



AGENDA

BRUNSWICK COUNTY

PLANNING BOARD

6:00 P.M. Monday
May 13, 2019

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

- 1) Call to Order.
- 2) Invocation.
- 3) Pledge of Allegiance.
- 4) Roll Call.
- 5) Consideration of Minutes of the April 8, 2019 Meeting.
- 6) Agenda Amendments.
- 7) Public Comment.
- 8) Public Hearings.

A. Rezoning Z-780 – Joshua Atorbich and Brunswick Electric Membership Corporation

Proposed rezoning of approximately 4.76 acres located at 401 and 545 Hickman Road NW (SR 1303) from R-7500 (Medium Density Residential) to CLD (Commercial Low Density) for Tax Parcels 2250003702 and 2250003703.

LAND USE PLAN MAP AMENDMENT LUM-780:

Request to amend Tax Parcels 2250003702 and 2250003703 located at 401 and 545 Hickman Road NW from LDR (Low Density Residential) to Commercial.

B. Planned Development Revision – PD-23

Name: Bella Point

Applicant: Pamela Warner

Tax Parcel: 2020000103

Location: On Sunset Harbor Road SE (SR 1112)

Description: Bella Point is an approved Planned Development consisting of 145 single family lots on a gross site of 74.7 acres creating an overall density of 2.43 units per acre. The developer of Bella Point is proposing to eliminate a roadway connection to Sunset Harbor Road SE (SR 1112). The rest of the development will remain unchanged from the master plan approved in July 2006.

- 9) Other Business.
 - Planning Board Case Update.
- 10) Adjournment.

MINUTES
PLANNING BOARD
BRUNSWICK COUNTY, NC

6:00 P.M. Monday
April 8, 2019

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

MEMBERS ABSENT

William Bittenbender
Alvin Nobles

STAFF PRESENT

Kirstie Dixon, Director
Connie Marlowe, Admin. Asst. II
Marc Pages, Senior Planner
Bryan Batton, Asst. County Attorney
Justin Brantley, Zoning Tech.
Jennifer Dickinson, Zoning Tech.

OTHERS PRESENT

Jack Stocks
Wayne Hickerson
John Hankins

Howard Resnik
Patrick Cummings
Lewis Dozier

I. CALL TO ORDER.

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

II. INVOCATION/PLEDGE OF ALLEGIANCE.

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

III. ROLL CALL.

Mr. Alvin Nobles and Mr. William Bittenbender were absent.

IV. CONSIDERATION OF MINUTES OF THE 11-FEB-19 MEETING.

Mr. Leary made a motion to approve the 11-Mar-19 minutes as presented and the motion was unanimously carried.

V. AGENDA AMENDMENTS.

There were none.

VI. PUBLIC COMMENT.

There were none.

VII. PUBLIC HEARINGS.

A. Major Subdivision Plan Approval – SS-270

Name: Finley Farms
Applicant: Mark Stocks
Tax Parcels: 046EA001 and 046EA002
Location: Springstone Drive NE between Hearthstone and Tara Forest Subdivisions
Description: Finley Farms is a proposed major subdivision consisting of 9 single family lots on a gross site of 4.55 acres creating an overall density of 1.98 units per acre.

Mr. Bryan Batton, Asst. County Attorney, addressed the Board. Attorney Batton stated that the Board can only consider whether or not the actual plan submitted meets the minimum major subdivision requirements and all other concerns related to traffic, infrastructure, stormwater, etc. will be addressed by the appropriate departments and/or agencies prior to development of the property if the plan is approved by the Board.

Mr. Pages addressed the Board. He read the Staff Report (attached). Mr. Pages identified the proposed area on a visual map. Mr. Pages added that there were 3 subdivision waivers granted on parcels associated with this project that equated to 9 separate lots. As a result, staff decided that the proposed project constitutes a major subdivision for the totality (18 lots) of the subdivided parcels.

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

- That the development shall proceed in conformity with all plans and design features submitted as part of the major subdivision application and kept on file by the Brunswick County Planning Department;
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance; and
- Please list the density calculation on the site plan which is 1.98 units per acre.

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

Mr. Jack Stocks addressed the Board. Mr. Stocks stated that the proposed 9 lot subdivision meets the minimum requirements for a major subdivision.

Ms. Easley asked who will own the property defined as open space on the proposed development? Mr. Stocks said the homeowners' association will own and maintain those areas. Ms. Easley asked if there is an existing homeowners' association for the previously developed 9 lots? Mr. Stocks replied, yes. Mr. Pages interjected that the Brunswick County Unified Development Ordinance (UDO) requires that a homeowners' association be responsible for the common area(s) and the private road (Finley Farms Court).

Mr. Wayne Hickerson, 1232 Springvale Terrace Court, addressed the Board. Mr. Hickerson asked when final approval of the project will occur? Attorney Batton said the developer will submit the final plat to staff for approval once all minimum requirements have been met by the appropriate departments and/or agencies (i.e., stormwater, engineering, and H₂GO). Mr. Pages added that the Planning Department will not sign-off on the final plat for recordation until all minimum requirements have been met by the appropriate departments and/or other agencies. Mr. Hickerson proceeded to explain his concerns with potential stormwater runoff into Hearth Stone Place. He stated that he previously spoke with the County Stormwater Engineer, Brigit Flora, about his concerns and provided photos of the activity occurring on the subject property that involved land disturbing activity greater than 1 acre on the property in question. Mr. Hickerson was opposed to the approval of this development and suggested that this matter be table and another meeting be scheduled. He further stated that the Leland Town Counsel have indicated that they may want to offer their views to the Planning Board, but there were not enough calendar days to do so prior to this meeting.

Mr. Patrick Cummings, 1528 Misty Run Court, addressed the Board. Mr. Cummings concurred with the statements made by Mr. Wayne Hickerson. He reiterated the potential stormwater runoff from the subject property into Hearthstone Place. Mr. Cummings said their subdivision has become inundated with stormwater runoff resulting from development in close proximity to their community.

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 approve Finley Farms Major Subdivision with the noted conditions and the motion was unanimously approved.

B. Major Subdivision Plan Approval – SS-271

Name: Avalon Crossing
 Applicant: Steve Shuttleworth
 Tax Parcel: 1850002202

Location: Corner of Southport-Supply Road SE (NC 211) and South Fisher King Drive SE
Description: Avalon Crossing is a proposed major subdivision consisting of 30 single family lots on a gross site of 12.31 acres creating an overall density of 2.43 units per acre.

Mr. Pages addressed the Board. He read the Staff Report (attached). Mr. Pages identified the proposed area on a visual map. Mr. Pages stated that there are significant wetlands that separate this project from the remainder of Avalon PD. He further stated that a road maintenance agreement will be required because South Fisher King Drive is a private road.

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

- That the development shall proceed in conformity with all plans and design features submitted as part of the major subdivision application and kept on file by the Brunswick County Planning Department;
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance; and
- Please provide a pedestrian access from Ovates Loop to the southern portion of the development via a wood pedestrian bridge across the wetlands.

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

Mr. Howard Resnik, representative for CSD Engineering, addressed the Board. Mr. Resnik said this area is the remaining portion of Avalon PD that was originally reserved for commercial purposes. Mr. Resnik said the owner elected to develop the property under a lower density development. Mr. Resnik said most of the utilities are in place and they intend to minimize the impact on wetlands.

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 approve Avalon Crossing Major Subdivision with the noted conditions and the motion was unanimously approved.

C. Unified Development Ordinance Text Amendment

Applicant: Seabrooke Development LLC
Article: 3.4.12.D.
Description: Text amendment proposes to eliminate the requirement for sidewalks to be in place prior to the recordation of the final plat, but instead require them to be in place prior to the issuance of a Certificate of Occupancy for a home.

Ms. Bunch addressed the Board. She stated that staff received a text amendment request (attached) from Seabrooke Development LLC to change the sidewalk requirement from requiring sidewalks to be in place prior to the recordation of the final plat to requiring sidewalks to be in place prior to the issuance of a Certificate of Occupancy (CO) for a home. Ms. Bunch briefly discussed when sidewalks should be installed. She stated that staff has 2 options (attached) for the Board to consider. Option 1 states, "Sidewalks do not require an improvement guarantee, but must be in place for the specific parcel prior to the issuance of a Certificate of Occupancy for any

structure on that parcel.” Option 2 states, “Sidewalks are considered major improvements.” Staff also provided the Board with an email (attached) from Mr. Robert T. Kohler regarding his concerns related to sidewalks.

Ms. Bunch said staff recommends approval of Option 1, which states “Sidewalks do not require an improvement guarantee, but must be in place for the specific parcel prior to the issuance of a Certificate of Occupancy for any structure on that parcel.”

Mr. Dunham asked staff to explain the proposed process if there is a vacant lot between 2 developed lots? Ms. Bunch said sidewalks will be installed once the parcel has been developed and prior to the issuance of a CO for any structure on the parcel. She further stated that there may be sections of the sidewalk not installed if Option 1 is approved because it would only be required when a parcel is developed. Mr. Dunham clarified that sidewalks will not be required for undeveloped lots under Option 1 and Ms. Bunch concurred. Ms. Dixon added that staff met with Code Administration and they concur that sidewalks, typically, are installed when a home is built and prior to the issuance of a CO. Mr. Dunham was concerned with sidewalks not being installed if a lot(s) is not developed. Ms. Dixon said sidewalks are an amenity, rather than a requirement. Mr. Pages interjected that placing conditions for when sidewalks should be installed will likely cause developers to not include sidewalks in their project. Mr. Dunham was fearful of sidewalks not being installed in developments that are not built out. Ms. Easley reiterated that sidewalks are not required to be installed; rather, they are an amenity to a development.

Mr. Medlin asked if the lots are sold with the understanding that sidewalks will be installed? Mr. Pages said staff do not regulate marketing strategies for developers, but sidewalks are normally shown on the master plan. Attorney Batton said there was an in-depth discussion about whether or not sidewalks are major or minor improvements. He stated that it was determined by County staff that the best mechanism to monitor sidewalk installations would be prior to the issuance of a CO. Mr. Medlin expressed concern with gaps in sidewalks if a lot is not developed next to a developed lot.

Attorney Batton stated that the text amendment also eliminates ~~electric utilities~~ as a minor improvement because it is not considered as such.

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

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

Ms. Easley made a motion to recommend to the Board of Commissioners to approve Option 2 (attached) of the text amendment which clarifies sidewalks as major improvements and the motion was unanimously carried.

APPROVAL – The proposed zoning amendment is APPROVED

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

The proposed text amendment is consistent with the CAMA Land Use Plan (Comprehensive Plan) as it has no impact to the Comprehensive Plan (CAMA Land Use Plan).

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

Sidewalks provide for better connectivity within a development.

VIII. OTHER BUSINESS.

- Agricultural Development Plan for Brunswick County

Ms. Dixon addressed the Board. She stated that staff previously provided a copy of the Agricultural Development Plan (Plan) for Brunswick County (attached) to the Board. Ms. Dixon briefly discussed the Plan and she asked the Board to endorse the Plan.

Mr. Medlin made a motion to support the Agricultural Development Plan for Brunswick County and the motion was unanimously carried.

- Planning Board Cases Update

Ms. Dixon addressed the Board. She stated Zoning Case Z-778CZ and Z-779 will be presented at the Board of Commissioners' 15-Apr-19 meeting for consideration.

IX. ADJOURNMENT.

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

REZONING STAFF REPORT



Prepared by Marc Pages, Senior Planner

Rezoning Case#: Z-780

May 13, 2019

APPLICATION SUMMARY

The applicant requests to rezone Tax Parcels 2250003702 and 22502003703 from R-7500 (Medium Density Residential) to CLD (Commercial Low Density). This rezoning request is conventional therefore, no conditions are proposed. All owners and adjacent owners have been notified via first class mail.

Location

401 and 545 Hickman Road NW
(SR 1303)

Tax Parcel

2250003702 and 2250003703

Current Zoning

R-7500 (Medium Density
Residential)

Proposed Zoning

CLD (Commercial Low Density)

Surrounding Zoning

R-7500

Current Use

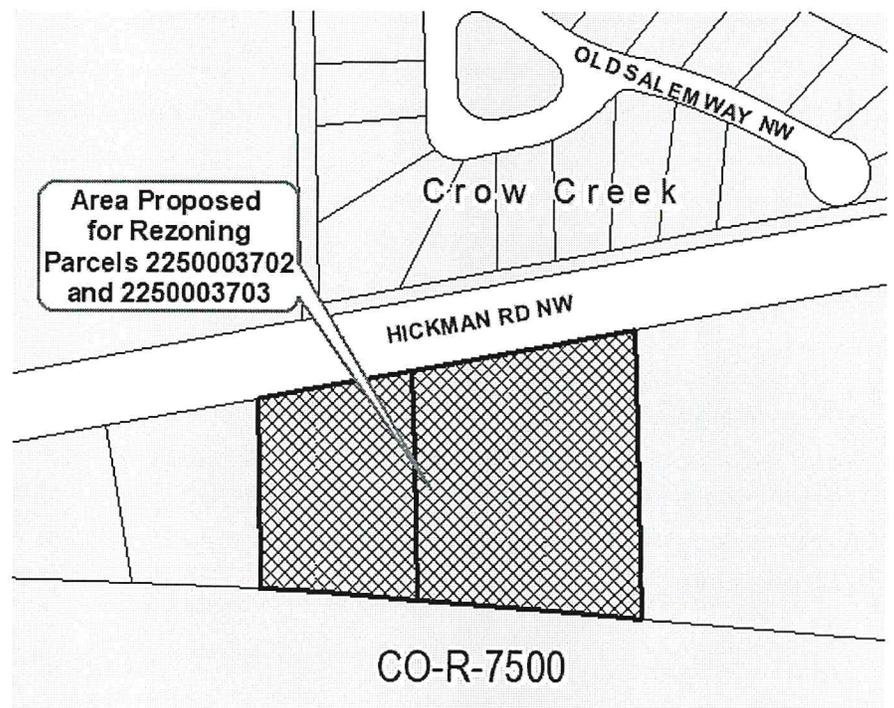
Commercial and Brunswick
Electric Utility Substation

Surrounding Land Uses

Residential, Agricultural and
Vacant Lands

Size

4.76 Acres



SITE CONSIDERATIONS

Zoning History: There has been no known rezoning activity on the site since 1994.

Area Activities: The Hickman Road area has experienced residential growth in the past in the form of major subdivisions and planned developments – Crow Creek (1998), Meadowlands (1994), Brunswick Plantation (1997), and Farmstead (1996).

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

Traffic: Access to the rezoning site is from Hickman Road (SR 1303). Hickman Road is becoming a highly traveled route in the area. However, the future Carolina Bays Parkway project is intended to address the congestion in the area. This project is in the planning and design phase.

Utilities: Water is available from Brunswick County Utilities along Hickman Road from a 12-inch line. Sewer from Brunswick County Utilities is not currently adjacent to the site, however it is within the vicinity (Crow Creek PD).

Schools: There are no school capacity deficiencies at this time.

CIP Projects in Area: Brunswick Senior Center at Calabash (Completed 2018), West Brunswick Classroom Addition (FY 2021), Waccamaw School K-2 Building Replacement (FY 2021).

NCDOT Road Improvements in Area:

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

Environmental Impacts:

- There are no Flood Hazard Zones located on the project site.
- Biodiversity & Wildlife Habitat Assessment Score: The rezoning site scored 0 out of 10.

ANALYSIS

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

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

- Proposed Zoning is NOT consistent with CAMA Land Use Plan
- Land Use Amendment (LUM-780) proposed from LDR to Commercial

Applicable CAMA Land Use Policies:

- 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 encourages industrial and commercial development in areas with existing infrastructure that does not infringe on existing medium density residential areas.

STAFF RECOMMENDATION SUMMARY

Staff recommends **APPROVAL TO CLD IN CONJUNCTION WITH A LAND USE PLAN AMENDMENT TO COMMERCIAL FOR TAX PARCELS 2250003702 AND 2250003703** based upon information provided, surrounding area, current uses, the Brunswick County CAMA CORE Land Use Plan, and other adopted Brunswick County plans and policies.

CONSISTENCY STATEMENT

FOR BRUNSWICK COUNTY PLANNING BOARD

ZONING AMENDMENT DESCRIPTION OR CASE NUMBER: 780



THE BRUNSWICK COUNTY PLANNING BOARD RECOMMENDATION

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

APPROVED – CONSISTENT WITH COMPREHENSIVE PLAN

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

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

APPROVED – NOT CONSISTENT WITH COMPREHENSIVE PLAN

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

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

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

DENIED

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

TABLED

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

Excerpt from N.C.G.S. § 153A-341:

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

Rezoning Case Z-780 R-7500 to CLD

CO=COUNTY JURISDICTION

2250003203

CO-R-7500

Area Proposed
for Rezoning
Parcels 2250003702
and 2250003703

HICKMAN RD NW

2250003203

2250003204

CO-R-7500

22500089

Crow Creek

OLD SALEM WAY NW

209ND040

209ND039

209ND038

209ND037

209ND036

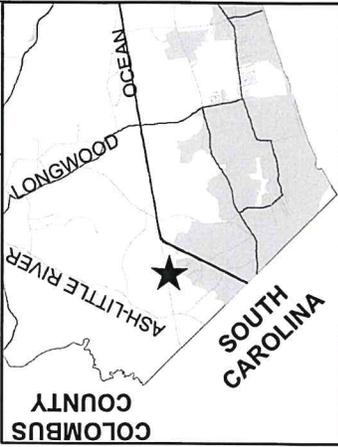
209ND035

209ND034

209ND00103

SR 1303

22500037



CO-CLD

Rezoning Case Z-780 R-7500 to CLD

CO-COUNTY JURISDICTION

2250003203

LDR

Area Proposed
for Rezoning
Parcels 2250003702
and 2250003703

HICKMAN RD NW

2250003203

2250003204

LDR

22500089

LDR

22500037

SR 1303

LDR

Crow Creek

OLD SALEM WAY NW

209ND00103

209ND034

209ND035

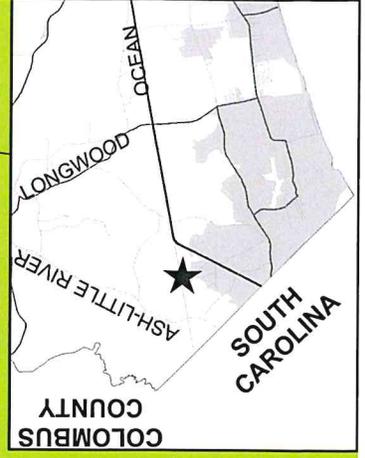
209ND036

209ND037

209ND038

209ND039

209ND040



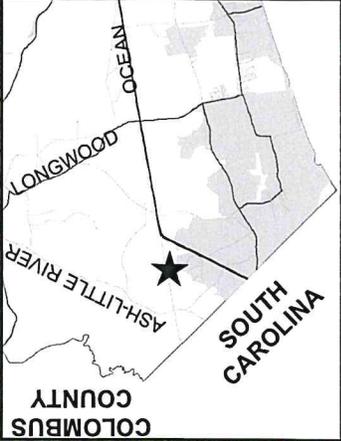
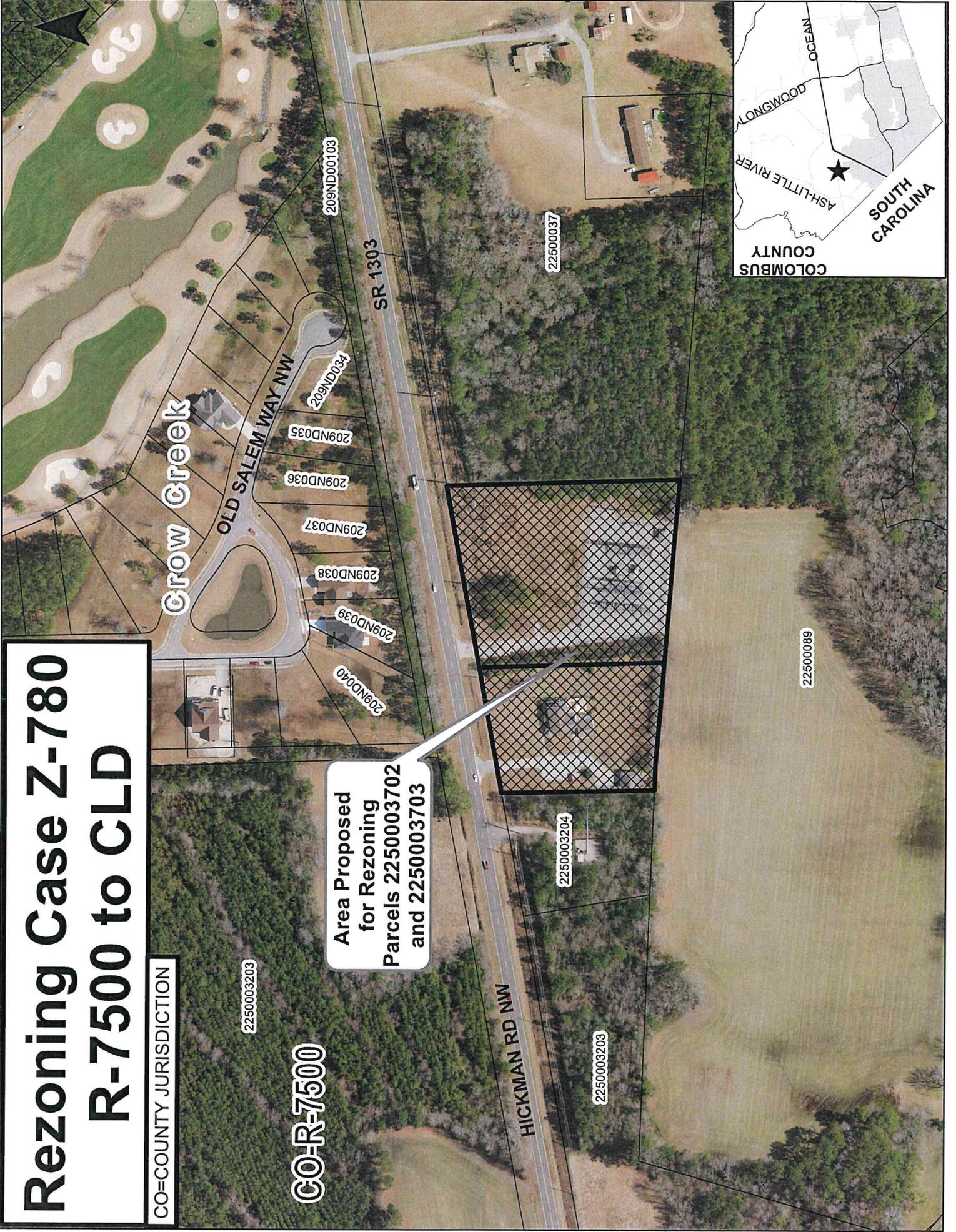
Rezoning Case Z-780 R-7500 to CLD

CO-COUNTY JURISDICTION

2250003203

CO-R-7500

Area Proposed
for Rezoning
Parcels 2250003702
and 2250003703





REZONING APPLICATION

For Office Use Only

Planning Project #: _____
 Rezoning Case Z- 780

Brunswick County Planning • PO Box 249, Bolivia, NC 28422 • Phone: (910) 253-2025/1-800-621-0609 • Fax: (910) 754-2740
 Complete the following application. This form must be completely filled out. Incomplete applications will result in a delay of this application and slow down the rezoning process.

APPLICANT INFORMATION (This person will be the contact person and will receive all mailings)	
Applicant Name(s): <u>Joshua Atorbich</u>	
Mailing Address: <u>1994 Ash-Little River Rd NW</u> <u>ASH NC 28420</u>	
Phone: <u>919-389-9935</u>	Email: <u>BCRC@ATML.net</u>
PROPERTY OWNER INFORMATION (If different from above)	
Owner Name(s): <u>Nancy & Warren Howell</u>	
Mailing Address: <u>545 Milkman Rd NW</u> <u>Colaposh, NC 28467</u>	
Phone:	Email:
PROPERTY INFORMATION	
Property Address and/or Description of Location:	
Parcel Tax ID #(s): <u>2250003702</u>	Total Site Acreage: <u>1.69</u>
Current Zoning District(s): <u>R75</u>	Proposed Zoning District(s): <u>CLO</u>
Conditional Zoning Request <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
<i>Conditional Zoning have additional submittal requirements such as Conceptual Site Plan, Proposed Conditions, Proposed Uses, and the holding of a neighborhood meeting. Please include the additional information as an attachment to this application.</i>	
NOTE: If multiple parcels are being proposed for rezoning then write "see attached" and attach the list of the parcels. Make sure to include the Tax Parcel ID #, owner name(s)/address, and acreage information.	

STATEMENT OF REASONABLENESS

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

Rezoning is consistent with the surrounding zoning as well as the Land Use Plan

LAND USE COMPATIBILITY

Future Land Use Map Classification:

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

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

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

APPLICANT/OWNER SIGNATURE

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

Applicant Signature: [Signature]

Date: 4/2/19

Owner Signature: _____

Date: _____

Owner Signature: _____

Date: _____

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

OFFICE USE ONLY

DATE RECEIVED: 4/1/19

RECEIPT #: 23764

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



REZONING APPLICATION

<i>For Office Use Only</i>	
Planning Project #:	_____
Rezoning Case Z-	<u>780</u>

Brunswick County Planning • PO Box 249, Bolivia, NC 28422 • Phone: (910) 253-2025/1-800-621-0609 • Fax: (910) 754-2740
 Complete the following application. This form must be completely filled out. Incomplete applications will result in a delay of this application and slow down the rezoning process.

APPLICANT INFORMATION (This person will be the contact person and will receive all mailings)	
Applicant Name(s):	Brunswick Electric Membership Corp Lewis Shaw VP Engineering & Operations
Mailing Address:	P.O. Box 826 Shallotte, NC 28459
Phone: 910-754-4391	Email: lewis.shaw@bemc.org
PROPERTY OWNER INFORMATION (If different from above)	
Owner Name(s):	Brunswick Electric Membership Corp
Mailing Address:	P.O. Box 826 Shallotte, NC 28459
Phone: 910-754-4391	Email: lewis.shaw@bemc.org
PROPERTY INFORMATION	
Property Address and/or Description of Location: 401 Hickman Rd. NW, Calabash, NC 28467	
Parcel Tax ID #(s): 2250003703	Total Site Acreage: 3.06
Current Zoning District(s):	Proposed Zoning District(s):
Conditional Zoning Request <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <i>Conditional Zoning have additional submittal requirements such as Conceptual Site Plan, Proposed Conditions, Proposed Uses, and the holding of a neighborhood meeting. Please include the additional information as an attachment to this application.</i>	
NOTE: If multiple parcels are being proposed for rezoning then write "see attached" and attach the list of the parcels. Make sure to include the Tax Parcel ID #, owner name(s)/address, and acreage information.	

STATEMENT OF REASONABLENESS

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

Rezoning request in cooperation of adjacent landowner to make zone match current and intended use of properties.

Request rezone from R75 to CLD

LAND USE COMPATIBILITY

Future Land Use Map Classification:

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

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

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

APPLICANT/OWNER SIGNATURE

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

Applicant Signature: Lewis Shaw Date: 4/2/2019

Owner Signature: _____ Date: _____

Owner Signature: _____ Date: _____

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

OFFICE USE ONLY

DATE RECEIVED: 4/1/19 RECEIPT #: 23764

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

CASE Z-780

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
209ND00103	CROW CREEK PROPERTY OWNERS ASSN INC	240 HICKMAN RD NW	CALABASH	NC	28467-2017
209ND0037	MCINTYRE ROBERT W & KATHLEEN TRSTEE	1015 SHIRE COURT	CROFTON	MD	21114
209ND040	FIELDS JACK E ETUX MARTHA T	1510 SALT MARSH TRAIL	LITTLE RIVER	SC	29566
209ND034	BURTON FRANK JR ETUX	3213 HOBBS LANDING CT	GREENSBORO	NC	27410-4846
209ND036	ROEMMELT SARAH C	615 BINGHAM CT NW	CALABASH	NC	28467-2477
209ND035	HODGES MICHAEL D	4598 DOSS CIR	POWDER SPGS	GA	30127-3207
22500037	BENNETT JENNIE G AND	359 HICKMAN RD NW	CALABASH	NC	28467-2003
2250003203	HUCKS ANN WILLIS	1740 PHARVIEW DR SW	OCEAN ISL BCH	NC	28469
2250003204	HUCKS ANN WILLIS	1740 PHARVIEW DR SW	OCEAN ISL BCH	NC	28469
209ND038	TUMINO MARTIN J	282 PROSPECT DR	BRICK	NJ	8724
209ND039	LINKOUS THOMAS E	169 KING ARTHUR LANE	ADVANCE	NC	27006
22500089	WHITE BOBBIE B	9113 FOREST DR SW	SUNSET BEACH	NC	28468-5023

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
2250003703	BRUNSWICK ELECTRIC MEMBERSHIP CORP	P O BOX 826	SHALLOTTE	NC	28459
2250003702	HOWELL WARREN R ET	545 HICKMAN ROAD NW	CALABASH	NC	28467

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
2250003703	BRUNSWICK ELECTRIC MEMBERSHIP CORP	P O BOX 826	SHALLOTTE	NC	28459
2250003702	JOSHUA ATOBICH	1994 ASH-LITTLE RIVER RD	ASH	NC	28420

**BRUNSWICK COUNTY
STAFF REPORT AND RECOMMENDATION**

Application No. PD-23
Applicant: Pamela Warner
Project Name: Bella Point (Revision)
Property Location: Sunset Harbor Road SE (SR 1112)
Parcel Number(s): 2020000103
Zoning District: R-7500 (Medium Density Residential)
Surrounding Zoning **North:** R-7500 (Medium Density Residential) and
CLD (Commercial Low Density)
South: R-7500 (Medium Density Residential)
East: R-7500 (Medium Density Residential)
West: R-7500 (Medium Density Residential)

Proposed Use: The Bella Point Planned Development was originally approved in July 2006 for 145 single-family lots on 74.7 acres. The developer of Bella Point is proposing to modify the planned development master plan by eliminating a road connection to Sunset Harbor Rd SE (SR 1112). The rest of the development, including number of lots and density, will remain unchanged from the master plan approved in July 2006.

Approval Criteria

- The majority of surrounding uses consists of single family residential, industrial and vacant land. The Future Land Use Map denotes this area as LDR (Low Density Residential).
- The proposed project meets minimum vehicular access point requirements.
- Proposed infrastructure:
 1. **Water** and **Sewer** will be provided by Brunswick County
 2. **Roads** will be private.
- The required Open Space for the development is 7.5 acres. The developer is proposing 27.56 acres of dedicated open space.
- Adjacent property owners were notified via US mail and a notification sign was posted on the subject property.
- A neighborhood meeting was held on Friday, May 3, 2019.

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

Staff recommends approval based on the following conditions:

1. That the development shall proceed in conformity with all plans and design features submitted as part of the planned development application and kept on file by the Brunswick County Planning Department.
2. That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance.

Brunswick County Planning Board Planned Development PD-23 Bella Point (Revision)

CO=COUNTY JURISDICTION

CO-CLD

CO-R-7500

TERRY TRL SE

SHOREBIRD RD SE

SUNSET HARBOR RD SE

Seawatch
Subdivision

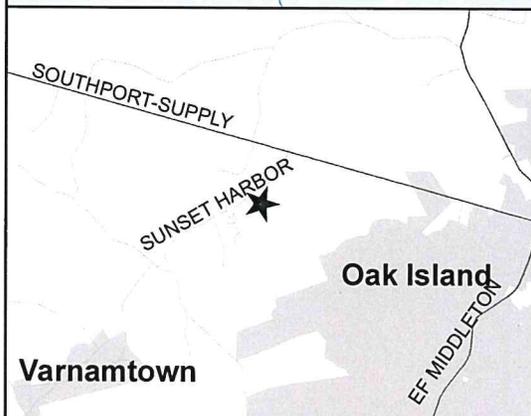
CO-R-7500

Proposed Elimination
of Roadway Connection

Approved Planned Development
Bella Point

CO-R-7500

N



**Brunswick County
Planning Board
Planned Development PD-23
Bella Point (Revision)**

CO=COUNTY JURISDICTION

CO-CLD

CO-R-7500

TERRY, TRL SE

SHOREBIRD RD SE

SUNSET HARBOR RD SE

Seawatch
Subdivision

CO-R-7500

Proposed Elimination
of Roadway Connection

Approved Planned Development
Bella Point

CO-R-7500





Planned Development (PD)

Application and Checklist

Fee: \$500

Brunswick County Planning and Community Development Dept.
910-253-2056

For Office Use Only	
File # <u>NO-23</u>	Receipt # <u>23755</u>
Date Submitted: <u>4/5/19</u>	

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

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

Property Owner	Name	<u>Wilmington West Properties, LLC</u>	Phone	<u>910-270-6021</u>
	Address	<u>1725 Corcus Ferry Road</u>	Fax	
	City, St, Zip	<u>Hamstead, NC, 28443</u>	Email	<u>jwarner9202@charter.net</u>

Applicant or Representative	Name	<u>Pamela S. Warner</u>	Phone	<u>910-270-6021</u>
	Address	<u>1725 Corcus Ferry Road</u>	Fax	
	City, St, Zip	<u>Hamstead, NC, 28443</u>	Email	<u>jwarner9202@charter.net</u>

Property Information	Address	<u>Sunset Harbor Road SE</u>
	Tax Parcel(s)	<u>2020000103</u>
	Acreage	<u>74.7</u>
	Current Zoning	<u>R75</u>
	Public Utilities Available? Water <input checked="" type="checkbox"/> Sewer <input checked="" type="checkbox"/>	

Project Information	Project Name	<u>Bella Point</u>
	Modification or Expansion Of Existing PD? Revision	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	Single Family Acres	<u>74.7</u> Lots <u>145</u>
	Multi-Family Acres	<u> </u> Units <u> </u>
	Commercial Acres	<u> </u>

Authorization	Property Owner Signature	<u>Wilmington West Properties LLC</u>	Date	<u>4-5-19</u>
	Applicant/Representative Signature	<u>Pamela S. Warner</u>	Date	<u>4-5-19</u>

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

CASE PD-23

ADJACENT PROPERTY OWNER(S)

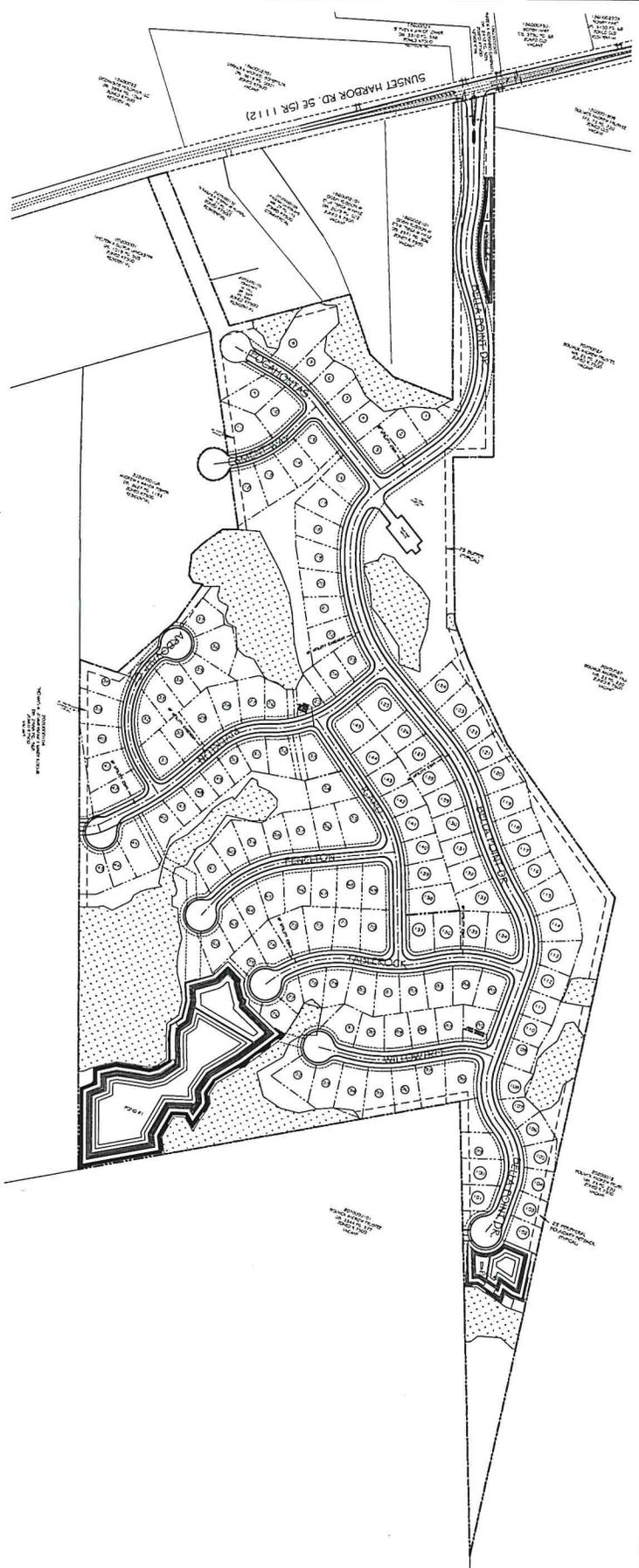
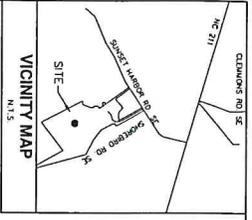
PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
18600022	OCEANSIDE HOLDINGS LLC	4808 W BEACH DR	OAK ISLAND	NC	28465-7849
2020000109	PHOENIX LANDSCAPE OF	5107 EDWARDS RD	TAYLORS	SC	29687
2020000108	FISHER ANDREW N ETUX	124 W ISLAND DR	OAK ISLAND	NC	28465-7707
18600023	LEIMER STEVEN D ETUX	116 W ISLAND DR	OAK ISLAND	NC	28465-7707
20200001	LANCASTER THELTON ETUX	557 ROSE AVE	WILMINGTON	NC	28403-3439
1860002101	OGBAI RUSSON W ETUX TSEGA W HAILE	3051 HAWICK COMMONS DR	CONCORD	NC	28027
1860002103	OGBAI RUSSON W ETUX TSEGA W HAILE	3051 HAWICK COMMONS DR	CONCORD	NC	28027
1860002301	HART BOBBY A	925 N HOWE ST	SOUTHPORT	NC	28461
1860002302	GABRILLO WARREN C ETUX ROSARIO	145 BEVERLY RD	MOUNT KISCO	NY	10549
2020000104	KOCUR MARY & THOMAS A ZIMMERMAN TR	5 FINCH LANE	BEDFORD	NY	10506
2020000102	RUSSELL STEPHANIE L ET/VR	1704 SUNSET HARBOR RD SE	BOLIVIA	NC	28422-7920
20200022	BOLNICK ANDREW TRUSTEE	3001 COUNTRYSIDE BLVD	CLEARWATER	FL	33761
2020000101	BOLNICK ANDREW TRUSTEE	3001 COUNTRYSIDE BLVD	CLEARWATER	FL	33761
2020002301	BOLNICK ANDREW TRUSTEE	3001 COUNTRYSIDE BLVD	CLEARWATER	FL	33761
1860001909	BOLNICK ANDREW TRUSTEE	3001 COUNTRYSIDE BLVD	CLEARWATER	FL	33761
2020000105	HILL JONATHAN M ET	1710 SUNSET HARBOR RD SE	BOLIVIA	NC	28422
1860002201	SCHEFFLER GERALD AND	170 ELWOOD AVE	HAWTHORNE	NY	10532-2345

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
2020000103	WILMINGTON WEST PROPERTIES LLC	1725 CORCUS FERRY ROAD	HAMPSTEAD	NC	28443

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
2020000103	PAMELA WARNER	1725 CORCUS FERRY ROAD	HAMPSTEAD	NC	28443



SITE DATA

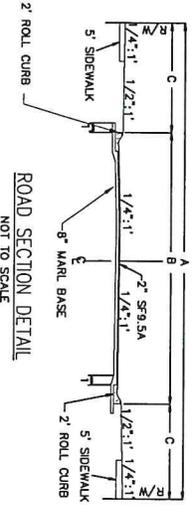
PROJECT NUMBER: 20080003

ADDRESS: 1727 CORCUS FERRY ROAD, HAMSTEAD, NC 28443

OWNER: WILMINGTON WEST PROPERTIES LLC

DATE: 02/26/19

SCALE: 1" = 150'



ROAD DESIGNATION	A	B	C
RIGHT OF WAY	50	36	7
ROADWAY	40	24	6
TRAVELWAY	50	24	13
PAVEMENT	50	26	11
GRASS	50	26	11
TRAILWAY	50	24	13

- NOTES:**
- Project to be built in County jurisdiction for water and sewer; A utility plan shall be submitted to the County for review and approval.
 - County and State Department of Transportation shall be notified prior to any construction of the project.
 - Existing utility lines shall be shown on the site plan and approved by the County Department of Public Works and the State Department of Transportation.
 - Utility lines shall be shown on the site plan and approved by the County Department of Public Works and the State Department of Transportation.
 - Utility lines shall be shown on the site plan and approved by the County Department of Public Works and the State Department of Transportation.

LEGEND

--- PROPERTY LINE

--- RIGHT OF WAY

SYMBOL	DATE	DESCRIPTION	BY
REVISIONS			
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SCALE: 1" = 150'

NORRIS & TUNSTALL
CONSULTING ENGINEERS P.C.

1900 EASTWOOD RD., SUITE #11 WILMINGTON, NC 28403
1429 ASH-LITTLE RIVER RD. NW ASH, NC 28420
PHONE: (910) 340-9603 FAX: (910) 247-5690

OWNER:
WILMINGTON WEST PROPERTIES LLC
1727 CORCUS FERRY ROAD, HAMSTEAD, NC 28443
(910) 270-6021

OVERALL
BELLA POINT
SUNSET HARBOR RD.
BRUNSWICK COUNTY, NORTH CAROLINA

