

MINUTES
PLANNING BOARD
BRUNSWICK COUNTY, NC

6:00 P.M. Monday
September 14, 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
Eileene Shake

MEMBERS ABSENT

Ron Medlin

STAFF PRESENT

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

OTHERS PRESENT

Aaron Healy
Anthony Fairweather
Michael Clark
Michael Nichols

David Rouen
Nancy Clark
John Hankins

I. CALL TO ORDER.

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

II. INVOCATION/PLEDGE OF ALLEGIANCE.

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

III. ROLL CALL.

Mr. Ron Medlin was absent.

IV. CONSIDERATION OF MINUTES OF 06-AUG-20 AND 10-AUG-20 MEETINGS.

Mr. Bittenbender made a motion to approve the 06-Aug-20 and 10-Aug-20 minutes as presented and the motion was unanimously carried.

V. AGENDA AMENDMENTS.

There were none.

VI. PUBLIC COMMENT.

There were none.

VII. PUBLIC HEARINGS.

A. Rezoning Z-791CZ – (Aaron S. Healy).

Request rezoning of approximately 5.35 acres located at 1535 Holden Beach Road SW (NC 130) from R-6000 (High Density Residential) and R-7500 (Medium Density Residential) to C-LDCZ (Commercial Low Density Conditional Zoning) for Tax Parcel 2150010007 and a portion of Tax Parcel 2150010020.

Land Use Plan Map Amendment LUM – 791CZ:

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

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-6000 (High Density Residential) and R-7500 (Medium Density Residential) to C-LDCZ (Commercial Low Density Conditional Zoning) for Tax Parcel 2150010007 and a portion of Tax Parcel 2150010020 with the noted conditions in the Staff Report in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map to Commercial for Tax Parcel 2150010007 and a portion of Tax Parcel 2150010020.

Ms. Easley asked why the small portion of Tax Parcel 2150010020 is requested for the zoning change? Mr. Pages said that small portion of Tax Parcel 2150010020 is needed to accommodate the intended use and minimum buffering requirements on the site. Ms. Easley asked if the applicant intends to replat the parcel and Mr. Pages said that portion of Tax Parcel 2150010020 will have to be combined with Tax Parcel 2150010007 prior to the issuance of a building permit. Ms. Easley made a motion to open the Public Hearing and the motion was unanimously carried.

Mr. Michael Nichols, representative for Paramounte Engineering, addressed the Board on behalf of the applicant. Mr. Nichols said they intend to combine that portion of Tax Parcel 2150010020 with Tax Parcel 2150010007 prior to development of the property. He further stated that they will construct 3 buildings on the site for self-service storage with an office and adequate parking. Mr. Nichols said the site will be fenced and gate-controlled to accommodate outdoor storage of vehicles and RV/Boats as outline on the applicant's site plan.

Mr. Dunham asked about lighting on the site. Mr. Aaron Healy addressed the Board. Mr. Healy said there will be lighting in the hallways of the buildings as well as in the office area. Mr. Pages interjected that a lighting plan will have to be submitted prior to approval of the project, which addresses the maximum lighting capacity allowed on the site.

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

Ms. Easley made a motion to approve Tax Parcel 2150010007 and a portion of Tax Parcel 2150010020 to C-LDCZ (Commercial Low Density Conditional Zoning) with the noted conditions in the Staff Report 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 MDR (Medium 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:

There were no oppositions from the public and the proposed use will be a benefit to the area as it is in close proximity to a commercial node.

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

The proposed zoning change will be a benefit to the area because of its proximity to the beach community.

The Chairman stated that any person with standing may appeal the decision of the decision. 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-794CZ – (David Rouen).

Request rezoning of approximately 1.78 acres located approximately 2,000 feet east of Dutchman Creek Park near Southport from I-G (Industrial General) to RRCZ (Rural Low Density 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).

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 I-G (Industrial General) to RRCZ (Rural Low Density Residential) for a portion of Tax Parcel 23700008 with the noted conditions in the Staff Report in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map to RRCZ (Rural Low Density Residential Conditional Zoning) for a portion of Tax Parcel 23700008.

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

Mr. David Rouen addressed the Board. Mr. Rouen stated that he wants to build a structure on the property in the future, but he does not have any plans to develop the property at the current time.

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 a portion of Tax Parcel 23700008 to RRCZ (Rural Low Density Residential Conditional Zoning) with the noted conditions in the Staff Report in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map to LDR (Low Density Residential) for a portion of Tax Parcel 23700008 and the motion was unanimously carried.

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 Undesignated. However, a CAMA Land Use Plan Map amendment has been requested to LDR (Low Density Residential).

- 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 are no property owners nearby. However, development of the property will increase the tax base.

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

The property owner will be allowed to utilize a small portion of a larger open space parcel.

The Chairman stated that any person with standing may appeal the decision of the decision. 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-795 – (Anthony Fairweather).

Request rezoning of approximately 2.25 acres located at 8147 River Road SE (NC 87) and 5526 Calhoun Drive SE (SR 1578) from R-6000 (High Density Residential) and C-LD (Commercial Low Density) to C-LD (Commercial Low Density) for Tax Parcels 205KA013, 205KB014, 205KB016 and 205KB017.

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-6000 (High Density Residential) and C-LD (Commercial Low Density) to C-LD (Commercial Low Density) for Tax Parcels 205KA013, 205KB014, 205KB016 and 205KB017.

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

Mr. Anthony Fairweather addressed the Board on behalf of the property owner. Mr. Fairweather stated that they purchased a church for an office for a telecommunications construction business because the subject property is in close proximity to where they currently live. He stated that the property will also be used to store vehicles as well as a training facility for fiber optic splicing. Mr. Fairweather concluded that they will potentially provide job opportunities to the area.

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 Parcels 205KA013, 205KB014, 205KB016 and 205KB017 to C-LD (Commercial Low Density) 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 Commercial.

- 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 and the existing building will be used for commercial purposes, which will add tax value to the area.

The Chairman stated that any person with standing may appeal the decision of the decision. 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.

D. Rezoning Z-796 – (Nancy Clark - %Michael Clark).

Request 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 Low Density 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).

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 SBR-6000 (Site Built Residential) to RR (Rural Low Density Residential) for Tax Parcel 0090010801 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map to LDR (Low Density Residential) for Tax Parcel 0090010801.

Mr. Dunham asked about the potential driveway on the west side of the property. Mr. Pages said there are driveways and/or easements on the site that were used for farming purposes.

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

Mr. Michael Clark addressed the Board. Mr. Clark stated that the property has always been family farmland and there are driveways for farming purposes shown on the map. Mr. Clark said his family wants to continue using the property for farming purposes and potentially place a home on the property in the future. He further stated that the property was rezoned to SBR-6000 unbeknownst to the family. He concluded that they may rezone other parcels at a later date if all family members are in agreement with the zoning change.

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 Tax Parcel 0090010801 in conjunction with an amendment to the Official Brunswick County CAMA Land Use Plan Map to LDR (Low 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 – 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 MDR (Medium Density Residential). However, a CAMA Land Use Plan Map amendment has been requested to LDR (Low Density Residential).

- 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:

The adjoining parcels are family-owned and they are currently using the parcels for farming purposes, which is consistent with the requested 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 in the immediate area.

The Chairman stated that any person with standing may appeal the decision of the decision. 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.

VIII. STAFF REPORTS.

- Blue Print Brunswick Project (Comprehensive Land Use Plan and Parks & Recreation Plan) Update

Ms. Dixon addressed the Board. She stated that this is a joint project with Parks & Recreation and will kick-off at the end of September 2020. Ms. Dixon said updates will be provided to the Planning Board members when available.

- Model Home Text Amendment Update

Ms. Dixon addressed the Board. She stated that the working committee has been working on definitions and provisions for the model home text amendment. Ms. Dixon said staff is anticipating a public hearing at the Planning Board level at the Board's October 2020 meeting.

- Rezoning Case Update

Ms. Dixon addressed the Board. She stated that Zoning Case Z-790, Z-792 and Z-793 were approved at the Planning Board's 10-Aug-20 meeting and no rezoning appeals were received so the Planning Board's decision stands.

IX. ADJOURNMENT.

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