

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

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

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

MEMBERS PRESENT

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

MEMBERS ABSENT

None

STAFF PRESENT

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

OTHERS PRESENT

Alan Lewis  
John Hankins  
Doreen Alloway

Terry Pope, State Port Pilot  
Renee Whitby  
Chris Stanley

I. CALL TO ORDER.

The Chair called the meeting to order at 6:01 p.m.

II. INVOCATION/PLEDGE OF ALLEGIANCE.

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

III. ROLL CALL.

There were no members absent.

IV. CONSIDERATION OF MINUTES OF THE 12-FEB-18 MEETING.

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

V. AGENDA AMENDMENTS.

Ms. Dixon said staff will add 2 announcements under Other Business.

VI. PUBLIC COMMENT.

There were none.

VII. PUBLIC HEARINGS.

A. Rezoning Z-760– East Coast Engineering and Surveying (%Chris Stanley).

Request to rezone approximately 2.67 acres located off Ocean Highway East (US 17) and Kelly Road NE near Winnabow from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 084BA001, 084BA002, 084BA003, 084BA014, 084BA015, 084BA016 and 084BA017.

Land Use Plan Map Amendment LUM-760:

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

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

Ms. Bunch said staff recommends approval from RR (Rural Low Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 084BA001, 084BA002, 084BA003, 084BA014, 084BA015, 084BA016 and 084BA017 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map for Tax Parcels 084BA001, 084BA002, 084BA003, 084BA014, 084BA015, 084BA016 and 084BA017 located off Ocean Highway East (US 17) and Kelly Road NE near Winnabow from LDR (Low Density Residential) to Commercial.

Mr. Dunham clarified that this does not involve a split-zoning issue for the parcels that are requesting a zoning change and Ms. Bunch concurred.

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

Mr. Chris Stanley, East Coast Engineering and Surveying, addressed the Board on behalf of the applicant, George Irving. Mr. Stanley stated that the lots were subdivided in the 1990s for residential purposes, but the applicant desires to develop the property in accordance with the surrounding area.

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

Ms. Easley made a motion to recommend to the Board of Commissioners to approve Tax Parcels 084BA001, 084BA002, 084BA003, 084BA014, 084BA015, 084BA016 and 084BA017 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map for Tax Parcels 084BA001, 084BA002, 084BA003, 084BA014, 084BA015, 084BA016 and 084BA017 located off Ocean Highway East (US 17) and Kelly Road NE near Winnabow from LDR (Low Density Residential) to Commercial and the motion was unanimously carried.

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

**APPROVAL – NOT CONSISTENT WITH THE COMPREHENSIVE PLAN**

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

The parcels are currently classified as LDR (Low Density Residential). However, an amendment has been requested from LDR (Low Density Residential) to Commercial.

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

There is commercial zoning in the immediate area and the County strongly supports commercial nodes, which will serve the community and neighboring communities.

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

There is existing commercial zoning adjoining and in close proximity to this area.

B. Rezoning Z-761– Renee Whitby.

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

Land Use Plan Map Amendment LUM-761:

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

Mr. Pages addressed the Board. He read the Staff Report (attached). He identified the subject property and surrounding properties on a visual map and he provided drone footage of the site and surrounding area.

Mr. Pages said staff recommends approval from R-7500 (Medium Density Residential) and R-6000 (High Density Residential) to R-6000 (High Density Residential) for Tax Parcels 18200108, 1820010802, 1820010803, 1820010804, 1820010805, 1820010806, 1820010807, 1820010808, 18200109 and a portion of 18200098 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map for Tax Parcels 18200108, 1820010802, 1820010803, 1820010804, 1820010805, 1820010806, 1820010807, 1820010808, 18200109 and a portion of 18200098 located off Red Bug Road SW (SR 1136) near Shallotte from LDR (Low Density Residential) to MDR (Medium Density Residential).

Ms. Easley asked staff if both public water and sewer will have to be provided through other property since the subject property is not accessed off Red Bug Road SW (SR 1136)? Mr. Pages said both public water and sewer will have to be accessed via an easement off either Fieldview Lane SW or Ocean Highway West (US 17).

Mr. Dunham asked staff if Tax Parcel 18200098 is split-zoned and Mr. Pages replied, yes. Mr. Pages added that there are single-wide manufactured homes in the area and they will not be allowed to be replaced under the current zoning.

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

Ms. Renee Whitby addressed the Board. Ms. Whitby stated that there are members of her family that wish to place single-wide manufactured homes on vacant lots as well as replace an existing older single-wide manufactured home with a newer single-wide manufactured home. Mr. Dunham asked staff if the existing single-wide manufactured home can be replaced? Ms. Bunch said the Brunswick County Unified Development Ordinance (UDO) allows for an existing single-wide to be replaced with certain provisions, but single-wide manufactured homes are not allowed in the existing zoning district if the lot is currently vacant. Ms. Whitby said Tax Parcels 1820010806 and 182001807 are small lots and a single-wide manufactured home is ideal and the desired dwelling for those lots R-7500 .

Ms. Doreen Alloway addressed the Board. Ms. Alloway said there are wetlands in the area and she was concerned with the potential impact to the area if the zoning designation is changed? Ms. Bunch said development of individual lots should not have a negative impact on stormwater runoff in the area.

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

Mr. Leary made a motion to recommend to the Board of Commissioners to approve Tax Parcels 18200108, 1820010802, 1820010803, 1820010804, 1820010805, 1820010806, 1820010807, 1820010808, 18200109 and a portion of 18200098 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map for Tax Parcels 18200108, 1820010802, 1820010803, 1820010804, 1820010805, 1820010806, 1820010807, 1820010808, 18200109 and a portion of 18200098 located off Red Bug Road SW (SR 1136) near Shallotte from LDR (Low Density Residential) to MDR (Medium Density Residential) and the motion was unanimously carried.

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

**APPROVAL – NOT CONSISTENT WITH THE COMPREHENSIVE PLAN**

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

The parcels are classified as LDR (Low Density Residential). However, an amendment has been requested from LDR (Low Density Residential) to MDR (Medium Density Residential).

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

This amendment would allow for the replacement of existing single-wide manufactured homes and placement of single-wide manufactured homes as there are lots that can only accommodate a single-wide manufactured home.

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

There is MDR land classification and R-6000 zoning in the immediate area.

C. Rezoning Z-762– East Coast Engineering and Surveying (%Alan Lewis).

Request to rezone approximately 12.94 acres located at 5841 Ocean Highway West (US 17) from R-7500 (Medium Density Residential) and C-LD (Commercial Low Density) to C-LD (Commercial Low Density) for Tax Parcel 2120002302.

Land Use Plan Map Amendment LUM-762:

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

Mr. Pages addressed the Board. He read the Staff Report (attached). He identified the subject property and surrounding properties on a visual map and he provided drone footage of the site.

Mr. Pages said staff recommends approval from R-7500 (Medium Density Residential) and C-LD (Commercial Low Density) to C-LD (Commercial Low Density) for Tax Parcel 2120002302 in

conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map for Tax Parcel 2120002302 located at 5841 Ocean Highway West (US 17) from LDR (Low Density Residential) to Commercial.

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

Mr. Alan Lewis, East Coast Engineering and Surveying, addressed the Board on behalf of the applicant and potential buyer. Mr. Lewis stated that the applicant wishes to correct a split-zoning issue. He stated that the existing vegetative buffer will be maintained.

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

Mr. Dunham asked if the current use on the property is in compliance with the UDO and Mr. Pages replied, yes.

Mr. Price made a motion to recommend to the Board of Commissioners to approve Tax Parcel 2120002302 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map for Tax Parcel 2120002302 located at 5841 Ocean Highway West (US 17) from LDR (Low Density Residential) to Commercial and the motion was unanimously carried.

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

**APPROVAL – NOT CONSISTENT WITH THE COMPREHENSIVE PLAN**

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

The parcel is classified as LDR (Low Density Residential). However, an amendment has been requested from LDR (Low Density Residential) to Commercial. The property has been used for commercial purposes for 2 decades.

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

The property is commercial in nature and the CAMA Land Use Plan encourages commercial development at intersections along major corridors.

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

The proposed zoning amendment will be consistent with surrounding properties and it will correct a split-zoning issue.

VIII. OTHER BUSINESS.

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

Ms. Dixon addressed the Board. She stated that Ms. Bunch was presented the 2017 Outstanding Local Government Planner of the Year Award from the Cape Fear Council of Government at their 27-Feb-18 Annual Banquet. The Board members congratulated Ms. Bunch on her award.

- Setback Inspections

Ms. Dixon addressed the Board. She stated that there have been situations where zoning setbacks are not clearly defined on sites. As a result, Ms. Dixon said the County is proposing complimentary zoning compliance inspections to confirm that residential projects are in compliance with approved site plans submitted for a building permit. Ms. Dixon further stated that recently a case was heard by the Board of Adjustment requesting a variance from the minimum setback requirements and the Board of Adjustment suggested that a survey be required to alleviate this issue. She said staff will be addressing different options to ensure structures are placed on parcels in conformance with UDO minimum setback requirements.

- Planning Board Cases Update

Ms. Dixon addressed the Board. She stated that Zoning Case Z-759 will be considered at the Board of Commissioners' 19-Mar-18 meeting as well as revisions to both solar farm facilities and temporary use permits for large events with 1,000 guests or more.

- FEMA Flood Maps

Ms. Dixon addressed the Board. She stated that FEMA has released the final flood maps. As a result, the Flood Damage Prevention Ordinance will be revised to reflect the new flood maps and a public hearing has to be scheduled by the Planning Board, which will likely be held at the Planning Board's 08-Apr-18 meeting.

- Planning Board Training

Ms. Dixon addressed the Board. She stated that staff is working on scheduling a training session for the Board and she will contact the Board once dates and times are confirmed.

IX. ADJOURNMENT.

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