



AGENDA BRUNSWICK COUNTY PLANNING BOARD

**6:00 P.M. Monday
September 14, 2020**

**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 August 6th and August 10th, 2020 Meetings.
- 6) Agenda Amendments.
- 7) Public Comment.
- 8) Public Hearings.

A. Rezoning Z-791CZ

Proposed rezoning of approximately 5.35 acres located at 1535 Holden Beach Road SW (NC 130) from R-6000 (High Density Residential) to CLD-CZ (Commercial Low Density Conditional Zoning) for Tax Parcel 2150010007 and a portion of 2150010020.

LAND USE PLAN MAP AMENDMENT LUM-791CZ:

Request to amend Tax Parcel 2150010007 and a portion of 2150010020 located at 1535 Holden Beach Road SW (NC 130) from MDR (Medium Density Residential) to Commercial.

B. Rezoning Z-794CZ

Proposed rezoning of approximately 1.78 acres located approximately 2,000 feet east of Dutchman Creek Park near Southport from IG (Industrial General) to RR-CZ (Rural Residential Conditional Zoning) for a portion of Tax Parcel 23700008.

LAND USE PLAN MAP AMENDMENT LUM-794CZ:

Request to amend a portion of Tax Parcel 23700008 located approximately 2,000 feet east of Dutchman Creek Park near Southport from Undesignated to LDR (Low Density Residential).

C. Rezoning Z-795

Proposed rezoning of approximately 2.25 acres located at 8147 River Road SE (NC 87) and 5526 Calhoun Drive (SR 1578) from R-6000 (High Density Residential) to C-LD (Commercial Low Density) for Tax Parcels 205KB013, 205KB014, 205KB016 and 205KB017.

D. Rezoning Z-796

Proposed rezoning of approximately 3.95 acres located at 4299 Mt. Misery Road NE (SR 1426) from SBR-6000 (Site-Built High Density Residential) to RR (Rural Residential) for Tax Parcel 0090010801.

LAND USE PLAN MAP AMENDMENT LUM-796:

Request to amend Tax Parcel 0090010801 located at 4299 Mt. Misery Road NE (SR 1426) from MDR (Medium Density Residential) to LDR (Low Density Residential).

8) Staff Reports

- Blue Print Brunswick Project (Comprehensive Land Use Plan and Parks & Recreation Plan) Update
- Model Home Text Amendment Update
- Rezoning Case Update

9) Adjournment.

MINUTES

PLANNING BOARD

**6:00 P.M. Monday
August 6, 2020**

**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
William Bittenbender
William Clark
Brett Riggs, Alternate

MEMBERS ABSENT

Ron Medlin

STAFF PRESENT

Kirstie Dixon, Director
Marc Pages, Senior Planner
Connie Marlowe, Admin. Asst. II
Jennifer Skaggs, Planning Tech.

OTHERS PRESENT

J. Phillip Norris, Norris & Tunstall Consulting
Brigit Flora, County Stormwater Engineer
Audrey Vetter
Warren Weaver
Mary Yates
Brent Kanipe
Gary Fields

Richard Collier
Peter Simons
Don Johnson
Dr. Edmund Proctor
Ryan Grant
Panda Cox

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. The Chair asked everyone to stand and face the U.S. Flag to say the Pledge of Allegiance.

III. RECOGNITION OF NEW PLANNING BOARD MEMBER BILL CLARK.

Mr. Dunham recognized Mr. Clark as a new Board member and the Board members welcomed Mr. Clark.

IV. ROLL CALL.

Mr. Ron Medlin was absent.

V. CONSIDERATION OF MINUTES OF THE 08-JUN-20 MEETING.

Mr. Leary made a motion to approve the 08-Jun-20 minutes as presented and the motion was unanimously carried.

VI. AGENDA AMENDMENTS.

There were none.

VII. PUBLIC COMMENT.

There were none.

VIII. PUBLIC HEARINGS.

A. Planned Development – PD-31

Name: Calabash Palms
Applicant: Calabash Townhouses, LLC – Amanda MacLeod
Tax Parcel: 2250011702
Location: Calabash Road NW (SR 1300)
Description: Calabash Palms is a proposed planned development consisting of 69 townhome units on a gross site of 9.56 acres creating an overall density of 7.22 units per acre.

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

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

- That the development shall proceed in conformity with all plans and design features submitted as part of the planned development application and kept on file by the Brunswick County Planning Department;

- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Unified Development Ordinance; and
- All Exceptional Design elements must proceed in conformity of the site plan.

Mr. Dunham asked staff if there are requirements for townhomes in the current zoning district? Mr. Pages said there are no special requirements for townhomes in the R-7500 zoning district. He further stated that the applicant is proposing a garage with an additional parking space (recommended by staff) in the driveway as well as 23 communal spaces.

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

Mr. Richard Collier, representative for McKim and Creed, addressed the Board on behalf of the applicant. Mr. Collier stated that the applicant is proposing 69 townhomes on approximately 9.56 acres. He stated that the property is wooded on 2 sides with a single-family dwelling to the north of the subject property. Mr. Collier said Calabash Station is across the street and will be under construction in the near future; Spring Mill Plantation is to the north, Carolina Shores is to the west and Ocean Forest Subdivision is to the south of the subject property. He stated that they will be preserving the existing heritage trees on site. Mr. Collier said they will install a 6' perimeter fence outside of the proposed buffer; there will be a pump station to this site and Calabash Station; there will be acquiring a North Carolina Department of Transportation (NCDOT) driveway permit with a right turn lane; there will be a mail kiosk and dog park on site; the stormwater pond(s) are shown on the site plan as well as adequate buffering with plantings that will exceed the minimum requirements as outlined in the Brunswick County Unified Development Ordinance (UDO); and all utilities (public water and sewer) will be underground. Mr. Collier concluded that a neighborhood meeting was held at Meadowlands with many adjacent property owners in attendance.

Mr. Dunham asked Mr. Collier to identify the area on the northern portion of the map presented to the Board? Mr. Collier said there is a pond in that area as well as a ditch that drains to the existing pond and the street. Mr. Dunham clarified that the applicant is proposing 3 stormwater ponds on the subject property and Mr. Collier concurred.

Mr. Peter Simons, President of Oceanside Place, addressed the Board. Mr. Simons said 40 year old trees will be removed to develop the site and those trees current assist with stormwater drainage in the area. He presented the Board with 2 photos (attached) dated 30-Jun-20 of existing drainage issues near Oceanside Place and the subject property. He further stated that there is a culvert (3" in diameter) that traverses under Calabash Road NW (SR 1300), which is buried under the area shown on the photos that depicts a normal rainstorm. Mr. Simons said NCDOT is aware of the stormwater runoff situation in this area. Mr. Simons expressed concern with the potential negative impact the additional impervious surface coverage (approximately 48 acres total) from the proposed project as well as other approved projects (i.e., Calabash Station) in the area. Mr. Simons said there is an on-going (more than 6 years) silt buildup and containment of concrete waste issues in Spring Mill Plantation, which was developed (25% of the project) by H&H Homes (proposed developers of this project). Mr. Simons felt that the proposed townhome community is not compatible with the surrounding development. He further stated that Calabash Road NW (SR 1300) is a heavily traveled road with excessive speeding and NCDOT has been contacted about reducing the speed limit to no avail.

Ms. Audrey Vetter, owner of Tax Parcel 2250011703, addressed the Board. Ms. Vetter was concerned with stormwater drainage on her property from the subject property because the pond that runs through the subject property goes into her property to another pond. She was concerned

with how her property will be impacted if the water is re-routed and the existing trees are removed. Mr. Dunham said the applicant is proposing to leave existing trees on the perimeter of the property and plant shrubs on the site.

Mr. Don Johnson, President of Meadowlands POA, addressed the Board. Mr. Johnson expressed concern of stormwater drainage and the potential increase in traffic that will be generated by this development. He stated that it is their understanding that runoff will drain to Shingletree Swamp and there is a potential that Meadowlands will be flooded when heavy rains occur. Mr. Johnson reiterated that Calabash Road NW (SR 1300) is not wide enough to support the additional traffic generated from this development. Mr. Dunham said the applicant is proposing a right turn lane, but they have not received a driveway permit from NCDOT at this time.

Mr. Collier re-addressed the Board. He stated that there are ditches in the area to filter stormwater runoff as well as a culvert with a 36" pipe. Mr. Collier said some of the water will be collected on site and re-routed through their stormwater pond(s). However, some of the stormwater runoff will be released to existing ditches in the area. Ms. Easley clarified that a State Stormwater Permit will be required prior to developing the property and Mr. Collier concurred. Mr. Collier concluded that they, too, approached NCDOT about reducing the speed limit to no avail.

Mr. Warren Weaver addressed the Board. Mr. Weaver said stormwater on the south end of the site currently drains to a perimeter ditch near Oceanside Place that is in line with the 36" pipe that goes under the road and all stormwater runoff from the subject property is running to the ditch where the 36" pipe is located. Mr. Dunham said the applicant is proposing that stormwater runoff from the subject property will be flowing in 3 different directions. Mr. Weaver agreed, but he said all the runoff will eventually flow to the 36" pipe that goes under Calabash Road NW (SR 1300).

Dr. Edmund Proctor addressed the Board. Dr. Proctor expressed concern with the collective developments in the area that involves several hundred homes that will generate an excessive amount of stormwater runoff. He asked that the Board consider the potential impact to existing residents in the area as a result of the newly approved developments that are forthcoming.

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

Ms. Easley made a motion to approve Calabash Palms Planned Development with the noted conditions and the motion was unanimously carried.

B. Major Subdivision – SS-275

Name: Whispering Pines Major Subdivision Revision
Applicant: Norris & Tunstall Consulting Engineers, P.C.
Tax Parcel(s): 243PF00101, 243PF00102, 243PF00103, 243PF00104, 243PF00105,
243PF00106, 243PF00107, 243PF00108, 243PF00109, 243PF00110,
243PF00111, 243PF00112, 243PF00113, 243PF00114, 243PF00115,
243PF00116, 243PF00117, 243PF00118, 243PF00119, 243PF00120,
243PF00121, 243PF00122, 243PF00123, 243PF00124, 243PF00125,
243PF00126, 243PF00127, 243PF00128
Location: West side of Whispering Pines Street SW (SR 1268)

Description: Whispering Pines Major Subdivision was originally approved in 1991 with 28 single-family lots on 6.98 acres creating an overall density of 4.01 dwelling units per acre. The proposed revision will add 19 lots and result in a total of 47 lots on 6.98 acres creating an overall density of 6.73 dwellings units per acre.

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

Ms. Skaggs 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; and
- That the development of the parcel(s) shall comply with all regulations as specified in the Brunswick County Stormwater Ordinance and Brunswick County Unified Development Ordinance.

Ms. Easley asked staff if the proposed turn-around will be placed on the last lot of the proposed development at the end of Whispering Pine Street SW (SR 1268)? Ms. Skaggs said it will be in Yancey Lane SW right-of-way. She further stated that Yancey Lane SW is currently not an improved road. Mr. Bittenbender asked if more traffic will be on Yancey Lane SW if the turn-around is placed in the right-of-way? Ms. Skaggs said it is intended to be a turn-around and not generate additional traffic on Yancey Lane SW. Ms. Easley asked if the lots on the Intracoastal Waterway utilize Yancey Lane SW as a means of ingress and egress? Mr. Pages interjected that Yancey Lane SW is not a vehicular access right-of-way as it is 20' wide.

Mr. Dunham asked about the existing 28 lots and Ms. Skaggs said those lots will be reconfigured to create the proposed 47 lots.

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

Mr. Phil Norris, Norris and Tunstall Consulting Engineers, addressed the Board on behalf of the applicant. Mr. Norris reiterated that this is an existing subdivision accessed from an NCDOT maintained street (Whispering Pine Street SW). He stated that the developer intends to subdivide the existing 28 lots into smaller lots to create a total of 47 lots because public water and sewer will be available to this project, which would allow for smaller lots than initially approved. Mr. Norris further stated that the sewer system has been reviewed by the County and plans have been submitted to the state for a sewer permit. He stated that there were concerns regarding public sewer and stormwater runoff at the neighborhood meeting. Mr. Norris said concerns were expressed about the natural drainage in this area draining onto neighboring properties on Waterloo Street SW. He said they have completed a topographic survey of the property and the property owners on Waterloo Street SW were correct about the flow of stormwater runoff. Mr. Norris said they have submitted a conceptual grading plan to the County showing how the lots can be regraded so the water drains toward Whisper Pine Street SW (SR 1268) rather than Waterloo Street SW, which should resolve some of the current drainage issues. Mr. Norris concluded that a grading plan will have to be submit if fill material is added to a lot to demonstrate what stormwater control measures will be implemented to ensure there is no negative impact to adjacent properties. Mr. Dunham clarified that the lots will be regraded so stormwater runoff drains toward Whispering Pine Street SW (SR 1268) and a culvert is on both

sides of Whispering Pine Street SW (SR 1268). Mr. Norris said there are no culverts on Whisper Pine Street SW (SR 1268), but there are surface streams.

Mr. Bittenbender asked where the sewer line will be installed? Mr. Norris said the sewer line will be located on the west side of Whispering Pine Street SW (SR 1268) within the NCDOT's right-of-way.

Ms. Mary Yates, 2011 Waterloo Street SW, addressed the Board on behalf of Mavis Freeman (2049 Waterloo Street SW) and Richard "Dick" and Fredrica "Freddy" Tatum (1961 Waterloo Street SW). Ms. Yates read a letter (attached) from Ms. Freeman addressing her concerns of the proposed development that will double in lot size and the potential additional stormwater runoff from the proposed project. Ms. Yates said the attached survey map notes that 12 of the 28 lots in Whispering Pines Subdivision may not be suitable for human habitation as outlined in Ms. Freeman's letter. She stated that adjacent property Dick Tatum is also concerned with stormwater runoff. Ms. Yates said she, too, have stormwater runoff during rainstorms. She was not opposed to public sewer in the area, but she felt that the current property owners should be protected from any negative impact from this project. She further stated they would like to see an erosion control and stormwater plan for the proposed project prior to development beginning.

Mr. Ryan Grant, 2009 Waterloo Street SW, addressed the Board. Mr. Grant was concerned with stormwater runoff being contained on the subject property because there are existing stormwater runoff issues in the area. He, too, wanted to see the developer's plan for stormwater control and he was concerned with stormwater runoff not being addressed until each lot is developed. Mr. Grant said the proposed turn-around currently holds water.

Mr. Dunham asked the County Stormwater Engineer if she would like to address the adjacent property owner's stormwater concerns? Ms. Brigit Flora, County Stormwater Engineer, addressed the Board. Ms. Flora said this is an existing project that was created prior to State and/or County stormwater requirements. However, a stormwater permit would be required if the project disturbed more than an acre of land at one time. Ms. Flora further stated that she has been informed that each lot will be developed and stormwater approval will be required if a lot is elevated more than 4". Mr. Dunham asked Mr. Norris about the proposed grading plan. Mr. Norris reiterated that they submitted a conceptual grading plan to the County due to the stormwater runoff concerns expressed by adjacent property owners, but there is no requirement to provide a grading plan for approval by the County Stormwater Engineer. He stated that each homeowner will have to submit a grading plan to the County for approval when a lot is developed for residential use.

Mr. Riggs asked Ms. Flora the minimum requirements for a residential lot to be developed? Ms. Flora responded that the grading plan has to show that the lot will be graded in such a manner that will not pose a negative impact on the adjacent properties; in that, stormwater runoff is not increased and/or stormwater runoff will not make the existing issues worse. She stated that may require some type of underground infiltration system be installed. Ms. Easley clarified that the County Stormwater Engineer will ensure minimum stormwater requirements are met and Ms. Flora said a final inspection is required for every stormwater permit issued.

Mr. Brent Kanipe, 1861 Waterloo Street SW, addressed the Board. Mr. Kanipe said there is a ditch on the subject property and a portion of the ditch was closed off near his home so a property owner could use the area for a septic field. He said the home was eventually torn down because there were always problems with the property owner's septic system. Mr. Kanipe said that particular ditch is always clogged so he installed a pipe on his property to assist with water

flowing back out to the street. Mr. Kanipe felt that stormwater runoff should be addressed before building permits are applied for on individual lots. He suggested a retention pond and/or rain garden be installed to help with stormwater runoff.

Ms. Panda Cox, owner of 1721 Waterloo Street SW, addressed the Board. Ms. Cox said she has owned her property since the 1990s. She stated that her on-site wastewater system takes up the majority of her backyard and she has 2 additional lots that are unsuitable for septic. She further stated that she installed a French drain on 1 of her lots (1727 Waterloo Street SW) to prevent stormwater runoff from encroaching onto her neighbor's property. Ms. Cox was opposed to the additional 19 lots that will be added to the area with the current stormwater runoff issues in the area. Ms. Cox said the proposed turn-around on Yancey Street SW will not accommodate an emergency vehicle (e.g., fire and rescue) and the additional traffic will only add to a congested area.

Mr. Gary Fields, 1941 Whispering Pine Street SW, addressed the Board. Mr. Fields said there was a ditch between properties in this community, but the ditch has been filled throughout the years. He stated that everyone in this neighborhood has septic issues when there is a major rainstorm. Mr. Fields reiterated that the developer intends to divert the water to the street rather than individual lots. He further stated that Mr. Norris addressed the adjacent property owners' issues at the neighborhood meeting and the stormwater runoff issues should get better with the proposed grading plan submitted by Mr. Norris. Mr. Norris re-addressed the Board. He stated that the proposed conceptual grading plan can be submitted as part of the record and used as a guide for stormwater approval.

Mr. Fields re-addressed the Board. Mr. Fields said his 30' motorhome as well as emergency vehicles travel on the existing road with no difficulty.

Ms. Yates re-addressed the Board. Ms. Yates felt that the developer is trying to circumvent the rules to apply for a State Stormwater Permit. She was concerned with the potential negative impact from stormwater runoff if the proposed lots are built up higher than the existing lots in the area.

Mr. Fields re-addressed the Board. He said he was told there is a sewer line on Sommersett Road SW, specifically, for the marina and it is not available for individual lots.

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

Mr. Leary made a motion to approve Whispering Pines Major Subdivision Revision with the noted conditions and the motion was unanimously carried.

IX. OTHER BUSINESS.

- Planning Board Cases Update

Ms. Dixon addressed the Board. She stated that Rezoning Case Z-789 was approved at the Planning Board's 08-Jun-20 meeting and no rezoning appeal was received so the Planning Board's decision stands.

Ms. Dixon said the proposed text amendment for model homes at the 10-Aug-20 has been requested to be postpone and staff will request such during the agenda amendments section at that 10-Aug-20 meeting.

- Appointment of Planning Board Members to Joint Land Use Plan and Parks & Recreation Master Plan Advisory Committee.

Ms. Dixon addressed the Board. She provided background on the process involved in creating this document(s). Ms. Dixon said there will be members from the Planning Board and Parks & Recreation Board to comprise the Committee. Mr. Dunham said Mr. Bittenbender, Mr. Medlin and he will serve on the Committee from the Planning Board.

- Election of Officers.

Mr. Dunham opened nominations for Chair. Mr. Bittenbender nominated Mr. Dunham for Chair. Mr. Leary made a motion to close nominations and the motion was unanimously carried. Mr. Dunham was unanimously elected as Chair.

Mr. Dunham opened nominations for Vice Chair. Mr. Leary nominated Ms. Easley for Vice Chair. Mr. Bittenbender made a motion to close nominations and the motion was unanimously carried. Ms. Easley was unanimously elected as Vice Chair.

X. ADJOURNMENT.

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

MINUTES
PLANNING BOARD
BRUNSWICK COUNTY, NC

6:00 P.M. Monday
August 10, 2020

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

MEMBERS PRESENT

Eric Dunham, Chair
Richard Leary
William Bittenbender
William Clark
Brett Riggs, Alternate

MEMBERS ABSENT

Joy Easley, Vice Chair
Ron Medlin

STAFF PRESENT

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

OTHERS PRESENT

Michael Fulwood
Brad Sedgwick

Allen Thomas Wrenn, Jr.

I. CALL TO ORDER.

Mr. Dunham 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.

Ms. Joy Easley and Mr. Ron Medline were absent.

IV. AGENDA AMENDMENTS.

Ms. Dixon addressed the Board. She stated that staff received a request to postpone the text amendments related to model home and real estate sales office up to 60 days and staff concurs. The Board accepted staff's request to postpone the text amendment regarding model homes and real estate sales office up to 60 days.

V. PUBLIC COMMENT.

There were none.

VI. PUBLIC HEARINGS.

A. Rezoning Z-790 – (Michael J. Fulwood).

Request rezoning of approximately 5.27 acres located at 6849 Sweet Gum Road NW from R-7500 (Medium Density Residential) to C-LD (Commercial Low Density) for Tax Parcel 2120002411.

Land Use Plan Map Amendment LUM – 790:

Request to amend Tax Parcel 2120002411 located at 6849 Sweet Gum Road NW from LDR (Low Density Residential) to Commercial for Tax Parcel 2120002411 located at 6849 Sweet Gum Road NW.

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

Mr. Pages said staff recommends approval from R-7500 (Medium Density Residential) to C-LD (Commercial Low Density) for Tax Parcel 2120002411 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map to Commercial for Tax Parcel 2120002411.

Mr. Dunham said the properties in this area appears to be split-zoned and Mr. Pages concurred. Mr. Dunham asked about the potential of the property between Sweet Gum Road NW and Ocean Hwy W (US 17) being rezoned to C-LD? Mr. Pages said there was no interest from the property owner(s) to include that area(s) in the zoning change.

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

Mr. Michael J. Fulwood addressed the Board. Mr. Fulwood stated that the zoning change will enhance his current business. He further stated that he is a partial owner of Tax Parcel 21200024, which is in the area Mr. Dunham suggested should be consider for a zoning change.

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

Mr. Bittenbender made a motion to approve Tax Parcel 2120002411 to C-LD (Commercial Low Density) in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map 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

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 property is currently classified as LDR (Low Density Residential). However, a CAMA Land Use Plan Map amendment has been requested to Commercial.

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

No changes have been considered to amend the CAMA Land Use Plan.

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

There is similar zoning in the immediate area.

The Chairman stated that any person with standing may appeal the decision of the Planning Board. If an appeal is received in the allotted time, the case will move forward to the Brunswick County Board of Commissioners for a Public Hearing and their consideration. He further stated that if notice of the appeal is not provided in writing within 15 days, then the decision of the Planning Board shall be final.

B. Rezoning Z-792 – (Allen Thomas Wrenn, Jr.).

Request rezoning of approximately 0.63 acres located at 4662 Peoples Way SW from NC (Neighborhood Commercial) to R-6000 (High Density Residential) for Tax Parcel 244EB007.

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

Mr. Pages said staff recommends approval from NC (Neighborhood Commercial) to R-6000 (High Density Residential) for Tax Parcel 244EB007.

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

Mr. Allen Thomas Wrenn, Jr. addressed the Board. Mr. Wrenn stated that he intends to subdivide the property into 2 lots for residential purposes.

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

Mr. Leary made a motion to approve Tax Parcel 244EB007 to R-6000 (High 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

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 property is currently classified as HDR (High Density Residential).

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

There is similar zoning to the north, east and west of the subject property.

The Chairman stated that any person with standing may appeal the decision of the Planning Board. If an appeal is received in the allotted time, the case will move forward to the Brunswick County Board of Commissioners for a Public Hearing and their consideration. He further stated that if notice of the appeal is not provided in writing within 15 days, then the decision of the Planning Board shall be final.

C. Rezoning Z-793 – (JBS Consulting, PA %Brad Sedgwick, PE).

Request rezoning of approximately 8.25 acres located at 8470 River Road SE from C-LD (Commercial Low Density) to I-G (Industrial General) for Tax Parcel 22100011.

Land Use Plan Map Amendment LUM – 793:

Request to amend Tax Parcel 22100011 located at 8470 River Road SE from HDR (High Density Residential) to Industrial.

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

Mr. Pages said staff recommends approval from C-LD (Commercial Low Density) to I-G (Industrial General) for Tax Parcel 22100011 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map to Industrial for Tax Parcel 22100011.

Mr. Bittenbender asked staff if sewer is available? Mr. Pages said sewer is nearby.

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

Mr. Brad Sedgwick, JBS Consulting, addressed the Board on behalf of the property owner. Mr. Sedgwick stated that the applicant wants to get the zoning designation consistent with the

applicant's (Duke Energy Progress Inc) adjoining property to accommodate a warehouse that will be placed on the subject property.

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

Mr. Leary made a motion to approve Tax Parcel 22100011 to I-G (Industrial General) (Commercial Low Density) in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map to Industrial and the motion was unanimously carried.

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

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 property is currently classified as HDR (High Density Residential). However, a CAMA Land Use Plan Map amendment has been requested to Industrial.

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

There were no objections to the zoning change.

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

There is similar zoning nearby.

The Chairman stated that any person with standing may appeal the decision of the Planning Board. If an appeal is received in the allotted time, the case will move forward to the Brunswick County Board of Commissioners for a Public Hearing and their consideration. He further stated that if notice of the appeal is not provided in writing within 15 days, then the decision of the Planning Board shall be final.

VII. ADJOURNMENT.

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

REZONING STAFF REPORT



Prepared by Marc Pages, Senior Planner

Rezoning Case#: Z-791CZ

September 14, 2020

APPLICATION SUMMARY

The applicant, Aaron S. Healy, requests to rezone Tax Parcel 2150010007 and a portion of 2150010020 from R-6000 (High Density Residential) and R-7500 (Medium Density Residential) to CLD-CZ (Commercial Low Density Conditional Zoning). This conditional zoning is proposing to limit the uses to Self Service Storage Facility (Mini Storage w/ Outdoor Storage of Boats/RV's), Single Family Detached Residential, Accessory Building, Home Occupations, Planned Development (with Planning Board Approval). The applicant held a Neighborhood Meeting on August 27, 2020. The owners and adjacent owners have been notified of the proposed rezoning via first class mail. A site plan is provided, and several conditions have been proposed and agreed upon by the owner.

Location

1535 Holden Beach Road (NC 130)

Tax Parcels

2150010007

2150010020 (A Portion of)

Current Zoning

R-6000 (High Density Residential)

R-7500 (Medium Density Residential)

Proposed Zoning

CLD-CZ (Commercial Low Density Conditional Zoning)

Surrounding Zoning

R-6000 and R-7500

Current Use

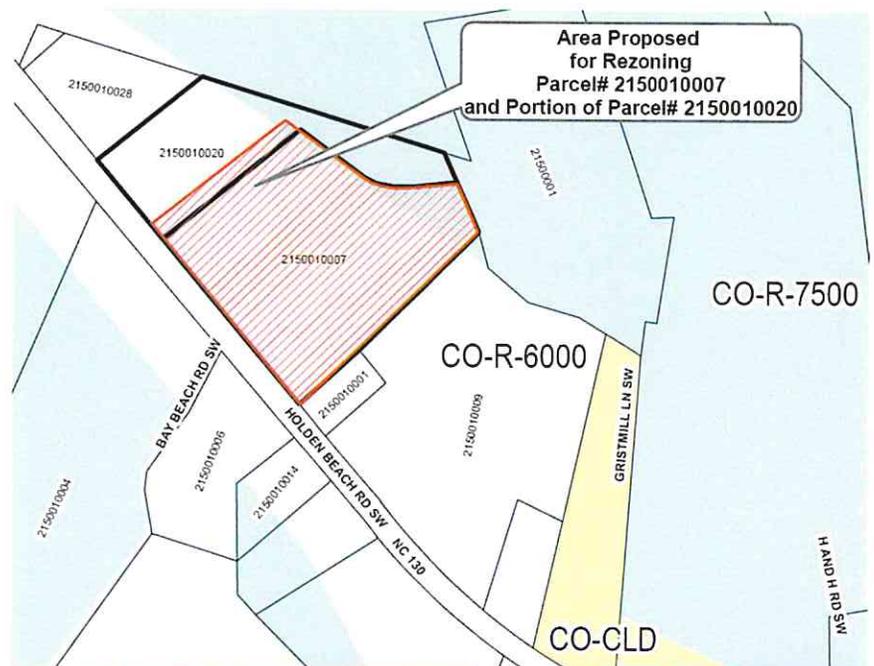
Vacant and Single Family Residential

Surrounding Land Uses

Residential, Vacant Lands

Size

5.35 acres



SITE CONSIDERATIONS

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

Buffers: A 20-foot, 0.4 opacity peripheral buffer is proposed with a 6-foot high opaque wooden fence. Existing vegetation will be utilized to satisfy the opacity requirement and supplemented with additional landscaping where needed. A 20-foot street buffer is also proposed along Holden Beach Road consistent with UDO Section 6.3.8.

Traffic: There are no capacity deficiencies for this section of Holden Beach Road (NC 130). The developer shall be responsible for obtaining an NCDOT driveway permit prior to construction.

Utilities: Water is available from Brunswick County Utilities along Holden Beach Road. Sewer is not available in the area.

Schools: Supply Elementary School, Cedar Grove Middle School and West Brunswick High School have adequate capacity.

CIP Projects in Area: West Brunswick Classroom Addition (FY 2021), New Early College High School (FY 2022)

NCDOT Road Improvements in Area: Carolina Bays Parkway (R-5876) – Planning and Design Phase, Convert US 17 & NC 211 intersection to interchange (Project U-5932) – Design Phase (Anticipated Construction 2024).

Environmental Impacts: Biodiversity & Wildlife Habitat Assessment Score: The rezoning site scores a 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."

Conditional Zoning is established to offer flexibility to meet project and community needs that are not accommodated by conventional zoning districts. These districts allow approval with individualized development standards adopted as part of the rezoning. Property is rezoned to these districts in response to and consistent with the applicant's submitted site plan, list of uses, list of conditions, and any rules or regulations, that would govern development of the site. The property owner and Brunswick County must agree to all conditions. The applicant must hold at least one neighborhood meeting on the proposal prior to the Planning Board's public hearing. These districts are potentially available in conjunction with any of the conventional zoning classifications the site.

CAMA Land Use Plan Classification: MDR (Medium Density Residential)

- Proposed Zoning is NOT consistent with CAMA Land Use Plan.
- Land Use Amendment (LUM-791CZ) proposed from MDR to Commercial.

Applicable CAMA Land Use Policies:

- P.16 states that Brunswick County strongly supports commercial nodes, including town or village centers, and the prohibition of strip commercialization.
- P.49 states that Brunswick County supports directing more intensive land uses to areas that have existing or planned infrastructure.

STAFF RECOMMENDATION SUMMARY

Staff recommends **APPROVAL TO CLD-CZ IN CONJUNCTION WITH THE LAND USE AMENDMENT, SITE PLAN, THE LIST OF CONDITIONS AND LIST OF PERMITTED USES FOR TAX PARCELS 2150010007 AND A PORTION OF 2150010020 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. **Self-Service Storage Facility (Mini Storage) includes outdoor storage of Boats/RV's**
2. **Single Family Detached Residential**
3. **Accessory Building**
4. **All home occupation**
5. **Planned Development (Subject to approval from the Planning Board per the Brunswick County Unified Development Ordinance)**

Conditions:

1. **All development shall comply with all applicable federal, state, and local requirements and with the Brunswick County Unified Development Ordinance (UDO) and shall 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 as kept on file by the Brunswick County Planning Department.**
2. **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**
3. **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.**
4. **A 20-foot, 0.4 opacity butter shall be installed with a 6-foot high opaque wooden fence. Existing vegetation will be utilized but supplemental landscaping will be installed where necessary to satisfy opacity requirement.**

REVISED 8/27/2020

CONSISTENCY STATEMENT

FOR BRUNSWICK COUNTY PLANNING BOARD

ZONING AMENDMENT DESCRIPTION: Z-791CZ (R-6000 to C-LDCZ)



**THE BRUNSWICK COUNTY PLANNING BOARD HEREBY ORDER, on the basis of
be all the foregoing, that the UNIFIED DEVELOPMENT ORDINANCE ZONING AMENDMENT**

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: _____

ALTERNATIVE RECOMMENDATION: _____

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

DENIED – INCONSISTENT WITH COMPREHENSIVE PLAN

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

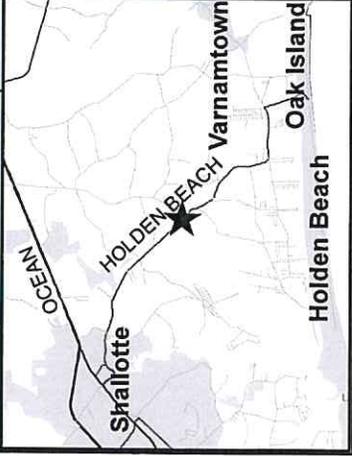
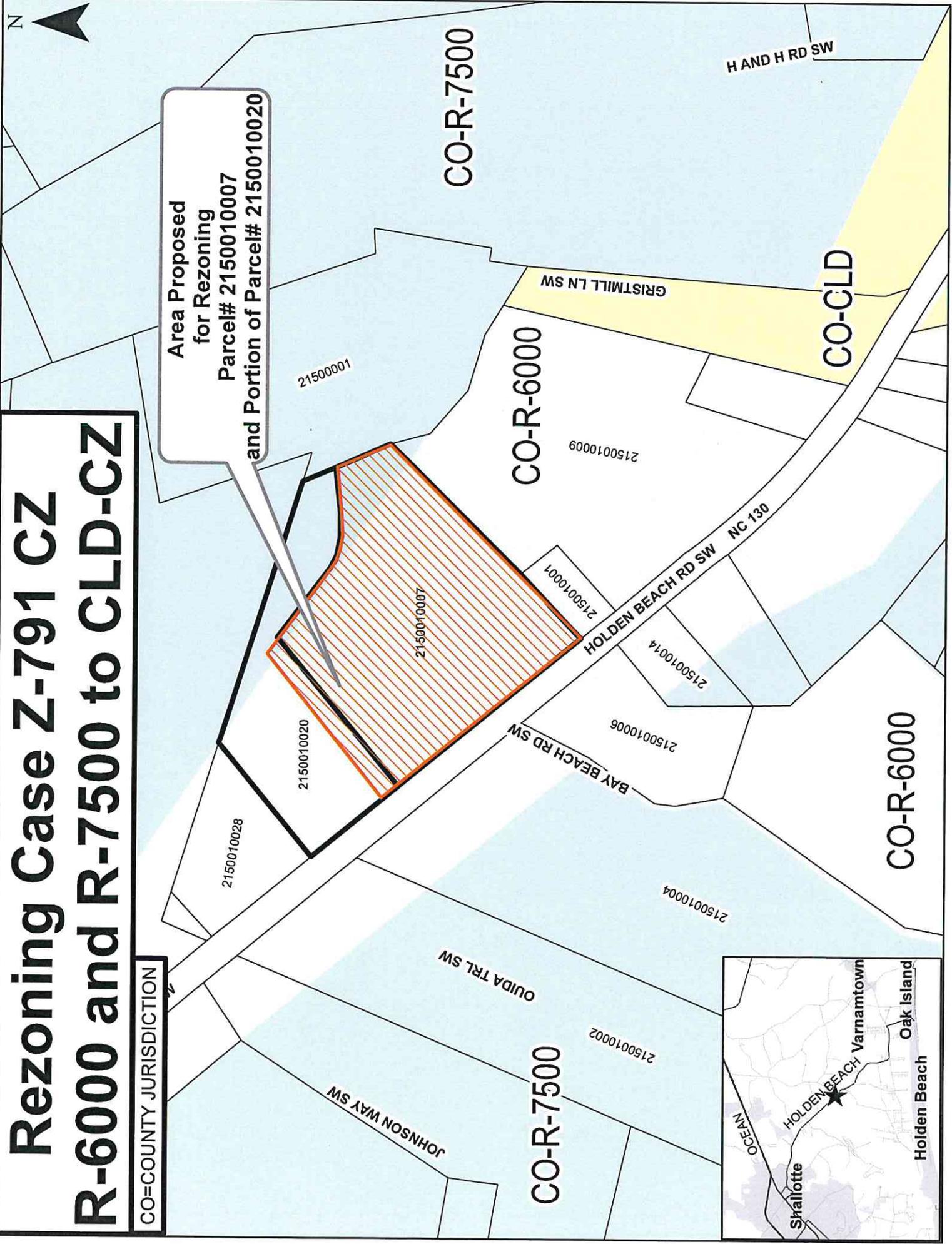
TABLED

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

Rezoning Case Z-791 CZ R-6000 and R-7500 to CLD-CZ

CO=COUNTY JURISDICTION

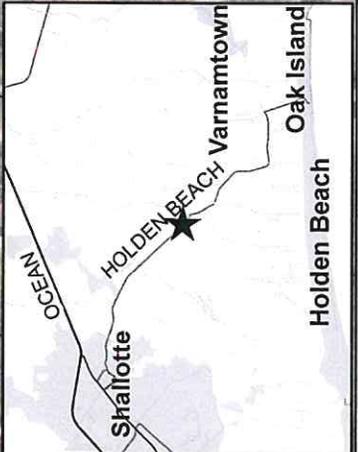
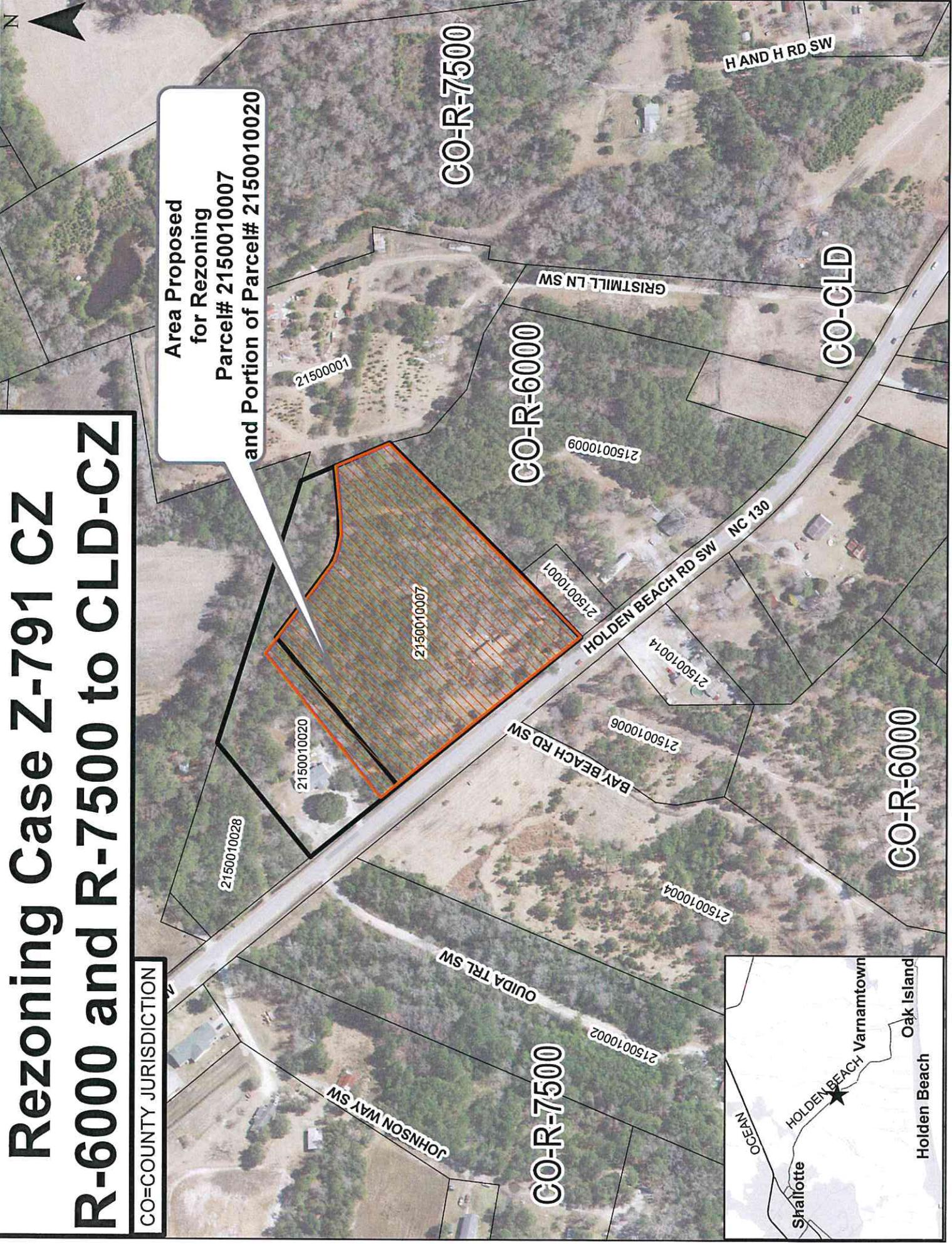
Area Proposed
for Rezoning
Parcel# 2150010007
and Portion of Parcel# 2150010020



Rezoning Case Z-791 CZ R-6000 and R-7500 to CLD-CZ

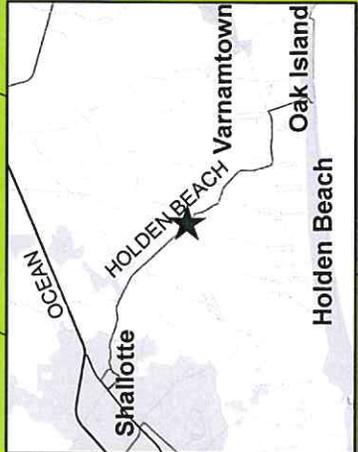
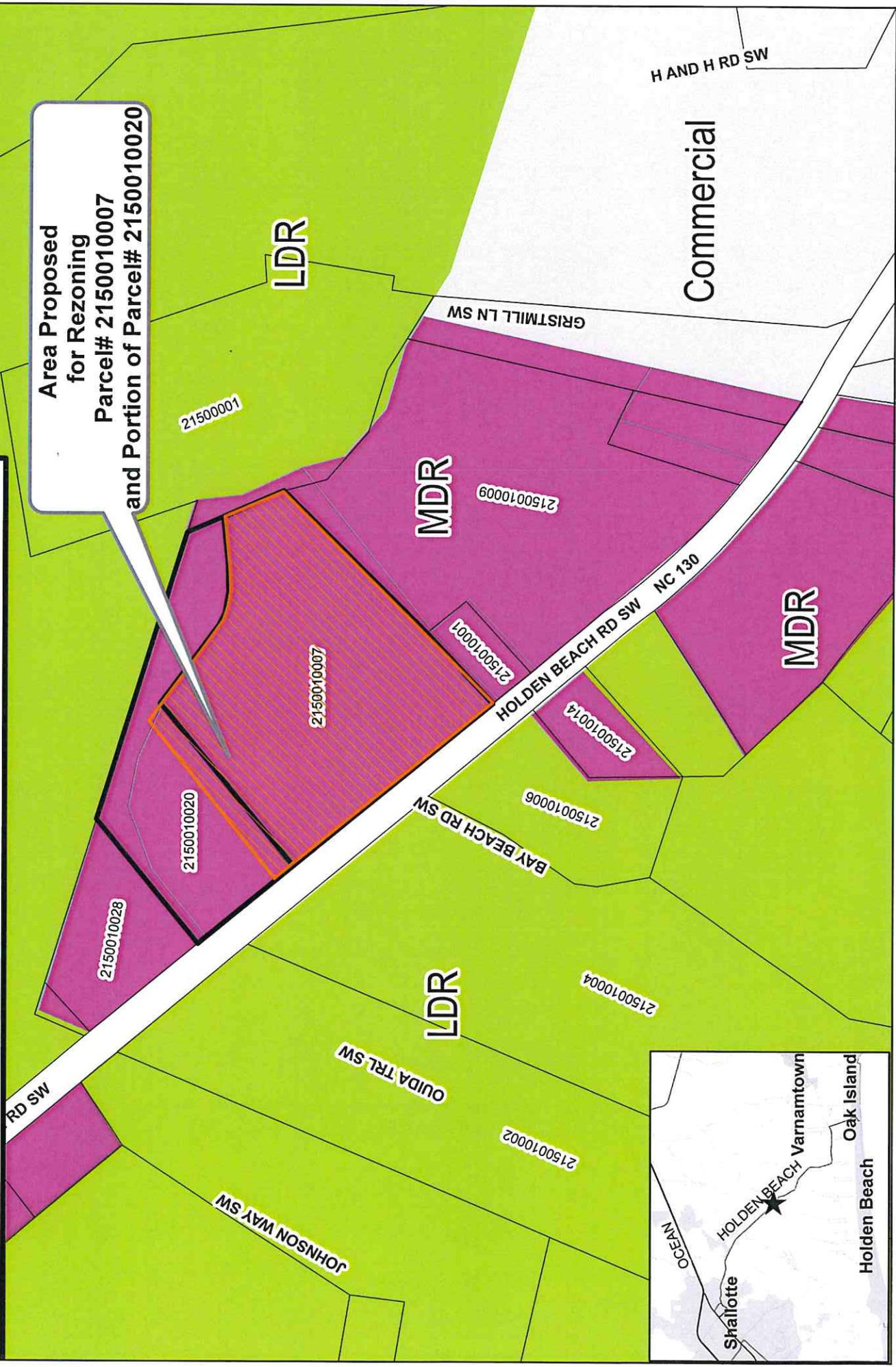
CO=COUNTY JURISDICTION

Area Proposed
for Rezoning
Parcel# 2150010007
and Portion of Parcel# 2150010020



Rezoning Case Z-791 CZ Land Use Plan

Area Proposed
for Rezoning
Parcel# 2150010007
and Portion of Parcel# 2150010020





REZONING APPLICATION

For Office Use Only

Rezoning Case Z- 79117 Invoice # 472219
 Date Received 5/13/2020
 Northwest Jurisdiction YES NO

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): Aaron S. Healy

Mailing Address: 1041 Ashbury Dr S.E.
Bolivia, NC 28422

Phone: 910. 279. 0344 Email: Aaron.healy @ HDI Construction.net

PROPERTY OWNER INFORMATION (if different from above)

Owner Name(s): Linda Hewett

Mailing Address: 1507 Holden Beach Rd
Supply, NC 28462

Phone: 910. 540. 5184 Email:

PROPERTY INFORMATION

Property Address and/or Description of Location: 1535 Holden Beach Rd, Supply, NC 28462

Parcel Tax ID #(s): <u>215 001 0007</u> <u>215 001 0020 (portion)</u>	Total Site Acreage: <u>5.35</u> ^(MA)
Current Zoning District(s): <u>CO-R-6000</u>	Proposed Zoning District(s): <u>CLD-C2</u>

Conditional Zoning Request YES NO

Conditional Zoning have additional submittal requirements such as Conceptual Site Plan, Proposed Conditions, Proposed Uses, and the holding of a neighborhood meeting. Please include the additional information as an attachment to this application.

NOTE: If multiple parcels are being proposed for rezoning then write "see attached" and attach the list of the parcels. Make sure to include the Tax Parcel ID #, owner name(s)/address, and acreage information.

STATEMENT OF REASONABLENESS

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

Hwy 130, Holden Beach Rd, is a main thorough fare for local residents traveling to Shallotte and Hwy 17. The subject, located approximately 2,000 feet from the intersection with Mt Pisgah has historically been a commercial hub for an open-air market and is currently zoned commercial. The proposed use does not create a significant increase in traffic.

LAND USE COMPATIBILITY

Future Land Use Map Classification: MDR

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

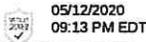
If not consistent, please explain the change in conditions of the community which justify amending the Land Use Plan Map:

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: 5-8-2020

Owner Signature: Rinda Hewett  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.

Brunswick County Jurisdiction Fees

- <1.0 acres (\$350)
- 1.0 to <5 acres (\$400)
- 5.0 to <25 acres (\$450)
- 25 to <50 acres (\$600)
- 50+ acres (\$1,200)
- Conditional Zoning (Add \$200)

City of Northwest Jurisdiction Fees

- <1.0 acres (\$1,650)
- 1.0 to <5 acres (\$1,760)
- 5.0 to <25 acres (\$1,870)
- 25 to <50 acres (\$2,090)
- 50+ acres (\$2,200)
- Conditional Zoning (Add \$550)

Please note that any continuance request after initial advertising will incur and additional \$500 fee for Brunswick County Jurisdiction and \$550 for City of Northwest Jurisdiction.

PARAMOUNTE

ENGINEERING, INC.

September 1, 2020

**RE: Community Meeting Summary
Holden Beach Self-Storage**

Paramounte Engineering, Inc. and HDI Construction Inc. held a community meeting on Thursday, August 27, 2020 from 6:00 PM to 7:00 PM at 1507 Holden Beach Rd., Supply, NC 28462.

Invitations to attend the community meeting and official noticing the project, were mailed to all adjacent property owners and the county planning department. A sign noticing the community was also posted at the subject property. All noticing was conducted as required per the County Ordinance.

As publicly noticed, the subject property is the \pm 5.09-acre tract of land located at 1535 Holden Beach Rd., Supply NC, 28462 and identified as Brunswick County Parcel: 2150010009; and \pm 0.26-acres of 1507 Holden Beach Rd, Brunswick County parcel 2150010020. The current zoning for the existing properties is R-600 and the proposed re-zoning for the recombined property is C-LD (Commercial Low Density). The proposed use is a Self-Storage Facility.

The meeting was attended by (7) persons, including the design consultants, project applicant, property owner, representative realtor / brokers, and one neighbor. The meeting was held in an Open-House format, where attendees were able to view the proposed plans and discuss with the project designer and applicant.

Questions were asked about the proposed stormwater management and proposed uses for the facility as follows:

1. Location of proposed pond outfall and will the pond be wet or dry?
 - a. The outfall will be determined upon final engineering and the pond will be designed as "wet".
2. Will there be RV / Boat Storage?
 - a. Yes, there is RV / Boat storage shown on the plan, along the east side of the property line.

If there are any questions, concerns or corrections required for this community meeting summary, please contact Mike Nichols, RLA at Paramount Engineering.

HOLDEN BEACH SELF STORAGE
1535 HOLDEN BEACH RD.
SUPPLY, NC 28462

8/27/2020
6pm-7pm

COMMUNITY MEETING SIGN IN SHEET

<u>NAME</u>	<u>ADDRESS</u>	<u>EMAIL</u>
1. MIKE NICHOLS PARAMOUNT ENG.	122 CINEMA DR. WILMINGTON NC	MNICHOLS@PARAMOUNT- ENG.COM
2. PJ Doherty Carolina Commercial	1816 Jungin Run Wilm NC 28403	PJDoherty@ ATMC.NET
3. Cane Faircloth	3123 Old Ferry Rd Sw Supply NC	captcanebroker@ gmail.com
4. Dennis Hewitt	910-612-1368	

OTHER ATTENDEES:

5. Aaron H. - APPLICANT
6. Ms. HENRY - OWNER
7. Marc - COUNTY PLANNER

MEETING CONDUCTED FROM
6pm-7pm AS ADVERTISED
(7) TOTAL ATTENDEES.

X ATTEST. MN
MIKE NICHOLS

HOLDEN BEACH SELF STORAGE

BRUNSWICK COUNTY, NORTH CAROLINA

DESIGN DOCUMENTS

JULY 2020

FOR

HDI CONSTRUCTION
4039 MASONBORO LOOP ROAD, SUITE 1-0
WILMINGTON, NC 28462
(910) 399-2649



VICINITY MAP
NOT TO SCALE

DEVELOPER:
HDI CONSTRUCTION
1222 PARK DRIVE
WILMINGTON, NC 28403
ATTN: AMON HSELY

ENGINEER (CIVIL):
PARAMOUNT ENGINEERING, INC.
1222 PARK DRIVE
WILMINGTON, NC 28403
ATTN: TRAVIS SCHELES P.E. (910) 791-6277

LANDSCAPE ARCHITECT:
PARAMOUNT ENGINEERING, INC.
1222 PARK DRIVE
WILMINGTON, NC 28403
ATTN: AMON HSELY P.A. (910) 791-6277

SHEET INDEX	
SHEET NUMBER	SHEET TITLE
C-0.0	COVER SHEET
SHEET 1 OF 1	BOUNDARY EXHIBIT
C-2.0	SITE PLAN
L-2.0	LANDSCAPE PLAN

PREPARED BY:

PARAMOUNT

1222 Park Drive
Wilmington, NC 28403
(910) 791-6277 / (910) 791-6266 (F)

PROJECT # 2019B-PC

PRELIMINARY DESIGN - NOT RELEASED FOR CONSTRUCTION

NOTICE REQUIRED

ALL EXISTING UNDERGROUND UTILITIES SHALL BE PHYSICALLY LOCATED PRIOR TO THE BEGINNING OF ANY CONSTRUCTION IN THE VICINITY OF SAID UTILITIES.
CONTRACTORS SHALL NOTIFY OPERATORS WHO MAINTAIN UNDERGROUND UTILITY LINES IN THE AREA OF PROPOSED EXCAVATION AT LEAST TWO WORKING DAYS, BUT NOT MORE THAN TEN WORKING DAYS PRIOR TO COMMENCEMENT OF EXCAVATION OR DEMOLITION.

PROJECT STATUS
 DRAWING INFORMATION
 PROJECT NO. 17-0000000000
 DRAWING NO. 17-0000000000
 DATE 2/28/17
 DRAWN BY J. H. HARRIS
 CHECKED BY J. H. HARRIS
 PROJECT LOCATION
 1535 HOLDEN BEACH ROAD - TRACT 1
 ROCKWOOD POLLY TOWNSHIP
 BURLINGTON COUNTY, NC

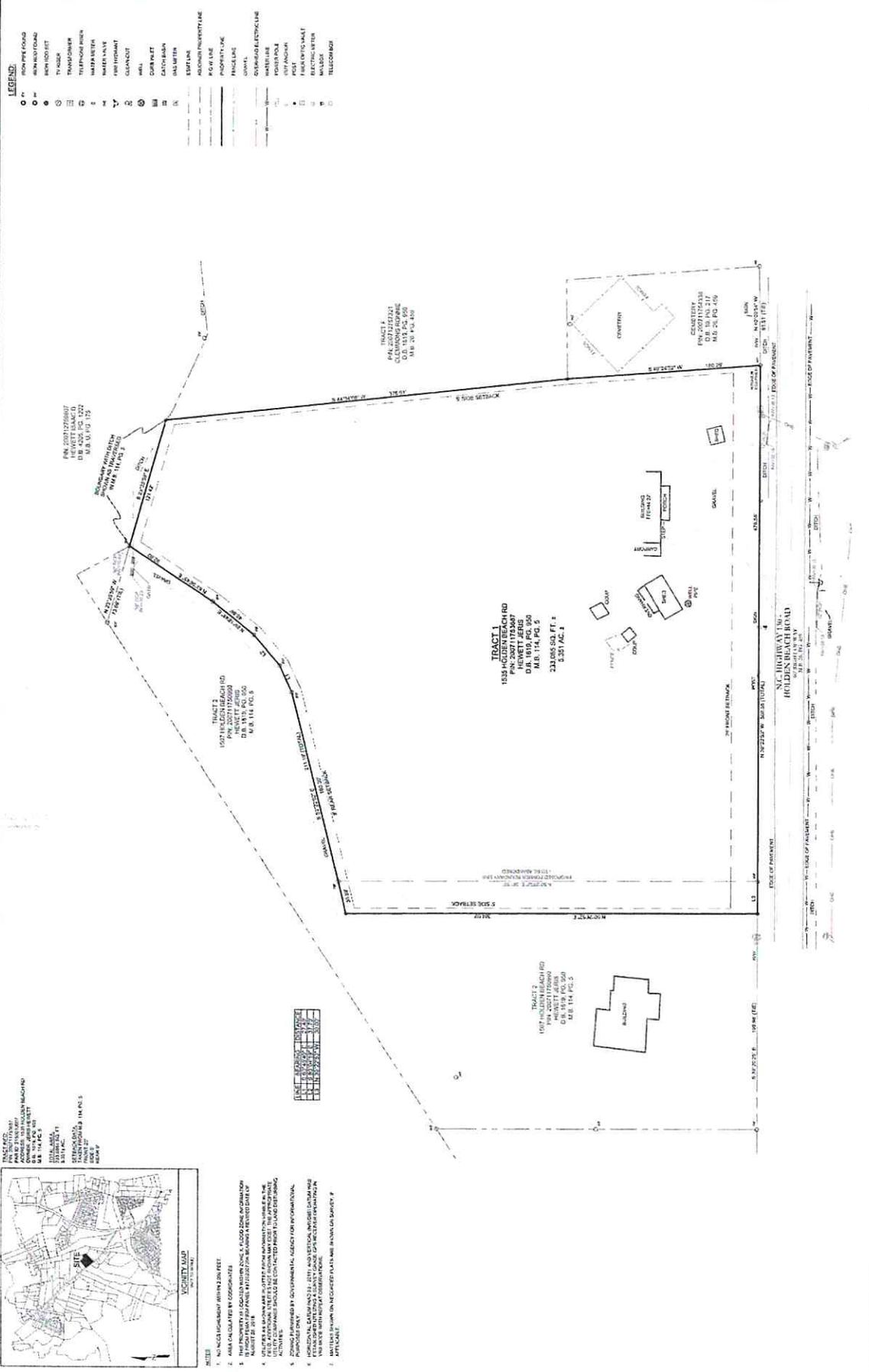
BOUNDARY EXHIBIT
 1535 HOLDEN BEACH ROAD - TRACT 1
 ROCKWOOD POLLY TOWNSHIP
 BURLINGTON COUNTY, NC

PARAMOUNT
 120 Chatham Drive
 Wilmington, North Carolina 28403
 910.784.6700 (7) 910.791.6700 (F)
 NCLicense #: C-2846

HARRIS HEWITT
 1507 HOLDEN BEACH ROAD
 SUPPLY, NC 28442

LEGEND

0	IRON PIPE ROAD
1	IRON PIPE ROAD
2	IRON PIPE ROAD
3	IRON PIPE ROAD
4	IRON PIPE ROAD
5	IRON PIPE ROAD
6	IRON PIPE ROAD
7	IRON PIPE ROAD
8	IRON PIPE ROAD
9	IRON PIPE ROAD
10	IRON PIPE ROAD
11	IRON PIPE ROAD
12	IRON PIPE ROAD
13	IRON PIPE ROAD
14	IRON PIPE ROAD
15	IRON PIPE ROAD
16	IRON PIPE ROAD
17	IRON PIPE ROAD
18	IRON PIPE ROAD
19	IRON PIPE ROAD
20	IRON PIPE ROAD
21	IRON PIPE ROAD
22	IRON PIPE ROAD
23	IRON PIPE ROAD
24	IRON PIPE ROAD
25	IRON PIPE ROAD
26	IRON PIPE ROAD
27	IRON PIPE ROAD
28	IRON PIPE ROAD
29	IRON PIPE ROAD
30	IRON PIPE ROAD
31	IRON PIPE ROAD
32	IRON PIPE ROAD
33	IRON PIPE ROAD
34	IRON PIPE ROAD
35	IRON PIPE ROAD
36	IRON PIPE ROAD
37	IRON PIPE ROAD
38	IRON PIPE ROAD
39	IRON PIPE ROAD
40	IRON PIPE ROAD
41	IRON PIPE ROAD
42	IRON PIPE ROAD
43	IRON PIPE ROAD
44	IRON PIPE ROAD
45	IRON PIPE ROAD
46	IRON PIPE ROAD
47	IRON PIPE ROAD
48	IRON PIPE ROAD
49	IRON PIPE ROAD
50	IRON PIPE ROAD
51	IRON PIPE ROAD
52	IRON PIPE ROAD
53	IRON PIPE ROAD
54	IRON PIPE ROAD
55	IRON PIPE ROAD
56	IRON PIPE ROAD
57	IRON PIPE ROAD
58	IRON PIPE ROAD
59	IRON PIPE ROAD
60	IRON PIPE ROAD
61	IRON PIPE ROAD
62	IRON PIPE ROAD
63	IRON PIPE ROAD
64	IRON PIPE ROAD
65	IRON PIPE ROAD
66	IRON PIPE ROAD
67	IRON PIPE ROAD
68	IRON PIPE ROAD
69	IRON PIPE ROAD
70	IRON PIPE ROAD
71	IRON PIPE ROAD
72	IRON PIPE ROAD
73	IRON PIPE ROAD
74	IRON PIPE ROAD
75	IRON PIPE ROAD
76	IRON PIPE ROAD
77	IRON PIPE ROAD
78	IRON PIPE ROAD
79	IRON PIPE ROAD
80	IRON PIPE ROAD
81	IRON PIPE ROAD
82	IRON PIPE ROAD
83	IRON PIPE ROAD
84	IRON PIPE ROAD
85	IRON PIPE ROAD
86	IRON PIPE ROAD
87	IRON PIPE ROAD
88	IRON PIPE ROAD
89	IRON PIPE ROAD
90	IRON PIPE ROAD
91	IRON PIPE ROAD
92	IRON PIPE ROAD
93	IRON PIPE ROAD
94	IRON PIPE ROAD
95	IRON PIPE ROAD
96	IRON PIPE ROAD
97	IRON PIPE ROAD
98	IRON PIPE ROAD
99	IRON PIPE ROAD
100	IRON PIPE ROAD



- NOTES**
1. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 2. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 3. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 4. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 5. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 6. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 7. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 8. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 9. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 10. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 11. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 12. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 13. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 14. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 15. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 16. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 17. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 18. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 19. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 20. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 21. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 22. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 23. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 24. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 25. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 26. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 27. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 28. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 29. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 30. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 31. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 32. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 33. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 34. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 35. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 36. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 37. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 38. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 39. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 40. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 41. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 42. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 43. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 44. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 45. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 46. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 47. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 48. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 49. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 50. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 51. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 52. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 53. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 54. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 55. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 56. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 57. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 58. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 59. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 60. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 61. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 62. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 63. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 64. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 65. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 66. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 67. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 68. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 69. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 70. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 71. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 72. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 73. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 74. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 75. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 76. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 77. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 78. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 79. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 80. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 81. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 82. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 83. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 84. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 85. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 86. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 87. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 88. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 89. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 90. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 91. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 92. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 93. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 94. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 95. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 96. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 97. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 98. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 99. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.
 100. THIS BOUNDARY EXHIBIT IS A PRELIMINARY DRAWING.

CERTIFICATE OF ACCURACY
 I, the undersigned, being a duly licensed Professional Surveyor in the State of North Carolina, do hereby certify that this is a true and correct copy of the original survey as shown to me by the client, and that I am a duly licensed Professional Surveyor in the State of North Carolina.
 J. H. HARRIS
 J. H. HARRIS, PLS
 1507 HOLDEN BEACH ROAD
 SUPPLY, NC 28442

CASE Z-791 CZ

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
2150010028	HEWETT JERIS	1507 HOLDEN BEACH ROAD	SUPPLY	NC	28462
2150010002	HEWETT OUIDA L A	2180 OUIDA TRL SW	SUPPLY	NC	28462-3157
21500001	HEWETT ISAAC D	4072 MEADOW DR	SHALLOTTE	NC	28470-4611
19900139	HOLDEN LINNIE IRENE	1487 HOLDEN BEACH RD SW	SUPPLY	NC	28462
2150010014	LAND WANDA FRANKLIN	408 R GRAHAM STREET	LAURINBURG	NC	28352
2150010004	HEWETT ISAAC DENNIS	4072 MEADOW DRIVE	SHALLOTTE	NC	28470
2150010006	HEWETT ISAAC DENNIS	4072 MEADOW DRIVE	SHALLOTTE	NC	28470
2150010009	CLEMMONS RONNIE	2134 EMPIRE ROAD SW	SUPPLY	NC	28462
2150010001	CEMETERY				

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
2150010007	HEWETT JERIS	1507 HOLDEN BEACH ROAD	SUPPLY	NC	28462
2150010020	HEWETT JERIS	1507 HOLDEN BEACH ROAD	SUPPLY	NC	28462

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
	AARON S. HEALY	641 ASHBURY DR SE	BOLIVIA	NC	28422

REZONING STAFF REPORT



Prepared by Marc Pages, Senior Planner

Rezoning Case#: Z-794CZ

September 14, 2020

APPLICATION SUMMARY

The applicant, David Rouen, requests to rezone a portion of Tax Parcel 23700008 from IG (Industrial General) to RR-CZ (Rural Residential Conditional Zoning). This conditional zoning is proposing to limit the uses to Single-Family Detached Residential, Accessory Buildings, Home Occupation and Dock/Pier. The applicant held a Neighborhood Meeting on September 1, 2020. The owners and adjacent owners have been notified of the proposed rezoning via first class mail. A site plan is provided, and several conditions have been proposed and agreed upon by the owner.

Location

Approximately 2,000 feet east of Dutchman Creek Park near Southport

Tax Parcel

23700008 (A Portion of)

Current Zoning

IG (Industrial General)

Proposed Zoning

RR-CZ (Rural Residential Conditional Zoning)

Surrounding Zoning

IG, SP-OS (Southport Jurisdiction)

Current Use

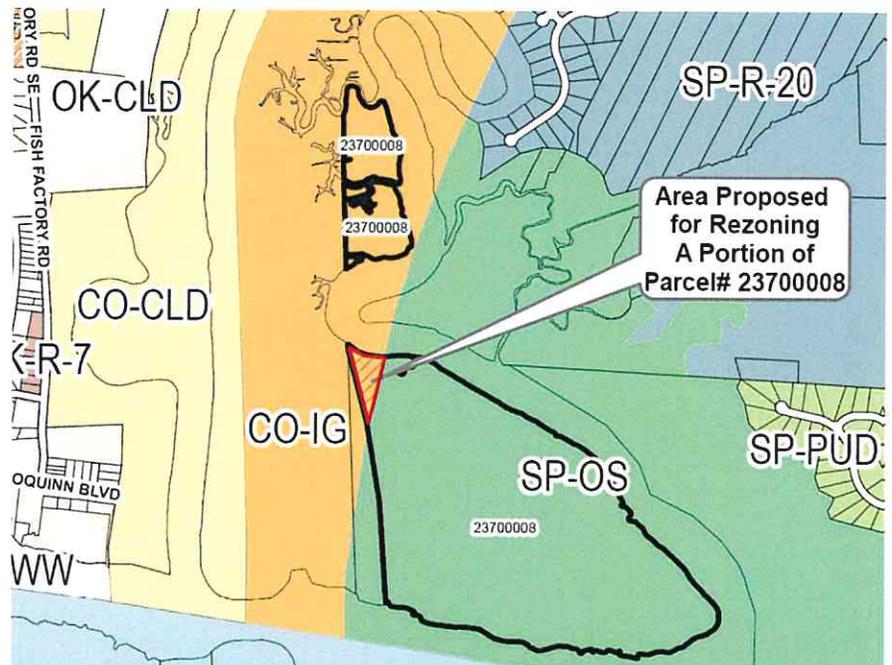
Vacant

Surrounding Land Uses

Industrial, Vacant Lands

Size

1.78 acres



SITE CONSIDERATIONS

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

Buffers: No buffers are proposed.

Traffic: No vehicular access is proposed. Project area is only accessible via watercraft off of Dutchman Creek.

Utilities: Water and Sewer is not available. It is the applicant's responsibility to obtain a well and septic permit from the Brunswick County Environmental Health Department.

Schools: Southport Elementary School, South Brunswick Middle School and South Brunswick High School have adequate capacity.

CIP Projects in Area: NC 211 R-5021 NCDOT Utility Relocation (FY 2020), New Early College High School (FY 2022)

NCDOT Road Improvements in Area: Widen NC 211 from Midway Road (NC 906) to NC 87 (Project R-5021) – Pre-Construction Phase (Anticipated Construction 2019 - 2021). Convert US 17 & NC 211 intersection to interchange (Project U-5932) – Design Phase (Anticipated Construction 2024).

Environmental Impacts: Biodiversity & Wildlife Habitat Assessment Score: The rezoning site scores an 8 out of 10 for wetlands and/or habitat viewed as substantial.

ANALYSIS

"The Rural Low Density Residential 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."

Conditional Zoning is established to offer flexibility to meet project and community needs that are not accommodated by conventional zoning districts. These districts allow approval with individualized development standards adopted as part of the rezoning. Property is rezoned to these districts in response to and consistent with the applicant's submitted site plan, list of uses, list of conditions, and any rules or regulations, that would govern development of the site. The property owner and Brunswick County must agree to all conditions. The applicant must hold at least one neighborhood meeting on the proposal prior to the Planning Board's public hearing. These districts are potentially available in conjunction with any of the conventional zoning classifications the site.

CAMA Land Use Plan Classification: *Undesignated*

- Proposed Zoning is NOT consistent with CAMA Land Use Plan
- Land Use Amendment (LUM-794CZ) proposed from Undesignated to LDR (Low Density Residential)

Applicable CAMA Land Use Policies:

- P.15 states that Brunswick County supports greater residential densities in areas that are accessible to water and sewer service(s). Agricultural and low-density residential land uses should be located in areas that do not have central water or sewer service.

STAFF RECOMMENDATION SUMMARY

Staff recommends ***APPROVAL TO RR-CZ IN CONJUNCTION WITH THE LAND USE AMENDMENT, SITE PLAN, THE LIST OF CONDITIONS AND LIST OF PERMITTED USES FOR A PORTION OF TAX PARCEL 23700008*** 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. Single Family Detached Residential**
- 2. Accessory Building**
- 3. All home occupation**
- 4. Dock/Pier**

Conditions:

- 1. All development shall comply with all applicable federal, state, and local requirements and with the Brunswick County Unified Development Ordinance (UDO) and shall 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 as kept on file by the Brunswick County Planning Department.**
- 2. 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**
- 3. 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.**
- 4. Vehicle parking spaces per UDO Section 6.12.6.3. shall be waived due to the property being accessible only by boat.**

REVISED 8/31/2020

CONSISTENCY STATEMENT

FOR BRUNSWICK COUNTY PLANNING BOARD

ZONING AMENDMENT DESCRIPTION: Z-794CZ (IG to RRCZ)



**THE BRUNSWICK COUNTY PLANNING BOARD HEREBY ORDER, on the basis of
be all the foregoing, that the UNIFIED DEVELOPMENT ORDINANCE ZONING AMENDMENT**

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: _____

ALTERNATIVE RECOMMENDATION: _____

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

DENIED – INCONSISTENT WITH COMPREHENSIVE PLAN

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

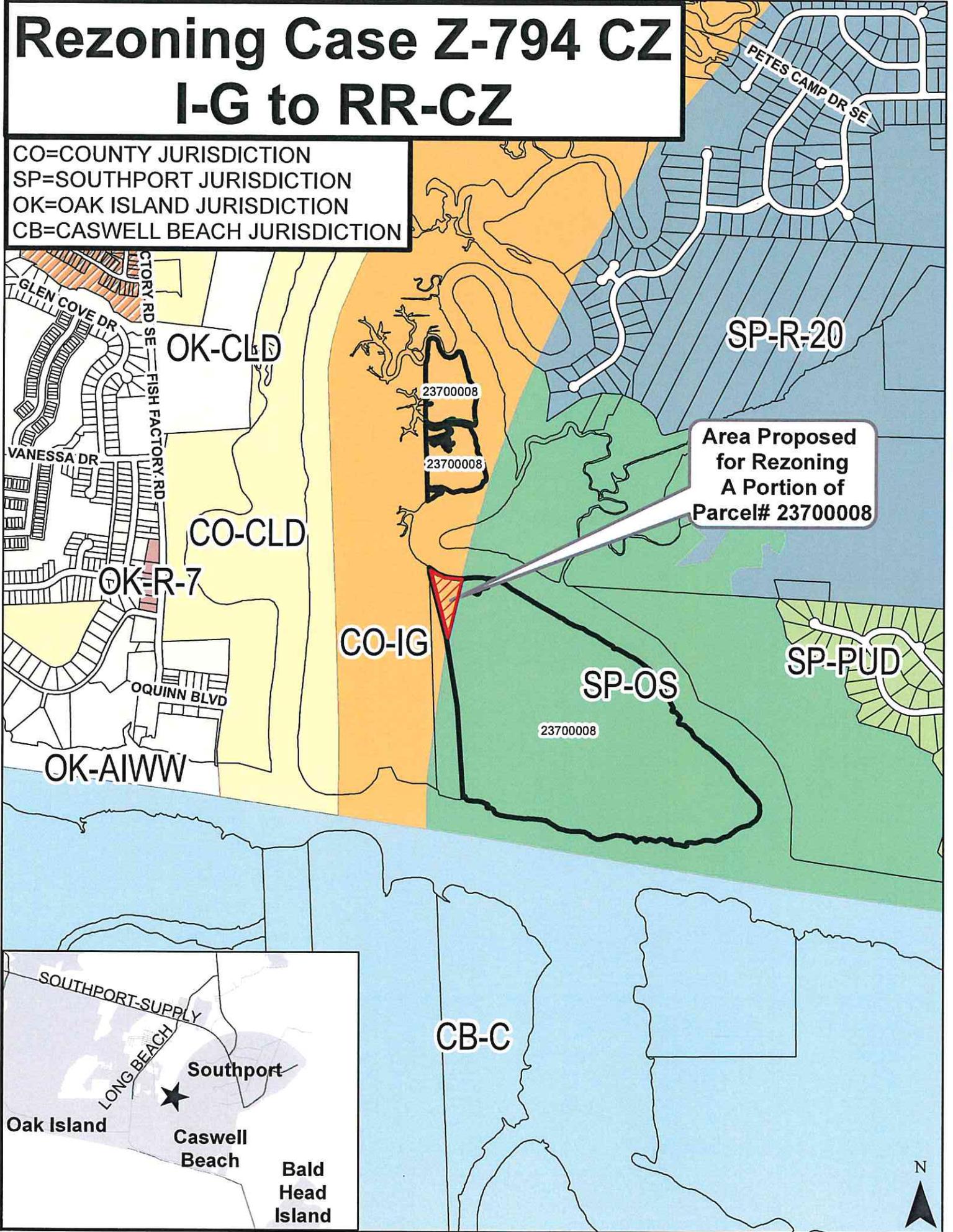
TABLED

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

Rezoning Case Z-794 CZ

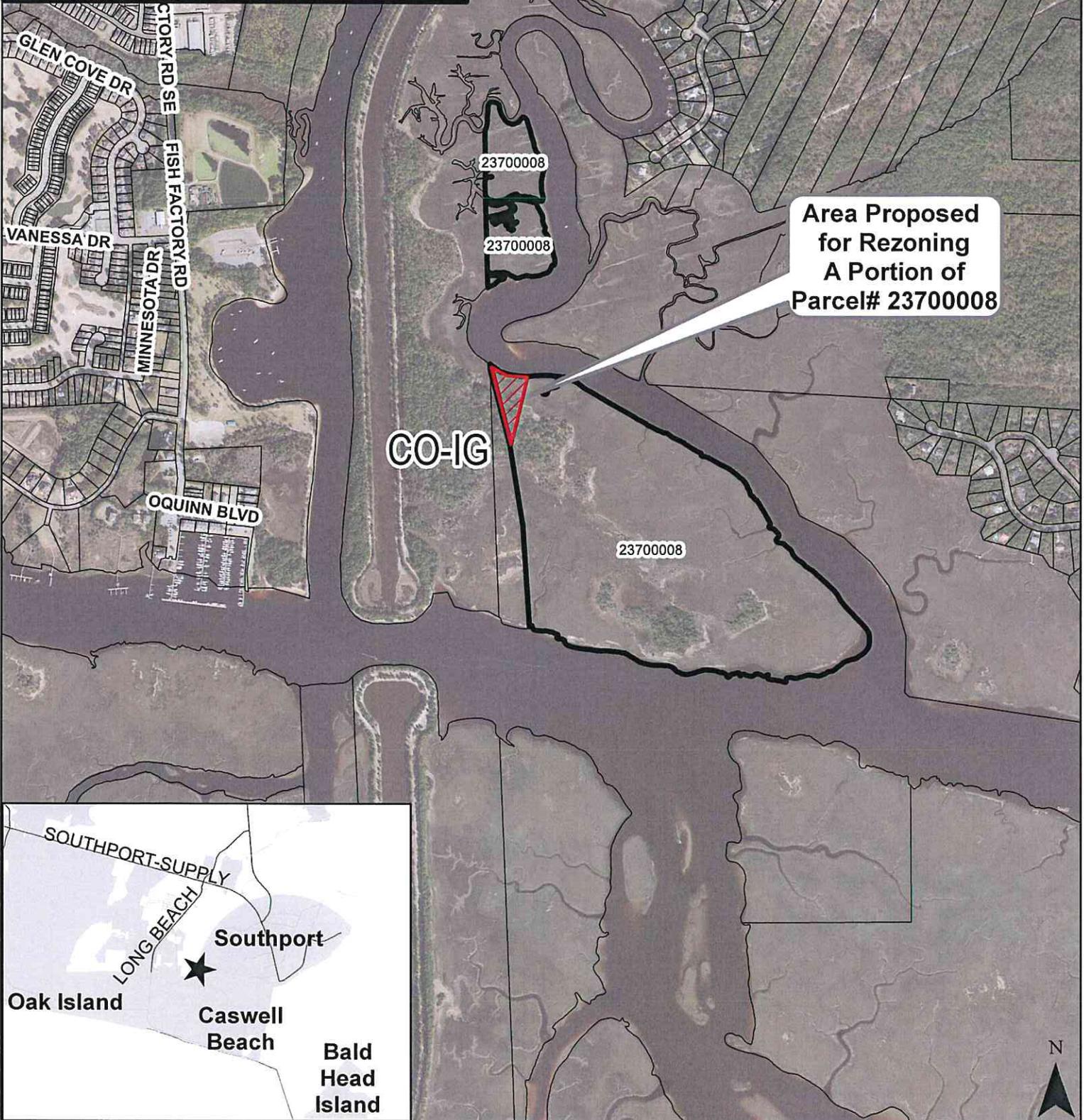
I-G to RR-CZ

CO=COUNTY JURISDICTION
SP=SOUTHPORT JURISDICTION
OK=OAK ISLAND JURISDICTION
CB=CASWELL BEACH JURISDICTION

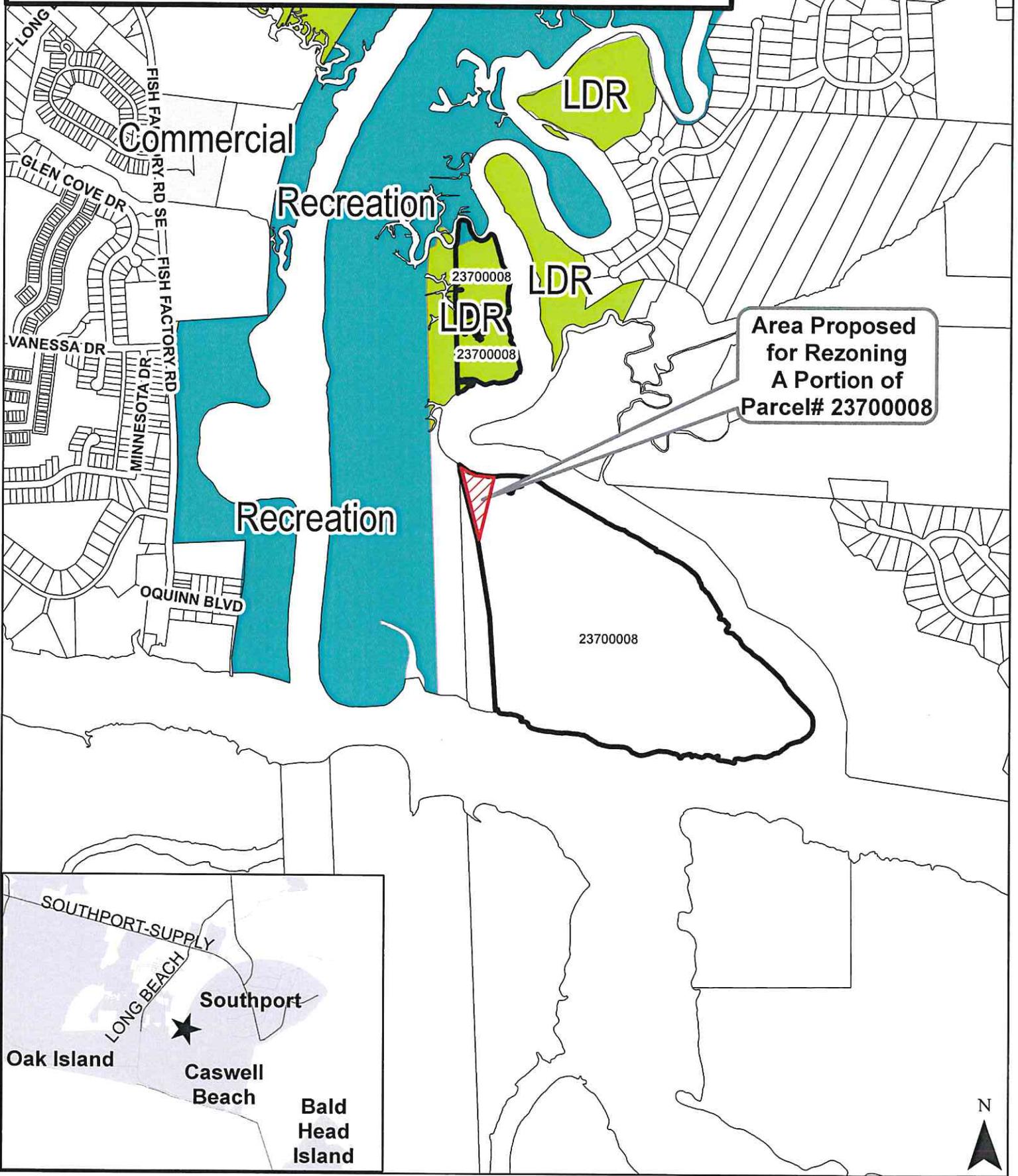


Rezoning Case Z-794 CZ I-G to RR-CZ

CO=COUNTY JURISDICTION
SP=SOUTHPORT JURISDICTION
OK=OAK ISLAND JURISDICTION
CB=CASWELL BEACH JURISDICTION



Rezoning Case Z-794 CZ Land Use Plan





REZONING APPLICATION

For Office Use Only

Rezoning Case Z- 7900CZ Invoice # 8406192020
 Date Received 6/24/2020
 Northwest Jurisdiction YES NO

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):
David Rouen

Mailing Address:
PO Box 1827 Carolina Beach, NC 28428

Phone: 910-793-9122 Email: dave@smeincusa.com

PROPERTY OWNER INFORMATION (If different from above)

Owner Name(s):
Same

Mailing Address:

Phone: Email:

PROPERTY INFORMATION

Property Address and/or Description of Location:

Parcel Tax ID #(s): Portion of 23700008 Total Site Acreage: 1.78ac

Current Zoning District(s): IG Proposed Zoning District(s): RR-CZ

Conditional Zoning Request YES NO

Conditional Zoning have additional submittal requirements such as Conceptual Site Plan, Proposed Conditions, Proposed Uses, and the holding of a neighborhood meeting. Please include the additional information as an attachment to this application.

NOTE: If multiple parcels are being proposed for rezoning then write "see attached" and attach the list of the parcels. Make sure to include the Tax Parcel ID #, owner name(s)/address, and acreage information.

STATEMENT OF REASONABLENESS

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

Applicant is requesting Conditional Rezoning for Single Family Residence w/dock. Area is very remote w/ other single family uses in vicinity.

LAND USE COMPATIBILITY

Future Land Use Map Classification: Undesignated

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:

Seeking LDR. Like uses within the vicinity

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: David L. Rana

Date: 6/24/20

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.

Brunswick County Jurisdiction Fees

- <1.0 acres (\$350)
- 1.0 to <5 acres (\$400)
- 5.0 to <25 acres (\$450)
- 25 to <50 acres (\$600)
- 50+ acres (\$1,200)
- Conditional Zoning (Add \$200)

City of Northwest Jurisdiction Fees

- <1.0 acres (\$1,650)
- 1.0 to <5 acres (\$1,760)
- 5.0 to <25 acres (\$1,870)
- 25 to <50 acres (\$2,090)
- 50+ acres (\$2,200)
- Conditional Zoning (Add \$550)

Please note that any continuance request after initial advertising will incur and additional \$500 fee for Brunswick County Jurisdiction and \$550 for City of Northwest Jurisdiction.

NEIGHBORHOOD MEETING VERIFICATION FORM

DATE OF MEETING: 9/1/2020 CASE # OR PROJECT NAME: Z-794CZ

LOCATION OF MEETING: Building I

ATTENDEES

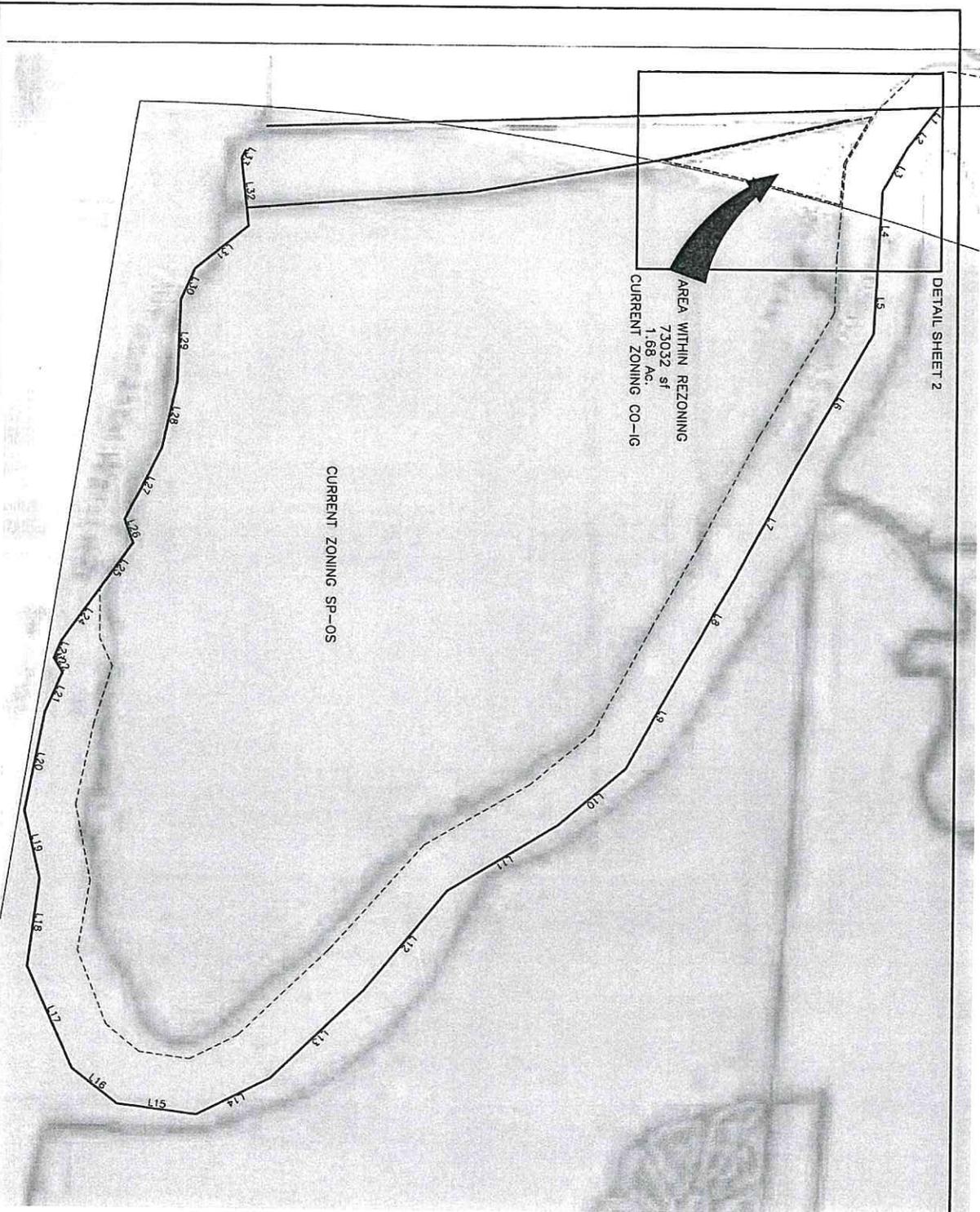
NUMBER OF ATTENDEES: 2

LIST OF ATTENDEES:

- | | |
|-----------------------------------|-----------|
| 1. <u>David Roven (applicant)</u> | 11. _____ |
| 2. <u>Marc Pages (staff)</u> | 12. _____ |
| 3. _____ | 13. _____ |
| 4. _____ | 14. _____ |
| 5. _____ | 15. _____ |
| 6. _____ | 16. _____ |
| 7. _____ | 17. _____ |
| 8. _____ | 18. _____ |
| 9. _____ | 19. _____ |
| 10. _____ | 20. _____ |

MEETING SUMMARY (INCLUDE ALL ATTENDEES COMMENTS & RESPONSES):

- No adjacent property owners attended
- No comments received



AREA WITHIN REZONING
73032 sf
1.68 Ac.
CURRENT ZONING CO-1G

CURRENT ZONING SP-0S

DETAIL SHEET 2

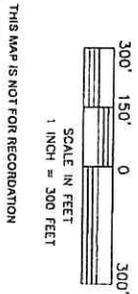
LOCATION MAP
(NOT TO SCALE)

DISCHARGE CANAL
SITE
DUTCHMAN CREEK
INTERREGIONAL WATERWAY

REZONING MAP FOR PART OF
FRAZIER POINT
FOR
DAVID and NANCY ROUEN
SUNNYSIDE TOWNSHIP, BRUNSWICK COUNTY, NORTH CAROLINA

DATE: JULY 2020
SITE INFORMATION:
Parcel# 23700008
Deed Book 4153 Page 1137

LINE	BEARING	DISTANCE	COORDINATES
1	N 89° 52' 22" E	11.72	11.72
2	N 89° 52' 22" E	11.72	23.44
3	N 89° 52' 22" E	11.72	35.16
4	N 89° 52' 22" E	11.72	46.88
5	N 89° 52' 22" E	11.72	58.60
6	N 89° 52' 22" E	11.72	70.32
7	N 89° 52' 22" E	11.72	82.04
8	N 89° 52' 22" E	11.72	93.76
9	N 89° 52' 22" E	11.72	105.48
10	N 89° 52' 22" E	11.72	117.20
11	N 89° 52' 22" E	11.72	128.92
12	N 89° 52' 22" E	11.72	140.64
13	N 89° 52' 22" E	11.72	152.36
14	N 89° 52' 22" E	11.72	164.08
15	N 89° 52' 22" E	11.72	175.80
16	N 89° 52' 22" E	11.72	187.52
17	N 89° 52' 22" E	11.72	199.24
18	N 89° 52' 22" E	11.72	210.96
19	N 89° 52' 22" E	11.72	222.68
20	N 89° 52' 22" E	11.72	234.40
21	N 89° 52' 22" E	11.72	246.12
22	N 89° 52' 22" E	11.72	257.84
23	N 89° 52' 22" E	11.72	269.56
24	N 89° 52' 22" E	11.72	281.28
25	N 89° 52' 22" E	11.72	293.00
26	N 89° 52' 22" E	11.72	304.72
27	N 89° 52' 22" E	11.72	316.44
28	N 89° 52' 22" E	11.72	328.16
29	N 89° 52' 22" E	11.72	339.88
30	N 89° 52' 22" E	11.72	351.60
31	N 89° 52' 22" E	11.72	363.32
32	N 89° 52' 22" E	11.72	375.04
33	N 89° 52' 22" E	11.72	386.76
34	N 89° 52' 22" E	11.72	398.48
35	N 89° 52' 22" E	11.72	410.20
36	N 89° 52' 22" E	11.72	421.92
37	N 89° 52' 22" E	11.72	433.64
38	N 89° 52' 22" E	11.72	445.36
39	N 89° 52' 22" E	11.72	457.08
40	N 89° 52' 22" E	11.72	468.80
41	N 89° 52' 22" E	11.72	480.52
42	N 89° 52' 22" E	11.72	492.24
43	N 89° 52' 22" E	11.72	503.96
44	N 89° 52' 22" E	11.72	515.68
45	N 89° 52' 22" E	11.72	527.40
46	N 89° 52' 22" E	11.72	539.12
47	N 89° 52' 22" E	11.72	550.84
48	N 89° 52' 22" E	11.72	562.56
49	N 89° 52' 22" E	11.72	574.28
50	N 89° 52' 22" E	11.72	586.00
51	N 89° 52' 22" E	11.72	597.72
52	N 89° 52' 22" E	11.72	609.44
53	N 89° 52' 22" E	11.72	621.16
54	N 89° 52' 22" E	11.72	632.88
55	N 89° 52' 22" E	11.72	644.60
56	N 89° 52' 22" E	11.72	656.32
57	N 89° 52' 22" E	11.72	668.04
58	N 89° 52' 22" E	11.72	679.76
59	N 89° 52' 22" E	11.72	691.48
60	N 89° 52' 22" E	11.72	703.20
61	N 89° 52' 22" E	11.72	714.92
62	N 89° 52' 22" E	11.72	726.64
63	N 89° 52' 22" E	11.72	738.36
64	N 89° 52' 22" E	11.72	750.08
65	N 89° 52' 22" E	11.72	761.80
66	N 89° 52' 22" E	11.72	773.52
67	N 89° 52' 22" E	11.72	785.24
68	N 89° 52' 22" E	11.72	796.96
69	N 89° 52' 22" E	11.72	808.68
70	N 89° 52' 22" E	11.72	820.40
71	N 89° 52' 22" E	11.72	832.12
72	N 89° 52' 22" E	11.72	843.84
73	N 89° 52' 22" E	11.72	855.56
74	N 89° 52' 22" E	11.72	867.28
75	N 89° 52' 22" E	11.72	879.00
76	N 89° 52' 22" E	11.72	890.72
77	N 89° 52' 22" E	11.72	902.44
78	N 89° 52' 22" E	11.72	914.16
79	N 89° 52' 22" E	11.72	925.88
80	N 89° 52' 22" E	11.72	937.60
81	N 89° 52' 22" E	11.72	949.32
82	N 89° 52' 22" E	11.72	961.04
83	N 89° 52' 22" E	11.72	972.76
84	N 89° 52' 22" E	11.72	984.48
85	N 89° 52' 22" E	11.72	996.20
86	N 89° 52' 22" E	11.72	1007.92
87	N 89° 52' 22" E	11.72	1019.64
88	N 89° 52' 22" E	11.72	1031.36
89	N 89° 52' 22" E	11.72	1043.08
90	N 89° 52' 22" E	11.72	1054.80
91	N 89° 52' 22" E	11.72	1066.52
92	N 89° 52' 22" E	11.72	1078.24
93	N 89° 52' 22" E	11.72	1089.96
94	N 89° 52' 22" E	11.72	1101.68
95	N 89° 52' 22" E	11.72	1113.40
96	N 89° 52' 22" E	11.72	1125.12
97	N 89° 52' 22" E	11.72	1136.84
98	N 89° 52' 22" E	11.72	1148.56
99	N 89° 52' 22" E	11.72	1160.28
100	N 89° 52' 22" E	11.72	1172.00
101	N 89° 52' 22" E	11.72	1183.72
102	N 89° 52' 22" E	11.72	1195.44
103	N 89° 52' 22" E	11.72	1207.16
104	N 89° 52' 22" E	11.72	1218.88
105	N 89° 52' 22" E	11.72	1230.60
106	N 89° 52' 22" E	11.72	1242.32
107	N 89° 52' 22" E	11.72	1254.04
108	N 89° 52' 22" E	11.72	1265.76
109	N 89° 52' 22" E	11.72	1277.48
110	N 89° 52' 22" E	11.72	1289.20
111	N 89° 52' 22" E	11.72	1300.92
112	N 89° 52' 22" E	11.72	1312.64
113	N 89° 52' 22" E	11.72	1324.36
114	N 89° 52' 22" E	11.72	1336.08
115	N 89° 52' 22" E	11.72	1347.80
116	N 89° 52' 22" E	11.72	1359.52
117	N 89° 52' 22" E	11.72	1371.24
118	N 89° 52' 22" E	11.72	1382.96
119	N 89° 52' 22" E	11.72	1394.68
120	N 89° 52' 22" E	11.72	1406.40
121	N 89° 52' 22" E	11.72	1418.12
122	N 89° 52' 22" E	11.72	1429.84
123	N 89° 52' 22" E	11.72	1441.56
124	N 89° 52' 22" E	11.72	1453.28
125	N 89° 52' 22" E	11.72	1465.00
126	N 89° 52' 22" E	11.72	1476.72
127	N 89° 52' 22" E	11.72	1488.44
128	N 89° 52' 22" E	11.72	1500.16
129	N 89° 52' 22" E	11.72	1511.88
130	N 89° 52' 22" E	11.72	1523.60
131	N 89° 52' 22" E	11.72	1535.32
132	N 89° 52' 22" E	11.72	1547.04
133	N 89° 52' 22" E	11.72	1558.76
134	N 89° 52' 22" E	11.72	1570.48
135	N 89° 52' 22" E	11.72	1582.20
136	N 89° 52' 22" E	11.72	1593.92
137	N 89° 52' 22" E	11.72	1605.64
138	N 89° 52' 22" E	11.72	1617.36
139	N 89° 52' 22" E	11.72	1629.08
140	N 89° 52' 22" E	11.72	1640.80
141	N 89° 52' 22" E	11.72	1652.52
142	N 89° 52' 22" E	11.72	1664.24
143	N 89° 52' 22" E	11.72	1675.96
144	N 89° 52' 22" E	11.72	1687.68
145	N 89° 52' 22" E	11.72	1699.40
146	N 89° 52' 22" E	11.72	1711.12
147	N 89° 52' 22" E	11.72	1722.84
148	N 89° 52' 22" E	11.72	1734.56
149	N 89° 52' 22" E	11.72	1746.28
150	N 89° 52' 22" E	11.72	1758.00
151	N 89° 52' 22" E	11.72	1769.72
152	N 89° 52' 22" E	11.72	1781.44
153	N 89° 52' 22" E	11.72	1793.16
154	N 89° 52' 22" E	11.72	1804.88
155	N 89° 52' 22" E	11.72	1816.60
156	N 89° 52' 22" E	11.72	1828.32
157	N 89° 52' 22" E	11.72	1840.04
158	N 89° 52' 22" E	11.72	1851.76
159	N 89° 52' 22" E	11.72	1863.48
160	N 89° 52' 22" E	11.72	1875.20
161	N 89° 52' 22" E	11.72	1886.92
162	N 89° 52' 22" E	11.72	1898.64
163	N 89° 52' 22" E	11.72	1910.36
164	N 89° 52' 22" E	11.72	1922.08
165	N 89° 52' 22" E	11.72	1933.80
166	N 89° 52' 22" E	11.72	1945.52
167	N 89° 52' 22" E	11.72	1957.24
168	N 89° 52' 22" E	11.72	1968.96
169	N 89° 52' 22" E	11.72	1980.68
170	N 89° 52' 22" E	11.72	1992.40
171	N 89° 52' 22" E	11.72	2004.12
172	N 89° 52' 22" E	11.72	2015.84
173	N 89° 52' 22" E	11.72	2027.56
174	N 89° 52' 22" E	11.72	2039.28
175	N 89° 52' 22" E	11.72	2051.00
176	N 89° 52' 22" E	11.72	2062.72
177	N 89° 52' 22" E	11.72	2074.44
178	N 89° 52' 22" E	11.72	2086.16
179	N 89° 52' 22" E	11.72	2097.88
180	N 89° 52' 22" E	11.72	2109.60
181	N 89° 52' 22" E	11.72	2121.32
182	N 89° 52' 22" E	11.72	2133.04
183	N 89° 52' 22" E	11.72	2144.76
184	N 89° 52' 22" E	11.72	2156.48
185	N 89° 52' 22" E	11.72	2168.20
186	N 89° 52' 22" E	11.72	2179.92
187	N 89° 52' 22" E	11.72	2191.64
188	N 89° 52' 22" E	11.72	2203.36
189	N 89° 52' 22" E	11.72	2215.08
190	N 89° 52' 22" E	11.72	2226.80
191	N 89° 52' 22" E	11.72	2238.52
192	N 89° 52' 22" E	11.72	2250.24
193	N 89° 52' 22" E	11.72	2261.96
194	N 89° 52' 22" E	11.72	2273.68
195	N 89° 52' 22" E	11.72	2285.40
196	N 89° 52' 22" E	11.72	2297.12
197	N 89° 52' 22" E	11.72	2308.84
198	N 89° 52' 22" E	11.72	2320.56
199	N 89° 52' 22" E	11.72	2332.28
200	N 89° 52' 22" E	11.72	2344.00



THIS MAP IS NOT FOR RECORDATION

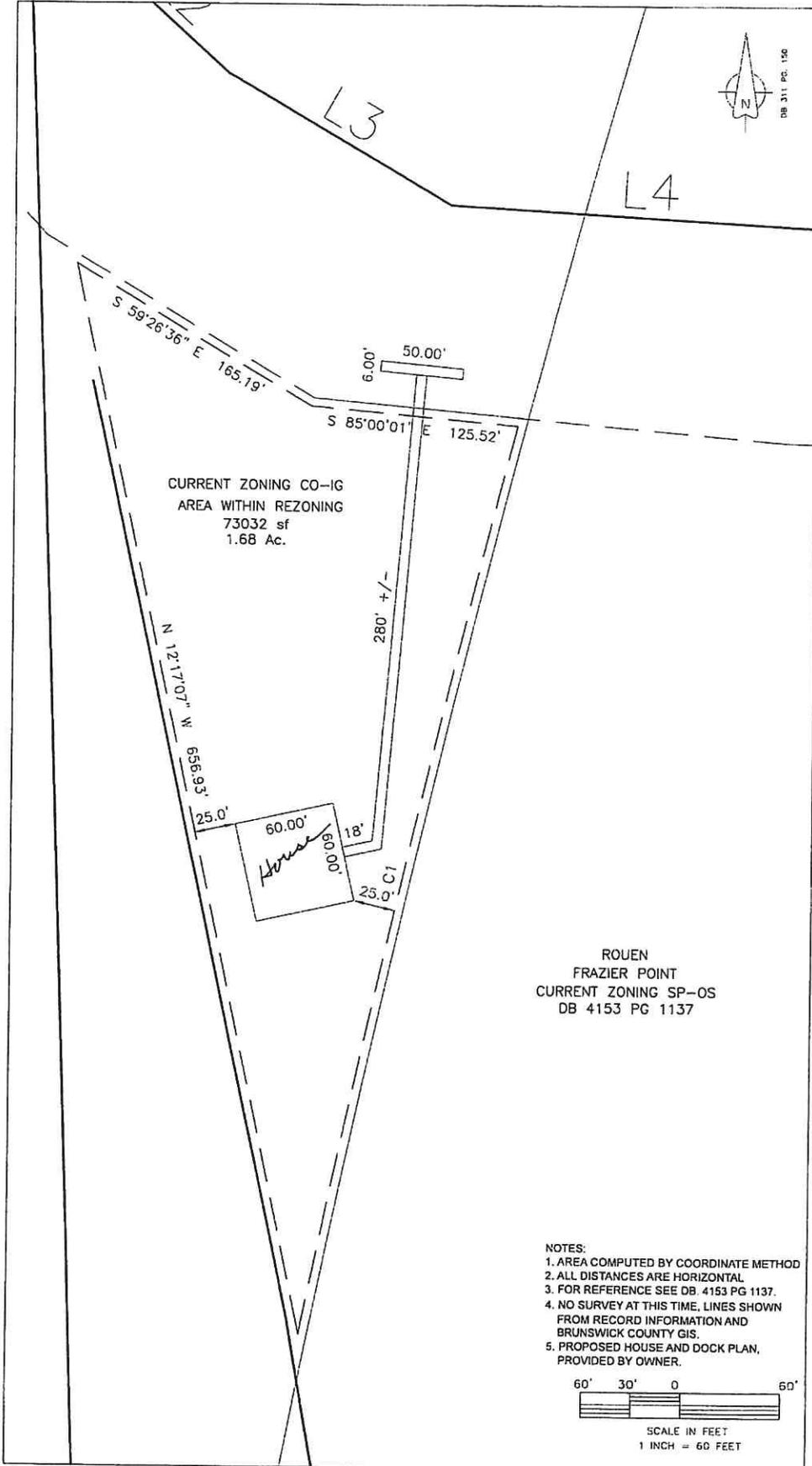
HANOVER DESIGN SERVICES, P.A.
LAND SURVEYORS ENGINEERS & LAND PLANNERS

1123 FLORAL PARKWAY
WILMINGTON, N.C. 28403
PHONE: (910) 343-8002
FAX: (910) 343-9941
FIRM CERTIFICATE C-0597

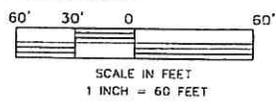
:/: aill/mike/cedding / 15334

DETAIL SHEET 2

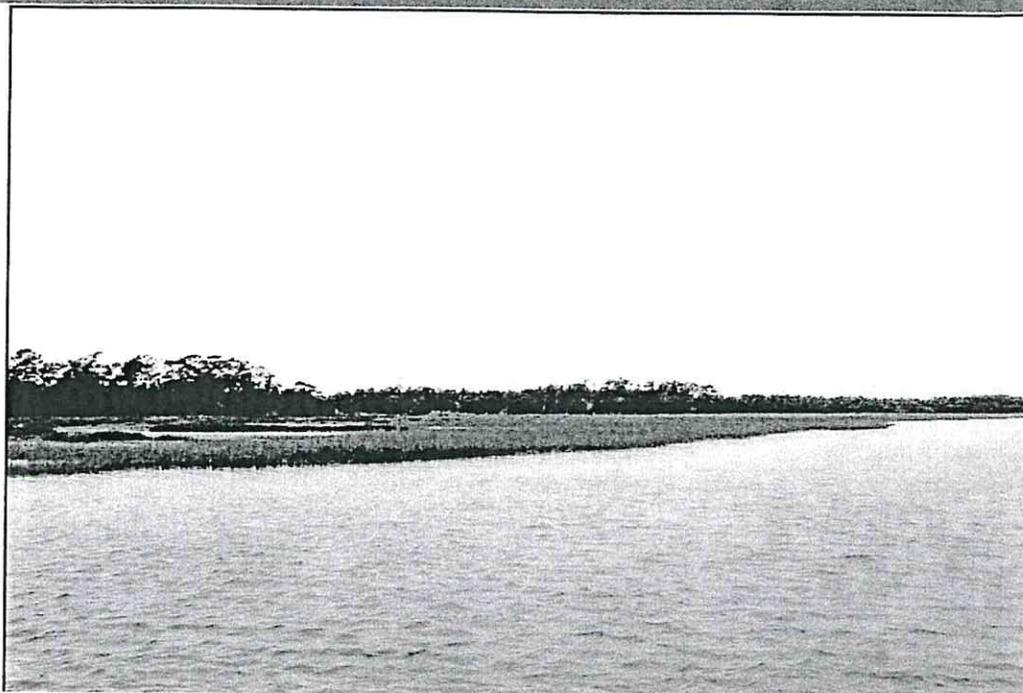
CURVE	RADIUS	ARC	CHORD BEARING	CHORD LENGTH
C1	8974.82'	561.72'	S 13°07'20" W	561.63'



- NOTES:
1. AREA COMPUTED BY COORDINATE METHOD
 2. ALL DISTANCES ARE HORIZONTAL
 3. FOR REFERENCE SEE DB. 4153 PG 1137.
 4. NO SURVEY AT THIS TIME, LINES SHOWN FROM RECORD INFORMATION AND BRUNSWICK COUNTY GIS.
 5. PROPOSED HOUSE AND DOCK PLAN, PROVIDED BY OWNER.



6



View of Subject from Dutchman's Creek



Upland Area of Subject

CASE Z-794 CZ

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
20600001	DUKE ENERGY PROGRESS INC	410 S WILMINGTON STREET	RALEIGH	NC	27601-1748
2370000801	DUKE ENERGY PROGRESS INC	410 S WILMINGTON STREET	RALEIGH	NC	27601-1748
2370000601	PLEASANT OAKS LLC ETAL	2203 MARLWOOD DRIVE	WILMINGTON	NC	28403
23700002	NORTH CAROLINA STATE OF	3441 ARENELL STREET	MOREHEAD CITY	NC	28557
23700005	BALD HEAD ISLAND LIMITED LLC	P O BOX 3069	BALD HEAD ISLAND	NC	28461
2370000504	STATE OF NORTH CAROLINA	116 W JONES ST	RALEIGH	NC	27603
2370A002	TAYLOR GAUSE	114 E MOORE ST	SOUTHPORT	NC	28461
251GA002	NORTH CAROLINA COASTAL LAND TRUST	SUITE 202	WILMINGTON	NC	28403
251GA001	STATE OF NORTH CAROLINA	3441 ARENELL STREET	MOREHEAD CITY	NC	28557

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
23700008	ROUEN DAVID L ETUX	PO BOX 1827	CAROLINA BCH	NC	28428-1827

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
23700008	ROUEN DAVID L ETUX	PO BOX 1827	CAROLINA BCH	NC	28428-1827

REZONING STAFF REPORT



Prepared by Marc Pages, Senior Planner

Rezoning Case#: Z-795

September 14, 2020

APPLICATION SUMMARY

The applicant, Anthony Fairweather, requests to rezone Tax Parcel 205KB013, 205KB014, 205KB016 and 205KB017 from R-6000 (High Density Residential) and CLD (Commercial Low Density) to CLD (Commercial Low Density). This rezoning request is conventional therefore, no conditions or site plans are proposed. All owners and adjacent owners have been notified via first class mail.

Location

5526 Calhoun Dr. SE (SR 1578)
8147 River Rd. SE (NC 87)

Tax Parcels

205KB013, 205KB014, 205KB016 and
205KB017

Current Zoning

R-6000 (High Density Residential) and
CLD (Commercial Low Density)

Proposed Zoning

CLD (Commercial Low Density)

Surrounding Zoning

R-6000 and CLD

Current Use

Place of Worship

Surrounding Land Uses

Commercial and Residential

Size

2.25 Acres



SITE CONSIDERATIONS

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

Buffers: If rezoned to C-LD, all non-residential uses will require a 0.4 (vacant) or 0.6 (developed) opacity buffer to R-6000 areas. A buffer is not required for adjacent non-residential uses zoned C-LD unless there is existing residential then a 0.4 opacity buffer will be required.

Traffic: There are no capacity deficiencies for this section of River Road (NC 87). The developer shall be responsible for obtaining an NCDOT driveway permit prior to construction.

Utilities: Water and Sewer is available from Brunswick County Utilities along River Road (NC 87). It is the developer's responsibility to coordinate with Brunswick County Utilities to connect to the water and sewer system.

Schools: Southport Elementary School, South Brunswick Middle School and South Brunswick High School have adequate capacity.

CIP Projects in Area: NC 211 R-5021 NCDOT Utility Relocation (FY 2020), New Early College High School (FY 2022)

NCDOT Road Improvements in Area: Widen NC 211 from Midway Road (NC 906) to NC 87 (Project R-5021) – Pre-Construction Phase (Anticipated Construction 2019 - 2021). Convert US 17 & NC 211 intersection to interchange (Project U-5932) – Design Phase (Anticipated Construction 2024).

Environmental Impacts: Biodiversity & Wildlife Habitat Assessment Score: Portions of the rezoning site score a 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: *Commercial*

- Proposed Zoning is consistent with CAMA Land Use Plan.

Applicable CAMA Land Use Policies:

- P.16 states that Brunswick County strongly supports commercial nodes, including town or village centers, and the prohibition of strip commercialization.
- P.49 states that Brunswick County supports directing more intensive land uses to areas that have existing or planned infrastructure.

STAFF RECOMMENDATION SUMMARY

Staff recommends **APPROVAL TO CLD FOR TAX PARCELS 205KB013, 205KB014, 205KB016 AND 205KB017** based upon information provided, surrounding area, current uses, the Brunswick County CAMA CORE Land Use Plan, and other adopted Brunswick County plans and policies.

CONSISTENCY STATEMENT

FOR BRUNSWICK COUNTY PLANNING BOARD

ZONING AMENDMENT DESCRIPTION: Z-795 (R-6000 & C-LD to C-LD)



***THE BRUNSWICK COUNTY PLANNING BOARD HEREBY ORDER, on the basis of
be all the foregoing, that the UNIFIED DEVELOPMENT ORDINANCE ZONING AMENDMENT***

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: _____

ALTERNATIVE RECOMMENDATION: _____

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

DENIED – INCONSISTENT WITH COMPREHENSIVE PLAN

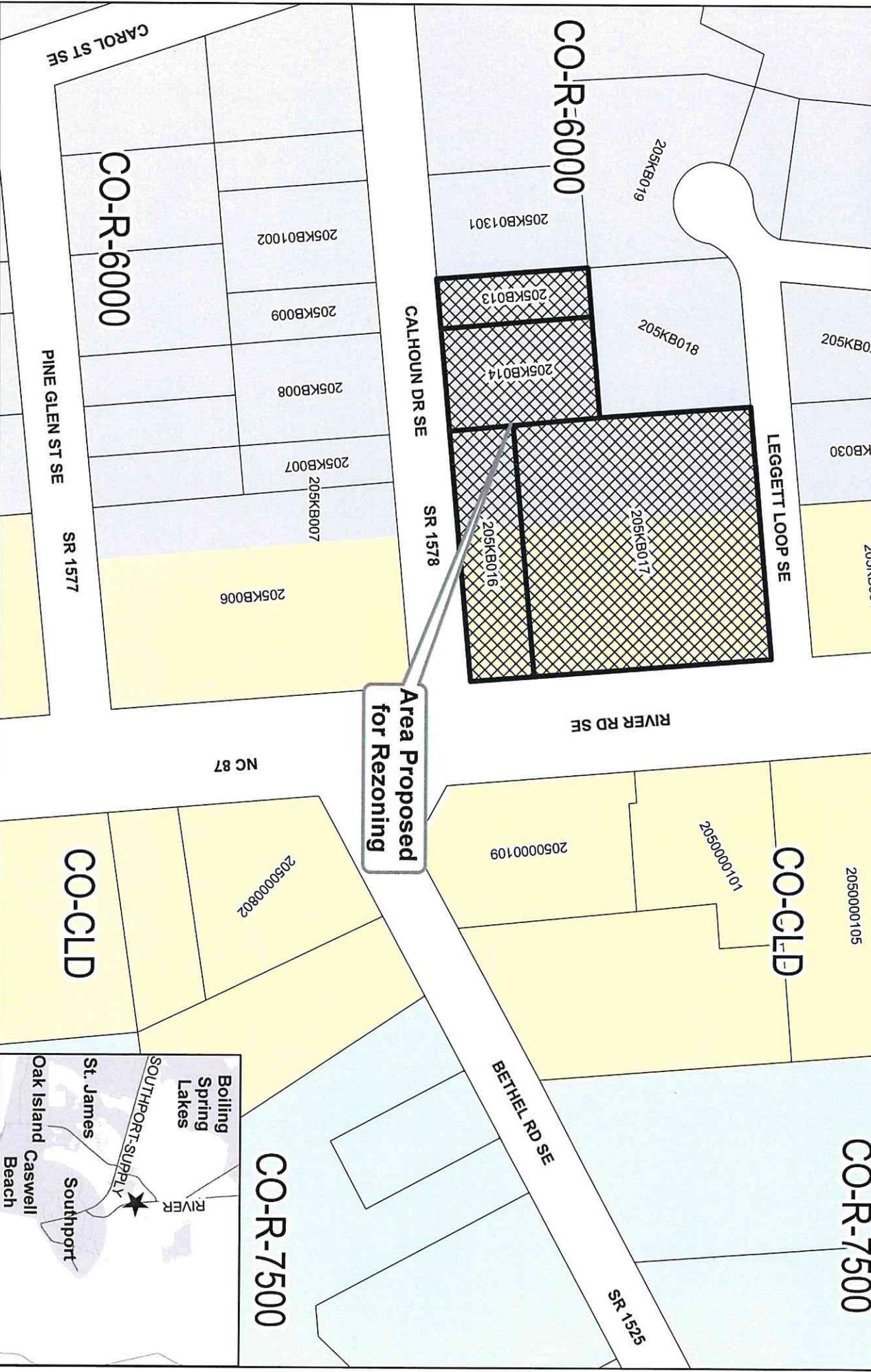
- The Planning Board finds that the proposed zoning amendment **is** **is not** consistent with the CAMA Land Use Plan (Comprehensive Plan) and **is** **is not** in the public interests for the following reasons: _____

TABLED

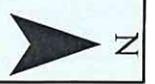
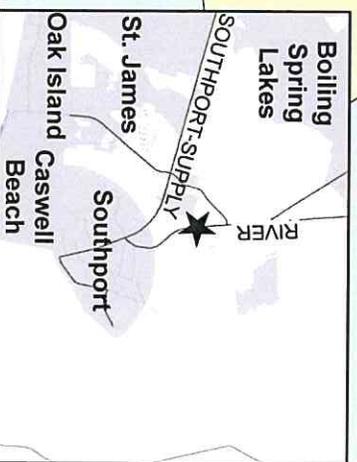
- The Planning Board TABLES the proposed zoning amendment to **Next Planning Board Meeting** **A Future Planning Board Meeting** in _____ months.

Rezoning Case Z-795 R-6000 and CLD to CLD

CO=COUNTY JURISDICTION

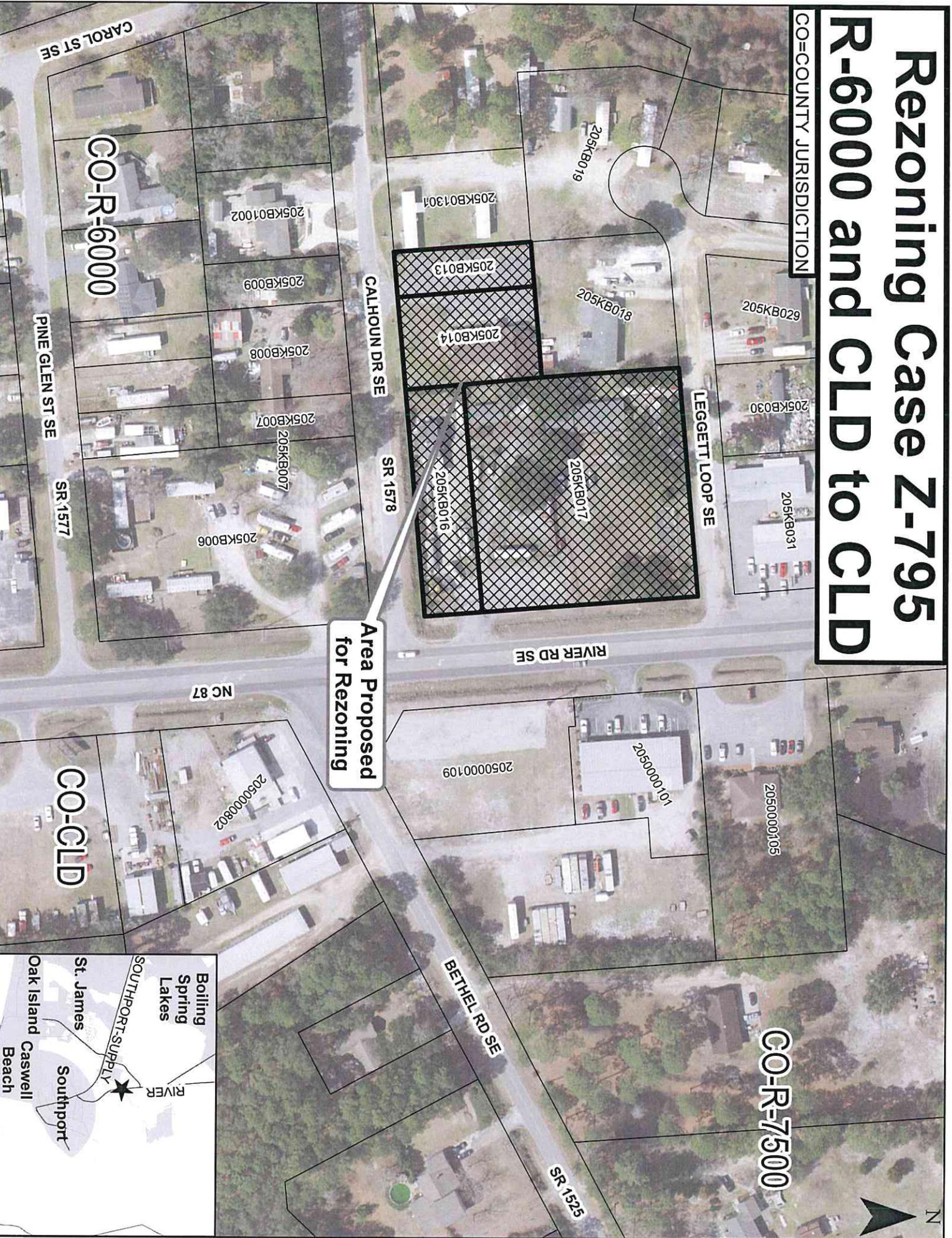


Area Proposed
for Rezoning

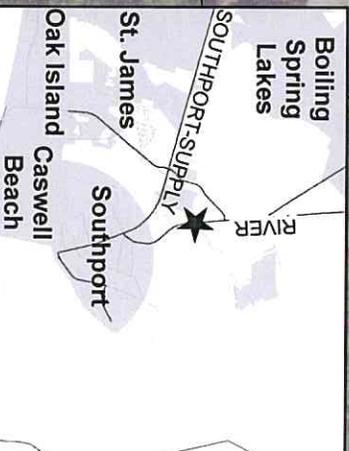


Rezoning Case Z-795 R-6000 and CLD to CLD

CO=COUNTY JURISDICTION



Area Proposed
for Rezoning



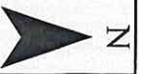
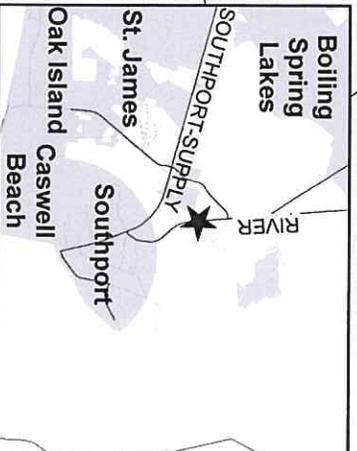
CO-R-7500

Rezoning Case Z-795 Land Use Plan

CO=COUNTY JURISDICTION



Area Proposed
for Rezoning





REZONING APPLICATION

<i>For Office Use Only</i>	
Rezoning Case Z- <u>795</u>	Invoice # <u>479967</u>
Date Received <u>7/28/2020</u>	
Northwest Jurisdiction <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

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>Anthony Fairweather</u>	
Mailing Address: <u>6481 Walden Pond Lane</u> <u>Southport, NC 28461</u>	
Phone: <u>(910) 477-1798</u>	Email: <u>anthony@ag-telecomllc.com</u>
PROPERTY OWNER INFORMATION (If different from above)	
Owner Name(s): <u>Church of God State Board of Trustees - ENCCOG</u>	
Mailing Address: <u>P O Box 100, Kenly North Carolina 27542</u>	
Phone: <u>919 284 3039</u>	Email: <u>absec@encog.org</u>
PROPERTY INFORMATION	
Property Address and/or Description of Location: <u>5526 Calhoun Dr. SE</u> <u>Southport, NC 28461</u>	
Parcel Tax ID #(s): <u>205KB013</u> <u>205KB014</u>	Portions of <u>-205KB017</u> <u>-205KB016</u> <u>(Added by state)</u>
Total Site Acreage: 0.52 <u>2.25</u> ^(MS)	
Current Zoning District(s): <u>R6000</u>	Proposed Zoning District(s): <u>Commercial</u> ^(CUD)
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:

This rezoning request is consistent with the Land Use Plan and is consistent with the character of the area.

LAND USE COMPATIBILITY

Future Land Use Map Classification: *Commercial*

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:

N/A

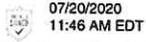
NOTE: The future Land Use Map Classification comes from the Brunswick Co. CAMA CORE Land Use Plan. If a rezoning request is not consistent then an amendment is required. Planning Staff can assist with this determination.

APPLICANT/OWNER SIGNATURE

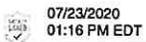
In signing of this Rezoning Application, I certify that I have understand the application guidelines and that incomplete applications will delay my application and my rezoning. I ALSO UNDERSTAND THAT MY REZONING REQUEST MUST BE CONSISTENT WITH THE LAND USE PLAN. I further certify that I am authorized 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]*

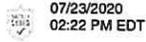
Date: *7/17/2020*

Owner Signature: *Kenneth Boyd*  07/20/2020 11:46 AM EDT

Date: _____

Owner Signature: *Brian White*  07/23/2020 01:16 PM EDT

Date: _____

LaVon Phillips  07/23/2020 02:22 PM EDT

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

Brunswick County Jurisdiction Fees

- <1.0 acres (\$350)
- 1.0 to <5 acres (\$400)
- 5.0 to <25 acres (\$450)
- 25 to <50 acres (\$600)
- 50+ acres (\$1,200)
- Conditional Zoning (Add \$200)

City of Northwest Jurisdiction Fees

- <1.0 acres (\$1,650)
- 1.0 to <5 acres (\$1,760)
- 5.0 to <25 acres (\$1,870)
- 25 to <50 acres (\$2,090)
- 50+ acres (\$2,200)
- Conditional Zoning (Add \$550)

Please note that any continuance request after initial advertising will incur and additional \$500 fee for Brunswick County Jurisdiction and \$550 for City of Northwest Jurisdiction.

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:

This rezoning request is consistent with the Land Use Plan and is consistent with the character of the area.

LAND USE COMPATIBILITY

Future Land Use Map Classification: *Commercial*

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:

N/A

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

APPLICANT/OWNER SIGNATURE

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

Applicant Signature: _____

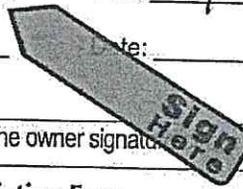
Date: _____

Owner Signature: *Kenneth Conly*

Date: *8/18/2020*

Owner Signature: _____

Date: _____



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

Brunswick County Jurisdiction Fees

- <1.0 acres (\$350) 1.0 to <5 acres (\$400) 5.0 to <25 acres (\$450)
- 25 to <50 acres (\$600) 50+ acres (\$1,200) Conditional Zoning (Add \$200)

City of Northwest Jurisdiction Fees

- <1.0 acres (\$1,650) 1.0 to <5 acres (\$1,760) 5.0 to <25 acres (\$1,870)
- 25 to <50 acres (\$2,090) 50+ acres (\$2,200) Conditional Zoning (Add \$550)

Please note that any continuance request after initial advertising will incur and additional \$500 fee for Brunswick County Jurisdiction and \$550 for City of Northwest Jurisdiction.

CASE Z-795

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
205KB019	MATTIS SARA J	1116 W AVENUE D	SAN ANGELO	TX	76901-4510
205KB01301	MATTIS SARA J	1116 W AVENUE D	SAN ANGELO	TX	76901-4510
2050000105	BRUNSWICK COUNTY FARM BUREAU INC	P O BOX 775	SHALLOTTE	NC	28459
205KB01002	DALEY MICHAEL MARVIN ETUX	5511 CALHOUN DR	SOUTHPORT	NC	28461-8980
2050000101	JOHNSTON PERRY ETUX	42 AUGUSTA DR	OAK ISLAND	NC	28465-8334
205KB008	JONES RAYMOND K ET	5527 CALHOUN DR	SOUTHPORT	NC	28461-8980
205KB007	JONES RAYMOND K ET	5527 CALHOUN DR	SOUTHPORT	NC	28461-8980
205KB007	JONES RAYMOND K ET	5527 CALHOUN DR	SOUTHPORT	NC	28461-8980
205KB009	JONES RAYMOND K ET	5527 CALHOUN DR	SOUTHPORT	NC	28461-8980
205KB031	PREMIERE REAL ESTATE SERVICE CO	PO BOX 11102	SOUTHPORT	NC	28461-8980
2050000109	ELROD ALBERT ETUX	137 GAZEBO CT	WILMINGTON	NC	28461-1102
205KB029	SMITH ROBERT W	5526 LEGGETT LOOP SE	SOUTHPORT	NC	28409-5051
205KB018	STRICKLAND GENE ALLEN	5525 LEGGETT LOOP	SOUTHPORT	NC	28461
2050000802	ADAMS WILLIAM DEAN ETUX	6013 ROBERT RUARK DR	SOUTHPORT	NC	28461
205KB006	DUNN RIVER LLC	214 RIVER DR	SOUTHPORT	NC	28461
205KB030	GREGORY COLE L	509 LUMBEE RD	SOUTHPORT	NC	28461

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
205KB017	CONLEY KENNETH R ET BRENDA J	1349 SOUTH SHORE DR BSL	SOUTHPORT	NC	28461
205KB013	SOUTHPORT CHURCH OF GOD	5526 CALHOUN DR SE	SOUTHPORT	NC	28461
205KB014	SOUTHPORT CHURCH OF GOD	5526 CALHOUN DR SE	SOUTHPORT	NC	28461
205KB016	K&B SYSTEMS INC	1349 SO. SHORE DRIVE	SOUTHPORT	NC	28461

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
	ANTHONY FAIRWEATHER	6481 WALDEN POND LN	SOUTHPORT	NC	28461

REZONING STAFF REPORT

Prepared by Marc Pages, Senior Planner

Rezoning Case#: Z-796

September 14, 2020



APPLICATION SUMMARY

The applicant requests to rezone Tax Parcel 0090010801 from SBR-6000 (High Density Site Built Residential) to RR (Rural Residential). This rezoning request is conventional therefore, no conditions or site plans are proposed. All owners and adjacent owners have been notified via first class mail.

Location

4299 Mt. Misery Road (SR 1426)

Tax Parcel(s)

0090010801

Current Zoning

SBR-6000 (High Density Site Built Residential)

Proposed Zoning

RR (Rural Residential)

Surrounding Zoning

SBR-6000 and RR

Current Use

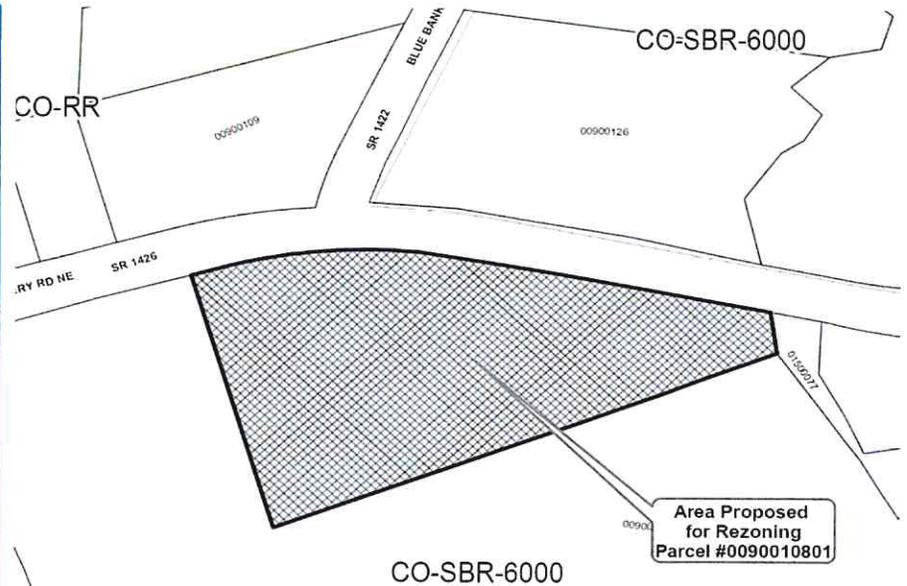
Vacant Land

Surrounding Land Uses

Residential, Vacant Lands

Size

3.95 acres



SITE CONSIDERATIONS

Zoning History: There are not any known zoning changes to the rezoning site since introduction of zoning in 1994.

Buffers: If rezoned to RR, all property boundaries adjacent to SBR-6000 Zoning Districts shall require a 10-foot, 0.2 opacity buffer.

Traffic: There are no known capacity deficiencies for this section of Mt. Misery Road (SR 1426). The developer shall be responsible for obtaining an NCDOT driveway permit prior to construction.

Utilities: Water is available from Brunswick County Utilities along Mt. Misery Road. Sewer is not available in the area.

Schools: Town Creek Elementary School is currently near capacity. Leland Middle School is currently out of capacity. North Brunswick High School has adequate capacity.

CIP Projects in Area: Northwest Water Plant Expansion-Phase 3 (FY 2020). New Town Creek Middle School (FY 2020).

NCDOT Road Improvements in Area: Lanvale Road and Old Fayetteville Road Intersection Improvements – Near Future.

Environmental Impacts: Biodiversity & Wildlife Habitat Assessment Score: Portions of the rezoning site score a 0 out of 10.

ANALYSIS

The Rural Low Density Residential 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."

CAMA Land Use Plan Classification: MDR (Medium Density Residential)

- Proposed Zoning is NOT consistent with CAMA Land Use Plan
- Land Use Amendment (LUM-796) proposed from MDR (Medium Density Residential) to LDR (Low Density Residential)

Applicable CAMA Land Use Policies:

- P.15 states that Brunswick County supports greater residential densities in areas that are accessible to water and sewer service(s). Agricultural and low-density residential land uses should be located in areas that do not have central water or sewer service.

STAFF RECOMMENDATION SUMMARY

Staff recommends APPROVAL TO RR IN CONJUNCTION WITH THE LAND USE AMENDMENT FOR TAX PARCEL 0090010801 BASED upon information provided, surrounding area, current uses, the Brunswick County CAMA CORE Land Use Plan, and other adopted Brunswick County plans and policies.

CONSISTENCY STATEMENT

FOR BRUNSWICK COUNTY PLANNING BOARD

ZONING AMENDMENT DESCRIPTION: Z-796 (SBR-6000 to RR)



**THE BRUNSWICK COUNTY PLANNING BOARD HEREBY ORDER, on the basis of
be all the foregoing, that the UNIFIED DEVELOPMENT ORDINANCE ZONING AMENDMENT**

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: _____

ALTERNATIVE RECOMMENDATION: _____

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

DENIED – INCONSISTENT WITH COMPREHENSIVE PLAN

- The Planning Board finds that the proposed zoning amendment **is** **is not** consistent with the CAMA Land Use Plan (Comprehensive Plan) and **is** **is not** in the public interests 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.

Rezoning Case Z-796 SBR-6000 to RR

CO=COUNTY JURISDICTION

CO-RR

MT MISERY RD NE

SR 1426

00900109

SR 1422

BLUE BANKS LOOP RD NE

00900126

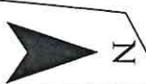
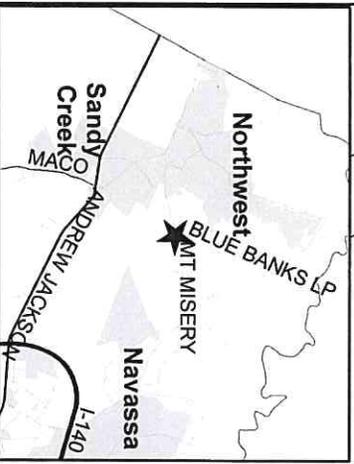
CO-SBR-6000

0090010808

01500077

CO-SBR-6000

Area Proposed
for Rezoning
Parcel #0090010801

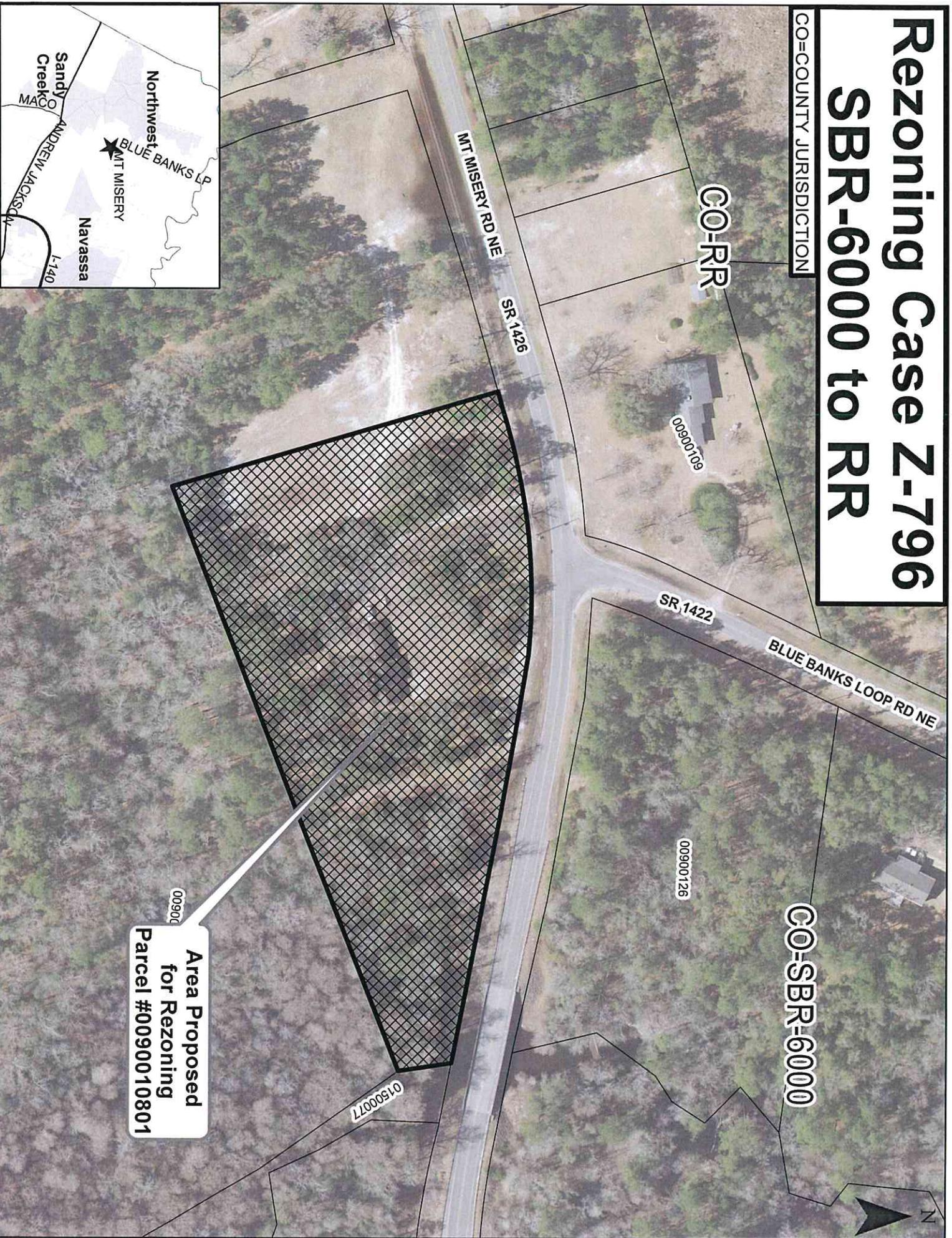


Rezoning Case Z-796 SBR-6000 to RR

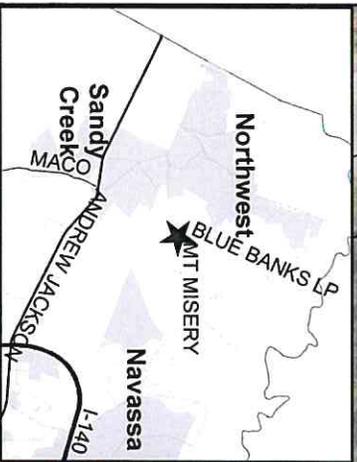
CO=COUNTY JURISDICTION

CO-RR

CO-SBR=6000



Area Proposed
for Rezoning
Parcel #0090010801



MT MISERY RD NE

SR 1426

00900109

SR 1422

BLUE BANKS LOOP RD NE

00900126

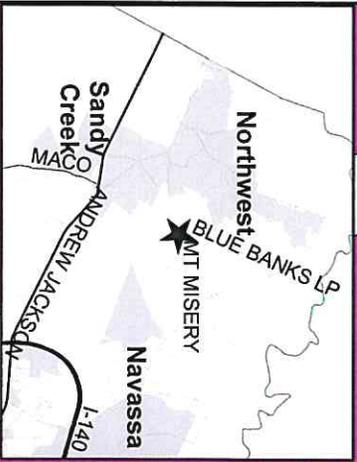
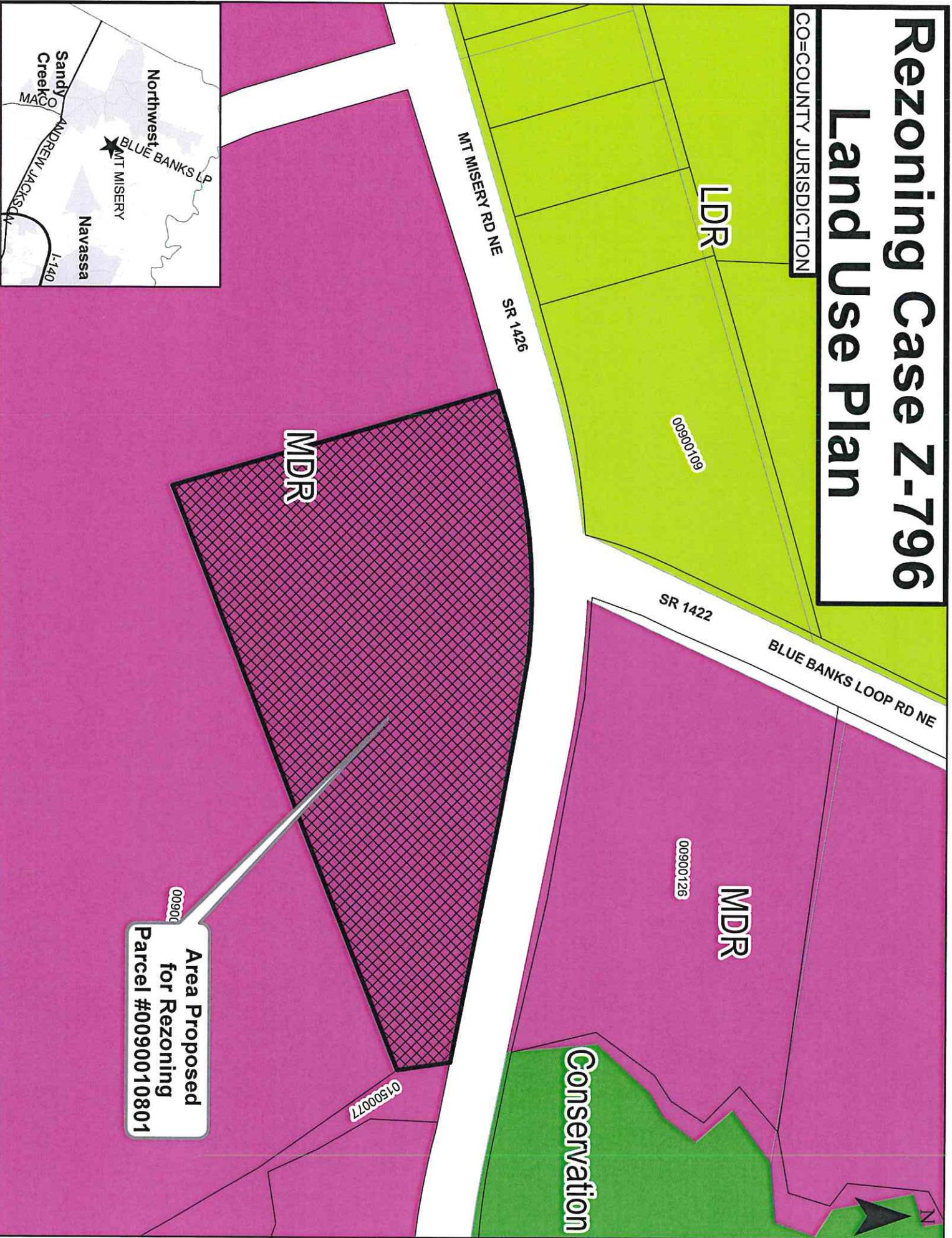
01500077

00900



Rezoning Case Z-796 Land Use Plan

CO=COUNTY JURISDICTION





REZONING APPLICATION

For Office Use Only

Rezoning Case Z- 796 Invoice # _____

Date Received 8/7/2020

Northwest Jurisdiction: YES NO

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):

Nancy Clark Co Michael Clark

Mailing Address:

4299 Mt Misery Rd NE
Leland, NC 28451

Phone:

(919) 889-2282

Email:

mikesits@yahoo.com

PROPERTY OWNER INFORMATION (If different from above)

Owner Name(s):

Nancy Clark

Mailing Address:

4299 Mt. Misery Rd. NE
Leland, NC 28451

Phone:

910-655-3115

Email:

see above

PROPERTY INFORMATION

Property Address and/or Description of Location:

4299 Mt. Misery Rd NE
Leland, NC 28451

Parcel Tax ID #(s):

0090010801

Total Site Acreage:

3.95 (calc.)
4.5 Ac. Plat.

Current Zoning District(s):

SBR6000

Proposed Zoning District(s):

RR

Conditional Zoning Request

YES

NO

Conditional Zoning have additional submittal requirements such as Conceptual Site Plan, Proposed Conditions, Proposed Uses, and the holding of a neighborhood meeting. Please include the additional information as an attachment to this application.

NOTE: If multiple parcels are being proposed for rezoning then write "see attached" and attach the list of the parcels. Make sure to include the Tax Parcel ID #, owner name(s)/address, and acreage information.

STATEMENT OF REASONABLENESS

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

Existing zoning doesn't work for my plans for the property. RR exists across the road and would be more flexible for my plans and easier for me to develop the property.

LAND USE COMPATIBILITY

The Land Use Map Classification: MDR

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 etc.

RR exists across the road and in the rest of the area.

NOTE: The future Land Use Map Classification comes from the Brunswick Co. CAMA CORE Land Use Plan. If a rezoning request is inconsistent 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 application will delay my application and my rezoning. I ALSO UNDERSTAND THAT MY REZONING REQUEST MUST BE CONSISTENT WITH THE LAND USE PLAN. I further certify that I am authorized to submit this application and that all the information presented in this application is accurate to the best of my knowledge, information, and belief.

Applicant Signature: _____

Date: _____

Owner Signature: Nancy L. Clark

Date: 8-1-20

Owner Signature: _____

Date: _____

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

Brunswick County Jurisdiction Fees

- <1.0 acres (\$350)
- 1.0 to <5 acres (\$400)
- 5.0 to <25 acres (\$450)
- 25 to <50 acres (\$600)
- 50+ acres (\$1,200)
- Conditional Zoning (Add \$200)

City of Northwest Jurisdiction Fees

- <1.0 acres (\$1,650)
- 1.0 to <5 acres (\$1,760)
- 5.0 to <25 acres (\$1,870)
- 25 to <50 acres (\$2,090)
- 50+ acres (\$2,200)
- Conditional Zoning (Add \$550)

Please note that any continuance request after initial advertising will incur and additional \$500 fee for Brunswick County Jurisdiction and \$550 for City of Northwest Jurisdiction.

CASE Z-796

ADJACENT PROPERTY OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
900109	LEONARD DONNA L	2401 BLUE BANKS LOOP RD	LELAND	NC	28451
900126	PETERSON DALE WOOD	1053 WATERS RD	CHESAPEAKE	VA	23322-8801
1500077	CORBETT BROTHERS	P O BOX 210	WILMINGTON	NC	28401
90010808	ROWELL LEN TREE PLANTATION LLC	4350 MT MISERY RD NE	LELAND	NC	28451-8816

OWNER(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
90010801	CLARK NANCY LENNON & HUGH V	4299 MT MISERY RD NE	LELAND	NC	28451

APPLICANT(S)

PARCEL ID	NAME	ADDRESS	CITY	STATE	ZIP
90010801	CLARK NANCY LENNON & HUGH V	4299 MT MISERY RD NE	LELAND	NC	28451