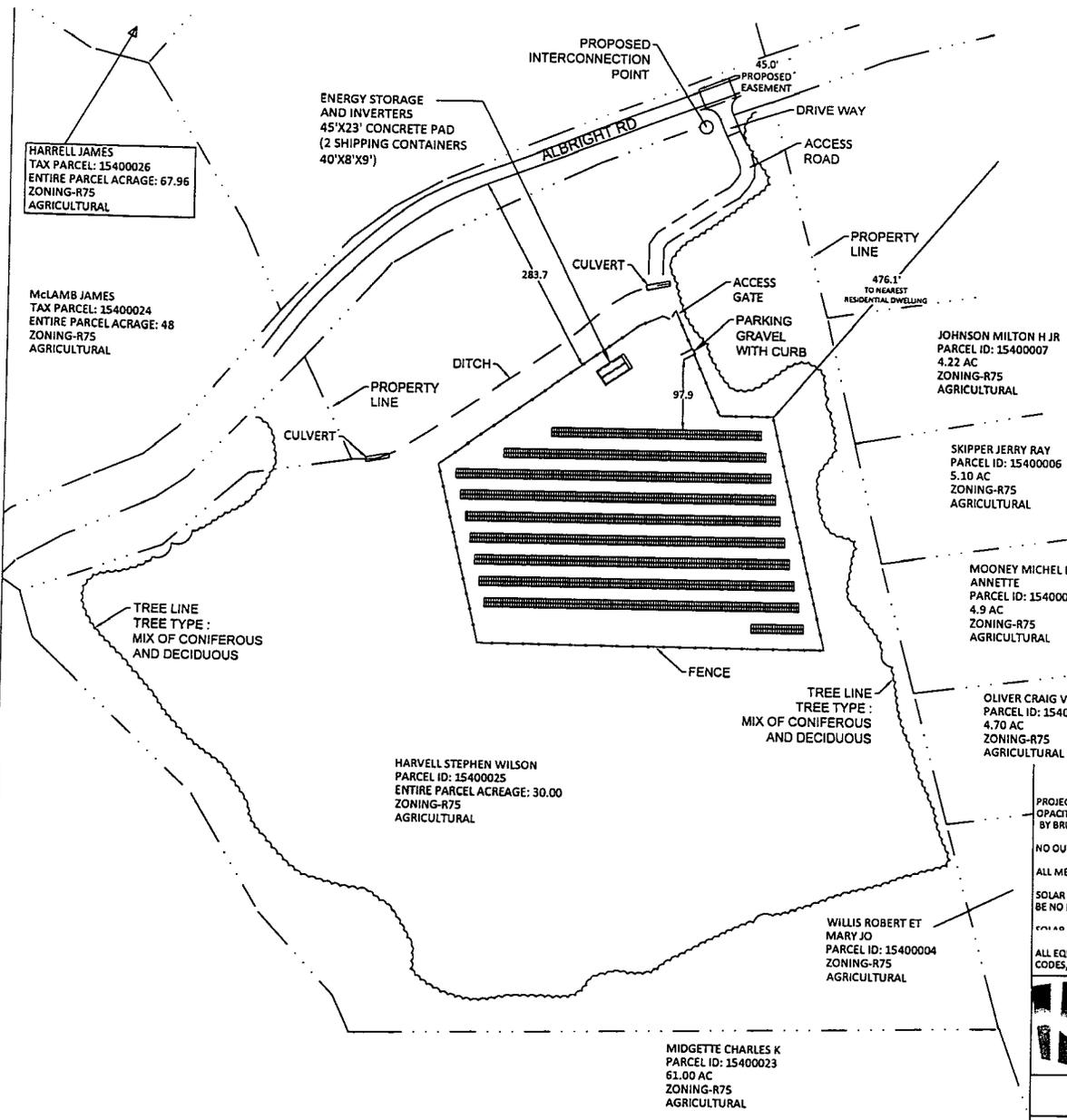
STEPHEN WILSON HARVELL
TAX PARCEL # 15400025

ALBRIGHT RD. SE
BRUNSWICK COUNTY NC
34.031881, -78.160430

Overall Site Plan (Showing Entire Parcel)

This drawing is the property of UNITED
RENEWABLE ENERGY, LLC and cannot be used,
copied, or disclosed without permission.

SCALE: 1"=175'
DATE: 7-29-16
DRAWN BY: S.P. 1 OF 5



REVISIONS			
REV	DESCRIPTION	DATE	APPROVED
1	BRUNSWICK COUNTY COMMENTS	6-27-16	S.P.

PROJECT SUMMARY

- MINIMUM SETBACKS:
40' FRONT
40' REAR
30' MINIMUM EACH SIDE, TOTAL OF BOTH SIDE
YARD SETBACKS MUST EQUAL 80
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- APPROXIMATE # OF MODULES: 2,268
- FENCE TYPE:
PROPOSED SECURITY FENCE 6' CHAIN-LINK WITH 1' OF 3 STRANDS BARBED WIRE (TYP.) PER NEC 110.31
TOTAL FENCE LENGTH: 1,698.5FT
- VEGETATION:
VEGETATIVE BUFFER WILL MEET OR EXCEED THE BRUNSWICK COUNTY BUFFER REQUIREMENTS IDENTIFIED IN THE LAND USE ORDINANCE
EXISTING PERIPHERAL VEGETATION OF A MINIMUM OF 10' IN WIDTH WILL BE PRESERVED
- MAXIMUM HEIGHT FOR THIS SOLAR SYSTEM IS 15FT ABOVE GROUND LEVEL.
- DRIVEWAY:
25' (TYP.) CONSTRUCTION ENTRANCE
DUSTLESS GRAVEL
- PARKING:
GRAVEL 1 PARKING SPACE ONLY.
- ENERGY STORAGE:
ENERGY STORAGE AND INVERTERS ON CONCRETE PAD, TWO SHIPPING CONTAINER (40'X8'X9')
- ACRES INSIDE THE FENCE: APPROX 3.97 ACRE
ACRES WITHIN THE BUFFER AREA: 4.37 ACRE

HARRELL JAMES
TAX PARCEL: 15400026
ENTIRE PARCEL ACRAGE: 67.96
ZONING-R75
AGRICULTURAL

McLAMB JAMES
TAX PARCEL: 15400024
ENTIRE PARCEL ACRAGE: 48
ZONING-R75
AGRICULTURAL

ENERGY STORAGE AND INVERTERS
45'X23' CONCRETE PAD
(2 SHIPPING CONTAINERS
40'X8'X9')

PROPERTY LINE

TREE LINE
TREE TYPE :
MIX OF CONIFEROUS
AND DECIDUOUS

HARVELL STEPHEN WILSON
PARCEL ID: 15400025
ENTIRE PARCEL ACRAGE: 30.00
ZONING-R75
AGRICULTURAL

TREE LINE
TREE TYPE :
MIX OF CONIFEROUS
AND DECIDUOUS

WILLIS ROBERT ET
MARY JO
PARCEL ID: 15400004
ZONING-R75
AGRICULTURAL

MIDGETTE CHARLES K
PARCEL ID: 15400023
61.00 AC
ZONING-R75
AGRICULTURAL

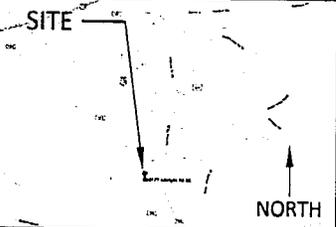
JOHNSON MILTON H JR
PARCEL ID: 15400007
4.22 AC
ZONING-R75
AGRICULTURAL

SKIPPER JERRY RAY
PARCEL ID: 15400006
5.10 AC
ZONING-R75
AGRICULTURAL

MOONEY MICHEL DEAN ET
ANNETTE
PARCEL ID: 1540000501
4.9 AC
ZONING-R75
AGRICULTURAL

OLIVER CRAIG V ET RAE LYN
PARCEL ID: 15400005
4.70 AC
ZONING-R75
AGRICULTURAL

KEY MAP



PROJECT WILL UTILIZE EXISTING VEGETATION TO MEET ORDINANCE
OPACITY REQUIREMENTS WHENEVER POSSIBLE AND AS APPROVED
BY BRUNSWICK COUNTY

NO OUTDOOR LIGHTING

ALL MEASUREMENTS ARE ESTIMATED

SOLAR PANEL FROM THE GROUND TO THE TOP OF THE PANEL WILL
BE NO MORE THAN 15'

SOLAR COMPONENTS HAVE ANTI-REFLECTIVE COATING

ALL EQUIPMENT WILL BE INSTALLED AS REQUIRED BY APPLICABLE
CODES, LOCAL UTILITY COMPANY AND LOCAL COUNTY REGULATIONS

UNITED
RENEWABLE ENERGY

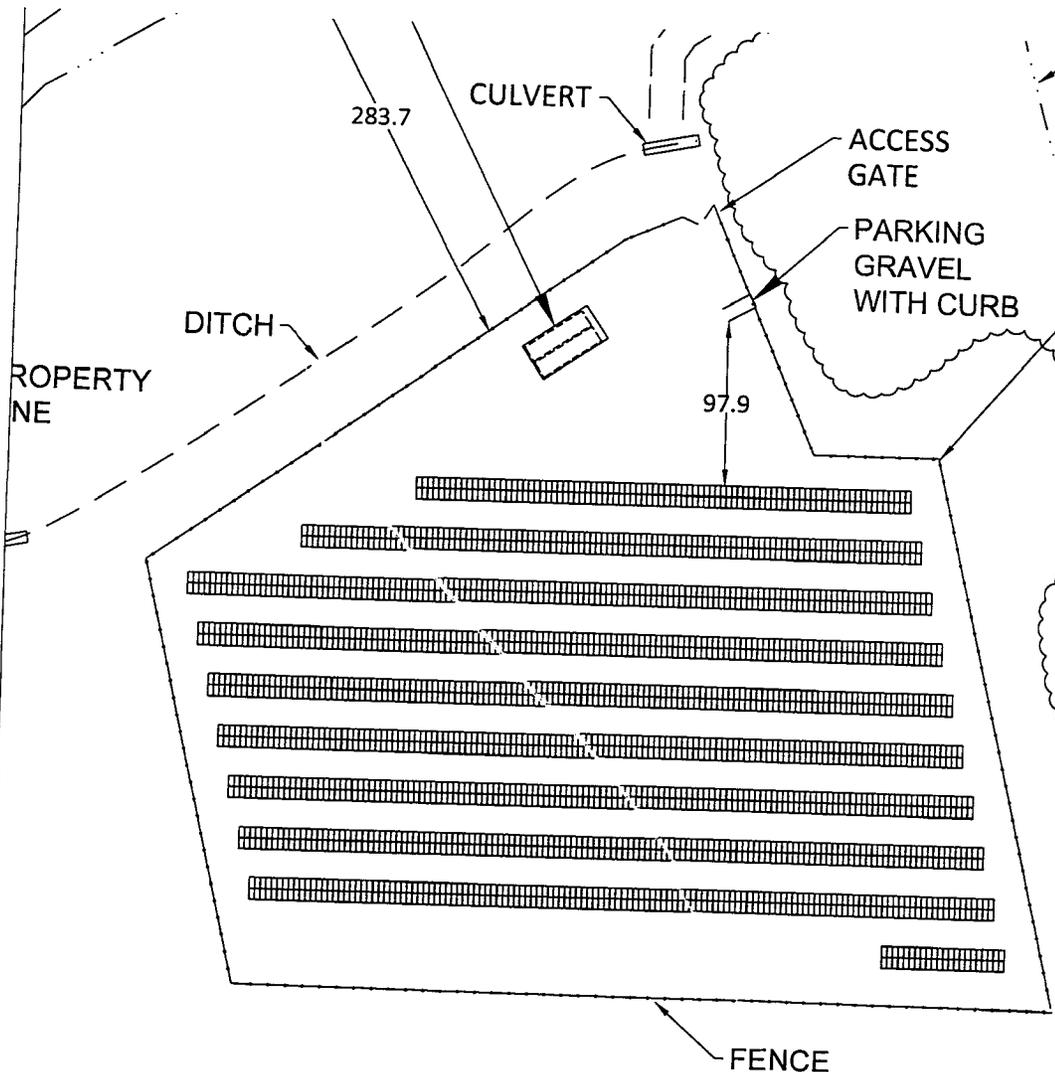
United Renewable Energy, LLC
5895 Shiloh Road, Suite 104
Alpharetta, GA 30005

STEPHEN WILSON HARVELL
TAX PARCEL # 15400025
ALBRIGHT RD. SE
BRUNSWICK COUNTY NC
34.031881, -78.160430

This drawing is the property of UNITED
RENEWABLE ENERGY, LLC and cannot be used,
copied, or disclosed without permission.

OVERALL SITE PLAN (SHOWING ENTIRE PARCEL)

SCALE: 1"=150'
DATE: 7-29-16
DRAWN BY: S.P. 2 OF 5



REVISIONS			
REV	DESCRIPTION	DATE	APPROVED
1	BRUNSWICK COUNTY COMMENTS	6-27-16	S.P.

- PROJECT SUMMARY**
- MINIMUM SETBACKS:
40' FRONT
40' REAR
30' MINIMUM EACH SIDE, TOTAL OF BOTH SIDE
YARD SETBACKS MUST EQUAL 80
 - APPROXIMATE SYSTEM SIZE: 650kW DC
 - APPROXIMATE # OF MODULES: 2,288
 - FENCE TYPE:
PROPOSED SECURITY FENCE 6'
CHAIN-LINK WITH 1' OF 3 STRANDS
BARBED WIRE (TYP.) PER NEC 110.31
TOTAL FENCE LENGTH: 1,698.5FT
 - VEGETATION:
VEGETATIVE BUFFER WILL MEET OR EXCEED THE
BRUNSWICK COUNTY BUFFER REQUIREMENTS
IDENTIFIED IN THE LAND USE ORDINANCE
EXISTING PERIPHERAL VEGETATION OF A MINIMUM OF
10' IN WIDTH WILL BE PRESERVED
 - MAXIMUM HEIGHT FOR THIS SOLAR SYSTEM
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TREE LINE
TREE TYPE
MIX OF CONIFEROUS
AND DECIDUOUS

UNITED
RENEWABLE ENERGY

United Renewable Energy, LLC
5895 Shiloh Road, Suite 104
Alpharetta, GA 30005

STEPHEN WILSON HARVELL
TAX PARCEL # 15400025

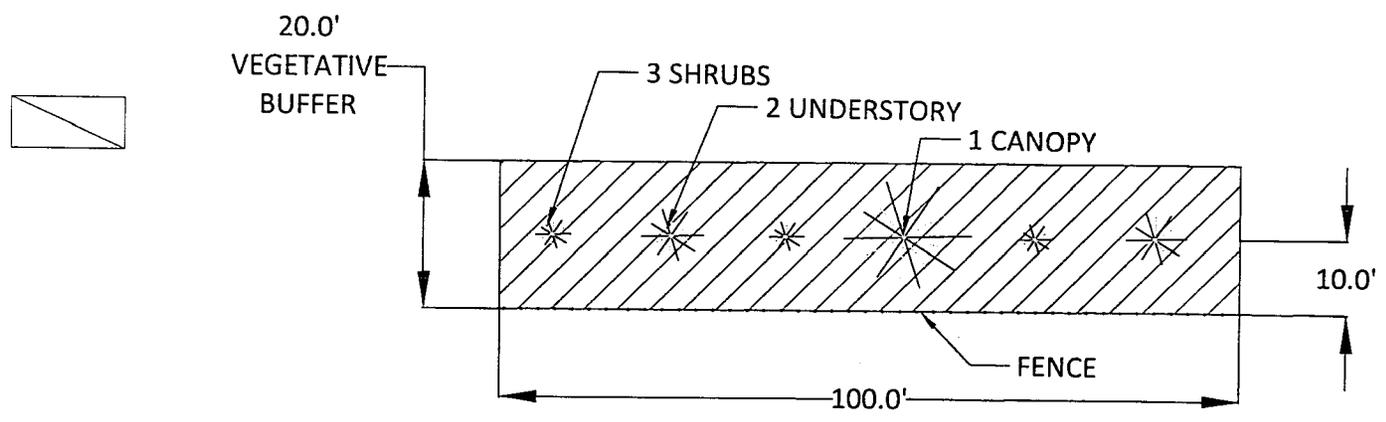
ALBRIGHT RD. SE
BRUNSWICK COUNTY NC
34.031881, -78.160430

DETAIL SITE PLAN
(ZOOMED IN TO SHOW DETAIL, DOES NOT SHOW ENTIRE PARCEL)

This drawing is the property of UNITED
RENEWABLE ENERGY, LLC and cannot be used,
copied, or disclosed without permission.

SCALE: 1"=70'
DATE: 7-29-16
DRAWN BY: S.P.
3 OF 5

REVISIONS			
REV	DESCRIPTION	DATE	APPROVED
1	BRUNSWICK COUNTY COMMENTS	6-27-16	S.P.



PLANTS LEGEND

- * CANOPY
JAPANESE CREPE MYRTLE OR EQUIVALENT PER UDO GUIDELINES
- * UNDERSTORY
CREPE MYRTLE, WINTERBERRY OR EQUIVALENT PER UDO GUIDELINES
- * SHRUBS
FRAGRANT TEA OLIVE, CHINESE HOLLY OR EQUIVALENT PER UDO GUIDELINES

 UNITED RENEWABLE ENERGY www.unitedre.com United Renewable Energy, LLC 5895 Shiloh Road, Suite 104 Alpharetta, GA 30005	STEPHEN WILSON HARVELL TAX PARCEL # 15400025	
	ALBRIGHT RD. SE BRUNSWICK COUNTY NC 34.031881, -78.160430	
	VEGETATIVE SCREENING DETAILS	
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